

NO. 37

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, MARCH 18, 2021
(STATEWIDE SESSION)

Thursday, March 18, 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 Deuteronomy 26:1: “When you have come into the land that the Lord your God is giving you as an inheritance to possess, and you possess it, and settle in it.”

Let us pray. Heavenly Father, we are grateful You have given us the land that we can live in with trust and safety. We are thankful You have called these men and women to this place to represent the people of South Carolina. Provide them every good thing. We pray for our defenders of freedom and first responders. Bless our World, Nation, President, State, Governor, Speaker, staff, and all who contribute to this great cause. Heal the wounds, those seen and those hidden, of our 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. BRITTAIN moved that when the House adjourns, it adjourn in memory of John Travis Rhodes, which was agreed to.

R. 8, H. 3584--ORDERED PRINTED IN THE JOURNAL

The SPEAKER ordered the following Veto printed in the Journal:

March 17, 2021

The Honorable James H. Lucas
Speaker of the House of Representatives
State House, Second Floor
Columbia, South Carolina 29201

THURSDAY, MARCH 18, 2021

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval R-8, H. 3584, which seeks to revise the membership and composition of the Oconee County Board of Assessment Appeals (“County Board”). Although the proposed modifications to the County Board may well be necessary, for the reasons set forth below, I am nevertheless compelled to veto this local legislation.

First, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. Article VIII, section 7 of the South Carolina Constitution expressly prohibits the General Assembly from enacting legislation that applies to only a single county. S.C. Const. art. VIII, § 7; *see also* S.C. Const. art. III, § 34(IX) (prohibiting local or special laws “where a general law can be made applicable”); S.C. Const. art. VIII, § 10 (“No laws for a specific municipality shall be enacted . . .”). Yet, H. 3584 plainly pertains to only Oconee County and does not appear to satisfy any recognized exception to the constitutional prohibition on local or special legislation. *See Richardson v. McCutchen*, 278 S.C. 117, 119, 292 S.E.2d 787, 788 (1982) (noting that “[t]he prohibition is applicable to . . . the amendment of prior special legislation”). Accordingly, while H. 3584 seeks to amend Acts that were the product of prior local legislation, I cannot endorse or approve a bill that would add to the existing patchwork of piecemeal, and often inconsistent, local laws.

Second, in seeking to modify Act No. 1041 of 1970, as amended, it appears that H. 3584 retains preexisting language, which provides that members of the County Board “shall be compensated on a per diem basis at a figure to be determined by the Oconee County Legislative Delegation.” R-8, H. 3584, § 1(c). In previously addressing this specific language regarding the County Board, the Office of the Attorney General noted that “[t]he constitutionality of the provision[] . . . is highly suspect.” *Op. Att’y Gen.*, 1989 WL 508574, at *1 n.1 (S.C.A.G. Aug. 28, 1989); *see Aiken Cty. Bd. of Ed. v. Knotts*, 274 S.C. 144, 149–50, 262 S.E.2d 14, 17 (1980) (“As a general rule, the Legislature may not . . . undertake to both pass laws and execute them by setting its own members to the task of discharging such functions by virtue of their office as legislators.”). Therefore, because this longstanding language is independently problematic and would remain unchanged by H. 3584, I am compelled to veto this legislation.

For the foregoing reasons, I am respectfully vetoing R-8, H. 3584 and returning the same without my signature.

[HJ]

THURSDAY, MARCH 18, 2021

Yours very truly,
Henry McMaster

Ordered printed in the Calendar.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5033

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-1-140(3) and 44-1-150

Raw Milk for Human Consumption; and Pasteurized Milk and Milk Products

Received by Speaker of the House of Representatives March 17, 2021

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration March 14, 2022

REPORTS OF STANDING COMMITTEES

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

H. 3164 -- Reps. McCravy, V. S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry and Burns: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR, PUBLIC SCHOOL DISTRICTS SHALL MAKE ADVANCED PLACEMENT TESTING AND CERTAIN OTHER TESTING AVAILABLE TO HOME SCHOOL STUDENTS RESIDING IN THE DISTRICT IF THE TESTS ARE MADE AVAILABLE TO STUDENTS ATTENDING PUBLIC SCHOOLS IN THE DISTRICTS, AND TO PROVIDE RELATED DUTIES OF SCHOOL BOARDS 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. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE

[HJ]

THURSDAY, MARCH 18, 2021

INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

Ordered for consideration tomorrow.

