

NO. 32

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, MARCH 10, 2021
(STATEWIDE SESSION)

Wednesday, March 10, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 27:7: “Hear, O Lord, when I cry aloud, be gracious to me and answer me!”

Let us pray. Creator of all, we give You thanks for Your unending steadfast love. We continue to pray for all who give of themselves for the good of all people. Provide for us the will, strength, and courage to do what is pleasing to You. Guide each Representative as they work for the people. Bless our defenders of freedom and first responders as they care for us. Bestow Your blessings on our World, Nation, President, State, Governor, Speaker, staff, and all who give of their talents for the good of all. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your Mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. LUCAS moved that when the House adjourns, it adjourn in memory of Robbie Mae Williams, mother of Representative Robert Williams, which was agreed to.

SILENT PRAYER

The House stood in silent prayer in memory of Robbie Mae Williams, mother of Representative Robert Williams.

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HOUSE RESOLUTION

The following was introduced:

H. 4049 -- Reps. Henegan, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF FIRST SERGEANT BOYD MCDANIELS III OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4050 -- Reps. R. Williams and Jefferson: A BILL TO AMEND SECTION 24-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF THE WAGES OF AN INMATE WHO IS ALLOWED TO WORK, SO AS TO PROVIDE AN INMATE WHO IS PAID LESS THAN THE FEDERALLY ESTABLISHED MINIMUM WAGE SHALL NOT HAVE THE COST FOR ROOM AND BOARD DEDUCTED FROM HIS WAGES, AND

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TO PROVIDE FOR THE DISPOSITION OF THIS PORTION OF HIS WAGES.

Referred to Committee on Judiciary

H. 4051 -- Reps. R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-11-85 SO AS TO PROHIBIT A RADIO COMMON CARRIER FROM AIRING A FRAUDULENT ADVERTISEMENT AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 58-12-15 SO AS TO PROHIBIT A CABLE SERVICE PROVIDER FROM AIRING A FRAUDULENT ADVERTISEMENT AND TO PROVIDE PENALTIES.

Referred to Committee on Judiciary

H. 4052 -- Reps. R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-660 SO AS TO REQUIRE ISSUERS OF INDIVIDUAL HEALTH INSURANCE COVERAGE IN THIS STATE TO ISSUE INDIVIDUAL HEALTH INSURANCE COVERAGE FOR MINOR CHILDREN REGARDLESS OF WHETHER THE CHILD IS A DEPENDENT OF AN INSURED OF THE ISSUER; AND TO AMEND SECTION 38-71-145, RELATING TO REQUIRED COVERAGE IN INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES AND HEALTH MAINTENANCE ORGANIZATION POLICES, SO AS TO REQUIRE COVERAGE FOR MATERNITY CARE, AND TO DEFINE "MATERNITY CARE".

Referred to Committee on Labor, Commerce and Industry

H. 4053 -- Reps. R. Williams and Jefferson: A BILL TO AMEND SECTION 44-53-160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROCESSES FOR CHANGING CONTROLLED SUBSTANCE SCHEDULES, SO AS TO REQUIRE THE STATE BOARD OF PHARMACY TO PERFORM FUNCTIONS TO QUICKLY IDENTIFY NEW SYNTHETIC CHEMICAL FORMULAS FOR SCHEDULING AND TO AUTHORIZE THE BOARD TO ISSUE EMERGENCY RULES TO SCHEDULE SYNTHETIC CHEMICAL FORMULAS AS A CONTROLLED SUBSTANCE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

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S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A

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BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS

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DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND

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MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

Referred to Committee on Labor, Commerce and Industry

S. 505 -- Senators Talley, Alexander and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Referred to Committee on Judiciary

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell

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Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	S. Williams	Willis
Wooten	Yow	

Total Present--122

STATEMENT OF ATTENDANCE

Reps. PARKS, BAMBERG and RUTHERFORD signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, March 9.

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. R. WILLIAMS a leave of absence for the day due to a death in the family.

