

NO. 36

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, MARCH 17, 2021
(STATEWIDE SESSION)

Wednesday, March 17, 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 1 Corinthians 1:35: “Awesome God, your foolishness is wiser than human wisdom and your weakness is stronger than our own might. Give us humility and thanksgiving for your saving grace.”

Let us pray. For life and health and everything good, we give thanks, O Lord. Guide us through this day to do the job required. Give these Representatives strength and courage to carry on. Let Your light shine on our defenders of freedom and first responders. Bless and keep in Your care our World, Nation, President, State, Governor, Speaker, staff, and all who serve in these Halls of Government. Heal the wounds, those seen and those hidden, of our brave 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. KING moved that when the House adjourns, it adjourn in memory of Robbie King Jones, aunt of Representative King, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Representative Govan and his family on the loss of his niece.

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REPORTS OF STANDING COMMITTEES

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3614 -- Reps. Lucas, Allison and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-39-105 SO AS TO PROVIDE HIGH SCHOOL SENIORS SHALL COMPLETE AND SUBMIT A FREE APPLICATION FOR FEDERAL STUDENT AID BEFORE GRADUATING FROM HIGH SCHOOL, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED REQUIREMENTS FOR THE IMPLEMENTATION OF THESE PROVISIONS, AND TO MAKE THESE PROVISIONS APPLICABLE BEGINNING WITH THE 2022-2023 SCHOOL YEAR.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3319 -- Reps. King, McDaniel and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY

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ADDING SECTION 59-63-785 SO AS TO PROVIDE STUDENTS ELIGIBLE FOR FREE AND REDUCED-PRICE MEALS MUST BE OFFERED THE SAME FEDERALLY REIMBURSABLE MEAL AS INELIGIBLE STUDENTS, TO PROVIDE SUCH MEALS MUST BE OFFERED REGARDLESS OF WHETHER STUDENTS OWE MONEY FOR PREVIOUS MEALS, TO PROVIDE SCHOOLS THAT OFFER FOOD AND BEVERAGES SEPARATELY FROM FEDERALLY REIMBURSABLE MEALS MAY NOT ALLOW STUDENTS TO ACCRUE BALANCES WHEN PURCHASING SUCH ITEMS AND ONLY MAY ACCEPT CASH PAYMENT OR ALLOW FUNDS TO BE ELECTRONICALLY DRAWN FROM PREPAID BALANCES, TO PROVIDE SCHOOLS AND SCHOOL DISTRICTS MAY NOT PENALIZE STUDENTS FOR FAILING TO PAY FOR SCHOOL LUNCHES, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP AND PROVIDE A MODEL POLICY AND TEMPLATE REGARDING THE COLLECTION OF SCHOOL MEAL DEBT TO EACH SCHOOL DISTRICT.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J. L. Johnson and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

Ordered for consideration tomorrow.

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Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3465 -- Reps. Gilliam, B. Newton, Atkinson, Long, McCravy, Forrest, Caskey and Felder: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-42 SO AS TO PROVIDE A PERSON WHO HOLDS A PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR MORE YEARS AND WHO TEACHES IN THIS STATE FOR TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND TO PROVIDE THESE PROVISIONS APPLY NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER CERTIFICATION OR ANOTHER PROVISION OF LAW.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3941 -- Reps. Alexander, Allison and Kirby: A JOINT RESOLUTION TO ENCOURAGE PUBLIC SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT EMERGENCY SICK LEAVE PLANS USING CERTAIN FEDERAL FUNDS INTENDED FOR COVID-19 RELIEF, TO PROVIDE REQUIREMENTS FOR SUCH PLANS, TO PROVIDE RELATED SUPPORT REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE PROTECTIONS FOR SCHOOL DISTRICT EMPLOYEES WHO USE SUCH EMERGENCY SICK LEAVE, AND TO PROVIDE RELATED REPORTING REQUIREMENTS OF LOCAL SCHOOL DISTRICTS AND THE STATE DEPARTMENT OF EDUCATION.

Ordered for consideration tomorrow.

Rep. ALLISON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3883 -- Rep. Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-360

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SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION.

Ordered for consideration tomorrow.

Rep. MURPHY, from the Committee on Judiciary, submitted a favorable report on:

H. 4006 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

Ordered for consideration tomorrow.

Rep. MURPHY, from the Committee on Judiciary, submitted a favorable report on:

H. 3096 -- Reps. B. Cox, Magnuson, Burns, Forrest, Morgan, Haddon, Jones, McCabe, McCravy, Elliott, G. R. Smith, Taylor, Oremus, Trantham, May, Kimmons, Chumley, Long, Stringer, Wooten, McGarry, Fry, V. S. Moss, Hill, Thayer, Caskey, Nutt, T. Moore, Ligon, Hardee, Yow, Hixon, Huggins, Crawford, Willis, Hiott, White and M. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING OF A FIREARM, SO AS TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO REVISE THE LOCATIONS AND CIRCUMSTANCES WHERE CARRYING A HANDGUN IS LEGAL; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES ASSOCIATED WITH VIOLATING CERTAIN HANDGUN LAWS, SO AS TO PROVIDE THAT THE PENALTIES DO NOT APPLY TO A PERSON CARRYING A CONCEALABLE WEAPON ONTO A PREMISE THAT DISPLAYS

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A SIGN THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR CARRYING A FIREARM INTO A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO A PERSON WHO VIOLATES CERTAIN OFFENSES, AND TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN IT DOES APPLY TO CERTAIN OFFENSES; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT LISTS THE PLACES UPON WHICH A PERSON MAY NOT CARRY A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND REVISE THE PENALTIES THAT MAY BE IMPOSED PURSUANT TO THIS SECTION; TO AMEND SECTION 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, AND TO PROVIDE THIS PROVISION APPLIES TO A PERSON WHO KNOWINGLY BRINGS A CONCEALABLE WEAPON ONTO A PREMISE OR WORKPLACE; TO AMEND SECTION 23-31-235, RELATING TO THE POSTING OF SIGNS THAT PROHIBIT THE CARRYING OF CONCEALABLE WEAPONS ONTO A PREMISE, SO AS TO PROVIDE THE SIGNAGE PROHIBITS BOTH PERMIT HOLDERS AND NON-PERMIT HOLDERS FROM CARRYING A WEAPON ONTO THE PREMISE; AND TO REPEAL SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO UNLAWFULLY

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CARRYING A CONCEALED DEADLY WEAPON, AND CARRYING A CONCEALABLE WEAPON FROM A MOTOR VEHICLE TO CERTAIN RENTAL DWELLINGS.

Ordered for consideration tomorrow.

Rep. MURPHY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3620 -- Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill, Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope, Stavrinakis, Thigpen, Wheeler, Alexander, Kirby, Henegan, Pendarvis, Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter, R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter, Rose, Tedder, J. L. Johnson and Wetmore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4078 -- Reps. Rivers, 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, 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,

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Ott, Parks, Pendarvis, Pope, 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 HONOR THE LIFE AND ACHIEVEMENTS OF MS. AGNES C. SHERMAN, A CIVIL RIGHTS LEADER IN BEAUFORT COUNTY AND ONE OF THE FIRST TWO AFRICAN AMERICAN SCHOOL BOARD MEMBERS IN SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4079 -- Reps. Rivers, 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, 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, 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 HONOR THE LIFE AND ACHIEVEMENTS OF FRIEDA MITCHELL, A CIVIL RIGHTS LEADER IN BEAUFORT COUNTY AND ONE OF THE FIRST TWO AFRICAN AMERICAN SCHOOL BOARD MEMBERS IN SOUTH CAROLINA.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4080 -- Rep. Sandifer: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF THOMAS EDISON THRIFT OF SENECA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4081 -- Reps. G. M. Smith, Weeks, 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, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, 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 ELIZABETH SIMMONS "BETTY" TRAPP OF SUMTER AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4089 -- Reps. M. M. Smith, 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, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. 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 CONGRATULATE THE LOWCOUNTRY FOOD BANK ON RECEIVING A 4-STAR RATING FROM CHARITY NAVIGATOR, AMERICA'S LARGEST INDEPENDENT CHARITY EVALUATOR, AND TO RECOGNIZE AND HONOR THE ORGANIZATION FOR ITS DEDICATED SERVICE TO THE HUNGRY.

