**Thursday, June 19, 2014**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT, the Honorable John Yancey McGill.

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

The Psalmist proclaims:

“May Your unfailing love rest upon us, O Lord, even as we put our hope in You.” (Psalm 33:22)

Let us pray, my friends:

May it ever be so, O God, that apparent uppermost in what these Senators and staff members have done and continue to do is rich illustration of their love of and concern for South Carolina.

Throughout this Session, Lord, and even through this current week, each person in this place has worked to bring about the very best and the most worthwhile results for our people. On balance, may their many decisions and their hope-filled actions prove the truth of this fervent desire. We thank each of these servants, dear God, for their diligence, for their dedication, and for their desire to give their very best. In Your loving name all this we pray, O Lord. Amen.

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

**Leave of Absence**

On motion of Senator KIMPSON, at 10:05 A.M., Senator MATTHEWS was granted a leave of absence for today.

**Leave of Absence**

At 11:00 A.M., Senator COURSON requested a leave of absence until 1:30 P.M.

**Statement by Senator COURSON**

I had leave from the Senate the evening of June 18, 2014.  If present, I would have voted to sustain Veto 76 (the in-district pay increase) on H. 4701, the General Appropriations Bill.

**INTRODUCTION OF RESOLUTION**

The following was introduced:

S. 1376 -- Senator Sheheen: A SENATE RESOLUTION TO CONGRATULATE PATINA RENEA MILLER ON WINNING A TONY AWARD FOR HER PERFORMANCE IN PIPPIN, AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

Very respectfully,

Speaker of the House

Received as information.

**S. 825--REPORT OF THE**

**COMMITTEE OFCONFERENCE ADOPTED**

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

On motion of Senator ALEXANDER, the Report of the Committee ofConference was taken up for immediate consideration.

Senator ALEXANDER spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 34; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Malloy *Martin, Larry* Massey

O'Dell Peeler Pinckney

Scott Setzler Shealy

Thurmond Turner Williams

Young

**Total--34**

**NAYS**

**Total--0**

The Report of the Committee of Conference was adopted as follows:

**S. 825--Conference Report**

The General Assembly, Columbia, S.C., June 16, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

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

That the same do pass with the following amendments:

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

/ PART I

Military Family Quality of Life Enhancement Act of 2014

SECTION 1. This act may be known and must be cited as the “Military Family Quality of Life Enhancement Act of 2014”.

PART II

Property Taxes

SECTION 2. A. Article 1, Chapter 1, Title 3 of the 1976 Code is amended by adding:

“Section 3‑1‑40. There is exempt from ad valorem taxation any real property, and improvements thereon, located within a military base or installation that is used or owned by the United States Armed Forces and is used as military housing for military affiliated personnel and their families. Military housing includes ancillary facilities that support the military housing. This exemption continues to apply if the real property is improved, maintained, or leased to a party that would otherwise subject the real property to tax, so long as there is a contractual agreement by and between a branch of the United States Armed Forces and the lessee which requires the lessee to use the property for military housing.”

B. This SECTION takes effect upon approval by the Governor and applies for property tax years beginning after 2013.

PART III

Medicaid Waiver Protections

SECTION 3. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

“Section 44‑6‑35. In administering home and community‑based waiver programs, the department shall, to the extent possible, maintain the waiver status of an eligible family member of a member of the armed services who maintains his South Carolina state residence, regardless of where the service member is stationed. Consequently, a person on a waiver waiting list would return to the same place on the waiting list when the family returns to South Carolina. Furthermore, the eligible family member previously enrolled in a waiver program and who received active services would be reinstated into the waiver program once Medicaid eligibility is established, upon their return to South Carolina. It is not the intent of this section to authorize services provided outside the South Carolina Medicaid Service Area. These provisions are contingent upon the department receiving federal approval.”

PART IV

Military‑Connected Children’s Welfare Task Force

SECTION 4. Chapter 11, Title 63 of the 1976 Code is amended by adding:

“Article 21

Military‑Connected Children’s Welfare Task Force

Section 63‑11‑2110. (A) There is created the ‘Military‑Connected Children’s Welfare Task Force’ for the purpose of identifying issues related to military‑connected children and opening communication between child welfare agencies of this State and local military installations. The task force shall study issues relating to military‑connected children as the task force may undertake or as may be requested by the General Assembly.

(B) The task force is to be comprised of the following members:

(1) the Director of the Department of Health and Human Services, or his designee;

(2) the Governor, or his designee;

(3) the Speaker of the House of Representatives, or his designee;

(4) the President Pro Tempore of the Senate, or his designee; and

(5) a representative of the Children’s Trust Fund.

(C) The task force shall meet as soon as practicable after the effective date of this act for organizational purposes.

(D) The task force shall submit an annual written report to the General Assembly including recommendations to facilitate and open communication between child welfare agencies of this State and local military installations. The findings and recommendations of the task force shall be posted on the Department of Health and Human Services’ website.

(E) The members of the task force shall serve without compensation and may not receive mileage or per diem.”

PART V

Education

SECTION 5. Section 59‑18‑900 of the 1976 Code, as last amended by Act 282 of 2008, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) The Education Oversight Committee, working with the State Board of Education, is directed to establish a comprehensive annual report concerning the performance of military‑connected children who attend primary, elementary, middle, and high schools in this State. The comprehensive annual report must be in a reader‑friendly format, using graphics whenever possible, published on the state, district, and school websites, and, upon request, printed by the school districts. The annual comprehensive report must address at least attendance, academic performance in reading, math, and science, and graduation rates of military‑connected children.”

SECTION 6. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended to read:

“Section 7‑15‑320. (A) ~~A qualified elector~~ Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections when ~~he is~~ they are absent from ~~his~~ their county of residence on election day during the hours the polls are open, to an extent that it prevents ~~him~~ them from voting in person:

(1) students, their spouses, and dependents residing with them;

(2) ~~members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;~~

~~(3)~~ persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(~~4~~3) governmental employees, their spouses, and dependents residing with them;

(~~5~~4) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or

(~~6~~5) overseas citizens.

(B) ~~A qualified elector~~ Qualified electors in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not ~~he is~~ they are absent from ~~his~~ their county of residence on election day:

(1) physically disabled persons;

(2) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

(3) certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;

(4) persons attending sick or physically disabled persons;

(5) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

(6) persons with a death or funeral in the family within a three‑day period before the election;

(7) persons who will be serving as jurors in a state or federal court on election day;

(8) persons sixty‑five years of age or older; ~~or~~

(9) persons confined to a jail or pretrial facility pending disposition of arrest or trial; or

(10) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them.”

PART VI

Severability and Effective Date

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. Section 25‑1‑350 of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“( ) in his discretion, authorize National Guard personnel to support and assist the National Guard Association of South Carolina and the South Carolina National Guard Foundation in their missions to promote the health, safety, education, and welfare of South Carolina National Guard personnel and their families.”

SECTION 9. Article 11, Chapter 13, Title 51 of the 1976 Code is amended by adding:

“Section 51‑13‑880. Members of the USS Laffey Association who are temporarily present at Patriot’s Point to perform voluntary maintenance on the USS Laffey may remain onboard the vessel overnight if the Executive Director approves and has deemed it safe to do so.”

SECTION 10. Unless specified otherwise, this act takes effect upon approval by the Governor. /

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

/ 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 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING; 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 OPEN COMMUNICATION BETWEEN CHILD WELFARE AGENCIES OF THIS STATE AND LOCAL MILITARY INSTALLATIONS; 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 COMPREHENSIVE ANNUAL REPORT CONCERNING THE PERFORMANCE OF MILITARY‑CONNECTED CHILDREN WHO ATTEND PRIMARY, ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN THIS STATE; 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; TO AMEND SECTION 25‑1‑350, RELATING TO THE POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY AUTHORIZE NATIONAL GUARD PERSONNEL TO SUPPORT AND ASSIST THE NATIONAL GUARD ASSOCIATION OF SOUTH CAROLINA AND THE SOUTH CAROLINA NATIONAL GUARD FOUNDATION IN CERTAIN MISSIONS; AND BY ADDING SECTION 51‑13‑880 SO AS TO ALLOW MEMBERS OF THE USS LAFFEY ASSOCIATION WHO ARE TEMPORARILY PRESENT AT PATRIOT’S POINT TO PERFORM VOLUNTARY MAINTENANCE ON THE USS LAFFEY TO REMAIN ONBOARD THE VESSEL OVERNIGHT IF THE EXECUTIVE DIRECTOR OF THE PATRIOT’S POINT DEVELOPMENT AUTHORITY APPROVES AND HAS DEEMED IT SAFE.