DOCTOR OF THE DAY

Announcement was made that Dr. Amanda Davis of Anderson was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

CO-SPONSOR ADDED

Bill Number: H. 3008
Date: ADD:
03/10/21 DAVIS

CO-SPONSOR ADDED

Bill Number: H. 3042
Date: ADD:
03/10/21 KIMMONS

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CO-SPONSORS ADDED

Bill Number: H. 3119
Date: ADD:
03/10/21 KIMMONS and MAGNUSON

CO-SPONSOR ADDED

Bill Number: H. 3180
Date: ADD:
03/10/21 WETMORE

CO-SPONSOR ADDED

Bill Number: H. 3205
Date: ADD:
03/10/21 T. MOORE

CO-SPONSOR ADDED

Bill Number: H. 3308
Date: ADD:
03/10/21 HIXON

CO-SPONSORS ADDED

Bill Number: H. 3444
Date: ADD:
03/10/21 M. M. SMITH and BLACKWELL

CO-SPONSORS ADDED

Bill Number: H. 3575
Date: ADD:
03/10/21 DAVIS and KIMMONS

CO-SPONSORS ADDED

Bill Number: H. 3772
Date: ADD:
03/10/21 DAVIS and KIMMONS

CO-SPONSOR ADDED

Bill Number: H. 3834
Date: ADD:
03/10/21 HEWITT

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CO-SPONSOR ADDED

Bill Number: H. 3863
Date: ADD:
03/10/21 OTT

CO-SPONSOR ADDED

Bill Number: H. 3878
Date: ADD:
03/10/21 CRAWFORD

CO-SPONSOR ADDED

Bill Number: H. 4047
Date: ADD:
03/10/21 MCGARRY

SENT TO THE SENATE

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

H. 3605 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

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H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D. C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

H. 3225 -- Reps. Garvin, Robinson, Thigpen, Cobb-Hunter, Matthews, K. O. Johnson, Brawley and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA DIGNITY IN PREGNANCY AND CHILDBIRTH ACT" BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO REQUIRE PERINATAL HEALTH CARE PROVIDERS TO IMPLEMENT AN EVIDENCE-BASED IMPLICIT BIAS PROGRAM TO TRAIN HEALTH CARE STAFF, TO ESTABLISH REQUIREMENTS FOR THE PROGRAM, AND FOR OTHER PURPOSES.

ORDERED ENROLLED FOR RATIFICATION

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

S. 287 -- Senators Gambrell and Loftis: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT

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SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

H. 3444--DEBATE ADJOURNED

The following Bill was taken up:

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Caskey, McGinnis, Hosey, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J. E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M. M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Rep. JORDAN moved to adjourn debate on the Bill, which was agreed to.

H. 3925--AMENDED AND ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

Rep. ALLISON proposed the following Amendment No. 1 to H. 3925 (COUNCIL\WAB\3925C001.RT.WAB21), which was adopted:

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

/ SECTION 1. For the 2020-2021 and 2021-2022 School Years, the requirements of Section 59-63-100(A)(3) of the 1976 Code are waived for homeschool students as defined in Section 59-65-40, 59-64-45, or

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59-65-47. For the purposes of this resolution, eligible students must have been enrolled in a public school for the beginning of either the 2019-2020 School Year or 2020-2021 School Year.

SECTION 2. This joint resolution takes effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. ALLISON explained the amendment.

The amendment was then adopted.

Rep. ALLISON explained the Joint Resolution.

The question recurred to the passage of the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Bustos	Calhoon	Carter
Caskey	Clyburn	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hixon	Hosey	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May

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McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Parks	Pendarvis	Pope
Robinson	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Trantham	Weeks	Wetmore
Wheeler	White	Willis
Wooten	Yow	

Total--104

Those who voted in the negative are:

Rivers

Total--1

So, the Joint Resolution, as amended, was read the second time and ordered to third reading.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3925. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Bill Whitmire

RECURRENCE TO THE MORNING HOUR

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

H. 3444--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCrary, Forrest, Caskey, McGinnis, Hosey, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J. E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and

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M. M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3444 (COUNCIL\ZW\3444C001.CC.ZW21), which was tabled:

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

/ SECTION 1. Section 7-3-10 of the 1976 Code is amended to read:

~~“Section 7-3-10. (a) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. Any vacancy on the Commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.~~

~~(b) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The Commission shall select such other officers from among its members as it may deem necessary.~~