The Resolution was adopted.

INTRODUCTION OF BILLS

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

H. 4082 -- Reps. Felder, Brawley, Robinson, Henegan and Oremus: A BILL TO AMEND SECTION 40-13-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE STATE BOARD OF COSMETOLOGY, SO AS TO DEFINE THE TERM "HAIR DESIGNER"; TO AMEND SECTION 40-13-230, RELATING TO LICENSES ISSUED BY THE BOARD, SO AS TO PROVIDE FOR THE LICENSURE OF HAIR DESIGNERS; AND TO AMEND SECTION 40-13-5, RELATING TO OCCUPATIONS

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REGULATED BY THE PRACTICE ACT FOR COSMETOLOGISTS AND COSMETOLOGY, SECTION 40-13-110, RELATING TO DISCIPLINARY ACTIONS, SECTION 40-13-240, RELATING TO EXAMINATIONS AND FEES, AND SECTION 40-13-270, ALL RELATING TO RECIPROCITY WITH OTHER LICENSING JURISDICTIONS, ALL SO AS TO MAKE CONFORMING CHANGES.

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

H. 4083 -- Reps. J. E. Johnson, Rose, Brittain and Ott: A BILL TO AMEND SECTION 24-19-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF CERTAIN TERMS WITHIN THE "JUDGE WILLIAM R. BYARS YOUTHFUL OFFENDER ACT", SO AS TO REVISE THE AGE OF A PERSON TO BE CONSIDERED A YOUTHFUL OFFENDER FOR THE COMMISSION OF CERTAIN CRIMES.

Referred to Committee on Judiciary

H. 4084 -- Rep. J. L. Johnson: A BILL TO AMEND SECTION 16-11-700, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON DUMPING LITTER ON PRIVATE OR PUBLIC PROPERTY, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS.

Referred to Committee on Judiciary

H. 4085 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA TELEDENTISTRY ACT" BY ADDING ARTICLE 5 TO CHAPTER 15, TITLE 40, SO AS TO REGULATE THE PRACTICE OF TELEDENTISTRY; TO AMEND SECTION 40-15-85, RELATING TO DEFINITIONS CONCERNING THE REGULATION BY THE BOARD OF DENTISTRY, SO AS TO PROVIDE A NECESSARY DEFINITION; TO AMEND SECTION 40-15-110, RELATING TO SPECIFIC EXEMPTIONS FOR REGULATION BY THE BOARD OF DENTISTRY, SO AS TO INCLUDE TAKING PHOTOGRAPHS FOR CERTAIN DENTAL RECORDS; AND TO AMEND SECTION 40-15-180, RELATING TO THE CONDUCT OF COMPLAINTS AGAINST LICENSEES OF THE BOARD OF DENTISTRY, SO AS TO PROVIDE LICENSEES MAY NOT BE REQUIRED TO SIGN AN AGREEMENT LIMITING THEIR

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ABILITY TO FILE COMPLAINTS OR PROVIDE INFORMATION FOR OFFICIAL BOARD INQUIRIES OR COMPLAINT INVESTIGATIONS.

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

H. 4086 -- Rep. J. E. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-48-115 SO AS TO GIVE RESIDENTS OF THE SOUTH CAROLINA SEXUALLY VIOLENT PREDATOR TREATMENT UNIT THE RIGHT TO CHALLENGE COMMITMENT AND SUBSEQUENT REVIEWS BASED ON INEFFECTIVE ASSISTANCE OF COUNSEL AND TO ESTABLISH THE PROCESS FOR SUCH CHALLENGES; TO AMEND SECTIONS 44-48-30, 44-48-40, 44-48-50, 44-48-80, 44-48-90, 44-48-100, 44-48-110, 44-48-120, AND 44-48-150, ALL RELATING TO THE "SEXUALLY VIOLENT PREDATOR ACT", SO AS TO DEFINE "QUALIFIED EVALUATOR" AND "RESIDENT"; TO REQUIRE CERTAIN NOTIFICATIONS FOR SUPERVISED REENTRY ORDERS; TO REQUIRE THE MULTIDISCIPLINARY TEAM TO DETERMINE WHETHER PROBABLE CAUSE EXISTS THAT THE PERSON MEETS THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR; TO CHANGE THE TIMEFRAME WITHIN WHICH THE COURT-APPOINTED QUALIFIED EVALUATOR MUST COMPLETE AN EVALUATION; TO ALLOW THE ATTORNEY GENERAL OR PERSON TO REQUEST AN INDEPENDENT EVALUATION BY A QUALIFIED EVALUATOR IN CERTAIN CIRCUMSTANCES; TO REQUIRE THAT SEXUALLY VIOLENT PREDATOR CASES BE GIVEN PRIORITY HEARING SCHEDULING STATUS; TO REQUIRE THE OFFICE OF INDIGENT DEFENSE TO PROVIDE COUNSEL FOR INDIGENT PERSONS; TO PROVIDE FOR NONJURY HEARINGS FOR CERTAIN PERSONS FOUND INCOMPETENT TO STAND TRIAL FOR WHOM COMMITMENT IS SOUGHT; TO CHANGE REQUIREMENTS REGARDING PERIODIC EVALUATIONS OF COMMITTED RESIDENTS AND THE RIGHT OF THE RESIDENT TO BE PRESENT AT THE PERIODIC REVIEW HEARING; TO MAKE CERTAIN QUALIFIED EVALUATOR REPORTS ADMISSIBLE AS EVIDENCE; TO REQUIRE THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR TO BE A WITNESS FOR PETITIONS FOR RELEASE FILED WITH THE DEPARTMENT'S

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AUTHORIZATION; TO PROVIDE FOR THE RELEASE OF CERTAIN RECORDS TO THE ATTORNEY GENERAL AND TO THE PERSON'S COUNSEL OF RECORD; TO MAKE CONFORMING CHANGES; AND FOR OTHER PURPOSES; AND TO AMEND SECTION 24-21-32, RELATING TO REENTRY SUPERVISION OF INMATES, SO AS TO MAKE CONFORMING CHANGES.

Referred to Committee on Judiciary

H. 4087 -- Reps. Bustos and Pope: A BILL TO AMEND SECTION 16-17-420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFENSES INVOLVING SCHOOL DISTURBANCES BY NONSTUDENTS, SO AS TO EXPAND THE APPLICABILITY OF THE OFFENSES TO CERTAIN FOUR-YEAR KINDERGARTEN PROGRAMS AND DAYCARE PROGRAMS.

