

NO. 33

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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THURSDAY, MARCH 11, 2021  
(STATEWIDE SESSION)

**Thursday, March 11, 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 Job 38:4: “Where were you when I laid the foundation of the earth?”

Let us pray. All knowing God, forgive us when we are confused and believe we know it all. Give us the faith, will, and energy to do for the people of this State, the necessary measure to accomplish great things. Give them strength, courage, and integrity as they work for the greater good. Bless our defenders of freedom and first responders as they care for us. Look in favor upon our World, Nation, President, State, Governor, Speaker, staff, and all who contribute to this great cause. 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. ERICKSON moved that when the House adjourns, it adjourn in memory of Mildred Duncan Riley, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 11, 2021

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time for the purpose of ratifying Acts.

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Very respectfully,  
President

On motion of Rep. HERBKERSMAN the invitation was accepted.

**REPORTS OF STANDING COMMITTEES**

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V. S. Moss, Haddon and Forrest: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V. S. Moss, Lowe, Bryant, Forrest, Carter and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN

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SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G. M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

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Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3541 -- Reps. Hixon, Burns and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 4035 -- Reps. Hiott, Bailey and Hewitt: A BILL TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

Ordered for consideration tomorrow.

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Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3921 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 58-23-1610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE TRANSPORTATION NETWORK COMPANY ACT, SO AS TO REVISE THE DEFINITIONS OF "PERSONAL VEHICLE" AND "PREARRANGED RIDE".

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 3281 -- Reps. King and Robinson: A BILL TO AMEND SECTION 17-5-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS FOR CREMATION WHICH MUST BE ISSUED BY CORONERS, SO AS TO PROVIDE THAT NO FEE FOR A PERMIT FOR CREMATION MAY BE CHARGED; AND TO AMEND SECTION 44-63-40, RELATING TO COUNTY REGISTRARS AND THE ISSUANCE OF BURIAL-REMOVAL-TRANSIT PERMITS, SO AS TO PROHIBIT A CORONER OR MEDICAL EXAMINER FROM CHARGING A FEE FOR SUCH PERMIT.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3991 -- Reps. Rutherford and Wooten: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Ordered for consideration tomorrow.

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**HOUSE RESOLUTION**

The following was introduced:

H. 4054 -- Reps. Ott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, 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, 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, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, 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 RECOGNIZE AND COMMEND THE PROFESSIONAL SOCIAL WORKERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR SOCIAL WORKERS FOR THEIR MANY CONTRIBUTIONS TO THE PALMETTO STATE, AND TO DECLARE MARCH 2021 AS "SOCIAL WORK MONTH" IN SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4055 -- Reps. Herbkersman, W. Newton, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoun, 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, Henegan, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins,

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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, 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 RECOGNIZE AND HONOR ASHLEY SCHNEIDER OF PRITCHARDVILLE ELEMENTARY SCHOOL IN BLUFFTON AND TO CONGRATULATE HER UPON BEING CHOSEN AS A K-8 EXTRAORDINARY EDUCATOR BY CURRICULUM ASSOCIATES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4056 -- Reps. Pendarvis and Matthews: A HOUSE RESOLUTION TO MEMORIALIZE THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES AND URGE THEM TO NAME THE BASKETBALL COURT IN THE COLONIAL LIFE ARENA TO HONOR NATIONAL CHAMPION AND OLYMPIC GOLD MEDALIST, DAWN STALEY.

The Resolution was ordered referred to the Committee on Judiciary.

**HOUSE RESOLUTION**

The following was introduced:

H. 4057 -- Reps. Gatch, Bennett, Jefferson, Kimmons, Murphy, Pendarvis and Tedder: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF JESSE N. STAFFORD OF SUMMERVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.



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**HOUSE RESOLUTION**

The following was introduced:

H. 4065 -- Reps. Hixon, 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, Henegan, Herbkersman, Hewitt, Hill, Hiott, 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 EMILIE DEMOSTHENES THEODORE OF GREENVILLE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4066 -- Reps. Jordan, Bamberg, Bernstein, Calhoon, Caskey, Collins, Rutherford, G. M. Smith, Stavrinakis, Weeks, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bennett, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Carter, Chumley, Clyburn, Cobb-Hunter, Cogswell, 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, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson,

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J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, 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, Sandifer, Simrill, G. R. Smith, M. M. Smith, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CHRISTIAN CAREY AS HE LEAVES HIS SERVICE AS A LAW CLERK IN THE SOUTH CAROLINA HOUSE ETHICS COMMITTEE, TO CONGRATULATE HIM ON HIS UPCOMING GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, AND TO WISH HIM GODSPEED IN THE DAYS AHEAD.

The Resolution was adopted.

### **CONCURRENT RESOLUTION**

The following was introduced:

H. 4058 -- Reps. M. M. Smith, Bennett and Bustos: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, MARCH 25, 2021, AS MEDAL OF HONOR DAY IN SOUTH CAROLINA AND TO EXPRESS HEARTFELT GRATITUDE FOR THE SERVICE AND SACRIFICES OF THE RECIPIENTS OF THE MEDAL OF HONOR.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

### **INTRODUCTION OF BILLS**

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

H. 4059 -- Reps. G. R. Smith, Haddon, Trantham, Jones, Caskey, Wooten, Morgan, Burns, Long, Bennett, B. Cox, Chumley, Magnuson and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-5-170 SO AS TO ESTABLISH THE OFFICE OF INTERSCHOLASTIC ATHLETICS IN THE STATE DEPARTMENT OF EDUCATION AS THE SOLE

