

NO. 55

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

**WEDNESDAY, APRIL 28, 2021
(STATEWIDE SESSION)**

Wednesday, April 28, 2021
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 51:1: "Have mercy on me, O God, according to your steadfast love; according to your abundant mercy blot out my transgressions."

Let us pray. Heavenly Father, You come to us as light that shines in the darkness of this world. Give us Your blessings and keep us steadfast in our duties. Bless and keep our defenders of freedom and first responders in Your care. Be the guiding light on our World, Nation, President, State, Governor, Speaker, staff, and all who labor 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. J. L. JOHNSON moved that when the House adjourns, it adjourn in memory of Fran Brown Vincent, which was agreed to.

ROLL CALL

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

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

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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	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Parks	Pendarvis	Pope
Rivers	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total Present--120

STATEMENT OF ATTENDANCE

Reps. WHITE, RUTHERFORD and THIGPEN signed a with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, April 27.

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LEAVE OF ABSENCE

The SPEAKER granted Rep. ROSE a leave of absence for the day due to a prior commitment.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

The SPEAKER granted Rep. V. S. MOSS a leave of absence for the day.

DOCTOR OF THE DAY

Announcement was made that Dr. Jimmy Wells 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-SPONSORS ADDED

Bill Number: H. 3006
Date: ADD:
04/28/21 GOVAN, KING, GILLIARD, MURRAY and
MCDANIEL

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CO-SPONSORS ADDED

Bill Number: H. 3120
Date: ADD:
04/28/21 ERICKSON, BRADLEY, HERBKERSMAN and
J. E. JOHNSON

CO-SPONSOR ADDED

Bill Number: H. 3219
Date: ADD:
04/28/21 GOVAN

CO-SPONSORS ADDED

Bill Number: H. 3348
Date: ADD:
04/28/21 JEFFERSON, M. M. SMITH and DILLARD

CO-SPONSORS ADDED

Bill Number: H. 3623
Date: ADD:
04/28/21 ANDERSON, S. WILLIAMS, KING, ALEXANDER,
MCDANIEL, HENDERSON-MYERS and GOVAN

CO-SPONSOR ADDED

Bill Number: H. 3669
Date: ADD:
04/28/21 WEEKS

CO-SPONSORS ADDED

Bill Number: H. 3730
Date: ADD:
04/28/21 GILLIARD and MURRAY

CO-SPONSORS ADDED

Bill Number: H. 3939
Date: ADD:
04/28/21 BLACKWELL and WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4149
Date: ADD:
04/28/21 BALLENTINE and GOVAN

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CO-SPONSOR ADDED

Bill Number: H. 4243
Date: ADD:
04/28/21 WEEKS

CO-SPONSORS ADDED

Bill Number: H. 4249
Date: ADD:
04/28/21 KIRBY, HIXON and HENDERSON-MYERS

LEAVE OF ABSENCE

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

H. 4241--SENT TO THE SENATE

The following Bill was taken up:

H. 4241 -- Reps. Anderson and Hewitt: A BILL TO AMEND ACT 907 OF 1962, AS AMENDED, RELATING TO THE GEORGETOWN COUNTY SCHOOL DISTRICT AND THE GEORGETOWN COUNTY BOARD OF EDUCATION, SO AS TO, AMONG OTHER THINGS, CONFORM LOCAL ELECTION PROCEDURES FOR MEMBERS OF THE BOARD OF EDUCATION TO THE CONTROLLING 2008 CONSENT JUDGMENT AND DECREE; TO DEFINE RELEVANT TERMS; TO PROVIDE THAT THE GEORGETOWN COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF EDUCATION CONSISTING OF NINE MEMBERS WHO MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE THAT WHEN A VACANCY OCCURS IN OFFICE, BY REASON OF DEATH, RESIGNATION, OR REMOVAL, THE VACANCY IN OFFICE SHALL BE FILLED BY A SPECIAL ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM; TO PROVIDE THAT PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE GEORGETOWN COUNTY BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF CANDIDACY WITH THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH THE APPLICABLE CANDIDATE FILING

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PERIOD; TO PROVIDE THAT THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS SHALL CONDUCT AND SUPERVISE THE ELECTIONS FOR MEMBERS OF THE GEORGETOWN COUNTY BOARD OF EDUCATION IN THE MANNER GOVERNED BY THE ELECTION LAWS OF THIS STATE, MUTATIS MUTANDIS; AND TO REPEAL ACT 237 OF 1983.

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

Yea 78; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Bailey
Bannister	Bennett	Bernstein
Blackwell	Bradley	Bryant
Bustos	Carter	Chumley
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Ligon	Long
Lowe	Lucas	Matthews
McCabe	McCravy	McDaniel
McGarry	McGinnis	J. Moore
T. Moore	D. C. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Ott	Rivers
Sandifer	M. M. Smith	Stavrinakis
Stringer	Taylor	Tedder
Weeks	Wetmore	White
R. Williams	Wooten	Yow

Total--78

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Those who voted in the negative are:

Total--0

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

SENT TO THE SENATE

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

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

H. 3927 -- Reps. Stavrinakis, Murphy and Weeks: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT, SO AS TO PROVIDE THAT CRIMINAL CASES IN WHICH THE PENALTY DOES NOT EXCEED THREE YEARS, RATHER THAN ONE YEAR, MAY BE TRANSFERRED FROM GENERAL SESSIONS COURT.