Referred to Committee on Education and Public Works

H. 4088 -- Reps. Magnuson, Jones, Long, Haddon, Morgan, May, Bennett, Nutt, Chumley, Burns, Elliott, B. Cox, Oremus, V. S. Moss, Crawford, Martin, Trantham, McCravy, McCabe, Dabney, Hiott, G. R. Smith, Thayer and Willis: A BILL TO AMEND SECTION 44-41-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN ABORTION PROHIBITION EXCEPTIONS, SO AS TO ELIMINATE RAPE, INCEST, AND FETAL ANOMALY EXCEPTIONS.

Referred to Committee on Judiciary

H. 4090 -- Reps. Haddon, Finlay, Ligon, Long, Burns and Magnuson: A BILL TO AMEND SECTION 57-1-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SECRETARY OF TRANSPORTATION, SO AS TO REQUIRE THE SECRETARY TO CERTIFY THE EXPENDITURE REPORT AND INCLUDE TRANSFERRED FUNDS, AND TO REQUIRE THE SECRETARY TO PUBLISH AND CERTIFY A REPORT REGARDING ANY TRANSFER OF FUNDS TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

Referred to Committee on Ways and Means

H. 4091 -- Reps. Haddon, Burns, Chumley, Long, Morgan and Magnuson: A BILL TO AMEND SECTION 12-28-310, CODE OF

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LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USER FEES ON GASOLINE AND DIESEL FUEL, SO AS TO PROVIDE THAT THE USER FEE MAY NOT INCREASE AFTER JULY 1, 2020.

Referred to Committee on Ways and Means

H. 4092 -- Reps. Haddon, Long, Chumley, Morgan, Burns, Oremus, Jones and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 12-28-310 RELATING TO THE USER FEES ON GASOLINE AND DIESEL FUEL, AND BY REPEALING SECTION 56-11-410 RELATING TO THE IMPOSITION AND CALCULATION OF THE ROAD TAX AND THE EFFECT OF OTHER MOTOR CARRIER TAXES.

Referred to Committee on Ways and Means

H. 4093 -- Reps. Weeks, G. M. Smith and Stavrinakis: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

Referred to Committee on Ways and Means

H. 4094 -- Rep. Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT "JAYCE'S LAW" BY ADDING ARTICLE 17 TO CHAPTER 3, TITLE 47 SO AS TO REQUIRE A PERSON TO REGISTER A FERTILE PIT BULL DOG THEY KEEP, OWN, OR HARBOR, TO ESTABLISH A BREED DETERMINATION PROCEDURE, TO PROVIDE EXCEPTIONS FROM REGISTRATION, AND TO PROVIDE PENALTIES.

Referred to Committee on Judiciary

S. 446 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, AS AMENDED, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS.

Referred to Committee on Judiciary

S. 447 -- Senator Malloy: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED

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DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

Referred to Lee Delegation

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	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	Henderson-Myers	Henegan
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

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May	McCabe	McCrary
McDaniel	McGarry	McGinnis
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--119

STATEMENT OF ATTENDANCE

Rep. CRAWFORD signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Tuesday, March 16.

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.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

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DOCTOR OF THE DAY

Announcement was made that Dr. Helmut Albrecht of Columbia 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. 3002
Date: ADD:
03/17/21 LIGON

CO-SPONSOR ADDED

Bill Number: H. 3012
Date: ADD:
03/17/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3094
Date: ADD:
03/17/21 BRADLEY

CO-SPONSOR ADDED

Bill Number: H. 3096
Date: ADD:
03/17/21 M. M. SMITH

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CO-SPONSOR ADDED

Bill Number: H. 3120
Date: ADD:
03/17/21 HENDERSON-MYERS

CO-SPONSORS ADDED

Bill Number: H. 3217
Date: ADD:
03/17/21 POPE and LIGON

CO-SPONSOR ADDED

Bill Number: H. 3218
Date: ADD:
03/17/21 POPE

CO-SPONSORS ADDED

Bill Number: H. 3319
Date: ADD:
03/17/21 MCDANIEL and HENDERSON-MYERS

CO-SPONSOR ADDED

Bill Number: H. 3361
Date: ADD:
03/17/21 CARTER

CO-SPONSOR ADDED

Bill Number: H. 3375
Date: ADD:
03/17/21 CARTER

CO-SPONSOR ADDED

Bill Number: H. 3443
Date: ADD:
03/17/21 LIGON

CO-SPONSOR ADDED

Bill Number: H. 3450
Date: ADD:
03/17/21 POPE

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CO-SPONSORS ADDED

Bill Number: H. 3477
Date: ADD:
03/17/21 LIGON and HYDE

CO-SPONSOR ADDED

Bill Number: H. 3482
Date: ADD:
03/17/21 WEEKS

CO-SPONSOR ADDED

Bill Number: H. 3491
Date: ADD:
03/17/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3500
Date: ADD:
03/17/21 RIVERS

CO-SPONSORS ADDED

Bill Number: H. 3545
Date: ADD:
03/17/21 ERICKSON and BRADLEY

CO-SPONSOR ADDED

Bill Number: H. 3706
Date: ADD:
03/17/21 CARTER

CO-SPONSOR ADDED

Bill Number: H. 3710
Date: ADD:
03/17/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3769
Date: ADD:
03/17/21 BRADLEY

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CO-SPONSORS ADDED

Bill Number: H. 3813
Date: ADD:
03/17/21 POPE and LIGON

CO-SPONSOR ADDED

Bill Number: H. 3855
Date: ADD:
03/17/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3869
Date: ADD:
03/17/21 POPE

CO-SPONSOR ADDED

Bill Number: H. 3974
Date: ADD:
03/17/21 POPE

CO-SPONSORS ADDED

Bill Number: H. 4011
Date: ADD:
03/17/21 BRADLEY and RIVERS

CO-SPONSOR ADDED

Bill Number: H. 4064
Date: ADD:
03/17/21 WEEKS

CO-SPONSOR ADDED

Bill Number: H. 4068
Date: ADD:
03/17/21 MCGARRY

LEAVE OF ABSENCE

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

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 of

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each be changed to that of an Act, and that they be enrolled for ratification:

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.

SENT TO THE SENATE

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

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V. S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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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.

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V. S. Moss, Lowe, Bryant, Forrest 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.

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 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.

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.

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,

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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.

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.

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.

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.

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".

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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.

H. 3991--DEBATE ADJOURNED

The following Bill was taken up:

H. 3991 -- Reps. Rutherford, Wooten and Caskey: 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.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, March 18, which was agreed to.

H. 4100--POINT OF ORDER

The following Bill was taken up:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

[HJ]

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POINT OF ORDER

Rep. G. M. SMITH made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 4101--POINT OF ORDER

The following Joint Resolution was taken up:

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

POINT OF ORDER

Rep. G. M. SMITH made the Point of Order that the Joint Resolution was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3589--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3589 -- Reps. Allison, Lucas, M. M. Smith, Calhoun, 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.

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The Committee on Education and Public Works proposed the following Amendment No. 1A to H. 3589 (COUNCIL\WAB\3589C006.RT.WAB21), which was adopted:

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

/ SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“(A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school of choice~~ one or more schools of innovation within the district that is are exempt from applicable state statutes and regulations which govern other schools in the district ~~and regulations promulgated by the State Board of Education~~. To achieve the status of a school of innovation and have exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education, provided a district may not designate all schools in the district as schools of innovation.

(2) To achieve the status of exemption:

(a) A school district must identify each state statute, regulation, and local district policy from which the school is requesting exemption and specify how this flexibility will support academic achievement for students and the Profile of the Graduate. No district is permitted to request flexibility from all state regulations and statutes for any school or schools.