Whereas, the General Assembly finds that the sacrifices of those who serve in the armed services of this great nation deserve our greatest respect, and that we have an obligation to demonstrate our appreciation to these service members and their families in tangible ways; and

Whereas, the General Assembly takes great pride in being home to many military installations, and is greatly appreciative of the tremendously positive impact of these installations and the service members and their families on the economy of the Palmetto State; and

Whereas, the South Carolina General Assembly finds that comprehensive legislation to enhance many quality of life issues for members of the armed forces and their families is very appropriate to demonstrate its appreciation for the sacrifices of members of the armed forces and their families and to demonstrate its appreciation for the enormously positive impact of military installations on the Palmetto State. Now, therefore, /

/s/Sen. Thomas C. Alexander /s/Rep. G. Murrell Smith, Jr.

/s/Sen. Gerald Malloy /s/Rep. Chip Limehouse

/s/Sen. Tom Davis /s/Rep. James E. Smith

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 19, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

S. 825 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**S. 940--REPORT OF THE**

**COMMITTEE OF CONFERENCE**

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

On motion of Senator O’DELL, the Report of the Committee of Conference was taken up for immediate consideration.

Senator O’DELL explained the report.

The question then was adoption of the Report of the Committee of Conference.

Senator BRYANT spoke on the report.

**Objection**

Senator MALLOY asked unanimous consent to make a motion to carry over the Report of the Committee of Conference on S. 940.

Senator O’DELL objected.

**Objection**

Senator CLEARY asked unanimous consent, with Senator BRYANT holding the floor, that the Senate proceed to consideration of the Reports of the Committees of Conference on H. 4665 and H. 4354.

Senator O’DELL objected.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Objection**

Senator CLEARY asked unanimous consent, with Senator BRYANT holding the floor, that the Senate proceed to consideration of the Reports of the Committees of Conference on H. 4665 and H. 4354.

Senator O’DELL objected.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Failed**

At 11:25 A.M., Senator CROMER moved under the provisions of Rule 15A that the debate on the entire matter of the Report of the Committee of Conference on S. 940 be brought to a close.

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

**Ayes 9; Nays 32**

**AYES**

Campsen Cromer Fair

Gregory Hayes Hembree

*Martin, Larry* O'Dell Young

**Total--9**

**NAYS**

Alexander Allen Bennett

Bright Bryant Cleary

Coleman Corbin Courson

Davis Grooms Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Massey McElveen Nicholson

Peeler Pinckney Rankin

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams

**Total--32**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

**ACTING PRESIDENT PRESIDES**

Senator O’DELL assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator NICHOLSON assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator KIMPSON assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator THURMOND assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator WILLIAMS assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator LOURIE assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator TURNER assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator VERDIN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator LEATHERMAN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator SHEALY assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator YOUNG assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator SHEHEEN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator McELVEEN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator ALEXANDER assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator FAIR assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator HAYES assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator CROMER assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator MALLOY assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator MASSEY assumed the Chair.

**Objection**

Senator LARRY MARTIN asked unanimous consent to make a motion to carry over the Report of the Committee of Conference.

Senator O’DELL objected.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**RECESS**

At 12:30 P.M., on motion of Senator PEELER, with unanimous consent and with Senator BRYANT retaining the floor, the Senate receded from business until 1:15 P.M.

At 1:32 P.M., the Senate resumed.

**Point of Quorum**

At 1:32 P.M., Senator LARRY MARTIN raised a Point of Order that a quorum was not present.

**Call of the Senate**

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

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Massey Nicholson O'Dell

Peeler Pinckney Rankin

Reese Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

A quorum being present, the Senate resumed.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Failed**

At 1:41 P.M., Senator CROMER moved under the provisions of Rule 15A that the debate on the entire matter of the Report of the Committee of Conference on S. 940 be brought to a close.

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

**Ayes 19; Nays 20**

**AYES**

Alexander Bennett Campsen

Cleary Courson Cromer

Fair Grooms Hayes

Hembree Kimpson *Martin, Larry*

Massey O'Dell Peeler

Shealy Thurmond Turner

Young

**Total--19**

**NAYS**

Allen Bright Bryant

Corbin Davis Gregory

Hutto Jackson Johnson

Lourie Malloy McElveen

Nicholson Pinckney Rankin

Reese Scott Setzler

Verdin Williams

**Total--20**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

**Motion Adopted**

On motion of Senator CLEARY, with unanimous consent and with Senator BRYANT retaining the floor on S. 940, the Reports of the Committees of Conference on H. 4665 and H. 4354 were taken up for immediate consideration.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**H. 4665--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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

On motion of Senator CLEARY, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLEARY spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Lourie Malloy *Martin, Larry*

Massey McElveen Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

The Report of the Committee of Conference was adopted as follows:

**H. 4665--Conference Report**

The General Assembly, Columbia, S.C., June 17, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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

That the same do pass with the following amendments:

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

/ SECTION 1. Article 1, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63-13-185. (A) For purposes of this section, ‘medication’ means a drug that may be obtained with or without a prescription, excluding a topical ointment obtained without a prescription.

(B) It shall be unlawful for a director, owner, operator, caregiver, employee, or volunteer of a childcare facility to administer medication to a child under the care of the facility unless:

(1) the parent or guardian of the child has submitted to the childcare facility prior to the administration of the medication a signed and dated parental consent form that authorizes the facility to administer the medication to the child, and the authorization is for not longer than one year;

(2) the medication is administered as stated on the label directions, or as amended in writing by the child’s healthcare provider; and

(3) the medication is not expired.

(C) Notwithstanding subsection (B) a director, owner, operator, caretaker, employee, or volunteer of a childcare facility may administer medication to a child without a signed authorization if the parent or guardian:

(1) submits to the facility an authorization in an electronic format that is capable of being viewed and saved; or

(2) authorizes the childcare facility by telephone to administer a single dose of a medication.

(D) This section does not apply to a person who administers a medication as prescribed, directed, or intended, to a child, when that person has a good faith belief the child is suffering from a medical emergency and administering medication would prevent the death or serious injury of the child.

(E) A childcare facility shall maintain in each child’s record all written documentation and records of verbal communication that confirm parental or guardian permission to administer medication to the minor child as required pursuant to this section.

(F) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, may be imprisoned for up to one year or fined not more than two thousand dollars, or both.”

SECTION 2. Section 63-13-80(A) of the 1976 Code is amended to read:

“(A) In exercising the powers of licensing, approving, renewing, revoking, or making provisional licenses and approvals, the department shall investigate and inspect licensees and approved operators and applicants for a license or an approval. The authorized representative of the department may visit a childcare center, ~~or~~ group childcare home, or family childcare home anytime during the hours of operation without prior notice once a year for purposes of investigations and inspections. In conducting investigations and inspections, the department may call on political subdivisions and governmental agencies for appropriate assistance within their authorized fields. The inspection of the health and fire safety of childcare centers and group childcare homes must be completed upon the request of the department by the appropriate agencies (i.e., Department of Health and Environmental Control, the Office of the State Fire Marshal, or local authorities). Inspection reports completed by state agencies and local authorities must be furnished to the department and become a part of its determination of conformity for licensing and approval. After careful consideration of the reports and consultation where necessary, the department shall assume responsibility for the final determination of licensing, approving, renewing, revoking, or making provisional licenses and approvals. However, upon receipt of a regulatory complaint, the department shall conduct an unannounced inspection of the facility to investigate the complaint. If the complaint is written, the department shall provide a copy to the director upon request.”

SECTION 3. Section 63-13-840 of the 1976 Code is amended to read:

“Section 63‑13‑840. (A) ~~The department shall visit the facility when concerns are expressed by the community regarding the health and safety of the children, child abuse, or enrollment beyond the limits set forth in this chapter.~~ When the department visits a family childcare home for purposes of an inspection or investigation pursuant to Section 63‑13‑80(A), it shall conduct the review to ensure the facility complies with the following:

(1) health and safety of the children;

(2) no evidence of child abuse; and

(3) enrollment within the limits set forth in this chapter;

~~(B) If the concern is in regard to the health and safety of the children, the department may call on other appropriate agencies (i.e., State Department of Health and Environmental Control, Office of the State Fire Marshal) as necessary to conduct an inspection.~~

~~(C)~~(B) If ~~the concern~~ a complaint received by the department concerning a family childcare home pursuant to Section 63‑13‑80 indicates that the child has been abused, the department shall carry out its responsibility as authorized under Chapter 7. ~~(D)~~ If the visits and inspections verify conditions detrimental to the health and safety of the children or overenrollment, the department shall carry out its responsibility as authorized by Section 63‑13‑160 and Section 63‑13‑830(C).”