~~(c) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.~~

~~(d) The Commission shall have the powers and duties as enumerated in this title.~~

~~(e) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a~~

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~~candidate. Violation of this subsection subjects the commissioner to removal by the Governor.~~

(A)(1) There is created the State Election Commission composed of nine members who must be appointed in the following manner:

(a) five members must be appointed by the Governor, no more than four of whom are members of the appointing Governor's political party;

(b) two members must be appointed by the President of the Senate, one upon the recommendation of the members of the majority political party in the Senate and one upon the recommendation of the members of the largest minority political party in the Senate; and

(c) two members must be appointed by the Speaker of the House of Representatives, one upon the recommendation of the members of the majority political party in the House and one upon the recommendation of the members of the largest minority political party in the House.

(2) The terms of the members serving on the State Election Commission as of June 29, 2021, shall end on June 30, 2021. A member who is serving at that time and who has not completed a full four-year term may be reappointed pursuant to this subsection. The initial appointments for service to begin on July 1, 2021, must be made as follows:

(a) two members appointed by the Governor must be appointed for a two-year term;

(b) three members appointed by the Governor must be appointed for a four-year term;

(c) one member appointed by the President of the Senate upon the recommendation of the members of the majority political party in the Senate shall serve a two-year term;

(d) one member appointed by the President of the Senate upon the recommendation of the members of the largest minority political party of the Senate must be appointed for a four-year term;

(e) one member appointed by the Speaker of the House of Representatives upon the recommendation of the members of the majority political party of the House of Representatives must be appointed for a two-year term; and

(f) one member appointed by the Speaker of the House of Representatives upon the recommendation of the members of the largest minority political party of the House of Representatives must be appointed for a four-year term.

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The initial members who have served terms that are less than four years are eligible to be reappointed for one full four-year term.

(B) The qualifications the appointing authorities shall consider for the appointees include, but are not limited to:

- (1) constitutional qualifications;
- (2) ethical fitness;
- (3) character;
- (4) mental stability;
- (5) experience; and
- (6) judicial temperament.

(C)(1) In addition to other information that may be requested, candidates for appointment must provide the following information to the appointing authority:

(a) the candidate's membership in any civic, charitable, or social groups within the previous four years;

(b) a contribution made by the candidate to a candidate for Governor, Lieutenant Governor, or a member of the General Assembly within the previous four years; and

(c) a contribution, as defined in Section 8-13-1300(7), made by the candidate within the previous four years to a candidate as defined in Section 8-13-100(5).

(2) The appointing authorities shall make their appointments based on merit. However, in making appointments to the commission, the appointing authorities shall ensure that race, color, gender, national origin, and other demographic factors are considered to ensure the geographic and political balance of the appointments, and shall strive to assure that the membership of the commission will represent, to the greatest extent possible, all segments of the population of the State.

(3) The following are not eligible to serve on the State Election Commission:

(a) a person who is not registered to vote in the State;

(b) a candidate, as defined by Section 8-13-100(5);

(c) a current member of the General Assembly or former member of the General Assembly within eight years following the termination of his service in the General Assembly;

(d) a family member, as defined by Section 8-13-100(15), of a member of the General Assembly or the Governor, Lieutenant Governor, or other statewide elected official, or a candidate, as defined by Section 8-13-100(5);

(e) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the Governor

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or member of the General Assembly who appointed the person to serve on the State Election Commission, as well as that Governor's Lieutenant Governor; or

(f) a person who registered as a lobbyist within four years of being appointed to the State Election Commission.

(D) No member of the commission may participate in political activities or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal pursuant to subsection (G).

(E) The terms of the members are for four years. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the commission who serve less than a full four-year term may be reappointed for one full four-year term. Members of the commission who have completed a full four-year term are not eligible for reappointment. A member shall not serve on the commission in hold-over status after the member's term expires.

(F) The commission shall elect a chairman, vice chairman, and such other officers as it considers necessary. Five members of the commission shall constitute a quorum. The commission must adopt a policy concerning the attendance of its members at commission meetings. The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission. Members of the commission, while serving on business of the commission, receive per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions.

(G)(1) A commission member appointed by the Governor may be removed from office by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity pursuant to Section 1-3-240.