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

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

Ordered for consideration tomorrow.

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

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

[HJ]

THURSDAY, MARCH 18, 2021

SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J. L. Johnson and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Ordered for consideration tomorrow.

THURSDAY, MARCH 18, 2021

Rep. D. C. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4011 -- Reps. Erickson, W. Newton, Herbkersman, Bradley and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE NEW HARBOR ISLAND BRIDGE IN BEAUFORT COUNTY THE "GEORGE J. 'GEORDIE' MADLINGER III BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. D. C. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4018 -- Reps. Wheeler, Dabney, J. L. Johnson and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DEDICATE THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF STREET CONTAINING THIS DESIGNATION.

Ordered for consideration tomorrow.

Rep. D. C. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4025 -- Reps. Jefferson, Davis, Pendarvis, Tedder and Kimmons: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF RIDGE ROAD AND HIGHWAY S-18-78 IN DORCHESTER COUNTY "ANGIE LEE CRUM CROSSING" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. D. C. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF

[HJ]

THURSDAY, MARCH 18, 2021

TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4095 -- Reprs. Govan, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Haddon, Hardee, Hart, 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, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE REGULAR BAPTIST CHURCH OF GRETNA, LOUISIANA, AS THE CONGREGATION HOLDS ITS FIRST MEMORIAL SERVICE HONORING AND REMEMBERING THOSE WHO HAVE DIED FROM COVID-19 THIS PAST YEAR.

The Resolution was adopted.

THURSDAY, MARCH 18, 2021

HOUSE RESOLUTION

The following was introduced:

H. 4096 -- Reps. Huggins, 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, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JEANNE HOPE MCCASKILL, RECENTLY RETIRED STAFF MEMBER SOUTH CAROLINA HOUSE WORD PROCESSING CENTER, UPON THE OCCASION OF HER RETIREMENT AFTER TWENTY-FOUR YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 680 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DENTAL ACCESS CAROLINA, LLC, OF YORK COUNTY AND TO CONGRATULATE DR. JOHN E. REESE III AND HIS ASSOCIATES FOR TWO DECADES OF SUCCESSFULLY MEETING THE DENTAL NEEDS OF UNDERSERVED CHILDREN IN ROCK HILL AND THROUGHOUT SOUTH CAROLINA.

[HJ]

THURSDAY, MARCH 18, 2021

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

INTRODUCTION OF BILLS

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

H. 4097 -- Reps. Allison and Alexander: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

Referred to Committee on Education and Public Works

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4103 -- Reps. Hill and G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-89-55 SO AS TO REQUIRE BIRTHING CENTERS TO REGISTER ON-CALL AGREEMENTS AND TRANSFER POLICIES

THURSDAY, MARCH 18, 2021

WITH THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND FOR OTHER PURPOSES.

On motion of Rep. G. M. SMITH, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

Referred to Committee on Judiciary

S. 241 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEAR'S OF THE VETERAN'S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.

Referred to Committee on Education and Public Works

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE

[HJ]

THURSDAY, MARCH 18, 2021

SERVICES OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Referred to Committee on Judiciary

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA,

[HJ]

THURSDAY, MARCH 18, 2021

1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

Referred to Committee on Education and Public Works

ROLL CALL

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

Allison	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cogswell	Collins
B. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Garvin
Gatch	Gilliam	Govan
Haddon	Hardee	Hart
Henderson-Myers	Henegan	Hewitt
Hill	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McDaniel	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	Murphy	Murray
B. Newton	W. Newton	Oremus
Ott	Pendarvis	Pope
Rivers	Rose	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Tedder

THURSDAY, MARCH 18, 2021

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

Total Present--99

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

THURSDAY, MARCH 18, 2021

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

STATEMENT FOR THE JOURNAL

Due to the threat of severe weather statewide and specifically in the Upstate and the comments from the Speaker at the end of the day on March 17, 2021 that little to no substantive matters would be taken up today, I am requesting leave for the day.