(b) The district superintendent must submit a request containing the information in subitem (a) to the local board of trustees for approval, which must be considered in a public meeting and requires a two-thirds vote of the board for approval. Any change in the request must be approved by the local board by a two-thirds vote.

(c) Once approved by a local school board, the district superintendent must submit the request to the State Board of Education for approval, which requires a two-thirds vote of the State Board. Any change in a request that is pending approval by, or has been approved by, the State Board of Education must be made in the same manner as provided in subitem (b) and this subitem for initial requests.

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(d) Once approved by the State Board, a school of innovation designation is for four years from the date of approval but may be renewed through the same process as for the initial approval in this subsection.

(3) Each school of innovation annually before July first shall:

(b) provide full financial statements detailing how it receives and expends funds; and

(c) report the academic achievement of its students as indicated by the performance of its students on the same assessments and matrices required of all other public schools, based on grade level.

(4) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.”

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

Rep. ALLISON explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Hart
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Howard

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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	McDaniel	McGarry
McGinnis	T. Moore	D. C. 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	Stringer	Taylor
Tedder	Thayer	Thigpen
Trantham	Weeks	West
Wetmore	Wheeler	White
Whitmire	Willis	Wooten
Yow		

Total--106

Those who voted in the negative are:
Hill

Total--1

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3589. If I had been present, I would have voted in favor of amending the Senate Amendments.

Rep. John McCravy

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H. 3785--DEBATE ADJOURNED

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

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M. M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD FORT ROAD "DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Rep. DANING moved to adjourn debate upon the Senate Amendments until Thursday, March 18, which was agreed to.

H. 3900--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

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

H. 3900 -- Reps. G. M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

Rep. G. M. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford

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Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee
Hart	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
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
McCabe	McCrary	McDaniel
McGarry	McGinnis	T. Moore
D. C. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pope
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
Willis	Wooten	Yow

Total--108

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.

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H. 3105--SENT TO THE SENATE

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.

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

Yeas 83; Nays 22

Those who voted in the affirmative are:

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

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

Total--83

Those who voted in the negative are:

Alexander	Bernstein	Brawley
Cobb-Hunter	Cogswell	Dillard
Garvin	Gilliard	Hart
Henderson-Myers	Hosey	Jefferson
J. L. Johnson	K. O. Johnson	King
Matthews	McDaniel	Murray
Rose	Rutherford	Tedder
S. Williams		

Total--22

The Bill was read the third time and ordered sent to the Senate.

MOTION PERIOD

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

H. 3755--DEBATE ADJOURNED

The following Bill was taken up:

H. 3755 -- Reps. Murphy, Bryant, Pope, Yow, Simrill, Hardee, Trantham, Oremus, W. Newton, Ligon, Bennett, Fry, Bannister, Carter, Caskey, Forrest, Hixon, Kimmons, McGarry, V. S. Moss, G. M. Smith, Taylor, Thayer, McCabe, Dabney, B. Newton and Elliott: A BILL TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE

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AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Rep. CASKEY moved to adjourn debate on the Bill until Thursday, March 18, which was agreed to.

H. 3094--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V. S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J. E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES

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A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3094 (COUNCIL\CM\3094C005.GT.CM21), which was adopted:

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

/SECTION ____ . Section 23-31-220 of the 1976 Code is amended to read:

“SECTION 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1)the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable or open carry weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable or open carry weapon upon his premises.

The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable or Open Carrying of Weapons Allowed’ shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable or open carry weapons not be brought upon the premises or into the work place. A person who brings a concealable or open carry weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).”

SECTION ____ . Section 23-31-235 of the 1976 Code is amended to read:

“Section 23-31-235. (A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable or open carry weapon upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

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(B) All signs must be posted at each entrance into a building where a concealable or open carry weapon permit holder is prohibited from carrying a concealable or open carry weapon and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;
- (5) a diameter of a circle; and
- (6) placed not less than forty inches and not more than sixty inches from the bottom of the building’s entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

- (1) thirty-six inches wide by forty-eight inches tall in size;
- (2) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black three- inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;
- (4) placed not less than forty inches and not more than ninety-six inches above the ground;
- (5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.” /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

Rep. CASKEY spoke in favor of the amendment.

Rep. GILLIARD spoke against the amendment.

Rep. GILLIARD spoke against the amendment.

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SPEAKER *PRO TEMPORE* IN CHAIR

Rep. J. L. JOHNSON spoke against the amendment.

Rep. J. L. JOHNSON spoke against the amendment.

SPEAKER IN CHAIR

Rep. JEFFERSON spoke against the amendment.

Rep. HOWARD spoke against the amendment.

Rep. HOWARD spoke against the amendment.

Rep. BRAWLEY spoke against the amendment.

Rep. BRAWLEY spoke against the amendment.

Rep. ALEXANDER spoke against the amendment.

Rep. MATTHEWS spoke against the amendment.

Rep. THIGPEN spoke against the amendment.

Rep. THIGPEN spoke against the amendment.

Rep. RIVERS spoke against the amendment.

Rep. RIVERS spoke against the amendment.

Rep. LOWE spoke in favor of the amendment.

Rep. CLYBURN spoke against the amendment.

Rep. PENDARVIS spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 84; Nays 31

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Hewitt	Hill

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Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	May
McCabe	McCrary	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pope
Robinson	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stringer	Taylor	Thayer
Thigpen	Trantham	Weeks
West	White	Whitmire
Willis	Wooten	Yow

Total--84

Those who voted in the negative are:

Alexander	Bernstein	Brawley
Clyburn	Cobb-Hunter	Cogswell
Dillard	Garvin	Gilliard
Govan	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Matthews	McDaniel	J. Moore
Murray	Parks	Pendarvis
Rivers	Rose	Rutherford
Stavrinakis	Tedder	Wetmore
S. Williams		

Total--31

So, the amendment was adopted.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3094, Amendment No. 1. If I had been present, I would have voted in favor of the Amendment.

Rep. Craig Gagnon

[HJ]

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Rep. HILL proposed the following Amendment No. 4 to H. 3094 (COUNCIL\AHB\3094C006.BH.AHB21), which was tabled:

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

/SECTION 1. This act may be cited as the “South Carolina Constitutional Carry Act of 2021”.

SECTION 2. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to a person who possesses a ~~concealable weapons’ permit pursuant to Article 4, Chapter 31, Title 23 firearm~~ and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person’s vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.”

SECTION 3. Section 16-23-20 of the 1976 Code is amended to read:

“Section 16-23-20. (A) It is unlawful for anyone to carry about the person any handgun, whether concealed or not, except as follows, unless otherwise specifically prohibited by law:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor’s constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;

(2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at

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or going to or from their places of target practice or their shows and exhibits;

(4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;

(5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;

(6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;

(7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;

(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person ~~has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23~~ is not prohibited by state law from possessing the weapon, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) ~~concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23~~ provided he is not prohibited by state law from possessing the weapon;

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person,

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under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: ~~(a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;~~

(14) a person engaged in firearms-related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun;

(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle; ~~or~~

(17) a person who is not prohibited from possessing firearms under state law, whether or not the person is a resident of the State.

(B) Unless a person first obtains authorization to possess a handgun from a person with the apparent authority to grant it, nothing in subsection (A)(17) authorizes carrying of a handgun into any location prohibited under Section 23-31-215(M)."