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GOVERNING BODY OF ATHLETICS IN SOUTH CAROLINA PUBLIC SCHOOLS, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR AND STAFF OF THE OFFICE, TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE CERTAIN RELATED REGULATIONS, TO PROVIDE PUBLIC SCHOOLS THAT ENGAGE IN INTERSCHOLASTIC ATHLETICS AND PRIVATE SCHOOLS WISHING TO COMPETE WITH PUBLIC SCHOOLS IN INTERSCHOLASTIC ATHLETIC EVENTS SHALL SUBMIT TO THE GOVERNANCE OF ITS INTERSCHOLASTIC ATHLETICS BY THE OFFICE AND MAY NOT CONTRACT WITH, JOIN, OR OTHERWISE ASSOCIATE WITH ANOTHER ENTITY THAT OVERSEES OR AUTHORIZES INTERSCHOLASTIC ATHLETICS, TO PROVIDE RIGHTS FOR PRIVATE AND CHARTER SCHOOLS AND THEIR STUDENTS, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE SUBJECT TO CERTAIN REQUIREMENTS, AND TO ESTABLISH PROCEDURES FOR APPEALS FROM DECISIONS BY THE OFFICE ON ALLEGED VIOLATIONS; TO AMEND SECTION 59-39-160, RELATING TO ACADEMIC REQUIREMENTS FOR STUDENT PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES, SECTION 59-40-50, RELATING TO THE ELIGIBILITY OF CHARTER SCHOOL STUDENTS IN CERTAIN INTERSCHOLASTIC ATHLETIC EVENTS OFFERED IN PUBLIC SCHOOLS, SECTION 59-63-70, RELATING TO INTERSCHOLASTIC ATHLETES WHO PARTICIPATE IN INDEPENDENT ORGANIZED SPORTS TEAMS, AND SECTION 59-63-75, RELATING TO THE APPLICABILITY OF CONCUSSION PROTOCOLS APPLICABLE TO INTERSCHOLASTIC ATHLETICS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

Referred to Committee on Education and Public Works

H. 4060 -- Reps. Sandifer and Thayer: A BILL TO AMEND SECTION 6-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDING CODE ADOPTION PROCEDURES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL ALSO IS AUTHORIZED TO DENY THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIME FRAME, TO PROVIDE THAT THE COUNCIL ALSO MAY DENY THE STUDY COMMITTEE'S REPORT OF RECOMMENDATIONS

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UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE COUNCIL MUST PROVIDE A PRELIMINARY FISCAL IMPACT STATEMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4061 -- Reps. Bradley, Lucas, Burns, Hewitt, McGinnis, Davis, Martin, Haddon, Long, T. Moore, Taylor, Rivers, Erickson, Daning, Nutt, Oremus, Blackwell, May, Jones, Collins, Carter, Huggins, Hardee, Morgan, Elliott, Hyde, Magnuson, Bennett, Felder, Bannister, McGarry, B. Cox, W. Newton, Crawford, Gagnon, Herbkersman, Hiott, Hixon, Lowe, B. Newton and Stringer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 1, TITLE 9 SO AS TO CREATE THE OPTIONAL SHARED-RISK DEFINED BENEFIT PLAN, TO PROVIDE RETIREMENT REQUIREMENTS AND BENEFITS, TO PROVIDE FOR A MAXIMUM SIX PERCENT RATE OF RETURN, TO PROVIDE THAT THE PLAN IS ONE HUNDRED PERCENT FUNDED AT INCEPTION AND TO PROVIDE FOR CERTAIN RESTRICTIONS TO PLAN ENROLLMENT; BY ADDING SECTION 9-1-110 SO AS TO ALLOW AN EMPLOYER TO WITHDRAW FROM THE SOUTH CAROLINA RETIREMENT SYSTEM IN CERTAIN SITUATIONS; TO AMEND SECTION 9-1-10, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO ADD "CLASS FOUR MEMBER"; TO AMEND SECTION 9-1-1790, RELATING TO THE AMOUNT THAT MAY BE EARNED BY AN EMPLOYEE RETURNING TO WORK, SO AS TO PROVIDE THAT AN EMPLOYEE WHO RETURNS TO COVERED EMPLOYMENT AFTER RETIREMENT MAY NOT CONTINUE TO RECEIVE THE MONTHLY RETIREMENT ALLOWANCE THE MEMBER IS RECEIVING FROM THE SYSTEM AND TO PROVIDE THAT THE EMPLOYER MAY CHOOSE TO PARTICIPATE IN A DEFERRED COMPENSATION PROGRAM FOR THOSE INDIVIDUALS; AND TO AMEND CHAPTER 20 OF TITLE 9, RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM, SO AS TO RENAME THE PROGRAM THE "DEFINED CONTRIBUTION PRIMARY RETIREMENT PLAN" (DCPRP), TO PROVIDE FOR A DEFAULT VENDOR AND INVESTMENT OPTION, TO PROVIDE SELECTION CRITERIA FOR VENDORS, TO PROVIDE RESPONSIBILITIES FOR VENDORS, TO PROVIDE FOR THE LENGTH OF VENDOR CONTRACTS, TO PROVIDE FOR THE NUMBER OF VENDORS THAT THE PUBLIC EMPLOYEE

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BENEFIT AUTHORITY MAY CONTRACT WITH, TO PROVIDE THAT AT LEAST ONE VENDOR OFFERS FIXED RATE AND VARIABLE ANNUITIES, TO PROVIDE THAT A MEMBER MAY NOT BORROW AGAINST HIS DCPRP, TO PROVIDE FOR VESTING REQUIREMENTS, TO PROVIDE FOR EMPLOYER AND EMPLOYEE CONTRIBUTION RATES, TO PROVIDE THAT CERTAIN EDUCATION MUST BE OFFERED TO MEMBERS, AND TO PROVIDE THAT A CLASS TWO OR CLASS THREE MEMBER MAY CHOOSE TO BECOME A CLASS FOUR MEMBER.

Referred to Committee on Ways and Means

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Referred to Committee on Labor, Commerce and Industry

H. 4063 -- Reps. Erickson, Bradley and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; BY ADDING CHAPTER 2 TO TITLE 26 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE PROCEDURES AND TRAINING REQUIREMENTS TO BECOME AN ELECTRONIC NOTARY, TO ESTABLISH FUNCTIONS WHICH MAY BE CARRIED OUT BY AN ELECTRONIC NOTARY, TO PROVIDE REQUIREMENTS AND PROCEDURES TO PERFORM AN ELECTRONIC NOTARIAL ACT, TO OUTLINE LIABILITIES, SANCTIONS, AND REMEDIES FOR IMPROPER PERFORMANCE OF ELECTRONIC NOTARIAL ACT, AND TO PROVIDE A METHOD OF AUTHENTICITY.