Rep. West Cox

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

[HJ]

THURSDAY, MARCH 18, 2021

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. 3037
Date: ADD:
03/18/21 S. WILLIAMS

CO-SPONSOR ADDED

Bill Number: H. 3096
Date: ADD:
03/18/21 HYDE

CO-SPONSORS ADDED

Bill Number: H. 3108
Date: ADD:
03/18/21 BENNETT and JONES

CO-SPONSORS ADDED

Bill Number: H. 3144
Date: ADD:
03/18/21 DILLARD and WEEKS

CO-SPONSOR ADDED

Bill Number: H. 3249
Date: ADD:
03/18/21 HILL

CO-SPONSOR ADDED

Bill Number: H. 3319
Date: ADD:
03/18/21 S. WILLIAMS

CO-SPONSOR ADDED

Bill Number: H. 3465
Date: ADD:
03/18/21 MATTHEWS

THURSDAY, MARCH 18, 2021

CO-SPONSORS ADDED

Bill Number: H. 3546
Date: ADD:
03/18/21 DILLARD, WEEKS, BRADLEY, ERICKSON,
S. WILLIAMS and RIVERS

CO-SPONSORS ADDED

Bill Number: H. 3560
Date: ADD:
03/18/21 DILLARD, WEEKS and WILLIS

CO-SPONSORS ADDED

Bill Number: H. 3620
Date: ADD:
03/18/21 WEEKS and MATTHEWS

CO-SPONSOR ADDED

Bill Number: H. 3750
Date: ADD:
03/18/21 DABNEY

CO-SPONSOR ADDED

Bill Number: H. 3948
Date: ADD:
03/18/21 DILLARD

CO-SPONSORS ADDED

Bill Number: H. 3991
Date: ADD:
03/18/21 THIGPEN, B. COX, ELLIOTT, ERICKSON,
S. WILLIAMS and RIVERS

CO-SPONSORS ADDED

Bill Number: H. 4047
Date: ADD:
03/18/21 HYDE, FRY and CRAWFORD

THURSDAY, MARCH 18, 2021

H. 3991--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: 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.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3991 (COUNCIL\AHB\3991C001.BH.AHB21) :

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

/ SECTION 1. Section 16-17-680(I) and (J) of the 1976 Code is amended to read:

“(I)(1) A secondary metals recycler shall not purchase or otherwise acquire:

~~(1)~~(a) an iron or steel manhole cover;

~~(2)~~(b) an iron or steel drainage grate; ~~or~~

~~(3)~~(c) a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor, and, upon conviction, must be fined in the discretion of the court or imprisoned not more three years, or both.

(2) It is illegal for any individual or entity other than a licensed and permitted secondary metals recycler to purchase or otherwise acquire a used, detached catalytic converter or any nonferrous part of a catalytic converter.

THURSDAY, MARCH 18, 2021

(a) A secondary metals recycler shall not purchase or otherwise acquire a catalytic converter or any nonferrous part of a catalytic converter unless purchased as part of a vehicle or purchased from:

(i) a new motor vehicle dealer, manufacturer or distributor of catalytic converters, vehicle demolisher, or salvage yard whose valid business license is copied by the secondary metals recycler at the time of the purchase transaction; or

(ii) a permitted individual who provides the secondary metals recycler with the following for the motor vehicle that the catalytic converter was taken from the:

(aa) name of the person or company that removed the catalytic converter;

(bb) name of the person for whom the work was completed;

(cc) make and model of the vehicle from which the catalytic converter was removed;

(dd) vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) part number or other identifying number of the catalytic converter that was removed; and

(ff) certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(b) Before each purchase or acquisition of a used, detached catalytic converter, every secondary metals recycler, including an agent, employee, or representative of the dealer, shall:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2).

(3) All sellers of used, detached catalytic converters or any nonferrous metal part of such are subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals.