SECTION 4. Section 16-23-420 of the 1976 Code is amended to read:

"Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the ~~weapon~~ firearm remains inside an attended or locked motor

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vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a ~~weapon~~ firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms ‘premises’ and ‘property’ do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~ when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 5. Section 16-23-430 of the 1976 Code is amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed

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trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 6. Section 16-23-460 of the 1976 Code, is amended to read:

“Section 16-23-460. (A) A person carrying a deadly weapon usually used for the infliction of personal injury concealed about his person is guilty of a misdemeanor, must forfeit to the county, or, if convicted in a municipal court, to the municipality, the concealed weapon, and must be fined not less than two hundred dollars nor more than five hundred dollars or imprisoned not less than thirty days nor more than ninety days.

(B) The provisions of this section do not apply to:

(1) A person carrying a concealed weapon upon his own premises or ~~pursuant to and in compliance with Article 4, Chapter 31 of Title 23~~ otherwise lawfully carrying a concealable weapon; or

(2) peace officers in the actual discharge of their duties.

(C) The provisions of this section also do not apply to handguns, rifles, shotguns, dirks, slingshots, metal knuckles, knives, or razors unless they are used with the intent to commit a crime or in furtherance of a crime.”

SECTION 7. Section 16-23-465(B)(1) of the 1976 Code is amended to read:

“(1) This section does not apply to a person otherwise lawfully carrying a concealable weapon ~~pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall~~ who does not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business’ premises. A person who violates this item may be charged with a violation of subsection (A).”

SECTION 8. Section 51-3-145(G) of the 1976 Code is amended to read:

“(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in

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designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, as defined in Section 23-31-210(5) and the concealable weapon and its ammunition.”

SECTION 9. Section 23-31-210(5) of the 1976 Code is amended to read:

“(5) ‘Concealable weapon’ means a firearm having a length of less than twelve inches measured along its greatest dimension ~~that must be carried in a manner that is hidden from public view in normal wear of clothing except when needed for self defense, defense of others, and the protection of real or personal property.~~”

SECTION 10. Section 23-31-215(K), (M), (N), and(O) of the 1976 Code is amended to read:

“(K) ~~A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

- (1) identifies himself as a law enforcement officer; and
- (2) requests identification or a driver’s license from a permit

~~holder.~~

A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. ~~A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty five dollars.~~

(M) Unless an individual first obtains authorization to possess a concealable weapon from a person with the apparent authority to grant it, a permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse or courtroom;
- (3) polling place on election days;
- (4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;
- (5) school or college athletic event not related to firearms;
- (6) daycare facility or preschool facility;
- (7) place where the carrying of firearms is prohibited by federal law;

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(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or

(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, 50-9-830, and 51-3-145.

(N)(1) Valid out-of-state permits to carry concealable weapons held by a resident of a ~~reciprocal~~ another state must be honored by this State, ~~provided, that the reciprocal state requires an applicant to successfully pass a criminal background check and a course in firearm training and safety.~~ A resident of a ~~reciprocal~~ another state carrying a concealable weapon in South Carolina is subject to and must abide by the laws of South Carolina regarding concealable weapons. SLED shall maintain and publish a list of those states as the states with which South Carolina has reciprocity.

(2) Notwithstanding the reciprocity requirements of item (1), South Carolina shall automatically recognize concealed weapon permits issued by ~~Georgia and North Carolina~~ any other state.

(3) The reciprocity provisions of this section shall not be construed to authorize the holder of any out-of-state permit or license to carry, in this State, any firearm or weapon other than a handgun.

(O) A permit issued pursuant to this article is not required for a person:

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(1) specified in Section 16-23-20, ~~items (1) through (5) and items (7) through (11);~~

(2) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as 'pepper gas';
or

(3) carrying a concealable weapon in a manner not prohibited by law.”

SECTION 11. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person ~~who~~, whether the person is licensed under this article or not, from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

The posting of a sign by the employer, owner, or person in legal possession or control of ~~a sign stating~~ ‘No Concealable Weapons Allowed’ shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. ~~In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year.~~ The prohibition contained in this section does not apply to persons specified in Section 16-23-20, ~~item(A)(1).~~”

SECTION 12. Section 23-31-225 of the 1976 Code is amended to read:

“Section 23-31-225. No person ~~who holds a permit issued pursuant to Article 4, Chapter 31, Title 23~~ may carry a concealable weapon into the residence or dwelling place of another person without the express permission of the owner or person in legal control or possession, as appropriate. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not less than one

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thousand dollars or imprisoned for not more than one year, or both, at the discretion of the court ~~and have his permit revoked for five years.~~”

SECTION 13. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons ~~who possess a valid permit pursuant to this article~~ may carry a concealable weapon anywhere within this State, when carrying out the duties of their office:

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors; and
- (12) active workers’ compensation commissioners.”

SECTION 14. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 15. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HILL spoke in favor of the amendment.

Rep. POPE spoke against the amendment.

Rep. B. COX spoke upon the amendment.

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Rep. B. COX moved to table the amendment.

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

Yeas 79; Nays 33

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Bustos
Calhoon	Carter	Caskey
Clyburn	Cogswell	Collins
B. Cox	W. Cox	Daning
Dillard	Felder	Finlay
Gagnon	Garvin	Gatch
Gilliard	Hardee	Henderson-Myers
Henegan	Hewitt	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	Kimmons	King
Ligon	Lucas	McCrary
McDaniel	McGarry	T. Moore
D. C. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Ott	Parks	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
S. Williams	Willis	Wooten
Yow		

Total--79

Those who voted in the negative are:

Bamberg	Brittain	Burns
Chumley	Crawford	Dabney
Davis	Elliott	Erickson

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Forrest	Fry	Gilliam
Govan	Haddon	Hill
Hiott	Hixon	Jones
Long	Lowe	Magnuson
Martin	Matthews	May
McCabe	McGinnis	J. Moore
Morgan	V. S. Moss	Oremus
Stringer	Thayer	Trantham

Total--33

So, the amendment was tabled.

STATEMENT FOR JOURNAL

I voted NO on Amendment No. 4 on H. 3096 today because the Open Carry Bill will be on the Calendar and if the gun bills both pass the House, the Senate will have the best opportunity to pass something expanding South Carolina citizen's rights to carry guns legally.

Rep. Bruce Bannister

LEAVE OF ABSENCE

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

Rep. BAMBERG proposed the following Amendment No. 5 to H. 3094 (COUNCIL\CM\3094C014.GT.CM21), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/SECTION ___. Section 23-31-210(4)(a) of the 1976 Code is amended to read:

“(a) a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:

(i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;

(ii) information on handgun use and safety;

(iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; ~~and~~

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(iv) the actual firing of the handgun in the presence of the instructor;

(v) properly securing a firearm in a holster;

(vi) 'cocked and locked' carrying of a firearm;

(vii) how to respond to a person who attempts to take your firearm from your holster; and

(viii) deescalation techniques and strategies.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. CASKEY spoke in favor of the amendment.

The amendment was then adopted.

Rep. BAMBERG proposed the following Amendment No. 11 to H. 3094 (COUNCIL\CM\3094C016.GT.CM21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/SECTION ____. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-245. A law enforcement officer is immune from civil liability for choosing not to respond to a complaint regarding a violation of the provisions that govern open carrying of weapons.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

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

SPEAKER PRO TEMPORE IN CHAIR

Rep. BAMBERG proposed the following Amendment No. 20 to H. 3094 (COUNCIL\AHB\3094C020.BH.AHB21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/SECTION ____. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

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“Section 23-31-245. (A) Within one year after the effective date of this section, the South Carolina Criminal Justice Academy shall create and implement a statewide law enforcement training program on interacting with citizens carrying weapons under this article.