Referred to Committee on Judiciary

H. 4064 -- Reps. G. M. Smith and Sandifer: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY

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REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

Referred to Committee on Ways and Means

H. 4067 -- Reps. Fry, Henegan, Jones, Willis, Crawford, Kirby, Huggins, Ott, Caskey, Davis, Alexander, Erickson, Bradley, W. Newton, Hewitt, Calhoun, Hixon, Pendarvis and Thayer: A BILL TO AMEND SECTION 16-3-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS OFFENSES, SO AS TO REVISE THE DEFINITION OF "SEX TRAFFICKING" TO INCLUDE CERTAIN SEXUAL EXPLOITATION AND PROSTITUTION OFFENSES INVOLVING MINORS; TO AMEND SECTION 16-3-2020, AS AMENDED, RELATING TO THE ELEMENTS OF TRAFFICKING IN PERSONS OFFENSES, PENALTIES, AND DEFENSES, SO AS TO ENSURE THAT A MINOR VICTIM ADJUDICATED DELINQUENT FOR A VIOLATION OF THE ARTICLE MAY HAVE THE RECORD OF CONVICTION EXPUNGED; BY ADDING SECTION 16-3-2110 SO AS TO PROVIDE FOR THE APPOINTMENT OF A SPECIAL VICTIM'S ADVOCATE FOR MINOR VICTIMS OF TRAFFICKING IN PERSONS OFFENSES; BY ADDING SECTION 16-3-2120 SO AS TO DIRECT THE APPROPRIATE AGENCIES TO COORDINATE WITH THE HUMAN TRAFFICKING TASK FORCE FOR THE TRAINING OF JUDGES, PROSECUTORS, LAW ENFORCEMENT, AND SCHOOL PERSONNEL; AND BY ADDING SECTION 16-3-2130 SO AS TO CREATE THE OFFENSE OF PROMOTING TRAVEL FOR PROSTITUTION OR SEX TRAFFICKING AND PROVIDE PENALTIES.

Referred to Committee on Judiciary

H. 4068 -- Reps. Fry, Henegan, Jones, Willis, Crawford, Kirby, Davis, Alexander, Erickson, Bradley, Huggins, Ott, W. Newton, Caskey, Hewitt, Calhoun, W. Cox, Hixon, Pendarvis and Thayer: A BILL TO AMEND SECTION 17-30-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROCEDURES FOR THE INTERCEPTION OF WIRE, ORAL, OR ELECTRONIC COMMUNICATIONS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE OFFENSES INVOLVING TRAFFICKING IN PERSONS.

Referred to Committee on Judiciary

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S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Referred to Committee on Ways and Means

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 571 -- Senators Shealy, Hutto and Senn: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

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
Collins	B. Cox	W. Cox

[HJ]

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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
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	S. Williams
Willis	Wooten	Yow

**Total Present--120**

**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.



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**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Bryant T. Green of Greenwood was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

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. 3002  
Date: ADD:  
03/11/21 OREMUS

**CO-SPONSOR ADDED**

Bill Number: H. 3096  
Date: ADD:  
03/11/21 HIOTT

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**CO-SPONSOR ADDED**

Bill Number: H. 3105  
Date: ADD:  
03/11/21 DAVIS

**CO-SPONSOR ADDED**

Bill Number: H. 3107  
Date: ADD:  
03/11/21 HUGGINS

**CO-SPONSOR ADDED**

Bill Number: H. 3466  
Date: ADD:  
03/11/21 JONES

**CO-SPONSOR ADDED**

Bill Number: H. 3574  
Date: ADD:  
03/11/21 MATTHEWS

**CO-SPONSORS ADDED**

Bill Number: H. 3750  
Date: ADD:  
03/11/21 BRADLEY, ERICKSON, HERBKERSMAN,  
GAGNON, HUGGINS, BALLENTINE, WOOTEN,  
HEWITT, D. C. MOSS, GOVAN and ALLISON

**CO-SPONSORS ADDED**

Bill Number: H. 3772  
Date: ADD:  
03/11/21 GARVIN and ALEXANDER

**CO-SPONSOR ADDED**

Bill Number: H. 3976  
Date: ADD:  
03/11/21 MAGNUSON

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**CO-SPONSOR ADDED**

Bill Number: H. 4056  
Date: ADD:  
03/11/21 MATTHEWS

**CO-SPONSORS REMOVED**

Bill Number: H. 3979  
Date: REMOVE:  
03/11/21 HYDE and FORREST

**LEAVE OF ABSENCE**

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

**SENT TO THE SENATE**

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

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.

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.

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**H. 3466--REQUESTS FOR DEBATE WITHDRAWN**

Reps. HIOTT, GAGNON and HUGGINS withdrew their requests for debate on H. 3466; however, other requests for debate remained on the Bill.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. FORREST.

**H. 3588--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Rep. ALLISON moved to adjourn debate on the Bill until Thursday, April 8, which was agreed to.

**H. 3502--COMMITTED**

The following Bill was taken up:

H. 3502 -- Reps. Long, Burns, Haddon, V. S. Moss, Calhoon, Govan, Erickson and Bradley: A BILL TO AMEND SECTION 56-5-1538, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY SCENE MANAGEMENT, SO AS TO REVISE THE DEFINITION OF THE TERM "EMERGENCY SERVICES PERSONNEL" TO INCLUDE TOW TRUCK OPERATORS.

Rep. MURPHY moved to commit the Bill to the Committee on Judiciary.

Rep. LONG moved to table the motion.