(4) Any person in possession of a used, detached catalytic converter is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law unless the person in possession possesses a valid permit and is:

THURSDAY, MARCH 18, 2021

(a) a secondary metals recycler, new or used motor vehicle dealer, motor vehicle repairer, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters; or

(b) an individual in possession of no more than two used, detached catalytic converters with the certificate of title or certificate of registration showing the individual's ownership interest in the motor vehicle that the catalytic converter was removed from or a receipt documenting the replacement of a catalytic converter from a vehicle registered in that individual's name.

(5) An entity or individual who violates the provisions of this section is subject to the penalties provided in Section 16-11-523 and each illegally obtained, possessed, used, or detached catalytic converter subjects the individual or entity to a separate charge for each violation. Any entity or individual who violates the provisions of this section also is liable for the repair and replacement of the catalytic converter as may be ordered by the court or as otherwise provided by law.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

(a) the purchase or sale of aluminum cans;

(b) a transaction between a secondary metals recycler and another secondary metals recycler;

(c) a governmental entity;

(d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;

(e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, core recycling service, appliance repair service, automotive repair service, or electronics repair service; or

(f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), ~~and~~ subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D)

THURSDAY, MARCH 18, 2021

and is subject to the penalty provisions of subsection (D)(6). Any item of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).” /

Renumber sections to conform.

Amend title to conform.

Rep. JEFFERSON moved to adjourn debate on the amendment, which was agreed to.

Rep. JEFFERSON proposed the following Amendment No. 2 to H. 3991 (COUNCIL\AHB\3991C002.BH.AHB21), which was adopted:

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

/ SECTION 1. Section 16-17-680(I) and (J) of the 1976 Code is amended to read:

“(I)(1) A secondary metals recycler shall not purchase or otherwise acquire:

~~(1)(a)~~ an iron or steel manhole cover;

~~(2)(b)~~ an iron or steel drainage grate; ~~or~~

~~(3)(c)~~ a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor, and, upon conviction, must be fined in the discretion of the court or imprisoned not more three years, or both.

(2) It is illegal for any individual or entity other than a licensed and permitted secondary metals recycler to purchase or otherwise acquire a used, detached catalytic converter or any nonferrous part of a catalytic converter.

(a) A secondary metals recycler shall not purchase or otherwise acquire a catalytic converter or any nonferrous part of a catalytic converter unless purchased as part of a vehicle or purchased from:

(i) a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters whose valid business license is copied by the secondary metals recycler at the time of the purchase transaction. If the business is unable to produce a valid business

THURSDAY, MARCH 18, 2021

license because a business license is unavailable or not required where the business is located, the business must provide a record or receipt showing:

(aa) the repair order number, when applicable;

(bb) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter; and

(cc) the vehicle identification number of the vehicle from which the catalytic converter was removed; or

(ii) an individual who provides the secondary metals recycler with the following for the motor vehicle that the catalytic converter was taken from the:

(aa) name of the person or company that removed the catalytic converter;

(bb) name of the person for whom the work was completed;

(cc) make and model of the vehicle from which the catalytic converter was removed;

(dd) vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) part number or other identifying number of the catalytic converter that was removed; and

(ff) certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(b) Before each purchase or acquisition of a used, detached catalytic converter, every secondary metals recycler, including an agent, employee, or representative of the secondary metals recycler, shall:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2) and note in their records any obvious marking on the used, detached catalytic converter such as paint, labels, or engravings that would aid in the identification of the catalytic converter.

(3) All sellers of used, detached catalytic converters or any nonferrous metal part of such are subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals except for an automotive repair service who, in lieu of a permit, may produce a record or receipt showing:

(a) the repair order number, when applicable;

THURSDAY, MARCH 18, 2021

(b) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter; and

(c) the vehicle identification number of the vehicle from which the catalytic converter was removed.

(4) Any person in possession of a used, detached catalytic converter is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law unless the person in possession possesses a valid permit when required by law and is:

(a) a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters and who is in possession of a valid business license verifying the type of business or if the business is unable to produce a valid business license because a business license is unavailable or not required where the business is located, the business must provide a record or receipt showing:

(i) the repair order number, where applicable;

(ii) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter; and

(iii) the vehicle identification number of the vehicle from which the catalytic converter was removed; or

(b) an individual in possession of no more than two used, detached catalytic converters provided the individual has on his person a permit to transport and sell the nonferrous metals as required by this section and the individual is able to produce the information required pursuant to subsection (1)(2)(a)(ii).