(2) A commission member appointed by the President of the Senate may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the Senate.

(3) A commission member appointed by the Speaker of the House of Representatives may be removed for malfeasance,

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misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the House of Representatives.

(H) The commission and the executive director shall have the powers and duties as enumerated in this title, including plenary authority to supervise and standardize the performance, conduct, and practices of the county board of elections and voter registration, as established pursuant to Article 1, Chapter 5 to administer elections and voter registration in the State and ensure those boards' compliance with applicable state or federal law or State Election Commission policies, procedures, and regulations regarding the conduct of elections or the voter registration process by all persons involved in the elections process. The State Election Commission may promulgate regulations necessary to effectuate the provisions of this subsection.” /

Renumber sections to conform.

Amend title to conform.

Rep. JORDAN moved to table the amendment, which was agreed to.

Rep. THIGPEN proposed the following Amendment No. 2 to H. 3444 (COUNCIL\PH\3444C001.JN.PH21), which was tabled:

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

/ SECTION 1. Section 7-3-10 of the 1976 Code is amended to read:

~~“Section 7-3-10. (a) There is hereby created the State Election Commission composed of five members, at least one of whom shall be a member of the majority political party represented in the General Assembly and at least one of whom shall be a member of the largest minority political party represented in the General Assembly, to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. Any vacancy on the Commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.~~

~~(b) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The Commission shall select such other officers from among its members as it may deem necessary.~~

~~(c) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the~~

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~~meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.~~

~~(d) The Commission shall have the powers and duties as enumerated in this title.~~

~~(e) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.~~

(A)(1) There is created the State Election Commission composed of eight members who must be appointed in the following manner:

(a) four members must be appointed by the Governor, no more than two of whom are members of the appointing Governor's political party;

(b) two members must be appointed by the President of the Senate, one upon the recommendation of the members of the majority political party in the Senate and one upon the recommendation of the members of the largest minority political party in the Senate; and

(c) two members must be appointed by the Speaker of the House of Representatives, one upon the recommendation of the members of the majority political party in the House and one upon the recommendation of the members of the largest minority political party in the House.

(2) The terms of the members serving on the State Election Commission as of June 29, 2021, shall end on June 30, 2021. A member who is serving at that time and who has not completed a full four-year term may be reappointed pursuant to this subsection. The initial appointments for service to begin on July 1, 2021, must be made as follows:

(a) two members appointed by the Governor must be appointed for a two-year term;

(b) two members appointed by the Governor must be appointed for a four-year term;

(c) one member appointed by the President of the Senate upon the recommendation of the members of the majority political party in the Senate shall serve a two-year term;

(d) one member appointed by the President of the Senate upon the recommendation of the members of the largest minority political party of the Senate must be appointed for a four-year term;

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(e) one member appointed by the Speaker of the House of Representatives upon the recommendation of the members of the majority political party of the House of Representatives must be appointed for a two-year term; and

(f) one member appointed by the Speaker of the House of Representatives upon the recommendation of the members of the largest minority political party of the House of Representatives must be appointed for a four-year term.

The initial members who have served terms that are less than four years are eligible to be reappointed for one full four-year term.

(B) The qualifications the appointing authorities shall consider for the appointees include, but are not limited to:

- (1) constitutional qualifications;
- (2) ethical fitness;
- (3) character;
- (4) mental stability;
- (5) experience; and
- (6) judicial temperament.

(C)(1) In addition to other information that may be requested, candidates for appointment must provide the following information to the appointing authority:

(a) the candidate's membership in any civic, charitable, or social groups within the previous four years;

(b) a contribution made by the candidate to a candidate for Governor, Lieutenant Governor, or a member of the General Assembly within the previous four years; and

(c) a contribution, as defined in Section 8-13-1300(7), made by the candidate within the previous four years to a candidate as defined in Section 8-13-100(5).

(2) The appointing authorities shall make their appointments based on merit. However, in making appointments to the commission, the appointing authorities shall ensure that race, color, gender, national origin, and other demographic factors are considered to ensure the geographic and political balance of the appointments, and shall strive to assure that the membership of the commission will represent, to the greatest extent possible, all segments of the population of the State.