[HJ]

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

Yeas 24; Nays 77

Those who voted in the affirmative are:

Allison	Bennett	Burns
Chumley	B. Cox	Dabney
Daning	Felder	Gilliam
Haddon	Jones	Long
Lucas	Magnuson	May
McCrary	McGarry	McGinnis
T. Moore	Morgan	V. S. Moss
Nutt	Pope	Yow

**Total--24**

Those who voted in the negative are:

Atkinson	Bailey	Ballentine
Bamberg	Bannister	Blackwell
Bradley	Brawley	Brittain
Bryant	Bustos	Calhoon
Carter	Caskey	Clyburn
Cogswell	Collins	W. Cox
Crawford	Davis	Dillard
Elliott	Erickson	Finlay
Fry	Gagnon	Garvin
Gatch	Hardee	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
King	Kirby	Ligon
Lowe	Martin	McCabe
McDaniel	D. C. Moss	Murphy
Murray	B. Newton	W. Newton
Oremus	Pendarvis	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West

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Wetmore  
S. Williams

White  
Wooten

Whitmire

**Total--77**

So, the House refused to table the motion.

The question then recurred to the motion to commit the Bill to Judiciary, which was agreed to.

**H. 3308--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS 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.

Rep. HUGGINS proposed the following Amendment No. 1 to H. 3308 (COUNCIL\CZ3308C001.RT.CZ21), which was tabled:

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

/ SECTION 1. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of Lake Greenwood, Lake Hartwell, Lake Jocassee, Lake Keowee, Lake Marion, Lake Monticello, Lake Murray, Lake Robinson, Lake Russell, Lake Secession, Lake Thurmond, Lake Wateree, Fishing Creek Reservoir, Parr Reservoir, or the portion of the Savannah River from the Interstate 20 Savannah River Bridge to the New Savannah River Bluff Lock and Dam in excess of idle speed within fifty feet of moored or anchored vessel or a person in the water or one hundred feet of a wharf, dock, bulkhead, or pier;

(b) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of Lake Wylie in excess of idle speed within one hundred and fifty feet of a wharf, dock, bulkhead, or pier; or

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(c) operate a personal watercraft, specialty procraft, or vessel while upon ~~the all other~~ waters of this State in excess of idle speed within 50 feet of a ~~moored or an anchored vessel~~, wharf, dock, bulkhead, or pier, ~~or a person in the water~~, or within 100 yards of the Atlantic Ocean coast line. The prohibitions contained in this ~~item (6)~~ subitem do not apply to an unoccupied, moored vessel or watercraft;”

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

Renumber sections to conform.

Amend title to conform.

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

Rep. HUGGINS proposed the following Amendment No. 2 to H. 3308 (COUNCIL\PH3308C001.JN.PH21), which was adopted:

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

/ SECTION 1. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty procraft, or vessel while upon the waters of Lake Greenwood, Lake Hartwell, Lake Jocassee, Lake Keowee, Lake Marion, Lake Monticello, Lake Murray, Lake Robinson, Lake Russell, Lake Secession, Lake Thurmond, Lake Wateree, Fishing Creek Reservoir, Parr Reservoir, or the portion of the Savannah River from the Interstate 20 Savannah River Bridge to the New Savannah River Bluff Lock and Dam in excess of idle speed within one hundred feet of a wharf, dock, bulkhead, or pier or fifty feet of a moored or anchored vessel or person in the water;

(b) operate a personal watercraft, specialty procraft, or vessel while upon the waters of Lake Wylie in excess of idle speed within one hundred and fifty feet of a wharf, dock, bulkhead, or pier or fifty feet of a moored or anchored vessel or person in the water; or

(c) operate a personal watercraft, specialty procraft, or vessel while upon ~~the all other~~ waters of this State in excess of idle speed within 50 feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within 100 yards of the Atlantic Ocean coast line. The prohibitions contained in this ~~item (6)~~ subitem do not apply to an unoccupied, moored vessel or watercraft;”

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

Renumber sections to conform.

Amend title to conform.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:  
Yeas 97; Nays 15

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Brawley	Brittain
Bryant	Burns	Bustos
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	Crawford
Daning	Davis	Dillard
Elliott	Felder	Forrest
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Kimmons	King
Kirby	Ligon	Long
Lucas	Magnuson	Martin
Matthews	McCravy	McDaniel
McGarry	McGinnis	T. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Taylor	Tedder
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler



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Whitmire	S. Williams	Willis
Wooten		

**Total--97**

Those who voted in the negative are:

Bradley	W. Cox	Dabney
Erickson	Fry	Herbkersman
Jordan	Lowe	May
McCabe	Morgan	G. R. Smith
Thayer	White	Yow

**Total--15**

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

**H. 3308--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. HUGGINS, with unanimous consent, it was ordered that H. 3308 be read the third time tomorrow.

**LEAVE OF ABSENCE**

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

**H. 3772--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3772 -- Reps. Bernstein, G. M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M. M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY

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**PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.**

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3772 (COUNCIL\DG\3772C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. If any provision of this act, or its application to any person or circumstance, is determined by a court or other authority of competent jurisdiction to be invalid or unconstitutional, that provision must be stricken and the remaining provisions must be construed in accordance with the intent of the General Assembly to further limit rather than expand commerce in beverages containing alcohol, and with respect to such beverages, the remaining provisions must be construed to enhance strict regulatory control over the taxation, importation, production, distribution, sale, and delivery of beverages containing alcohol through the three-tier regulatory system and the licensing laws imposed by this act. /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY spoke in favor of the amendment.

**POINT OF ORDER**

Rep. MCCRAVY raised the Point of Order that Amendment No. 1 to H. 3772 was out of order in that Rule 5.13 required it to have a fiscal impact statement.

The SPEAKER overruled the Point of Order.

Rep. CASKEY continued speaking.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Rep. HILL proposed the following Amendment No. 4 to H. 3772 (COUNCIL\DG\3772C003.JN.DG21), which was tabled:

Amend the bill, as and if amended, by striking SECTIONS 1 and 2 and inserting:

/ SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

[HJ]

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“Section 61-4-280. (A) As used in this section:

(1) ‘Customer’ means an individual who is at least twenty-one years of age and who purchases products from a licensed retail dealer through the use of the Internet, mobile applications, or other similar technology.