(5)(a) It is unlawful for a secondary metals recycler to fail to collect or retain all required documentation from a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this subsection. A secondary metals recycler who obtains all documentation as required by this subsection is exempt from prosecution under this subsection unless they knew or had reason to believe that the documentation provided was false, fraudulent, altered or counterfeit, or knew or had reason to believe that the used, detached catalytic converter or any nonferrous part of a catalytic converter was stolen.

(b) A seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter is guilty of providing false or fraudulent information for the sale of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this

THURSDAY, MARCH 18, 2021

subsection if they provide any false, fraudulent, altered or counterfeit information or documentation as required by this subsection.

(c) An entity or individual who violates the provisions of this section is subject to the penalties provided in Section 16-11-523(C) and each illegally obtained, possessed, used, or detached catalytic converter subjects the individual or entity to a separate charge for each violation. Any entity or individual who violates the provisions of this section also is liable for the repair and replacement of the catalytic converter as may be ordered by the court or as otherwise provided by law.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

- (a) the purchase or sale of aluminum cans;
- (b) a transaction between a secondary metals recycler and another secondary metals recycler;
- (c) a governmental entity;
- (d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;
- (e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, core recycling service, appliance repair service, automotive repair service, or electronics repair service; or
- (f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), ~~and~~ subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D) and is subject to the penalty provisions of subsection (D)(6). Any item of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).”

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

[HJ]

THURSDAY, MARCH 18, 2021

Rep. JEFFERSON explained the amendment.

Rep. WOOTEN spoke in favor of the amendment.

The amendment was then adopted.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3991 (COUNCIL\AHB\3991C001. BH.AHB21), which was tabled:

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

/ SECTION 1. Section 16-17-680(I) and (J) of the 1976 Code is amended to read:

“(1)(1) A secondary metals recycler shall not purchase or otherwise acquire:

~~(1)~~(a) an iron or steel manhole cover;

~~(2)~~(b) an iron or steel drainage grate; or

~~(3)~~(c) a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor, and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both.

(2) It is illegal for any individual or entity other than a licensed and permitted secondary metals recycler to purchase or otherwise acquire a used, detached catalytic converter or any nonferrous part of a catalytic converter.

(a) A secondary metals recycler shall not purchase or otherwise acquire a catalytic converter or any nonferrous part of a catalytic converter unless purchased as part of a vehicle or purchased from:

(i) a new motor vehicle dealer, manufacturer or distributor of catalytic converters, vehicle demolisher, or salvage yard whose valid business license is copied by the secondary metals recycler at the time of the purchase transaction; or

(ii) a permitted individual who provides the secondary metals recycler with the following for the motor vehicle that the catalytic converter was taken from the:

[HJ]

THURSDAY, MARCH 18, 2021

(aa) name of the person or company that removed the catalytic converter;

(bb) name of the person for whom the work was completed;

(cc) make and model of the vehicle from which the catalytic converter was removed;

(dd) vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) part number or other identifying number of the catalytic converter that was removed; and

(ff) certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(b) Before each purchase or acquisition of a used, detached catalytic converter, every secondary metals recycler, including an agent, employee, or representative of the dealer, shall:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2).

(3) All sellers of used, detached catalytic converters or any nonferrous metal part of such are subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals.

(4) Any person in possession of a used, detached catalytic converter is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law unless the person in possession possesses a valid permit and is:

(a) a secondary metals recycler, new or used motor vehicle dealer, motor vehicle repairer, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters; or

(b) an individual in possession of no more than two used, detached catalytic converters with the certificate of title or certificate of registration showing the individual's ownership interest in the motor vehicle that the catalytic converter was removed from or a receipt documenting the replacement of a catalytic converter from a vehicle registered in that individual's name.