SECTION 4. This act takes effect upon approval of the Governor. /

Amend title to conform.

/s/Sen. Ray Cleary /s/Rep. Terry Alexander

/s/Sen. Creighton Coleman /s/Rep. Shannon Erickson

/s/Sen. Katrina Shealy /s/Rep. Heather A. Crawford

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 19, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Horne, Cobb-Hunter and Newton to the Committee of Free Conference on the part of the House on:

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.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

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.

Very respectfully,

Speaker of the House

Received as information.

**H. 4354--FREE CONFERENCE POWERS GRANTED**

**FREE CONFERENCE COMMITTEE APPOINTED**

**REPORT OF THE COMMITTEE OF**

**FREE CONFERENCE ADOPTED**

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.

On motion of Senator CLEARY, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLEARY spoke on the report.

**H. 4354--Free Conference Powers Granted**

**Free Conference Committee Appointed**

On motion of Senator CLEARY, with unanimous consent, the Committee of Conference requested and was granted Free Conference Powers.

Whereupon, Senators CLEARY, DAVIS and JOHNSON were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

Senator CLEARY explained the report.

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

**Ayes 39; Nays 2**

**AYES**

Alexander Allen Bennett

Campsen Cleary Coleman

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Massey

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

On motion of Senator CLEARY, the Report of the Committee of Free Conference to H. 4354 was adopted as follows:

**H. 4354--Free Conference Report**

The General Assembly, Columbia, S.C., June 17, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44‑7‑325 of the 1976 Code is amended to read:

“Section 44‑7‑325. (A)(1) A health care facility, as defined in Section 44‑7‑130, and a health care provider licensed pursuant to Title 40 may charge a fee for the search and duplication of a medical record, whether in paper format or electronic format, but the fee may not exceed:

(a) for records requested to be produced in an electronic format, the total charge to the requestor may not exceed one hundred fifty dollars per request regardless of the number of records produced or number of times the patient has been admitted to the health care facility. The charge, not to exceed one hundred fifty dollars, shall be calculated as follows: sixty‑five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty‑five dollars for searching and handling, which combined with the per page costs may not exceed a total of one hundred fifty dollars per request, and to which may be added actual postage and applicable sales tax.

(b) for paper requests, sixty‑five cents per page for the first thirty printed pages and fifty cents per page for all other printed pages, ~~and~~ plus a clerical fee not to exceed twenty‑five dollars for searching and handling, which combined with the per page print costs may not ~~to~~ exceed ~~fifteen~~ two hundred dollars per ~~request plus~~ admission to the health care facility, and to which may be added actual postage and applicable sales tax. The patient may have more than one admission on file when the record request is made. If multiple admissions exist, the print fee applies per admission, but only one clerical fee may be charged. Multiple emergency room records without an admission to the hospital are considered one admission.

(c) Notwithstanding whether the records are requested in print or electronic format, the search and handling fees in subsections (a) and (b) are permitted even though no medical record is found as a result of the search, except where the request is made by the patient.

(d) All of the fees allowed by this section, including the maximum, must be adjusted annually in accordance with the Consumer Price Index for all Urban Consumers, South Region (CPI‑U), published by the U.S. Department of Labor. The Department of Health and Environmental Control is responsible for calculating this annual adjustment, which is effective on July first of each year, starting July 1, 2015.

(2) ~~However~~ Notwithstanding the provisions of subsection (A), no fee may be charged for records copied at the request of a health care provider or for records sent to a health care provider at the request of the patient for the purpose of continuing medical care.

(3) The facility or provider may charge a patient or the patient’s representative no more than the actual cost of reproduction of an X‑ray. Actual cost means the cost of materials and supplies used to duplicate the X‑ray and the labor and overhead costs associated with the duplication.

(B) Except for those requests for medical records pursuant to Section 42‑15‑95:

(1) A health care facility shall comply with a request for copies of a medical record:

(a) no later than forty‑five days after the patient has been discharged or forty‑five days after the request is received, whichever is later; and

(b) in a printed format or in an electronic format if requested to be delivered in electronic format, but only if the record is stored in an electronic format at the time of the request and the health care facility has the ability to produce the medical record in an electronic format without incurring additional cost.

(2) Nothing in this section may compel a health care facility to release a copy of a medical record prior to thirty days after discharge of the patient.”

SECTION 2. Section 44‑115‑30 of the 1976 Code is amended to read:

“Section 44‑115‑30. A patient or his legal representative has a right to receive a copy of his medical record, or have the record transferred to another physician, upon request, when accompanied by a written authorization from the patient or his legal representative to release the record. The patient or his legal representative is entitled to receive a copy of the record either in a printed format or an electronic format but only if the record is stored in an electronic format at the time of the request and the physician or other owner of the record has the ability to produce the medical record in an electronic format without incurring additional cost.”

SECTION 3. Section 44‑115‑80 of the 1976 Code is amended to read:

“Section 44‑115‑80. (A) A physician, or other owner of medical records as provided for in Section 44‑115‑130, may charge a fee for the search and duplication of a paper or electronic medical record, but the fee may not exceed:

(1) Sixty‑five cents per page for the first thirty pages provided in an electronic format and fifty cents per page for all other pages provided in an electronic format, plus a clerical fee not to exceed twenty‑five dollars for searching and handling, which combined with the per page costs may not exceed one hundred fifty dollars per request, but to which may be added actual postage and applicable sales tax. The search and handling fee is permitted even though no medical record is found as a result of the search, except where the request is made by the patient.

(2) Sixty‑five cents per page for the first thirty printed pages and fifty cents per page for all other printed pages, ~~and~~ plus a clerical fee not to exceed twenty‑five dollars for searching and handling, which combined with the per page print costs may not ~~to~~ exceed ~~fifteen~~ two hundred dollars per ~~request plus~~ request, and to which may be added actual postage and applicable sales tax. The search and handling fee is permitted even though no medical record is found as a result of the search, except where the request is made by the patient.

(3) All fees allowed by this section, including the maximum, must be adjusted annually in accordance with the Consumer Price Index for all Urban Consumers, South Region (CPI‑U), published by the U.S. Department of Labor. The Department of Health and Environmental Control is responsible for calculating this annual adjustment, which is effective on July first of each year, starting July 1, 2015.

(B) A physician, health care provider, or other owner of medical records must provide a patient’s medical records at no charge when the patient is referred by the physician, health care provider, or an employee, agent, or contractor of the owner of the record to another physician or health care provider for continuation of treatment for a specific condition or conditions.

(C) The physician may charge a patient or the patient’s legal representative no more than the actual cost of reproduction of an X‑ray. Actual cost means the cost of materials and supplies used to duplicate the X‑ray and the labor and overhead costs associated with the duplication.”

SECTION 4. Chapter 115, Title 44 of the 1976 Code is amended by adding:

“Section 44‑115‑15. For purposes of this chapter, ‘medical records’ includes the patient’s medical bills.”

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

Amend title to conform.

/s/Sen. Raymond E. Cleary III /s/Rep. Jenny A. Horne

/s/Sen. Tom Davis /s/Rep. Gilda Y. Cobb‑Hunter

Sen. Kevin L. Johnson /s/Rep. Wm. Weston J. Newton

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 19, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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.

Very respectfully,

Speaker of the House

Received as information.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Adopted**

On motion of Senator LARRY MARTIN, with unanimous consent and with Senator BRYANT retaining the floor, the Senate proceeded to a consideration of S. 813 which was returned by the Governor.

**MESSAGE FROM THE GOVERNOR**

State of South Carolina

Office of the Governor

P.O. Box 11369

Columbia, SC 29211

June 13, 2014

The Honorable Glenn F. McConnell

President of the Senate

State House, Second Floor

Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate,

I am vetoing and returning without my approval R314, S.813, which provides for a criminal penalty for individuals who enter public libraries after having been warned not to do so.  **I** **am vetoing this Bill because it grants library employees wide authority to deprive citizens of their ability to use a public libraries for an indefinite amount of time based on mere allegations of misconduct.**

This Bill was introduced to assist public libraries in securing their facilities from individuals who engage in serious or continuous misconduct.  Although libraries have the ability to ask individuals to leave for the remainder of any given day, an Attorney General's opinion issued in 2009 explains their limited authority to expel individuals for longer periods of time.