(2) ‘Delivery’ means local delivery of beer or wine made by a retail dealer or delivery service employees or independent contractors. Delivery by a delivery service must be made on the same day the beer and wine is collected from the retail dealer and may not be interstate or further hired, including to a common carrier.

(3) ‘Delivery service’ means a third party that delivers items from a retail dealer to consumers for personal consumption and not for resale using employees or independent contractors to facilitate the delivery. A ‘delivery service’ also may facilitate delivery through technology services that connect customers with retail dealers through the use of the Internet, mobile applications, and other similar technology.

(4) ‘Recipient’ means an individual who is at least twenty-one years of age, who is physically present at the address designated by the customer, and who is receiving the intended delivery from the delivery service.

(5) ‘Retail dealer’ means a person or entity licensed under this title as a retailer authorized to sell beer, ale, porter, and wine in sealed containers for off-premises consumption or on-premises consumption and does not include a manufacturer or any other person or entity licensed to manufacture beer and wine.

(6) ‘Sealed container’ means a vessel containing beer or wine, which has not been opened, tampered with, uncapped or unsealed subsequent to its original filling and airtight sealing by the manufacturer, importer, or retail dealer.

(7) ‘Third party’ means any individual, partnership, association, company, limited liability company, corporation, or other entity or group who is licensed to do business in this State, regardless of the state of residency, that has a contractual relationship with at least one licensed retail dealer, and who is not an employee of the retail dealer.

(B) Notwithstanding any other provision of law, a retail dealer may hire a delivery service to deliver sealed packages of beer, wine, and alcoholic liquors for personal consumption. A retail dealer may itself deliver sealed packages of beer, wine, and alcoholic liquors for personal consumption. Delivery shall not occur on the premises of any church, school, or playground, as those terms are defined in Section 61-6-120, within any residence hall or dormitory on a college or university campus

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in this State, or within the premises of licensed on-premises retailers, excluding hotels. For purposes of determining whether the area for the delivery of beer, wine, and alcoholic liquors is permissible, the Department of Revenue shall make available to the delivery service the addresses of active licensed on-premises retailers upon which the delivery service may reasonably rely in furtherance of prohibiting such delivery.

(C) Nothing in this section shall be construed to require a company that only provides technology services to a retail dealer to obtain a delivery service license if the company does not employ or contract with delivery drivers, but merely provides software or an application that connects consumers and licensed retail dealers.

(D) Each individual who delivers beer, wine, and alcoholic liquors for a retail dealer or delivery service must be at least twenty-one years of age, must not have a felony conviction within the last ten years, as confirmed by a background check conducted by the delivery service prior to being hired, and must undergo certification and training to deliver beer, wine, and alcoholic liquors as provided by the department and as administered by the retail dealer or delivery service.

(E)(1) A licensed retail dealer may market, receive, and process orders for beer, wine, and alcoholic liquor products under this section using electronic means owned, operated, and maintained by a third party, provided that:

(a) the retail dealer maintains ultimate control and responsibility over the sales transaction and transfer of physical possession of the beer, wine, and alcoholic liquors to the delivery service employee or independent contractor;

(b) the retail dealer retains the sole discretion to determine whether to accept and complete a sales transaction or reject it;

(c) the retail dealer retains the independence to determine which beer, wine, and alcoholic liquors are made available for ordering through electronic means, which are made available for delivery to the recipient at the address designated by the customer, and to independently set the price of such products;

(d) the sales transaction takes place between the customer and the retail dealer and the retail dealer appears as the merchant of record;

(e) any credit or debit card information provided by a customer to the third party for the purpose of transacting a purchase with a retail dealer is automatically directed to the retail dealer such that the

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retail dealer appears as the merchant of record at the time of purchase and on the receipt;

(f) the retail dealer, or an employee of the retail dealer, processes by the licensed premise that accepts the order, all payments initiated by a customer that is transacting a purchase with the retail dealer; and

(g) the beer, wine, and alcoholic liquors are in the possession of the retail dealer prior to the retail dealer's processing of payment for such products.

(F) At the time of delivery, a delivery service licensee must have some form of electronic or current state of the art age verification software technology available at the point of delivery, must require the recipient to provide valid photographic identification to verify the recipient is at least twenty-one years of age, and must obtain the recipient's signature.

(G) A retail dealer and delivery service shall refuse delivery and return the beer, wine, and alcoholic liquors to the retail dealer's licensed premises on the same date of collection and attempted delivery when the recipient is not present or:

- (1) is less than twenty-one years of age;
- (2) fails to produce valid identification; or

(H) A customer order made through a delivery service licensee shall result in a sale deemed to have been made on the retail dealer's licensed premises.

(I) A person who violates the provisions of this section, upon conviction:

- (1) for a first offense, must be fined one thousand dollars or imprisoned not more than thirty days, or both;
- (2) for a second offense, must be fined two thousand dollars or imprisoned not more than sixty days, or both; and
- (3) for a third or subsequent offense, must be fined five thousand dollars or imprisoned not more than five years." /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HILL spoke in favor of the amendment.

Rep. CASKEY spoke against the amendment.

Rep. CASKEY moved to table the amendment.

[HJ]

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

Yeas 82; Nays 27

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Brittain	Bryant	Bustos
Carter	Caskey	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliard	Haddon
Hardee	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Hyde
Jefferson	J. E. Johnson	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Magnuson
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Ott	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	White
Whitmire	Willis	Wooten
Yow		

**Total--82**

Those who voted in the negative are:

Ballentine	Bradley	Brawley
Burns	Calhoon	Chumley
Dabney	Garvin	Govan
Hill	Huggins	J. L. Johnson

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K. O. Johnson	King	Kirby
Martin	May	McCabe
McCrary	Murray	Nutt
Oremus	Pendarvis	Rivers
Weeks	Wheeler	S. Williams

**Total--27**

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 3772, Amendment No. 1. If I had been present, I would have voted against tabling the Amendment.

Rep. Annie McDaniel

So, the amendment was tabled.