(B) Each local law enforcement agency shall submit proof to the Criminal Justice Academy that its certified law enforcement officers have completed this program.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. CASKEY spoke against the amendment.

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

Rep. BAMBERG proposed the following Amendment No. 24 to H. 3094 (COUNCIL\CM\3094C024.GT.CM21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/SECTION ____. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-245. SLED shall establish and operate the “South Carolina Handgun Buyback Program”. Under this program, SLED shall purchase from a person a handgun originally purchased for the purpose of carrying a weapon pursuant to this article. SLED may purchase handguns under this program only within six months of the original purchase date.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

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

Reps. BAMBERG and STAVRINAKIS proposed the following Amendment No. 26H. 3094 (COUNCIL\AHB\3094C003.BH.AHB21), which was tabled:

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

[HJ]

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/SECTION __.A. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 12

Background Checks for Firearm Sales and Transfers

Section 23-31-1210. As used in this article:

(1) ‘Firearm’ means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) ‘Licensed dealer’ means the holder of any federal firearms license under 18 U.S.C. Section 923(a).

(3) ‘Transfer’ means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) ‘Transferee’ means a person who receives or intends to receive a firearm in a sale or transfer.

Section 23-31-1220. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, a licensed gun dealer may not deliver a firearm to any transferee unless the NICS provides the licensed dealer with a unique identification number or five days have elapsed from the date the licensed dealer contacted the NICS and the NICS has not notified the licensed dealer that a sale or transfer to such person would violate state or federal law.

Section 23-31-1230. A person who violates the provisions of this article is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than one thousand dollars, or both.

Section 23-31-1240. (A) Each law enforcement agency must report to the South Carolina Law Enforcement Division (SLED) within twenty-four hours:

- (1) the filing of an incident report for each criminal case;
- (2) the filing of an order of protection, restraining order, or any order or report relating to an incident of domestic violence;
- (3) any incident in which a person may be prohibited from obtaining, possessing, or open carrying a firearm by state or federal law;

(B) The report must be made in a format approved by representatives of SLED.”

B. Section 14-17-325 of the 1976 Code is amended to read:

“Section 14-17-325. (A) Every clerk of court shall report the disposition of each case in the Court of General Sessions to the ~~State~~

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South Carolina Law Enforcement Division (SLED) within thirty ten days of disposition, weekends and holidays excluded.

(B) The clerk of court shall report to SLED, within forty-eight hours, the issuance of any:

(1) restraining orders;

(2) orders of protection;

(3) orders preventing a person from possessing or opening carrying a firearm;

(4) convictions related to or orders issued to prevent acts of domestic violence against another person;

(5) orders issued related to the stalking, intimidation, or harassment of another person; or

(6) orders for bond with any limitations listed in this section.

(C) The ~~disposition report~~ reports required by this section must be in a format approved by representatives of ~~the State Law Enforcement Division SLED and the office of court administration~~ South Carolina Court Administration. With the approval of ~~the State Law Enforcement Division SLED and the office of court administration~~ Court Administration, this reporting requirement may be satisfied by use of General Sessions docket information transmitted to ~~the office of the court administration~~ Court Administration.”

C. Chapter 1, Title 22 of the 1976 Code is amended by adding:

“Section 22-1-200. (A) Magistrates shall report the disposition of each criminal case to the South Carolina Law Enforcement Division (SLED) within ten days, weekends and holidays excluded.

(B) Magistrates shall report to SLED within forty-eight hours, the issuance of any:

(1) restraining orders;

(2) orders of protection;

(3) orders preventing a person from possessing or open carrying a firearm;

(4) convictions related to or orders issued to prevent acts of domestic violence against another person;

(5) orders issued or convictions related to, or to prevent, the stalking, intimidation, or harassment of another person; or

(6) orders for bond with any limitations listed in this section.

(C) The report must be made in a format approved by representatives of SLED and Court Administration. With the approval of SLED and South Carolina Court Administration, this reporting requirement may be satisfied by use of docket information transmitted to Court Administration.”

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D. Article 1, Chapter 25, Title 14 of the 1976 Code is amended by adding:

“Section 14-25-250. (A) Each municipal judge shall report the disposition of each criminal case to the South Carolina Law Enforcement Division (SLED) within ten days, weekends and holidays excluded.

(B) A municipal judge shall report to SLED within forty-eight hours, the issuance of any:

- (1) restraining orders;
- (2) orders of protection;
- (3) orders preventing a person from possessing or open carrying a firearm;
- (4) convictions related to or orders issued to prevent acts of domestic violence against another person;
- (5) convictions related to or orders issued to prevent, the stalking, intimidation, or harassment of another person; or
- (6) orders for bond with any limitations listed in this section.

(C) The report must be made in a format approved by representatives of SLED and Court Administration. With the approval of SLED and South Carolina Court Administration, this reporting requirement may be satisfied by use of docket information transmitted to Court Administration.” /

Amend the bill further, by adding an appropriately numbered SECTION to read:

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

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

Rep. STAVRINAKIS spoke in favor of the amendment.

[HJ]

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Rep. CASKEY moved to table the amendment.

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

Yeas 77; Nays 40

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Collins
B. Cox	W. Cox	Crawford
Dabney	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Gilliam	Haddon
Hardee	Hewitt	Hill
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	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	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
White	Whitmire	Willis
Wooten	Yow	

Total--77

Those who voted in the negative are:

Anderson	Atkinson	Bamberg
Bernstein	Brawley	Clyburn
Cobb-Hunter	Cogswell	Dillard
Garvin	Gilliard	Govan

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Hart	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King
Kirby	Matthews	McDaniel
J. Moore	Murray	Ott
Parks	Pendarvis	Rivers
Robinson	Rose	Rutherford
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	Wheeler
S. Williams		

Total--40

So, the amendment was tabled.

Reps. B. COX, JA MOORE and HIOTT proposed the following Amendment No. 31 to H. 3094 (COUNCIL\AHB\3094C013.BH.AHB21), which was adopted:

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

/ SECTION ____ . Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the district that persons are, or may be, carrying concealed weapons on the property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

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(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the property pursuant to this section.” /

Renumber sections to conform.

Amend title to conform.

Rep. B. COX explained the amendment.

The amendment was then adopted.

Rep. MAGNUSON proposed the following Amendment No. 32 to H. 3094 (COUNCIL\CM\3094C028.GT.CM21), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION ____ . Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 9

Second Amendment Sanctuary State Act

Section 23-31-910. This article may be referred to as the ‘Second Amendment Sanctuary State Act’.

Section 23-31-920. The General Assembly finds that the Second Amendment to the United States Constitution protects an individual’s right to ‘keep and bear arms’ and further provides that the right to keep and bear arms may not be infringed.

Section 23-31-930. (A) Notwithstanding another provision of law:

(1) no public funds of this State, or any political subdivision of this State, shall be allocated for the implementation, regulation, or enforcement of any executive order, or directive issued by the President of the United States or an act of the United States Congress that becomes effective after January 1, 2021, that regulates the ownership, use, or possession of firearms, ammunition, or firearm accessories; and

(2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation, regulation, or enforcement of any executive order, or directive issued by the President of the United States after January 1, 2021, that regulates the ownership, use, or possession of firearms, ammunitions, or firearm accessories.