(3) The following are not eligible to serve on the State Election Commission:

(a) a person who is a candidate, as defined by Section 8-13-100(5);

(b) a member of the General Assembly;

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(c) a former member of the General Assembly within eight years following the termination of his service in the General Assembly;

(d) a family member, as defined by Section 8-13-100(15), of a member of the General Assembly or the Governor, Lieutenant Governor, or other statewide elected official, or a candidate, as defined by Section 8-13-100(5);

(e) a person who made a campaign contribution, as defined by Section 8-13-1300(7), within the previous four years to the Governor who appointed the person to serve on the State Ethics Commission, as well as that Governor's Lieutenant Governor; or

(f) a person who registered as a lobbyist within four years of being appointed to the State Election Commission.

(D) No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal pursuant to subsection (G).

(E) The terms of the members are for four years. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term only. Members of the commission who serve less than a full four-year term may be reappointed for one full four-year term. Members of the commission who have completed a full four-year term are not eligible for reappointment. A member shall not serve on the commission in hold-over status after the member's term expires.

(F) The commission shall elect a chairman, vice chairman, and such other officers as it considers necessary. Five members of the commission shall constitute a quorum. The commission must adopt a policy concerning the attendance of its members at commission meetings. The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission. Members of the commission, while serving on business of the commission, receive per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions.

(G)(1) A commission member appointed by the Governor may be removed from office by the Governor for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity pursuant to Section 1-3-240.

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(2) A commission member appointed by the President of the Senate may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the Senate.

(3) A commission member appointed by the Speaker of the House of Representatives may be removed for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity upon a vote of two-thirds of the membership of the House of Representatives.

(H) The commission and the executive director shall have the powers and duties as enumerated in this title, including plenary authority to supervise and standardize the performance, conduct, and practices of the county board of elections and voter registration, as established pursuant to Article 1, Chapter 5 to administer elections and voter registration in the State and ensure those boards' compliance with applicable state or federal law or State Election Commission policies, procedures, and regulations regarding the conduct of elections or the voter registration process by all persons involved in the elections process. The State Election Commission may promulgate regulations necessary to effectuate the provisions of this subsection.” /

Renumber sections to conform.

Amend title to conform.

Rep. OTT moved to table the amendment, which was agreed to.

Reps. OTT, KIRBY and JORDAN proposed the following Amendment No. 4 to H. 3444 (COUNCIL\ZW\3444C006.CC.ZW21), which was adopted:

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

/ SECTION 1. Section 7-3-10 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“() The commission and the executive director shall have the powers and duties as enumerated in this title, including plenary authority to supervise and standardize the performance, conduct, and practices of the county board of elections and voter registration, as established pursuant to Article 1, Chapter 5 to administer elections and voter registration in the State and ensure those boards' compliance with applicable state or federal law or State Election Commission policies, procedures, and regulations regarding the conduct of elections or the

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voter registration process by all persons involved in the elections process. The State Election Commission may promulgate regulations necessary to effectuate the provisions of this subsection.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. OTT explained the amendment.
The amendment was then adopted.

Rep. HILL proposed the following Amendment No. 3 to H. 3444 (COUNCIL\ZW\3444C005.CC.ZW21), which was ruled out of order:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Article 1, Chapter 5, Title 7 of the 1976 Code is amended by adding:

“Section 7-5-35. A director of a county board of voter registration and elections shall report all suspected violations of the state’s election laws to the South Carolina Attorney General and to the appropriate law enforcement agency when, in the director’s professional capacity, he has received information that gives him reason to believe that an offense against the state’s election laws has occurred.”

SECTION __. Section 7-3-20(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“() report all suspected violations of the state’s election laws to the South Carolina Attorney General and to the appropriate law enforcement agency when, in the executive director’s professional capacity, he has received information that gives him reason to believe that an offense against the state’s election laws has occurred.” /

Renumber sections to conform.
Amend title to conform.

Rep. HILL explained the amendment.

POINT OF ORDER

Rep. KING raised the Point of Order that under 9.3 that Amendment No. 3 was not germane to H. 3444.

Rep. HILL spoke against the Point of Order.

Rep. JORDAN spoke in favor of the Point of Order.

The SPEAKER sustained the Point of Order.