Reps. HERBKERSMAN and BANNISTER proposed the following Amendment No. 5H. 3772 (COUNCIL\DG\3772C005.JN.DG21), which was ruled out of order:

Amend the bill, as and if amended, SECTION 2, Section 61-4-280, by adding an appropriately lettered subsection to read:

/ ( ) If the delivery contains twenty-four or more bottles or cans of Natty Light or Busch Light, the delivery service must send a text message to the homeowner notifying them of the pending delivery.

/

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

**POINT OF ORDER**

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 5 to H. 3772 was out of order in that it was not germane to the Bill.

The SPEAKING sustained the Point of Order.

Rep. CASKEY explained the Bill.

Rep. MCCRAVY spoke against the Bill.

Rep. HILL spoke against the Bill.

[HJ]

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 27

Those who voted in the affirmative are:

Alexander	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Bustos
Calhoon	Carter	Caskey
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliard
Govan	Hardee	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hosey	Huggins	Hyde
Jefferson	J. L. Johnson	K. O. Johnson
Kimmons	Kirby	Ligon
Lucas	Martin	Matthews
May	McCabe	McGarry
McGinnis	McKnight	T. Moore
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	Wooten	Yow

**Total--84**

Those who voted in the negative are:

Allison	Brawley	Bryant
Burns	Chumley	Dabney
Felder	Finlay	Gilliam

[HJ]



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Haddon	Hill	Hiott
Hixon	Howard	J. E. Johnson
Jones	Jordan	King
Long	Magnuson	McCrary
Morgan	D. C. Moss	V. S. Moss
Rivers	G. R. Smith	Willis

**Total--27**

So, the Bill, 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. 3772. If I had been present, I would have voted in favor of the Bill.

Rep. Annie McDaniel

**H. 3772--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. CASKEY, with unanimous consent, it was ordered that H. 3772 be read the third time tomorrow.

**H. 3575--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Caskey, Hosey, Herbkersman, Martin, M. M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3575 (COUNCIL\CZ\3575C001.DF.CZ21), which was adopted:

[HJ]

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

/ SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-45. (A) The department may issue a license or permit allowing a retailer to offer curbside delivery or pick up through curbside service of beer or wine if the retailer:

(1) has a clearly designated curbside area abutting or adjacent to or in close proximity to its business;

(2) requires a customer to provide a valid government-issued identification at the time of pickup;

(3) prohibits the use of curbside delivery or curbside pickup service by an intoxicated person or a person under the age of twenty-one; and

(4) requires the employee delivering sealed containers of beer or wine to a customer’s vehicle to be eighteen years or older.

(B) The curbside delivery and pickup of alcoholic liquors is prohibited.

(C) The section may not be interpreted to authorize:

(1) the curbside delivery or pick up through curbside service of open containers of beer or wine;

(2) the delivery of alcohol including delivery through a third-party delivery service; or

(3) the drive-through pickup of beer or wine.” /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

The amendment was then adopted.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. HILL proposed the following Amendment No. 3 to H. 3575 (COUNCIL\CZ\3575C002.DF.CZ21), which was tabled:

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

/ SECTION 1. Article 1, Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-45. (A) The department may issue a license or permit allowing a retailer to offer curbside delivery or pick up through curbside service of beer, wine, or alcoholic liquors if the retailer:

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(1) has a clearly designated curbside area abutting or adjacent to or in close proximity to its business;

(2) requires a customer to provide a valid government-issued identification at the time of pickup;

(3) prohibits the use of curbside delivery or curbside pickup service by an intoxicated person or a person under the age of twenty-one; and

(4) requires the employee delivering sealed containers of beer, wine, or alcoholic liquors to a customer's vehicle to be eighteen years or older.

(B) The section may not be interpreted to authorize:

(1) the curbside delivery or pick up through curbside service of open containers of beer, wine, or alcoholic liquors; or

(2) the delivery of alcohol including delivery through a third-party delivery service.” /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 14

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bustos	Calhoon
Carter	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliard	Govan	Hardee

[HJ]

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Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	Kimmons	King
Kirby	Ligon	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCrary	McGarry	McGinnis
McKnight	T. Moore	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
S. Williams	Wooten	Yow

**Total--99**

Those who voted in the negative are:

Bryant	Burns	Chumley
Dabney	Gilliam	Haddon
Hiott	Hixon	Long
Morgan	D. C. Moss	V. S. Moss
G. R. Smith	Willis	

**Total--14**

So, the Bill, 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. 3575. If I had been present, I would have voted in favor of the Bill.

Rep. Annie McDaniel

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**H. 3575--ORDERED TO BE READ THIRD TIME  
TOMORROW**

On motion of Rep. FRY, with unanimous consent, it was ordered that H. 3575 be read the third time tomorrow.

**H. 3105--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M. M. Smith, Pope, D. C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3105 (COUNCIL\CZ\3105C001.GT.CZ21), which was adopted:

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

/SECTION 1. Chapter 32, Title 1 of the 1976 Code is amended to read:

“CHAPTER 32

South Carolina Religious Freedom Act

Section 1-32-10. This chapter may be cited as the ‘South Carolina Religious Freedom Act’.

Section 1-32-20. In this chapter:

(1) ‘Demonstrates’ means meets the burdens of going forward with the evidence and of persuasion.

(2) ‘Discriminatory action’ means any action undertaken by the State to:

(a) alter the tax treatment of a religious organization, cause any tax, penalty, or payment to be assessed against, or deny, delay, revoke, or otherwise make unavailable from exemption;

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(b) disallow, deny, or otherwise make available a deduction for state tax purposes of a charitable contribution made to or by a religious organization;

(c) impose, levy, or assess a monetary fine, fee, penalty, damage award, or injunction; or

(d) withhold, reduce, exclude, terminate, or materially alter the terms or conditions of:

(i) a state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, or other similar benefits from or to a religious organization;

(ii) an entitlement or benefit under a state program from or to a religious organization; or

(iii) a license, certification, accreditation, recognition, or other similar benefit, position, or status to or from a religious organization.

(3) 'Exercise of religion' means the exercise of religion under the First Amendment to the United States Constitution or Article I, Section 2 of the State Constitution.