(B) For purposes of this section, ‘firearm’ has the same meaning as defined in Section 23-31-1050(3).” /

[HJ]

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Renumber sections to conform.

Amend title to conform.

Rep. MAGNUSON explained the amendment.

POINT OF ORDER

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 32 to H. 3094 was out of order in that it was not germane to the Bill. He stated the Amendment went beyond the scope of the Bill.

Rep. MAGNUSON spoke against the Point of Order.

SPEAKER *PRO TEMPORE* sustained the Point of Order and ruled Amendment No. 32 to be non-germane. He stated that the Amendment went beyond the scope of the subject matter presented in the Bill.

Rep. RUTHERFORD proposed the following Amendment No. 33 to H. 3094 (COUNCIL\CM\3094C027.GT.CM21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION ____ . Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 58; Nays 56

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bennett	Blackwell	Bradley
Brittain	Bustos	Calhoon
Carter	Caskey	Cogswell

[HJ]

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B. Cox	W. Cox	Dabney
Daning	Davis	Erickson
Felder	Forrest	Gagnon
Gatch	Gilliam	Hardee
Hewitt	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
Jordan	Ligon	Lucas
Martin	McCrary	McGarry
McGinnis	T. Moore	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Pope	Sandifer	Simrill
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
Whitmire	Willis	Wooten
Yow		

Total--58

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bamberg	Bannister	Bernstein
Brawley	Chumley	Clyburn
Cobb-Hunter	Collins	Crawford
Elliott	Finlay	Fry
Garvin	Gilliard	Govan
Haddon	Hart	Henderson-Myers
Henegan	Hill	Hosey
Howard	Jefferson	J. L. Johnson
K. O. Johnson	Jones	Kimmons
King	Kirby	Long
Lowe	Magnuson	Matthews
May	McCabe	McDaniel
J. Moore	Murray	Ott
Pendarvis	Rivers	Robinson
Rose	Rutherford	G. M. Smith
Stavrinakis	Tedder	Thigpen
Weeks	Wetmore	Wheeler
White	S. Williams	

Total--56

[HJ]

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So, the amendment was tabled.

LEAVE OF ABSENCE

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

Rep. CASKEY proposed the following Amendment No. 34 to H. 3094 (COUNCIL\AHB\3094C008.BH.AHB21), which was adopted:

Amend the bill, as and if amended, by amending Section 23-31-220, as contained in the newly added SECTION, beginning on Page [3094-1], beginning on Line 36, and inserting:

/ “Section 23-31-220. (a) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable or open carry weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable or open carry weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable or Open Carrying of Weapons Allowed’ shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable or open carry weapons not be brought upon the premises or into the work place. A person who brings a concealable or open carry weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).

(C) In addition to the provisions of subsection (b), a public or private employer or owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business.”

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Amend the bill further, by amending Section 23-31-235, as contained in the newly added SECTION, beginning on Page [3094-2], beginning on Line 20, and inserting:

/ “Section 23-31-235. (A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable or open carry weapon upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

(B) All signs must be posted at each entrance into a building where a concealable or open carry weapon permit holder is prohibited from carrying a concealable or open carry weapon and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;
- (5) a diameter of a circle; and
- (6) placed not less than forty inches and not more than sixty inches from the bottom of the building’s entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

- (1) thirty-six inches wide by forty-eight inches tall in size;
- (2) contain the words ‘NO CONCEALABLE OR OPEN CARRYING OF WEAPONS ALLOWED’ in black three- inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;
- (4) placed not less than forty inches and not more than ninety-six inches above the ground;
- (5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.

(D) Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or

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allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business.” /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

Rep. HART spoke against the amendment.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

SPEAKER IN CHAIR

Rep. CASKEY proposed the following Amendment No. 35 to H. 3094 (COUNCIL\AHB\3094C024.BH.AHB21), which was adopted:

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

/SECTION ____. Section 23-31-520 of the 1976 Code is amended to read:

~~“Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection.

(B) A governing body exercising the authority granted to them pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and provide prior notice of the

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restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or the location of the event.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.” /

Renumber sections to conform.

Amend title to conform.

Rep. CASKEY explained the amendment.

The amendment was then adopted.

LEAVE OF ABSENCE

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

Reps. KING and JEFFERSON proposed the following Amendment No. 37 to H. 3094 (COUNCIL/ZW\3094C001.CC.ZW21), which was tabled:

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

/ SECTION __. Section 16-23-20 of the 1976 Code is amended by adding an undesignated paragraph at the end to read:

“A person previously charged or convicted of a criminal offense for the unlawful carrying of a handgun pursuant to this section must have his record expunged immediately if the offense for which he was charged or convicted is no longer a criminal offense.” /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 78; Nays 36

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Burns

[HJ]

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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
Hewitt	Hill	Hiott
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Kimmons	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCrary
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Pope
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stringer
Taylor	Thayer	Trantham
West	White	Whitmire
Willis	Wooten	Yow

Total--78

Those who voted in the negative are:

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

Total--36

[HJ]

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So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 38 to H. 3094 (COUNCIL\DG\3094C004.NBD.DG21), which was tabled:

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

/ SECTION ____. A. Article 13, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16-3-1370. There is established the Victims of Gun Violence Assistance Fund within the Office of the Attorney General, South Carolina Crime Victim Services Division. The division shall utilize the fund to assist victims of gun violence by providing counseling, funeral expenses, medical expenses, and other services recommended by the Board for victims of gun violence.”

B. Chapter 36, Title 12 of the 1976 Code is amended by adding:

“Section 12-36-2625. Notwithstanding Section 12-36-2620, from the taxes collected on the sale of firearms and ammunition pursuant to Section 12-36-910, one percent of the four percent tax otherwise credited as provided in Section 59-21-1010(A) must be credited to the Victims of Gun Violence Assistance Fund established pursuant to Section 16-3-1370.” /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 79; Nays 33

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning

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Davis	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hewitt	Hill	Hiott
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	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stringer	Taylor	Thayer
Trantham	West	White
Whitmire	Willis	Wooten
Yow		

Total--79

Those who voted in the negative are:

Alexander	Atkinson	Bamberg
Bernstein	Brawley	Clyburn
Dillard	Garvin	Gilliard
Hart	Henderson-Myers	Henegan
Hosey	Jefferson	J. L. Johnson
K. O. Johnson	King	Kirby
Matthews	McDaniel	J. Moore
Murray	Ott	Parks
Pendarvis	Rivers	Robinson
Rose	Rutherford	Tedder
Wetmore	Wheeler	S. Williams

Total--33

So, the amendment was tabled.

[HJ]

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Reps. OTT proposed the following Amendment No. 40 to H. 3094 (COUNCIL\AHB\3094C025.BH.AHB21), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION___. Article 1, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-40. Notwithstanding another provision of law to the contrary, a person convicted of a felony that is not a crime of violence, as defined in Section 16-23-10, may have his rights to purchase, possess, and carry a firearm restored once he has served his entire sentence, including probation or parole, or has received a pardon for the conviction.” /

Re-number sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

POINT OF ORDER

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 40 to H. 3094 was out of order in that it was not germane to the Bill. He stated the Amendment went beyond the scope of the Bill.

Rep. OTT spoke against the Point of Order.

The SPEAKER sustained the Point of Order and ruled Amendment No. 40 to be non-germane. He stated that the Amendment went beyond the scope of the subject matter presented in the Bill.