While I understand the problems public libraries face, I have serious misgivings about the scope of authority this Bill gives to unelected county library boards.  Further, county governments have the authority to pass local ordinances dictating acceptable conduct on public property and consequences for those actions.  **Rather than a one-size-fits-all solution at the state level, each county government can and should tailor solutions to the particular problems faced by public libraries in their community.**

In the interest of preserving due process and maintaining the spirit of true public-use for publicly funded facilities, I ask that each member of the General Assembly cast a vote to sustain my veto. God bless.

My very best,

Nikki R. Haley

**VETO OVERRIDDEN**

(R314, S813) -- Senators Hayes, Peeler, O’Dell, Alexander, McElveen, McGill, Pinckney, Johnson, Williams and Verdin:  AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16‑11‑625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY THE LIBRARY DIRECTOR, BRANCH MANAGER, OR ACTING BRANCH MANAGER OF THE LIBRARY NOT TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, TO PROVIDE PROCEDURES FOR A WRITTEN WARNING AND FOR APPEALING THE WARNING, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

On motion of Senator LARRY MARTIN, the veto of the Governor was taken up for immediate consideration.

Senator LARRY MARTIN spoke on the veto.

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

**Ayes 39; Nays 3**

**AYES**

Alexander Allen Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry* Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bennett Bright Bryant

**Total--3**

The veto was overridden.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**ACTING PRESIDENT PRESIDES**

Senator BENNETT assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator REESE assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator CLEARY assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator PEELER assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator BRYANT assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator PINCKNEY assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator SCOTT assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator ALLEN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator BRIGHT assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator CAMPBELL assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator CAMPSEN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator RANKIN assumed the Chair.

**Motion Adopted**

On motion of Senator LEATHERMAN, with unanimous consent and with Senator BRYANT retaining the floor on S. 940, the Senate agreed to go into Executive Session.

**EXECUTIVE SESSION**

On motion of Senator LEATHERMAN, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

Veterans Organization:

Dale F. Ellenburg, 217 Terrace Dr., Anderson, SC 29621 VICE Mr. Donald O. Morillo, Sr.

On motion of Senator O’DELL, the question was confirmation of Mr. Dale F. Ellenburg.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Martin, Larry Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The appointment of Mr. Dale F. Ellenburg was confirmed.

Having received a favorable report from the General Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Robin A. Helms, 2045 Jack Robertson Ln., Lancaster, SC 29720 VICE General Richard S. Siegfried

On motion of Senator O’DELL, the question was confirmation of Mr. Robin A. Helms.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Martin, Larry Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The appointment of Mr**.** Robin A. Helms was confirmed.

Having received a favorable report from the General Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

County Officer:

James A. White, 700 Black Street, Walterboro, SC 29488 VICE Mr. George O. Blevins

On motion of Senator O’DELL, the question was confirmation of Mr. James A. White.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Martin, Larry Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The appointment of Mr. James A. White was confirmed.

Having received a favorable report from the General Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

County Officer:

Elouise G. L. Evans, 5223 Abram Loop, Marion, SC 29571 VICE Mr. James C. Brown

On motion of Senator O’DELL, the question was confirmation of Ms. Elouise G. L. Evans.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Martin, Larry Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The appointment of Ms. Elouise G. L. Evans was confirmed.

Having received a favorable report from the General Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of Trustees for the Veterans’ Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Col. Ronald F. Taylor, 162 Howe Street, West Columbia, SC 29170 VICE John A. Stedman

On motion of Senator O’DELL, the question was confirmation of Col. Ronald F. Taylor.

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

**Ayes 42; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

Martin, Larry Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--42**

**NAYS**

**Total--0**

The appointment of Col. Ronald F. Taylor was confirmed.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Failed**

At 2:14 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of the Report of the Committee of Conference on S. 940 be brought to a close.

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

**Ayes 22; Nays 16**

**AYES**

Alexander Bennett Campsen

Cleary Courson Cromer

Fair Gregory Grooms

Hayes Hembree Kimpson

Leatherman Lourie *Martin, Larry*

Nicholson O'Dell Peeler

Shealy Thurmond Turner

Young

**Total--22**

**NAYS**

Allen Bright Bryant

Coleman Davis Hutto

Jackson Johnson Malloy

Massey Pinckney Rankin

Reese Scott Verdin

Williams

**Total--16**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

**Motion Adopted**

On motion of Senator LARRY MARTIN, with unanimous consent and with Senator BRYANT retaining the floor on S. 940, the following messages from the House were read.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

H. 3124 -- Reps. Bingham, Taylor, Long and M.S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY; AND TO AUTHORIZE AN AWARD OF ATTORNEY’S FEES TO THE PREVAILING PARTY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63‑7‑940, RELATING THE USE OF UNFOUNDED CASE INFORMATION IN CHILD ABUSE AND NEGLECT CASES, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES MAY DISCLOSE INFORMATION PUT IN THE PUBLIC DOMAIN BY THE PARTY IN INTEREST IN AN ABUSE OR NEGLECT CASE; AND TO AMEND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT INFORMATION AND RECORDS MAINTAINED BY THE DEPARTMENT, SO AS TO AUTHORIZE THE DIRECTOR TO DISCLOSE LIMITED CONFIDENTIAL INFORMATION, TO RESPOND TO AN ALLEGATION MADE BY THE ALLEGED PERPETRATOR, THE ATTORNEY FOR THE ALLEGED PERPETRATOR, THE PARTY IN INTEREST, OR OTHER PUBLIC OFFICIALS IN PUBLIC TESTIMONY BEFORE CERTAIN COMMITTEES, SUBCOMMITTEES, AND JOINT COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES AND TO DISCLOSE LIMITED INFORMATION TO RESPOND TO AN INQUIRY FROM CERTAIN COMMITTEES, SUBCOMMITTEES, AND JOINT COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES IN CLOSED SESSION AND TO PROVIDE THAT THIS INFORMATION MUST BE KEPT CONFIDENTIAL AND IS NOT SUBJECT TO PUBLIC DISCLOSURE.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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

Very respectfully,

Speaker of the House

Received as information.

**ACTING PRESIDENT PRESIDES**

Senator LARRY MARTIN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator COURSON assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator COLEMAN assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator CORBIN assumed the Chair.

**Expression of Personal Interest**

With unanimous consent and with Senator BRYANT retaining the floor on S. 940, Senator SETZLER rose to an Expression of Personal Interest.

**Expression of Personal Interest**

With unanimous consent and with Senator BRYANT retaining the floor on S. 940, Senator HEMBREE rose to a Expression of Personal Interest regarding the passing of former Senator DICK ELLIOTT.

**Remarks by Senator HEMBREE**

Mr. PRESIDENT, lady and gentlemen of the Senate. I rise very briefly. As all of you know by now, one of our former colleagues, Senator DICK ELLIOTT passed away on the seventh of this month, on a Saturday night. He had fought a long illness. I know Senator RANKIN had reported that he was not doing well right before we left on June 4th and he passed away the Saturday after we had adjourned *Sine Die*. Ya’ll knew Senator ELLIOTT, you served with him, and as you know he served in this General Assembly for thirty years, ten years in the House and twenty years in the Senate. He was a true South Carolinian -- a true South Carolina success story. He grew up in very humble beginnings in Cassette, South Carolina. He told me one time when he grew up that he was so poor that if the kids wanted to change clothes, they had to swap with somebody. Then he went on to become a very successful businessman in Horry County and, of course, an elected official starting in 1961. He was a public servant from 1961 until his death. So, I ask you if you will to join me in a very brief moment of silence in honor of Senator ELLIOTT. The members please stand. Thank you.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator HEMBREE were ordered printed in the Journal.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Failed**

At 2:46 P.M., Senator YOUNG moved under the provisions of Rule 15A that the debate on the entire matter of the Conference Report on S. 940 be brought to a close.

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

**Ayes 19; Nays 18**

**AYES**

Alexander Bennett Campsen

Cleary Courson Cromer

Fair Grooms Hayes

Hembree Kimpson Lourie

*Martin, Larry* O'Dell Peeler

Shealy Thurmond Turner

Young

**Total--19**

**NAYS**

Allen Bright Bryant

Coleman Corbin Davis

Hutto Jackson Johnson

Leatherman Malloy Massey

McElveen Pinckney Rankin

Scott Verdin Williams

**Total--18**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Objection**

Senator CROMER asked unanimous consent to make a motion that the Senate proceed to a consideration of the Report of the Committee of Conference on H. 3945.