~~(3)~~(4) 'Person' includes, but is not limited to, an individual, corporation, firm, partnership, association, or organization.

(5) 'Religious organization' includes, but is not limited to, houses of worship, religious ministries, organizations, social agencies, groups, corporations, educational institutions and other entities whose principal purpose is the study, practice, or advancement of religion and their officers, owners, clergy, religious leaders, and ministers.

(6) 'Religious services' means a meeting, gathering, or assembly of two or more persons organized by a religious organization for the purpose of worship, teaching, training, providing educational services, conducting religious rituals, or other activities that are deemed necessary by the religious organization for the exercise of religion.

~~(4)~~(7) 'State' means the State of South Carolina and any political subdivision of the State and includes a branch, department, agency, board, commission, instrumentality, entity, or officer, employee, official of the State or a political subdivision of the State, or any other person acting under color of law.

Section 1-32-30. The purposes of this chapter are to:

(1) restore the compelling interest test as set forth in *Wisconsin v. Yoder*, 406 U.S. 205 (1972), and *Sherbert v. Verner*, 374 U.S. 398 (1963), and to guarantee that a test of compelling state interest will be imposed on all state and local laws and ordinances in all cases in which the free exercise of religion is substantially burdened; and

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(2) provide a claim or defense to persons whose exercise of religion is substantially burdened by the State.

Section 1-32-40. The State may not substantially burden a person's exercise of religion, even if the burden results from a rule of general applicability, unless the State demonstrates that application of the burden to the person is:

- (1) in furtherance of a compelling state interest; and
- (2) the least restrictive means of furthering that compelling state interest.

Section 1-32-45. This chapter does not affect the application of and must be applied in conjunction with Chapter 27 of Title 24, concerning inmate litigation.

Section 1-32-50. If a person's exercise of religion or a religious organization's ability to operate during a state of emergency has been burdened in violation of this chapter, the person may assert the violation as a claim or defense in a judicial proceeding. If the person prevails in such a proceeding, the court shall award attorney's fees and costs. A religious organization also may seek declaratory and injunctive relief and compensatory damages for pecuniary and nonpecuniary losses.

Section 1-32-55. (A) During a state of emergency, religious services are deemed an essential service and are considered necessary and vital to the health and welfare of the public.

(B) The State may not limit the ability of a religious organization to continue operating or engage in religious services during a state of emergency to the same or greater extent that other organizations or businesses that provide essential services are permitted to operate.

(C) Nothing in this section may be construed to prohibit the State from requiring religious organizations to comply with neutral health, safety, and occupancy requirements issued by the state or federal government that are applicable to other businesses and organizations that provide essential services. However, the State may not enforce any requirements that would substantially burden the religious organization unless the State demonstrates that the burden is:

- (1) in furtherance of a compelling state interest; and
- (2) the least restrictive means of furthering that compelling state interest.

(D) The State may not take any discriminatory action against a religious organization on the basis that the organization:

- (1) is religious;
- (2) operates or seeks to operate during a properly declared state of emergency; or

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(3) engages in the exercise of religion.

Section 1-32-60. (A) This chapter applies to all state and local laws and ordinances and the implementation of those laws and ordinances, whether statutory or otherwise, and whether adopted before or after the effective date of this act.

(B) Nothing in this chapter may be construed to authorize the State to burden any religious belief.

(C) Nothing in this chapter may be construed to affect, interpret, or in any way address:

(1) that portion of the First Amendment of the United States Constitution prohibiting laws respecting the establishment of religion;

(2) that portion of Article I, Section 2 of the State Constitution prohibiting laws respecting the establishment of religion.

(D) Granting state funding, benefits, or exemptions, to the extent permissible under the constitutional provisions enumerated in subsection (C)(1) and (2), does not constitute a violation of this chapter.

As used in this subsection, ‘granting’, with respect to state funding, benefits, or exemptions, does not include the denial of government funding, benefits, or exemptions.”

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

Renumber sections to conform.

Amend title to conform.

Rep. MCCRAVY explained the amendment.

Rep. YOW spoke in favor of the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. BAMBERG spoke against the amendment.

Rep. KING spoke against the amendment.

Rep. KING spoke against the amendment.

Rep. RIVERS spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 88; Nays 22

Those who voted in the affirmative are:

Alexander

Allison

Atkinson

Bailey

Ballentine

Bannister

[HJ]



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Bennett	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Howard
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	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pope
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	Wooten
Yow		

**Total--88**

Those who voted in the negative are:

Bamberg	Bernstein	Brawley
Cobb-Hunter	Dillard	Felder
Garvin	Gilliard	Hart
Henderson-Myers	K. O. Johnson	King
Matthews	McKnight	J. Moore
Pendarvis	Rivers	Robinson

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Rose  
S. Williams

Rutherford

Tedder

**Total--22**

The amendment was then adopted.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 3105, Amendment No. 1. If I had been present, I would have voted against the Amendment.

Rep. Annie McDaniel

Rep. BERNSTEIN proposed the following Amendment No. 2 to H. 3105 (COUNCIL\AHB\3105C001.BH.AHB21), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 1-32-55(D).

Re-number sections to conform.

Amend title to conform.

Rep. BERNSTEIN explained the amendment.

Rep. MCCRAVY spoke against the amendment.

Rep. HIOTT moved to table the amendment.

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

Yeas 73; Nays 39

Those who voted in the affirmative are:

Bailey	Ballentine	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Carter	Caskey
Chumley	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Herbkersman
Hewitt	Hill	Hiott

[HJ]

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Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Kimmons	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	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Trantham	White
Whitmire	Willis	Wooten
Yow		

**Total--73**

Those who voted in the negative are:

Alexander	Bamberg	Bernstein
Brawley	Calhoon	Clyburn
Cobb-Hunter	Cogswell	Dillard
Felder	Finlay	Garvin
Gilliard	Hart	Henderson-Myers
Henegan	Hosey	Jefferson
J. L. Johnson	K. O. Johnson	King
Kirby	Matthews	McKnight
J. Moore	Murray	Ott
Pendarvis	Rivers	Robinson
Rose	Rutherford	Stavrinakis
Tedder	Thigpen	Weeks
Wetmore	Wheeler	S. Williams

**Total--39**

So, the amendment was tabled.