(5) An entity or individual who violates the provisions of this section is subject to the penalties provided in Section 16-11-523 and each illegally obtained, possessed, used, or detached catalytic converter subjects the individual or entity to a separate charge for each violation.

THURSDAY, MARCH 18, 2021

Any entity or individual who violates the provisions of this section also is liable for the repair and replacement of the catalytic converter as may be ordered by the court or as otherwise provided by law.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

- (a) the purchase or sale of aluminum cans;
- (b) a transaction between a secondary metals recycler and another secondary metals recycler;
- (c) a governmental entity;
- (d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;
- (e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, core recycling service, appliance repair service, automotive repair service, or electronics repair service; or
- (f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), ~~and~~ subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D) and is subject to the penalty provisions of subsection (D)(6). Any item of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).” /

Renumber sections to conform.

Amend title to conform.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

[HJ]

THURSDAY, MARCH 18, 2021

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cogswell	Collins	B. Cox
Crawford	Dabney	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Hewitt	Hill	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McDaniel	McGinnis
T. Moore	Morgan	D. C. Moss
Murphy	Murray	B. Newton
W. Newton	Oremus	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	M. M. Smith
Taylor	Tedder	Thigpen
Trantham	Weeks	West
Wetmore	White	Whitmire
S. Williams	Willis	Wooten
Yow		

Total--94

Those who voted in the negative are:

Total--0

THURSDAY, MARCH 18, 2021

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

**H. 3991--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. RUTHERFORD, with unanimous consent, it was ordered that H. 3991 be read the third time tomorrow.

MOTION ADOPTED

Rep. G. M. SMITH moved that H. 4100, the General Appropriation Bill for Fiscal Year 2021-2022, be set for Special Order on Monday, March 22, 2021, immediately after roll call and after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

MOTION ADOPTED

Rep. G. M. SMITH moved that while debating H. 4100 on second reading that the Bills on the Calendar be printed by number only, which was agreed to.

MOTION ADOPTED

Rep. G. M. SMITH moved that when the House adjourns today that it adjourn to meet in Local Session tomorrow, Friday, March 19, 2021, and then convene in Statewide Session at 1:00 p.m., Monday, March 22, 2021, which was agreed to.

MOTION ADOPTED

Rep. G. M. SMITH moved that H. 4101, the Joint Resolution appropriating the Capital Reserve Fund for Fiscal Year 2020-2021, be set for Special Order immediately following second reading of H. 4100, and immediately after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

MOTION ADOPTED

Rep. G. M. SMITH moved that H. 4100 be set for Special Order for third reading immediately after second reading of H. 4101, and immediately after roll call every day thereafter, and continue each day until given third reading, which was agreed to.

THURSDAY, MARCH 18, 2021

MOTION ADOPTED

Rep. G. M. SMITH moved that H. 4101 be set for Special Order for third reading immediately after third reading of H. 4100, and immediately after roll call every day thereafter, and continue each day until given third reading, which was agreed to.

H. 3590--POINT OF ORDER

The following Bill was taken up:

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.

POINT OF ORDER

Rep. ALLISON 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. 3319--POINT OF ORDER

The following Bill was taken up:

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

[HJ]

THURSDAY, MARCH 18, 2021

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.

POINT OF ORDER

Rep. ALLISON 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. 3037--POINT OF ORDER

The following Bill was taken up:

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J. L. Johnson, Matthews and S. Williams: 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.

POINT OF ORDER

Rep. ALLISON made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not

THURSDAY, MARCH 18, 2021

been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3465--POINT OF ORDER

The following Bill was taken up:

H. 3465 -- Reps. Gilliam, B. Newton, Atkinson, Long, McCravy, Forrest, Caskey, Felder and Matthews: 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.

POINT OF ORDER

Rep. ALLISON 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. 3941--POINT OF ORDER

The following Joint Resolution was taken up:

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

THURSDAY, MARCH 18, 2021

SUCH EMERGENCY SICK LEAVE, AND TO PROVIDE RELATED REPORTING REQUIREMENTS OF LOCAL SCHOOL DISTRICTS AND THE STATE DEPARTMENT OF EDUCATION.