Senator BRIGHT objected.

**ACTING PRESIDENT PRESIDES**

Senator SETZLER assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator HEMBREE assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator JOHNSON assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator DAVIS assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator JACKSON assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator GROOMS assumed the Chair.

**ACTING PRESIDENT PRESIDES**

Senator HUTTO assumed the Chair.

**Objection**

Senator LARRY MARTIN asked unanimous consent to make a motion to carry over S. 940.

Senator SCOTT objected.

**Objection**

Senator BRYANT asked unanimous consent to make a motion that the Senate proceed to a consideration of the Report of the Committee of Conference on H. 3945.

Senator JACKSON objected.

**Motion Failed**

Senator BRYANT moved under the provisions of Rule 14 to carry over S. 940, while holding the floor.

Senator YOUNG moved to lay the motion on the table.

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

**Ayes 25; Nays 14**

**AYES**

Bennett Bright Campsen

Coleman Corbin Davis

Gregory Grooms Hembree

Hutto Jackson Johnson

Kimpson Massey McElveen

Nicholson O'Dell Peeler

Rankin Shealy Sheheen

Thurmond Turner Verdin

Young

**Total--25**

**NAYS**

Alexander Allen Bryant

Courson Cromer Fair

Hayes Malloy *Martin, Larry*

Pinckney Reese Scott

Setzler Williams

**Total--14**

The motion to carry over with the Senator retaining the floor was laid on the table.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Failed**

At 3:13 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of the Report of the Committee of Conference on S. 940 be brought to a close.

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

**Ayes 21; Nays 15**

**AYES**

Alexander Bennett Campsen

Coleman Corbin Courson

Cromer Fair Gregory

Grooms Hayes Hembree

Kimpson *Martin, Larry* O'Dell

Peeler Setzler Shealy

Thurmond Turner Young

**Total--21**

**NAYS**

Allen Bright Bryant

Davis Hutto Jackson

Leatherman Malloy Massey

Pinckney Rankin Reese

Scott Verdin Williams

**Total--15**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

**Motion Adopted**

On motion of Senator O’DELL, with unanimous consent and with Senator BRYANT retaining the floor on S. 940, the Senate proceeded to a consideration of the Report of the Committee of Conference on H. 3149.

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**H. 3149--REPORT OF THE**

**COMMITTEE OF CONFERENCE ADOPTED**

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

On motion of Senator O’DELL, the Report of the Committee ofConference was taken up for immediate consideration.

Senator O’DELL spoke on the report.

The question then was adoption of the Report of the Committee of Conference.

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

**Ayes 32; Nays 7**

**AYES**

Alexander Allen Bennett

Coleman Courson Cromer

Gregory Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Malloy *Martin, Larry* Massey

McElveen Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shealy Thurmond Turner

Williams Young

**Total--32**

**NAYS**

Bright Bryant Campsen

Corbin Davis Fair

Verdin

**Total--7**

The Report of the Committee of Conference was adopted as follows:

**H. 3149--Conference Report**

The General Assembly, Columbia, S.C., June 9, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 40‑54‑10(7) of the 1976 Code is amended to read:

“(7) ‘Purchase’ means the acquisition, including by means of being pawned to a dealer, of precious metal or precious or semiprecious stones or gems or both precious metal and precious or semiprecious stones or gems for a consideration of cash, goods, or other precious metals or precious or semiprecious stones or gems or both precious metals and precious or semiprecious stones or gems. Trade‑ins are covered by the provisions of this chapter unless the item traded was purchased directly from the dealer allowing the trade.”

SECTION 2. Section 40‑54‑20 of the 1976 Code is amended to read:

“Section 40‑54‑20. (A) No dealer as defined herein shall operate in the State of South Carolina unless he first obtains a permit to engage in the business of purchasing precious metals from the local law enforcement agency and operates only from a permanent place of business. No dealer shall operate upon public property nor from a vehicle, flea market, hotel room ~~or~~, residential dwelling, similar temporary location, or sub‑leased space with a lease term of less than one year.

(B) The form of the permit to engage in the business of purchasing precious metals shall be prescribed by the State Law Enforcement Division and all applicants for a permit under this chapter, whether a person, firm or corporation, shall file a written sworn application signed by the applicant if an individual, by all the partners if a partnership, and by the president if a corporation, with the local law enforcement agency showing:

(~~a~~1) The names of the persons managing, supervising or conducting the applicant’s business in any places proposed to carry on business; the addresses of such persons; the driver’s license number of such persons; the capacity in which such persons will act, that is, whether as proprietor, agent or otherwise; the name and address of the person, firm or corporation for whose account the business will be carried on, if any; and if a corporation, the state of incorporation.

(~~b~~2) The permanent places of business and other places in the State of South Carolina where it is proposed to carry on the applicant’s business and the places where the applicant has carried on the business of purchasing precious metals within one year preceding the date of such application.

(~~c~~3) Such other reasonable information as to the identity of the persons managing, supervising or conducting the applicant’s business as the local law enforcement agency may deem proper to fulfill the purposes of this chapter.

(~~d~~4) A statement of the nature, character and quality of the precious metals to be purchased in the business.

(C) Upon receipt of such application for a permit, the local law enforcement agency shall cause an investigation of such person’s business and personal background to be made. Such investigation shall be limited to information pertinent to the purpose of this chapter. If, as a result of the investigation, the background is found to be unsatisfactory, the permit shall be denied. The permit shall be denied or issued within thirty days from the date of application. Upon the issuance of the permit, the local law enforcement agency shall notify the State Law Enforcement Division of the locations where the permit holder proposes to carry on his business. The permit issued under this chapter shall be valid for a period of one year from the date issued and the annual fee shall be fifty dollars to provide for the administrative costs. If the dealer intends to operate from more than one location within the State, then separate permits shall be issued for each place of business; provided, however, only one annual fee shall be collected.

(D) The permits under this chapter shall be in addition to and not in lieu of other business licenses.

(E) A permit may be denied, suspended or revoked at any time if the local law enforcement agency discovers that the information on the application is inaccurate or the dealer or applicant does not comply with the requirements of this act. The permit holder shall notify, within ten days, the local law enforcement agency if any substantive changes occur in the permanent place of business in the persons managing, supervising or conducting the applicant’s business, or in the places the permit holder intends to do business.”

SECTION 3. Section 40‑54‑40 of the 1976 Code is amended to read:

“Section 40‑54‑40. (A)(1) Every dealer shall keep a book in which must be written at the time of any purchase of precious metal or precious or semiprecious stones or gems made from the general public, whether in bulk or manufactured form, the date of purchase, amount of money or other property exchanged for the metal, stones, or gems, the name, sex, race, age, address, and driver’s license number of the person selling the items, articles, or things bought, and the number and nature and brand name of the items, articles, or things. Descriptions must include size, weight, patterns, or engraving or any unusual identification marks.

(2) If the seller does not have a driver’s license, some other positive identification bearing his photograph and an identifying number may be substituted including:

(a) another form of identification containing a photograph and issued by the Department of Motor Vehicles;

(b) a passport;

(c) military identification containing a photograph and issued by the United States federal government; or

(d) a South Carolina voter registration card containing a photograph pursuant to Section 7‑5‑675.

(3) If the seller cannot produce a driver’s license or other positive identification, the dealer may not buy any merchandise from him. Every dealer shall, at the time of purchase, obtain the signature of the seller as part of the recording of the transaction.

(B) The record book must be kept for three years and at all reasonable times must be open to the inspection of any judicial or law enforcement officials or their designees.

(C) The local law enforcement agency may not reveal a seller’s identity supplied under this section except to other law enforcement agencies and prosecuting officials or pursuant to the valid order of a court or in the course of any criminal investigation or prosecution.”

SECTION 4. Section 40‑54‑50 of the 1976 Code is amended to read:

“Section 40‑54‑50. (A) No dealer may purchase any precious metal from a minor unless accompanied by his parent or guardian with appropriate identification.

(B) All precious metals, except coins, purchased by a dealer ~~shall~~ must be held by the dealer at his permanent place of business or ~~at another suitable location in the~~ within the county of purchase in this State ~~of South Carolina~~ without being resold, melted, or altered in any manner, for a period of ~~seven~~ twenty‑one days from the purchase date. All goods required to be held under this section ~~shall~~ must at all reasonable times be open to inspection by any law enforcement agency.”