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 3105, Amendment No. 2. If I had been present, I would have voted against tabling the Amendment.

Rep. Annie McDaniel

[HJ]

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 86; Nays 29

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	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Howard	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
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pope	Sandifer	G. M. Smith
G. R. Smith	M. M. Smith	Taylor
Thayer	Thigpen	Trantham
West	Wetmore	Wheeler
White	Whitmire	Willis
Wooten	Yow	

**Total--86**

Those who voted in the negative are:

Alexander	Bamberg	Bernstein
Brawley	Clyburn	Cobb-Hunter

[HJ]

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Cogswell	Dillard	Garvin
Gilliard	Hart	Henderson-Myers
Hosey	Jefferson	J. L. Johnson
K. O. Johnson	King	Matthews
McKnight	J. Moore	Murray
Pendarvis	Rivers	Robinson
Rose	Rutherford	Tedder
Weeks	S. Williams	

**Total--29**

**STATEMENT FOR JOURNAL**

I was temporarily out of the Chamber on constituent business during the vote on H. 3105. If I had been present, I would have voted against the Bill.

Rep. Annie McDaniel

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WEST a leave of absence for the remainder of the day due to his son's wedding.

**SPEAKER IN CHAIR**

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4069 -- Reps. Alexander, Lowe, Jordan and Kirby: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SENSATIONAL BROWN BROTHERS OF FLORENCE FOR AN EXCEPTIONAL CAREER AS GOSPEL RECORDING ARTISTS AND TO CONGRATULATE THIS FINE GROUP ON ITS INCLUSION IN THE NATIONAL MUSEUM OF AFRICAN AMERICAN MUSIC.

The Resolution was adopted.

[HJ]

**THURSDAY, MARCH 11, 2021**

**HOUSE RESOLUTION**

The following was introduced:

H. 4070 -- Reps. Henegan, Yow, Gilliam and Herbkersman: A HOUSE RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ASSIST THE PEE DEE INDIAN TRIBE IN ACHIEVING FEDERAL RECOGNITION AND GRANT THEM ALL RIGHTS AND PRIVILEGES THAT ARE GRANTED TO NATIONALLY RECOGNIZED NATIVE AMERICAN TRIBES.

The Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**HOUSE RESOLUTION**

The following was introduced:

H. 4071 -- Reps. Jones, Gilliam and Willis: A HOUSE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE TWO HUNDRED FORTY-EIGHTH ANNIVERSARY OF LANGSTON BAPTIST CHURCH AND TO CONGRATULATE AND COMMEND PASTOR GREGORY RANKIN AND THE CONGREGATION FOR NEARLY TWO AND A HALF CENTURIES OF DEDICATED SERVICE AND MINISTRY TO THE LAURENS COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4072 -- Rep. Elliott: A HOUSE RESOLUTION TO AFFIRM THE COMMITMENT OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TOWARD PROTECTING THE CHILDREN OF SOUTH CAROLINA FROM THE MENTAL AND PHYSICAL HARMS THAT OCCURRED AS A RESULT OF THE COVID-19 PANDEMIC.

The Resolution was adopted.

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**INTRODUCTION OF BILLS**

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

H. 4073 -- Rep. Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "STUDENT LOAN BILL OF RIGHTS ACT" BY ADDING ARTICLE 3 TO CHAPTER 103, TITLE 59 SO AS TO PROVIDE FOR THE REGULATION OF STUDENT EDUCATION LOAN SERVICERS BY THE DEPARTMENT OF CONSUMER AFFAIRS.

Referred to Committee on Education and Public Works

H. 4074 -- Reprs. Herbkersman and Ott: A BILL TO PROVIDE THAT CERTAIN FUNDS APPROPRIATED IN THE 2019-2020 GENERAL APPROPRIATIONS ACT, WHICH WERE CONTINUED FOR THE FISCAL YEAR 2021, TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND THE DEPARTMENT OF SOCIAL SERVICES MUST BE USED TO FUND CERTAIN ADOPTION NEEDS.

Referred to Committee on Ways and Means

H. 4075 -- Reprs. Wetmore and Stavrinakis: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Referred to Committee on Judiciary

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE

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ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

S. 648 -- Senator K. Johnson: A BILL TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT, BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Rep. K. O. JOHNSON, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

[HJ]



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

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 11, 2021, at 12:30 p.m. and the following Acts and Joint Resolutions were ratified:

(R. 5, S. 160) -- Senators Scott and Setzler: AN ACT TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY EXEMPTIONS FROM SURPLUS GOVERNMENT PROPERTY DISPOSAL LAWS, SO AS TO CLARIFY AND REVISE THE SCOPE OF THE EXEMPTIONS, AND TO PROVIDE THE AUTHORITY SHALL FILE CERTAIN DOCUMENTS CONCERNING THE SALE OF EXEMPT REAL PROPERTY WITH THE DEPARTMENT OF ADMINISTRATION AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

(R. 6, S. 242) -- Senators Young and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

(R. 7, S. 287)-- Senators Gambrell and Loftis: AN ACT 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.

(R. 8, H. 3584) -- Reps. Sandifer and Whitmire: AN ACT TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

(R. 9, 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, INCLUDING THE CHARTER INSTITUTE AT ERSKINE, FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

(R. 10, H. 3609) -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, 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.

(R. 11, H. 3691) -- Rep. Murphy: AN ACT TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

(R. 12, H. 3740) -- Rep. McGarry: AN ACT TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO

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PROVIDE FOR THE COMMISSION'S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE-DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION'S ROLE RELATING TO THE OFFERING OF POST-SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE, AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.

**ADJOURNMENT**

At 1:38 p.m. the House, in accordance with the motion of Rep. ERICKSON, adjourned in memory of Mildred Duncan Riley, to meet at 10:00 a.m. tomorrow.

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