POINT OF ORDER

Rep. ALLISON 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. 3883--POINT OF ORDER

The following Bill was taken up:

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

POINT OF ORDER

Rep. ALLISON 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. 4006--POINT OF ORDER

The following Bill was taken up:

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.

THURSDAY, MARCH 18, 2021

POINT OF ORDER

Rep. MURPHY 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. 3096--REQUESTS FOR DEBATE

The following Bill was taken up:

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, M. M. Smith and Hyde: 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 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

[HJ]

THURSDAY, MARCH 18, 2021

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

Reps. B. COX, MAGNUSON, MORGAN, HADDON, TRANTHAM, LONG, MCCABE, DABNEY, BURNS, B. NEWTON, HYDE, JONES, OREMUS, CASKEY, WOOTEN, FORREST, BAMBERG, T. MOORE, J. MOORE, BLACKWELL, WILLIS, KIRBY, YOW, DAVIS, K. O. JOHNSON, G. M. SMITH, WEEKS, TEDDER, HOSEY, MURPHY and WHEELER requested debate on the Bill.

[HJ]

THURSDAY, MARCH 18, 2021

H. 3620--POINT OF ORDER

The following Bill was taken up:

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, Wetmore, Weeks and Matthews: 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.

POINT OF ORDER

Rep. MURPHY 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.

OBJECTION TO RECALL

Rep. HUGGINS asked unanimous consent to recall H. 4094 from the Committee on Judiciary.

Rep. HILL objected.

H. 3785--SENATE AMENDMENTS CONCURRED IN

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

THURSDAY, MARCH 18, 2021

TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Rep. D. C. MOSS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cogswell	Collins	B. Cox
Crawford	Dabney	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Fry	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Henderson-Myers	Henegan
Hewitt	Hill	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCabe	McDaniel	McGinnis
T. Moore	Morgan	D. C. Moss
Murphy	Murray	B. Newton
W. Newton	Oremus	Ott
Pendarvis	Pope	Rivers
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Tedder	Thigpen
Trantham	Weeks	Wetmore
Wheeler	White	Whitmire

THURSDAY, MARCH 18, 2021

S. Williams
Yow

Willis

Wooten

Total--94

Those who voted in the negative are:

Total--0

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

H. 3094--AMENDED AND SENT TO THE SENATE

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

Rep. MURPHY proposed the following Amendment No. 47 to H. 3094 (COUNCIL\AHB\3094C030.RT.AHB21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 8 in its entirety.

[HJ]

THURSDAY, MARCH 18, 2021

Renumber sections to conform.
Amend title to conform.

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

The yeas and nays were taken resulting as follows:
Yeas 73; Nays 26

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Bamberg	Bannister	Bennett
Blackwell	Bradley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Collins	B. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Hewitt	Hill
Hixon	Huggins	Hyde
J. E. Johnson	Jones	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McGinnis	T. Moore	Morgan
D. C. Moss	Murphy	B. Newton
W. Newton	Oremus	Ott
Pope	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Taylor	Trantham	Weeks
West	Wheeler	White
Whitmire	Willis	Wooten
Yow		

Total--73

Those who voted in the negative are:

Anderson	Bernstein	Brawley
Clyburn	Cogswell	Garvin

[HJ]

THURSDAY, MARCH 18, 2021

Govan	Henderson-Myers	Henegan
Hosey	Howard	Jefferson
J. L. Johnson	K. O. Johnson	Matthews
McDaniel	J. Moore	Murray
Pendarvis	Rivers	Rose
Rutherford	Tedder	Thigpen
Wetmore	S. Williams	

Total--26

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

RECURRENCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEES

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3546 -- Reps. W. Newton, Pope, Dillard, Bradley, Erickson, S. Williams, Rivers and Weeks: A BILL TO AMEND SECTION 1-30-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO ESTABLISH OBJECTIVES FOR THE SOUTH CAROLINA FILM COMMISSION.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen, Climer, Garrett and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

Ordered for consideration tomorrow.