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Rep. JORDAN explained the Bill.

Further proceedings were interrupted by the time expiring on the uncontested calendar.

RECURRENCE TO THE MORNING HOUR

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

H. 3444--INTERRUPTED DEBATE

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Caskey, McGinnis, Hosey, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J. E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M. M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Rep. JORDAN spoke in favor of the Bill.

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

RECURRENCE TO THE MORNING HOUR

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

H. 3444--ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of the Bill:

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Caskey, McGinnis, Hosey, Hixon, Hewitt, Bailey, W. Newton,

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Herbkersman, J. E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M. M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Rep. RIVERS spoke against the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 36

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Herbkersman	Hewitt	Hill
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss

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Murphy	B. Newton	W. Newton
Nutt	Oremus	Pope
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
Wheeler	White	Whitmire
Willis	Wooten	Yow

Total--84

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Brawley	Clyburn	Cobb-Hunter
Dillard	Garvin	Gilliard
Hart	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Matthews	McDaniel	McKnight
J. Moore	Murray	Ott
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	S. Williams

Total--36

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

STATEMENT FOR JOURNAL

I was not present during the vote on H. 3444. I was in an economic development meeting with the Governor's Office, but I would have voted in favor of H. 3444.

Rep. G. M. Smith

**H. 3609--SENATE AMENDMENTS CONCURRED IN AND
JOINT RESOLUTION ENROLLED**

The Senate Amendments to the following Joint Resolution were taken up for consideration:

H. 3609 -- Reps. Lucas, G. M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M. M. Smith, Yow, Jefferson,

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R. Williams, Wheeler, K. O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

Rep. WHITMIRE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 120; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe

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McCrary	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	S. Williams
Willis	Wooten	Yow

Total--120

Those who voted in the negative are:

Total--0

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

**H. 3608--SENATE AMENDMENTS CONCURRED IN AND
JOINT RESOLUTION ENROLLED**

The Senate Amendments to the following Joint Resolution were taken up for consideration:

H. 3608 -- Reps. Lucas, G. M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

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Rep. WHITMIRE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 117; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Haddon	Hardee	Hart
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. R. Smith	M. M. Smith	Stavrinnakis
Stringer	Taylor	Tedder

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Thayer	Thigpen	Trantham
Weeks	Wetmore	Wheeler
White	Whitmire	S. Williams
Willis	Wooten	Yow

Total--117

Those who voted in the negative are:

Total--0

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

H. 3589--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 3589 -- Reps. Allison, Lucas, M. M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

Rep. ALLISON moved to adjourn debate upon the Senate Amendments until Tuesday, March 16, which was agreed to.

RECURRENCE TO THE MORNING HOUR

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

WEDNESDAY, MARCH 10, 2021

COMMUNICATIONS

The following was received:

State of South Carolina
Office of the President

Columbia, S.C., March 9, 2021

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for the State Ethics Commission on behalf of the Senate in accordance with Section 8-13-310. This appointment is made with advice and consent of the General Assembly and is, therefore, submitted for your consideration.

STATEWIDE APPOINTMENT

State Ethics Commission

Term Commencing: 04/01/2020

Term Expiring: 04/01/2025

Seat: Senate - Majority

Vice: Samuel L. Erwin (resigned)

Mr. Scott E. Frick

33 Sunset Drive

Greenville, South Carolina 29605

Respectfully submitted on behalf of the Senate,
Harvey S. Peeler, Jr.
President

Referred to the Committee on Ethics

REPORT OF STANDING COMMITTEE

Rep. THAYER, from the Committee on Rules, submitted a favorable report on:

H. 4037 -- Reps. Simrill, Rutherford and Thayer: A HOUSE RESOLUTION TO AMEND RULE 5 OF THE RULES OF THE HOUSE OF REPRESENTATIVES BY ADDING RULE 5.21 SO AS TO PROVIDE PROCEDURES ON SECOND READING FOR A BILL OR JOINT RESOLUTION TO BE READ ALOUD TO THE CHAMBER.