SECTION 5. Section 40‑54‑80 of the 1976 Code is amended to read:

“Section 40‑54‑80. (A) Any dealer wilfully violating the provisions of this chapter ~~shall be deemed~~ is guilty of a misdemeanor and upon conviction~~,~~ for a first offense~~, shall~~ must be fined not more than five hundred dollars ~~or~~, imprisoned for not more than ninety days, or both. A second offense conviction ~~shall be~~ is punishable by a fine of not more than two thousand dollars ~~or~~, imprisonment for not more than one year, or both. A third or subsequent offense conviction ~~shall be~~ is punishable by a fine of not more than five thousand dollars ~~or~~, imprisonment for not more than three years, or both. A dealer convicted of a second offense ~~shall be~~ is ineligible for a permit to conduct business in precious metals in this State for at least two years and a dealer convicted of a third or subsequent offense ~~shall not be eligible~~ is ineligible for a permit for a least five years.

(B)(1) In addition to the provisions of subsection (A), any dealer who wilfully makes a purchase with an invalid, suspended, or revoked license as a dealer of precious metals is guilty of a misdemeanor and upon conviction for a:

(a) first offense must be fined not more than five hundred dollars, imprisoned for not more than ninety days, or both;

(b) second offense must be fined not more than two thousand dollars, imprisoned for not more than one year, or both; and

(c) third offense must be fined not more than five thousand dollars, imprisoned for not more than three years, or both.

(2)(a) A dealer convicted of a second offense is ineligible for a permit to conduct business in precious metals in this State for at least two years; and

(b) a dealer convicted of a third offense is ineligible for a permit to conduct business in precious metals in this State for at least five years.

(3) A penalty under this section is cumulative to penalties in items (1) and (2).”

SECTION 6. Section 40‑54‑100 of the 1976 Code is amended to read:

“Section 40‑54‑100. This chapter shall not apply to the following specific transactions:

(1) a transaction between dealers of precious metals where the selling dealer has already complied with the ~~seven day~~ applicable holding period, nor shall they apply to transactions between coin dealers and coin collectors occurring at regularly scheduled numismatic conventions. However, this exemption only applies to transactions between coin dealers and coin collectors occurring at regularly scheduled numismatic conventions for the purchase of coins.

(2) the purchase of manufactured items bought directly from the manufacturer or his authorized representatives.

(3) the purchase of bulk precious metals brought directly from the commodity exchanges, banks, dealers or licensed brokers.

(4) the use of a coin strictly as legal tender.”

SECTION 7. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

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

Amend title to conform.

/s/Sen. William H. O’Dell /s/Rep. F.G. Delleney, Jr.

/s/Sen. Karl B. Allen /s/Rep. David Weeks

/s/Sen. Sean M. Bennett /s/Rep. Edward R. Tallon, Sr.

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

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., June 19, 2014

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

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

Very respectfully,

Speaker of the House

Received as information.

Senator BRYANT resumed speaking on the Report of the Committee of Conference on S. 940.

**Motion Under Rule 15A Adopted**

At 3:26 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of the Conference Report on S. 940 be brought to a close.

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

**Ayes 23; Nays 15**

**AYES**

Alexander Bennett Campsen

Corbin Courson Cromer

Fair Gregory Grooms

Hayes Hembree Johnson

Kimpson Leatherman *Martin, Larry*

McElveen Nicholson O'Dell

Peeler Shealy Thurmond

Turner Young

**Total--23**

**NAYS**

Allen Bright Bryant

Davis Hutto Jackson

Malloy Massey Pinckney

Rankin Reese Scott

Setzler Verdin Williams

**Total--15**

Having received the necessary vote, the motion under Rule 15A was adopted.

The Senate proceeded to a consideration of the Report of the Committee of Conference on S. 940, the question being the adoption of the report.

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

**Ayes 35; Nays 5**

**AYES**

Alexander Allen Bennett

Campsen Coleman Courson

Cromer Fair Gregory

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Malloy

*Martin, Larry* Massey McElveen

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams Young

**Total--35**

**NAYS**

Bright Bryant Corbin

Davis Verdin

**Total--5**

The Report of the Committee of Conference was adopted as follows:

**S. 940--Conference Report**

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

The COMMITTEE OF CONFERENCE, to whom was referred:

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

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 4‑10‑470 of the 1976 Code, as added by Act 316 of 2008, is amended to read:

“Section 4‑10‑470. (A) The Education Capital Improvements Sales and Use Tax authorized by this article may only be imposed in counties which have collected at least seven million dollars in state accommodations taxes as imposed pursuant to Section 12‑36‑920(A) in the most recent fiscal year for which full collection figures are available. Once a county meets this threshold it thereafter remains eligible to impose this tax.

(B)(1) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county without regard to the requirements of subsection (A) if:

(a) at the time of the referendum, no portion of the county in which the tax is to be imposed is subject to more than two percent total local sales tax; and

(b) the county in which the tax is to be imposed is encompassed completely by one entire school district, and that school district also extends into one adjacent county.

(2) Notwithstanding any other provision of this article, if the Education Capital Improvements Sales and Use Tax is imposed pursuant to this subsection, then:

(a) stated in calendar years, the tax may not be imposed for more than ten years;

(b) at least ten percent of the proceeds must be used to provide a credit against existing debt service millage on general obligation bonds in the same manner as in item (3) with the applicable adjustment to the numerator. The offset only may be applied within the county, and not to the portion of the adjacent county, in a manner similar to item (3); and

(c) the total debt service on bonds issued by the school district resulting from the imposition, net of any premium or accrued interest, shall not exceed ninety percent of the total amount of Education Capital Improvements Sales and Use Tax proceeds estimated to be allocated to the school district during the imposition, minus any amounts dedicated to the credit required pursuant to subitem (b). The Board of Economic Advisors shall provide the estimate of the total amount.

(3)(a) The revenues allotted to the district must be used to provide a nonrefundable credit against the millage imposed for debt service to service bonds issued by the district resulting from the imposition, on property taxable in the county only. The amount of the credit is determined by multiplying the value of the taxable property, before the exemption provided in Section 12‑37‑250, by a fraction in which the numerator is the total estimated revenue allotted to the district during the applicable fiscal year of the district minus the amounts set forth in item (2), and the denominator is the total of the property tax value of taxable property in the county as defined pursuant to Section 12‑37‑3135(5), including the value exempted in Section 12‑37‑250, in the district as of January first of the applicable property tax year. For motor vehicles subject to the payment of property taxes pursuant to Article 21, Chapter 37, Title 12, the credit provided pursuant to this subsection applies against the tax liability for motor vehicle tax years beginning after December of the year in which the credit is calculated. The credit applies first against the liability arising from millage imposed for debt obligations for schools, and then against any liability arising from school operations.

(b) The credit provided by this article is in addition to any credits allowed pursuant to Article 1 of this chapter, and to the extent that there is unused credit, then the credit provided by this article may be applied proportionately against other property tax liability.

(c) Before the provisions of subitem (b) apply, an amount equal to the credit that would apply against the property tax liability for school operations imposed on an owner‑occupied residence but for the exemption allowed pursuant to Section 12‑37‑220(B)(47) is allowed as a credit to be applied proportionately against all nonschool‑related property tax otherwise due on the residence.

(d) If proceeds from the imposition are unused after the termination of the tax, then the unused funds must be used to provide a credit in the same manner as provided in subitem (a) over the next three property tax years.

(4) Notwithstanding any other provision of law, if, within a county there is imposed the Education Capital Improvements Sales and Use Tax pursuant to this subsection, then no other local sales tax may be imposed in that county if the subsequent imposition causes the total sales tax to exceed two percent in any portion of the county. This limitation applies so long as this subsection is utilized to impose the Education Capital Improvements Sales and Use Tax.

(5) Notwithstanding any other provision of law, if the tax imposed pursuant to this subsection and another sales tax are approved at the same referendum, and the approval of both subjects any portion of the county to more than two percent total local sales tax, then only the tax whose approving resolution was adopted first may be imposed, and the other tax is deemed to not have been approved.

(6) For purposes of this subsection, a sales tax is a tax levied pursuant to this chapter, pursuant to Chapter 37, Title 4, or pursuant to any local law enacted by the General Assembly.

(C) Notwithstanding any other provision of this section, the Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county so long as the county or school district imposed a local sales and use tax to fund education capital improvements on January 1, 2014. The Education Capital Improvements Sales and Use Tax may be imposed pursuant to this subsection at any time after the local sales and use tax terminates.

(D) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county which does not meet the collection requirements of subsection (A) so long as:

(1) the county only has one school district which encompasses the entire county area in which the tax is to be imposed; and

(2) the county collected at least one million dollars in state accommodations taxes as imposed pursuant to Section 12‑36‑920(A) in the most recent fiscal year for which full collection figures are available. Once a county meets this threshold, it thereafter remains eligible to impose this tax pursuant to this subsection.