Rep. ROBINSON proposed the following Amendment No. 41 to H. 3094 (COUNCIL\AHB\3094C022.BH.AHB21), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION___. Article 1, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-40. Notwithstanding another provision of law to the contrary, a person convicted of a felony shall have his right to carry a firearm restored after ten years have passed since the conclusion of his sentence, including the service of any probation or parole.” /

Re-number sections to conform.

Amend title to conform.

[HJ]

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Rep. ROBINSON explained the amendment.

POINT OF ORDER

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 41 to H. 3094 was out of order in that it was not germane to the Bill. He stated the Amendment went beyond the scope of the Bill.

Rep. ROBINSON spoke against the Point of Order.

The SPEAKER sustained the Point of Order and ruled Amendment No. 41 to be non-germane. He stated that the Amendment went beyond the scope of the subject matter presented in the Bill.

Rep. THIGPEN proposed the following Amendment No. 42 to H. 3094 (COUNCIL\CM\3094C033.GT.CM21), which was tabled:

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

/SECTION ____ . Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23-3-90. (A) During the first quarter of each calendar year, SLED must publish a report of the following information regarding the previous calendar year:

- (1) the number of law enforcement officer and private citizen interactions with persons openly carrying a firearm;
- (2) the reason for the stop of a concealed weapon permit holder, including if the officer or another citizen initiated the stop;
- (3) the ethnicity of a concealed weapon permit holder who was stopped;
- (4) the duration of the stop;
- (5) whether the stop resulted in the issuance of a citation; and
- (6) the disposition of any legal proceedings precipitated by the stop.

(B) The provisions of this section shall sunset three years after the first report required under this section is published.” /

Re-number sections to conform.

Amend title to conform.

Rep. THIGPEN explained the amendment.

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

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Rep. TEDDER proposed the following Amendment No. 43 to H. 3094 (COUNCIL\CM\3094C035.GT.CM21), which was tabled:

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

/SECTION ____. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-245. A person who is adjusting or touching his firearm may not be charged with presenting or pointing a firearm at another person pursuant to Section 16-23-410.” /

Re-number sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 77; Nays 37

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brittain	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
Hewitt	Hiott	Hixon
Huggins	Hyde	J. E. Johnson
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

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Oremus	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
White	Whitmire	Willis
Wooten	Yow	

Total--77

Those who voted in the negative are:

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

Total--37

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 45 to H. 3094 (COUNCIL\AHB\3094C028.BH.AHB21), which was adopted:

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

/SECTION ____. Section 23-31-520 of the 1976 Code is amended to read:

~~“Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or~~

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~~political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, a county, municipality, or political subdivision may not exercise the provisions of this subsection. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to them pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or the location of the event.

(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.” /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

The amendment was then adopted.

Rep. BAMBERG proposed the following Amendment No. 46 to H. 3094 (COUNCIL\ZW\3094C002.CC.ZW21), which was tabled:

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

/ SECTION. __ Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-250. Notwithstanding another provision of law, a person who lawfully openly carries a firearm pursuant to this article, may openly carry his firearm in the Statehouse or on the Statehouse grounds.” /

Renumber sections to conform.

Amend title to conform.

Rep. BAMBERG explained the amendment.

[HJ]

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Rep. CASKEY moved to table the amendment.

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

Yeas 66; Nays 45

Those who voted in the affirmative are:

Allison	Bailey	Ballentine
Bannister	Bernstein	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Collins
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Finlay
Forrest	Gagnon	Garvin
Gatch	Gilliam	Hewitt
Hiott	Huggins	Hyde
J. E. Johnson	Jordan	Kimmons
Kirby	Ligon	Lucas
McCravy	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	W. Newton	Nutt
Ott	Pope	Rose
Sandifer	Simrill	G. R. Smith
M. M. Smith	Stavrinakis	Thayer
Trantham	West	Wetmore
Wheeler	White	Whitmire
Willis	Wooten	Yow

Total--66

Those who voted in the negative are:

Alexander	Atkinson	Bamberg
Bennett	Clyburn	Cobb-Hunter
Cogswell	B. Cox	Dillard
Fry	Gilliard	Haddon
Hardee	Hart	Henderson-Myers
Henegan	Hill	Hixon
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	King

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Long	Lowe	Magnuson
Martin	Matthews	May
McDaniel	McGarry	J. Moore
Murray	B. Newton	Oremus
Parks	Pendarvis	Rivers
G. M. Smith	Stringer	Taylor
Thigpen	Weeks	S. Williams

Total--45

So, the amendment was tabled.

Rep. COBB-HUNTER spoke against the Bill.

***SPEAKER PRO TEMPORE* IN CHAIR**

Rep. COBB-HUNTER continued speaking.

Rep. J. MOORE spoke against the Bill.

SPEAKER IN CHAIR

Rep. B. COX spoke in favor of the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 82; Nays 33

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Bradley
Brittain	Burns	Bustos
Carter	Caskey	Chumley
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee

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

Total--82

Those who voted in the negative are:

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

Total--33

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

STATEMENT BY REP. MURPHY

Rep. MURPHY gave notice of offering technical amendments on third reading if necessary, pursuant to Rule 9.2.

[HJ]

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4076 -- Rep. Lowe: A CONCURRENT RESOLUTION TO RECOGNIZE THE ONE HUNDREDTH ANNIVERSARY OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION, THE LEADING PROFESSIONAL MEMBERSHIP ORGANIZATION FOR THE PHYSICAL THERAPY PROFESSION, WITH THE MISSION OF BUILDING A COMMUNITY THAT ADVANCES THE PROFESSION OF PHYSICAL THERAPY TO IMPROVE THE HEALTH OF SOCIETY.

ADJOURNMENT

At 5:24 p.m. the House, in accordance with the motion of Rep. KING, adjourned in memory of Robbie King Jones, to meet at 10:00 a.m. tomorrow.

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H. 3002	17	H. 3869	20
H. 3012	17	H. 3883	4
H. 3037	3	H. 3884	22
H. 3094	17, 33, 34, 37	H. 3900	29
H. 3094	38, 48, 49, 50	H. 3921	23
H. 3094	55, 56, 57, 59	H. 3941	4
H. 3094	61, 62, 64, 66	H. 3957	22
H. 3094	67, 68, 69, 70	H. 3974	20
H. 3096	5, 17, 48	H. 3991	24
H. 3105	31	H. 4006	5
H. 3120	18	H. 4011	20
H. 3217	18	H. 4027	23
H. 3218	18	H. 4035	23
H. 3281	24	H. 4064	20
H. 3291	21	H. 4068	20
H. 3319	2, 18	H. 4076	74
H. 3361	18	H. 4078	7
H. 3375	18	H. 4079	8
H. 3443	18	H. 4080	9
H. 3450	18	H. 4081	9
H. 3465	4	H. 4082	10
H. 3477	19	H. 4083	11
H. 3482	19	H. 4084	11
H. 3491	19	H. 4085	11
H. 3500	19	H. 4086	12
H. 3541	23	H. 4087	13
H. 3545	19	H. 4088	13
H. 3589	25, 26, 28	H. 4089	10
H. 3590	2	H. 4090	13
H. 3614	2	H. 4091	13
H. 3620	7	H. 4092	14
H. 3694	22	H. 4093	14
H. 3706	19	H. 4094	14
H. 3710	19	H. 4100	24
H. 3755	32	H. 4101	25
H. 3769	19		
H. 3785	29	S. 446	14
H. 3813	20	S. 447	14
H. 3855	20	S. 648	21
H. 3865	22		