[HJ]

WEDNESDAY, MARCH 10, 2021

H. 4037--ADOPTED

The following House Resolution was taken up for immediate consideration:

H. 4037 -- Reps. Simrill, Rutherford and Thayer: A HOUSE RESOLUTION TO AMEND RULE 5 OF THE RULES OF THE HOUSE OF REPRESENTATIVES BY ADDING RULE 5.21 SO AS TO PROVIDE PROCEDURES ON SECOND READING FOR A BILL OR JOINT RESOLUTION TO BE READ ALOUD TO THE CHAMBER.

Rep. THAYER explained the Resolution.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. THAYER continued speaking.

Rep. KING spoke against the Resolution.

POINT OF ORDER

Rep. HART raised the Point of Order that H. 4037 was unconstitutional and tried to amend the requirements of Article III, Section 18, of the South Carolina Constitution.

The *SPEAKER PRO TEMPORE* stated that the Speaker could not rule upon questions of substantive constitutional law and that such a question must be decided, if appropriate, by a court of law. He overruled the point of order.

Rep. KING continued speaking.

Rep. OTT proposed the following Amendment No. 2 to H. 4037 (COUNCIL\AHB\4037C003.BH.AHB21), which was tabled:

Amend the House resolution, as and if amended, by deleting subsection (B) of Rule 5.21 and inserting:

/ (B) The member requesting that a bill or joint resolution be read aloud may withdraw the request and shall ask to be recognized in order to withdraw the request. After a bill or joint resolution has been read aloud in its entirety, any additional requests to read the same bill or joint resolution are out of order. /

Renumber sections to conform.

Amend title to conform.

[HJ]

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Rep. OTT explained the amendment.

Rep. RUTHERFORD spoke against the amendment.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. PARKS a leave of absence for the remainder of the day.

Rep. RUTHERFORD continued speaking.

Rep. RUTHERFORD spoke against the amendment.

SPEAKER IN CHAIR

Rep. KING spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment.

Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 80; Nays 35

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Martin
May	McCabe	McCrary
McGarry	McGinnis	T. Moore

[HJ]

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Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Pope
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Thayer	Trantham	Weeks
White	Whitmire	Willis
Wooten	Yow	

Total--80

Those who voted in the negative are:

Alexander	Anderson	Bamberg
Bernstein	Brawley	Clyburn
Cobb-Hunter	Cogswell	Dillard
Elliott	Garvin	Gilliard
Hart	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Kirby	Magnuson
Matthews	McDaniel	McKnight
J. Moore	Murray	Ott
Pendarvis	Robinson	Tedder
Thigpen	Wetmore	

Total--35

So, the amendment was tabled.

The question then recurred to the passage of the House Resolution.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 26

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter

[HJ]

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Caskey	Chumley	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McCravy	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Pope	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Stringer	Taylor	Thayer
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	Willis	Wooten
Yow		

Total--91

Those who voted in the negative are:

Anderson	Bamberg	Brawley
Cobb-Hunter	Garvin	Gilliard
Hart	Henderson-Myers	Henegan
Hill	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Matthews	McDaniel
McKnight	J. Moore	Murray
Ott	Pendarvis	Robinson
Tedder	Thigpen	

Total--26

[HJ]

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The Resolution was adopted.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 4037. If I had been present, I would have voted in favor of the House Resolution.

Rep. Terry Alexander

Rep. MARTIN moved that the House do now adjourn, which was agreed to.

ADJOURNMENT

At 2:43 p.m. the House, in accordance with the motion of Rep. LUCAS, adjourned in memory of Robbie Mae Williams, mother of Representative Robert Williams, to meet at 10:00 a.m. tomorrow.

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H. 3008	9	H. 3821	11
H. 3024	12	H. 3834	10
H. 3042	9	H. 3863	11
H. 3119	10	H. 3878	11
H. 3180	10	H. 3925	13, 15
H. 3205	10	H. 4037	33, 34, 37
H. 3211	11	H. 4047	11
H. 3225	12	H. 4049	2
H. 3308	10	H. 4050	2
H. 3444	10, 13, 15, 16	H. 4051	3
H. 3444	20, 24, 25, 26	H. 4052	3
H. 3444	28	H. 4053	3
H. 3575	10		
H. 3589	32	S. 287	12
H. 3605	11	S. 457	4
H. 3608	30	S. 467	4
H. 3609	28	S. 505	7
H. 3772	10		