(E)(1) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county which does not meet the collection requirements of subsection (A) so long as the county in which the tax is to be imposed:

(a) is comprised of more than one school district and the county has a county board of education; and

(b) has no other local sales tax imposition at the time of the referendum.

(2) Notwithstanding any other provision of this article, if the Education Capital Improvements Sales and Use Tax is imposed pursuant to this subsection, then:

(a) at least ten percent of the proceeds must be used to provide property tax relief by using the proceeds to offset the existing debt service millage levy on general obligation bonds pursuant to Section 4‑10‑445; and

(b) the tax revenue distributed to each district must be in the proportion that the district’s average daily membership (ADM) attributes to the total ADM of all the school districts in the county, limited to ADM attributable to the county.

(3) The resolution required pursuant to Section 4‑10‑425 must be agreed to by a majority vote of the board of trustees of each school district located in whole or in part in the county.

(4) For purposes of this subsection, a sales tax is a tax levied pursuant to this chapter, pursuant to Chapter 37, Title 4, or pursuant to any local law enacted by the General Assembly.

(5) Once a county meets the provisions of item (1) and imposes the education capital improvement sales and use tax, it thereafter remains eligible to impose this tax pursuant to this subsection.

(F) The Education Capital Improvements Sales and Use Tax authorized by this article also may be imposed in a county which does not meet the collection requirements of subsection (A) so long as:

(1) immediately prior to the imposition date, if approved, the county is imposing the local option sales tax imposed pursuant to Article 1, and the county has not imposed that tax for twenty years or more, in which any portion of a calendar year counts as a year, and no other local sales and use tax that is administered by the Department of Revenue is imposed in the county; and

(2) the county collected at least one hundred thousand dollars in state accommodations taxes as imposed pursuant to Section 12‑36‑920(A) in the most recent fiscal year for which full collection figures are available.

Once a county meets the provisions of item (1) and the threshold in item (2), it thereafter remains eligible to impose this tax pursuant to this subsection.”

SECTION 2. Section 4‑10‑460 of the 1976 Code, as added by Act 316 of 2008, is amended to read:

“Section 4‑10‑460. The tax authorized in this article may be renewed and imposed within a county in the same manner as proceedings for the initial imposition of the tax. A referendum on the question of reimposition of a tax must not be held ~~more~~ earlier than within the calendar year which is two years before the ~~date upon~~ calendar year in which the tax then in effect is scheduled to terminate, but any reimposition is effective immediately upon the termination of the tax previously imposed.”

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

Amend title to conform.

/s/Sen. Nikki G. Setzler /s/Rep. J. Roland Smith

/s/Sen. William H. O’Dell /s/Rep. W. Brian White

/s/Sen. Tom Young /s/Rep. William Clyburn

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

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

**Message from the House**

Columbia, S.C., June 17, 2014

Mr. President and Senators:

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

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

Very respectfully,

Speaker of the House

Received as information.

**S. 940--REPORT OF COMMITTEE OF CONFERENCE**

**ENROLLED FOR RATIFICATION BY THE SENATE**

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

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

A message was sent to the House accordingly.

**ACTING PRESIDENT PRESIDES**

Senator GREGORY assumed the Chair.

**PRESIDENT PRESIDES**

At 3:34 P.M., the PRESIDENT assumed the Chair.

**H. 3945--Conference Report**

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

The COMMITTEE OF CONFERENCE, to whom was referred:

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

At 3:35 P.M., on motion of Senator HAYES, the Report of the Committee of Conference on H. 3945 was taken up for immediate consideration.

Senator HAYES explained the report.

Senator LARRY MARTIN spoke on the report.

Senator DAVIS spoke on the report.

**Motion Under Rule 15A Failed**

At 4:36 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of the Conference Report on H. 3945 be brought to a close.

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

**Ayes 16; Nays 23**

**AYES**

Alexander Bennett Campsen

Courson Cromer Fair

Gregory Hayes Hembree

*Martin, Larry* McElveen O'Dell

Peeler Shealy Turner

Young

**Total--16**

**NAYS**

Allen Bright Bryant

Coleman Corbin Davis

Grooms Hutto Jackson

Johnson Kimpson Leatherman

Malloy Nicholson Pinckney

Rankin Reese Scott

Setzler Sheheen Thurmond

Verdin Williams

**Total--23**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator BRIGHT spoke on the Report of the Committee of Conference on H. 3945.

**Motion Under Rule 15A Failed**

At 4:50 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A that the debate on the entire matter of the Conference Report on H. 3945 be brought to a close.

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

**Ayes 18; Nays 19**

**AYES**

Alexander Bennett Campsen

Courson Cromer Fair

Gregory Grooms Hayes

Hembree *Martin, Larry* Massey

O'Dell Peeler Shealy

Thurmond Turner Young

**Total--18**

**NAYS**

Allen Bright Bryant

Coleman Corbin Davis

Hutto Jackson Johnson

Kimpson Malloy Nicholson

Pinckney Rankin Reese

Scott Sheheen Verdin

Williams

**Total--19**

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator BRIGHT resumed speaking on the Report of the Committee of Conference on H. 3945.

**Motion Tabled**

Senator BRIGHT made a motion under Rule 14 to carry over the Report of the Committee of Conference on H. 3945, while retaining the floor.

Senator MALLOY moved to lay the motion to carry over on the table.

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

**Ayes 21; Nays 12**

**AYES**

Allen Corbin Courson

Cromer Gregory Grooms

Hayes Kimpson Malloy

*Martin, Larry* Massey Nicholson

O'Dell Peeler Pinckney

Rankin Reese Setzler

Shealy Williams Young

**Total--21**

**NAYS**

Alexander Bennett Bright

Bryant Coleman Davis

Hembree Scott Sheheen

Thurmond Turner Verdin

**Total--12**

The motion to carry over, with the Senator retaining the floor, was laid on the table.

**Motion Adopted**

At 5:00 P.M., on motion of Senator LEATHERMAN, the Senate adjourned pursuant to H. 5282, the *Sine Die* Resolution.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 20, 2014, at 12:00 Noon and the following Acts and Joint Resolutions were ratified:

(R323, S. 825) -- Senators Alexander and Davis: AN ACT 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 3‑1‑40 SO AS TO EXEMPT FROM AD VALOREM TAXATION ANY REAL PROPERTY LOCATED WITHIN A MILITARY BASE OR INSTALLATION THAT IS USED OR OWNED BY THE UNITED STATES ARMED FORCES AND IS USED AS MILITARY HOUSING FOR MILITARY‑AFFILIATED PERSONNEL AND THEIR FAMILIES EVEN IF THE REAL PROPERTY IS IMPROVED, MAINTAINED, OR LEASED TO A PARTY THAT WOULD OTHERWISE SUBJECT THE REAL PROPERTY TO TAX, SO LONG AS THERE IS A CONTRACTUAL AGREEMENT REQUIRING THE LESSEE TO USE THE PROPERTY FOR MILITARY HOUSING; 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 OPEN COMMUNICATION BETWEEN CHILD WELFARE AGENCIES OF THIS STATE AND LOCAL MILITARY INSTALLATIONS; 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 COMPREHENSIVE ANNUAL REPORT CONCERNING THE PERFORMANCE OF MILITARY‑CONNECTED CHILDREN WHO ATTEND PRIMARY, ELEMENTARY, MIDDLE, AND HIGH SCHOOLS IN THIS STATE; 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; TO AMEND SECTION 25‑1‑350, RELATING TO THE POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO PROVIDE THAT THE ADJUTANT GENERAL MAY AUTHORIZE NATIONAL GUARD PERSONNEL TO SUPPORT AND ASSIST THE NATIONAL GUARD ASSOCIATION OF SOUTH CAROLINA AND THE SOUTH CAROLINA NATIONAL GUARD FOUNDATION IN CERTAIN MISSIONS; AND BY ADDING SECTION 51‑13‑880 SO AS TO ALLOW MEMBERS OF THE USS LAFFEY ASSOCIATION WHO ARE TEMPORARILY PRESENT AT PATRIOT’S POINT TO PERFORM VOLUNTARY MAINTENANCE ON THE USS LAFFEY TO REMAIN ONBOARD THE VESSEL OVERNIGHT IF THE EXECUTIVE DIRECTOR OF THE PATRIOT’S POINT DEVELOPMENT AUTHORITY APPROVES AND HAS DEEMED IT SAFE.