THURSDAY, MARCH 18, 2021

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3144 -- Reps. White, Robinson, Thigpen, V. S. Moss, Dillard and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3560 -- Reps. Bernstein, Herbkersman, Henegan, Pope, Rutherford, Finlay, Stavrinakis, Collins, W. Newton, Wheeler, Jordan, Ballentine, Garvin, J. E. Johnson, Brawley, Elliott, Rose, B. Newton, Robinson, Kirby, Haddon, V. S. Moss, Caskey, J. L. Johnson, Cobb-Hunter, Yow, Dillard, Willis and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH OR ADOPTION OF A SON OR DAUGHTER.

Ordered for consideration tomorrow.

THURSDAY, MARCH 18, 2021

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3545 -- Reps. W. Newton, Erickson and Bradley: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3547 -- Rep. W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 9 OF TITLE 51 RELATING TO THE FORT WATSON MEMORIAL; AND BY REPEALING SECTIONS 53-3-90 AND 53-3-100 BOTH RELATING TO "FAMILY WEEK IN SOUTH CAROLINA".

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3899 -- Reps. Elliott, G. R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox and Huggins: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A

THURSDAY, MARCH 18, 2021

PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report on:

H. 3482 -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore and Weeks: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

Ordered for consideration tomorrow.

Rep. G. M. SMITH, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4064 -- Reps. G. M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

Ordered for consideration tomorrow.

THURSDAY, MARCH 18, 2021

HOUSE RESOLUTION

The following was introduced:

H. 4104 -- Reps. Tedder, 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, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ELIZABETH THERESA POWELL MCCROWEY OF ROCK HILL AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4105 -- Reps. Martin, Collins, 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, 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,

[HJ]

THURSDAY, MARCH 18, 2021

Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ISIAH ROYAL, A SENIOR AT NEWBERRY COLLEGE, FOR AN OUTSTANDING SEASON AND TO CONGRATULATE HIM FOR WINNING THE 2021 DII NATIONAL WRESTLING CHAMPIONSHIP TITLE AT 141 POUNDS.

The Resolution was adopted.

INTRODUCTION OF BILL

The following Joint Resolution was introduced, read the first time, and referred to appropriate committee:

H. 4106 -- Reps. Finlay and G. M. Smith: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS FROM APRIL 15, 2021, UNTIL MAY 17, 2021.

On motion of Rep. G. M. SMITH, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

Rep. PENDARVIS 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. 3739 -- Reps. J. L. Johnson, Brawley and Henegan: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARNERS FERRY ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE POINT WHERE IT CROSSES THE WATEREE RIVER "LIEUTENANT ULYSSES FLEMMING MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

[HJ]

THURSDAY, MARCH 18, 2021

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

ADJOURNMENT

At 10:48 a.m. the House, in accordance with the motion of Rep. BRITTAIN, adjourned in memory of John Travis Rhodes, to meet at 10:00 a.m. tomorrow.

THURSDAY, MARCH 18, 2021

H. 3037	15, 30	H. 4006	32
H. 3094	37	H. 4011	6
H. 3096	15, 33	H. 4018	6
H. 3108	15	H. 4025	6
H. 3144	15, 40	H. 4043	6
H. 3164	3	H. 4047	16
H. 3243	5	H. 4058	45
H. 3249	15	H. 4060	5
H. 3319	15, 29	H. 4062	4
H. 3354	42	H. 4064	42
H. 3465	15, 31	H. 4094	35
H. 3482	42	H. 4095	7
H. 3524	4	H. 4096	8
H. 3545	41	H. 4097	9
H. 3546	16, 39	H. 4098	9
H. 3547	41	H. 4099	9
H. 3560	16, 40	H. 4100	28, 29
H. 3584	1, 2	H. 4101	28, 29
H. 3590	29	H. 4103	9
H. 3620	16, 35	H. 4104	43
H. 3739	44	H. 4105	43
H. 3750	16	H. 4106	44
H. 3785	35		
H. 3795	3	S. 229	10
H. 3883	32	S. 241	10
H. 3899	41	S. 271	39
H. 3941	31	S. 472	10
H. 3948	16, 40	S. 525	11
H. 3991	16, 17, 20, 24	S. 607	11
H. 3991	28	S. 680	8