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(R324, S. 940) -- Senators Young, Massey, Setzler and Peeler: AN ACT TO AMEND SECTION 4‑10‑470, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO ALLOW CERTAIN COUNTIES TO IMPOSE THE TAX BASED UPON CERTAIN FACTORS; AND TO AMEND SECTION 4‑10‑460, RELATING TO THE REIMPOSITION OF THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO PROVIDE THAT THE REFERENDUM FOR REIMPOSITION MUST NOT BE HELD EARLIER THAN WITHIN THE CALENDAR YEAR WHICH IS TWO YEARS BEFORE THE CALENDAR YEAR IN WHICH THE TAX IN EFFECT IS SCHEDULED TO TERMINATE.

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(R325, H. 3124) -- Reps. Bingham, Taylor, Long and M.S. McLeod: AN ACT 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; TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY; AND TO AUTHORIZE AN AWARD OF ATTORNEY’S FEES TO THE PREVAILING PARTY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 63‑7‑940, RELATING TO THE USE OF UNFOUNDED CASE INFORMATION IN CHILD ABUSE AND NEGLECT CASES, SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF SOCIAL SERVICES MAY DISCLOSE SUCH TO BE REVIEWED IN CLOSED SESSIONS KEPT CONFIDENTIAL WHEN IN RESPONSE TO AN INQUIRY MADE BY CERTAIN COMMITTEES OF THE GENERAL ASSEMBLY INVESTIGATING THE DEPARTMENT; AND TO AMEND SECTION 63‑7‑1990, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT INFORMATION AND RECORDS MAINTAINED BY THE DEPARTMENT, SO AS TO ALSO AUTHORIZE THE DIRECTOR TO DISCLOSE TO THE MEDIA LIMITED INFORMATION PLACED IN THE PUBLIC DOMAIN BY THE PARTY IN INTEREST, TO DISCLOSE LIMITED INFORMATION, TO RESPOND TO AN ALLEGATION MADE BY THE ALLEGED PERPETRATOR, THE ATTORNEY FOR THE ALLEGED PERPETRATOR, THE PARTY IN INTEREST, OR OTHER PUBLIC OFFICIALS IN PUBLIC TESTIMONY BEFORE CERTAIN COMMITTEES, OF THE GENERAL ASSEMBLY BE REVIEWED IN CLOSED SESSION AND KEPT CONFIDENTIAL WHEN IN RESPONSE TO AN INQUIRY MADE BY CERTAIN COMMITTEES OF THE GENERAL ASSEMBLY INVESTIGATING THE DEPARTMENT.

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(R326, H. 3149) -- Rep. Tallon: AN ACT TO AMEND SECTION 40‑54‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING DEALERS IN PRECIOUS METALS, SO AS TO MODIFY THE TERM “PURCHASE”; TO AMEND SECTION 40‑54‑20, RELATING TO PLACES IN WHICH DEALERS MAY NOT OPERATE, SO AS TO INCLUDE RESIDENTIAL DWELLING AND SUBLEASED SPACES WITH A LEASE TERM OF LESS THAN ONE YEAR; TO AMEND SECTION 40‑54‑40, RELATING TO THE REQUIREMENT THAT SELLERS OF PRECIOUS METALS PROVIDE CERTAIN POSITIVE IDENTIFICATION BEARING HIS PHOTOGRAPH, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40‑54‑50, RELATING TO RETENTION PERIOD FOR PRECIOUS METALS, SO AS TO EXTEND THE PERIOD, AMONG OTHER THINGS; TO AMEND SECTION 40‑54‑80, RELATING TO PENALTIES, SO AS TO INCREASE PENALTIES FOR THE PURCHASE OF PRECIOUS METALS BY A DEALER WITH A REVOKED LICENSE; AND TO AMEND SECTION 40‑54‑100, RELATING TO EXEMPT TRANSACTIONS, SO AS TO MAKE A CONFORMING CHANGE AND REVISE EXISTING EXEMPTIONS.

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(R327, H. 4061) -- Reps. Powers Norrell, King, Cobb‑Hunter, Douglas, Bowen, M.S. McLeod, Knight, Munnerlyn, Bernstein, Sabb, Jefferson, Williams, Neal, Gilliard, Howard, Skelton, Spires, Bowers, Anderson, G.A. Brown, Gagnon, George, Hayes, Hosey and Ridgeway: AN ACT TO AMEND SECTION 59‑32‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE STATE BOARD OF EDUCATION SELECT OR DEVELOP INSTRUCTIONAL UNITS IN COMPREHENSIVE HEALTH EDUCATION FOR USE BY SCHOOL DISTRICTS, SO AS TO PROVIDE THAT BEFORE SEPTEMBER 1, 2015, THE BOARD, THROUGH THE STATE DEPARTMENT OF EDUCATION, SHALL SELECT OR DEVELOP INSTRUCTIONAL UNITS IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION, WITH SEPARATE UNITS APPROPRIATE FOR EACH AGE LEVEL FROM FOUR‑YEAR-OLD KINDERGARTEN THROUGH TWELFTH GRADE; AND TO AMEND SECTION 59‑32‑30, RELATING TO THE REQUIREMENT THAT LOCAL SCHOOL DISTRICTS IMPLEMENT THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, AMONG OTHER THINGS, SO AS TO PROVIDE THAT BEGINNING WITH THE 2015‑2016 SCHOOL YEAR, THE DISTRICTS ANNUALLY SHALL PROVIDE AGE‑APPROPRIATE INSTRUCTION IN SEXUAL ABUSE AND ASSAULT AWARENESS AND PREVENTION TO ALL STUDENTS IN FOUR‑YEAR-OLD KINDERGARTEN, WHERE OFFERED, THROUGH TWELFTH GRADE, BASED ON THE UNITS DEVELOPED BY THE STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION.

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(R328, H. 4354) -- Reps. Harrell, Cobb‑Hunter, G.M. Smith, Long, Douglas, Felder, R.L. Brown and Goldfinch: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑115‑15 SO AS TO PROVIDE THAT FOR THE PURPOSES OF THE PHYSICIANS’ PATIENT RECORDS ACT, THE TERM “MEDICAL RECORDS” INCLUDES MEDICAL BILLS; TO AMEND SECTION 44‑7‑325, RELATING TO THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, AND SECTIONS 44‑115‑30 AND 44‑115‑80, BOTH RELATING TO THE PHYSICIANS’ PATIENT RECORDS ACT, ALL SO AS TO PROVIDE CIRCUMSTANCES IN WHICH ELECTRONIC RECORDS MUST BE PROVIDED, TO REVISE RELATED FEES, TO PERMIT FEES EVEN WHEN RECORDS REQUESTED BY A PATIENT ARE NOT FOUND, AND TO REQUIRE ANNUAL ADJUSTMENTS OF THESE FEES IN A CERTAIN MANNER.

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(R329, H. 4665) -- Reps. H.A. Crawford, Erickson, Atwater, Allison, Clemmons, Gagnon, Goldfinch, Hardee, Hardwick, Harrell, Henderson, Horne, Nanney, Putnam, Quinn, Ryhal and Knight: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑13‑185 SO AS TO REQUIRE A CHILDCARE FACILITY TO OBTAIN PARENTAL PERMISSION TO ADMINISTER MEDICATION TO A MINOR CHILD BEFORE ADMINISTERING THE MEDICATION, TO PROVIDE FOR EXCEPTIONS TO THE REQUIREMENT, AND TO CREATE CRIMINAL PENALTIES; TO AMEND SECTION 63‑13‑80, RELATING TO DEPARTMENT OF SOCIAL SERVICES’ VISITS TO CHILDCARE CENTERS AND GROUP HOMES, SO AS TO APPLY ALSO TO FAMILY CHILDCARE HOMES, TO ALLOW THE DEPARTMENT TO CONDUCT ANNUAL UNANNOUNCED VISITS, AND TO REQUIRE THE DEPARTMENT TO CONDUCT AN INVESTIGATION UPON RECEIPT OF A COMPLAINT; AND TO AMEND SECTION 63‑13‑840, RELATING TO VISITS TO FAMILY CHILDCARE HOMES UPON RECEIPT OF A CONCERN, SO AS TO PROVIDE REQUIREMENTS FOR THE INVESTIGATION OF A COMPLAINT.

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**ADJOURNMENT**

At 5:00 P.M., on motion of Senator LEATHERMAN, the Senate adjourned, pursuant to the provisions of H. 5282, the *Sine Die* Resolution.

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