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

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE

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REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK;

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TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS;

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TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

RETURNED TO THE SENATE WITH AMENDMENTS

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

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY

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ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION

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AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

H. 3050--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

H. 3050 -- Reps. D. C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

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The Committee on Judiciary proposed the following Amendment No. 1 to H. 3050 (COUNCIL\CM\3050C001.GT.CM21), which was adopted:

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

/ SECTION 1. The first paragraph of Section 23-23-40 of the 1976 Code is amended to read:

"No law enforcement officer employed or appointed on or after July 1, ~~1989~~ 2021, by any public law enforcement agency in this State is authorized to enforce the laws or ordinances of this State or any political subdivision thereof unless he has been certified as qualified by the council, except that any public law enforcement agency in this State may appoint or employ as a law enforcement officer, a person who is not certified if, within one year after the date of employment or appointment, the person secures certification from the council; provided, that if any public law enforcement agency employs or appoints as a law enforcement officer a person who is not certified, the person shall not perform any of the duties of a law enforcement officer involving the control or direction of members of the public or exercising the power of arrest until he has successfully completed a firearms qualification program approved by the council; and provided, further, that within three working days of employment, the academy must be notified by a public law enforcement agency that a person has been employed by that agency as a law enforcement officer, and within three working days of the notice the firearms qualification program as approved by the director must be provided to the newly hired personnel; and shall only perform his duties as a law enforcement officer while accompanied by a certified law enforcement officer. If the firearms qualification program approved by the director is not available within three working days after receipt of the notice, then the public law enforcement agency making the request for the firearms qualification program may employ the person to perform any of the duties of a law enforcement officer, including those involving the control and direction of members of the public and exercising the powers of arrest. Should any such person fail to secure certification within one year from his date of employment, he may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until he has been certified. He is not eligible for employment or appointment by any other agency in South Carolina as a law enforcement officer, nor is he eligible for any compensation by any law enforcement agency for

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services performed as an officer. Exceptions to the one-year rule may be granted by the director in these cases:

(1) military leave or injury occurring during that first year which would preclude the receiving of training within the usual period of time; or

(2) in the event of the timely filing of application for training, which application, under circumstances of time and physical limitations, cannot be honored by the training academy within the prescribed period; or

(3) upon presentation of documentary evidence that the officer-candidate has successfully completed equivalent training in one of the other states which by law regulate and supervise the quality of police training and which require a minimum basic or recruit course of duration and content at least equivalent to that provided in this chapter or by standards set by the council; or

(4) if it is determined by documentary evidence that the training will result in undue hardship to the requesting agency, the requesting agency must propose an alternate training schedule for approval."

SECTION 2. Section 23-23-150(A) and (B) of the 1976 Code, as added by Act 215 of 2018, is amended to read:

"(A) For purposes of this section:

(1) 'Academy' means the South Carolina Criminal Justice Academy.

(2) 'Council' means the Law Enforcement Training Council.

(3) 'Misconduct' means:

(a) a conviction, plea of guilty, plea of no contest or admission of guilt to a felony, a crime punishable by a sentence of more than one year, regardless of the sentence actually imposed, or a crime of moral turpitude, any of which were committed in this State or any other jurisdiction;

(b) the unlawful use of a controlled substance;

(c) the repeated use of excessive force in dealing with the public or prisoners;

(d) dangerous or unsafe practices involving firearms, weapons, or vehicles which indicate either a wilful or wanton disregard for the safety of persons or property;

(e) the physical or psychological abuse of members of the public or prisoners;

(f) the failure to intervene when observing another officer physically or psychologically abusing members of the public or prisoners;

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(g) the misrepresentation of employment-related information;

(g)(h) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to a law enforcement officer, a law enforcement agency, or a representative of the agency, except when required by departmental policy or by the laws of this State;

(h)(i) wilfully making false, misleading, incomplete, deceitful, or incorrect statements to any court of competent jurisdiction, or their staff members, whether under oath or not;

(h)(j) wilfully providing false, misleading, incomplete, deceitful, or incorrect information on a document, record, report, or form, except when required by departmental policy or by the laws of this State;

(h)(k) the falsification of any application for certification and training based upon which the officer was admitted for training; or

(h)(l) wilfully providing false information to the Criminal Justice Academy.

(B) The sheriff or the chief executive officer of a law enforcement agency or department within the State must report to the academy the occurrence of any act or multiple acts of misconduct by a law enforcement officer which could result in the withdrawal of the certification of the law enforcement officer who is currently or was last employed by his agency. The report shall be made within fifteen days of the final agency or department action resulting from the internal investigation conducted by the agency or department, and shall be on a form prescribed by the council. A law enforcement agency that has made a report under this section shall cooperate fully with any action by the council, to include mandatory attendance by a representative of the agency knowledgeable of the circumstances surrounding the allegation at any scheduled hearing. A wilful failure to report information related to acts of misconduct shall subject the violator to a civil penalty as provided by the council. The council may impose civil fines in its discretion not to exceed one thousand dollars per day for each day an agency is out of compliance with this section."

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

"Section 23-1-250. (A) For the purposes of this section, the term 'chokehold or carotid hold' means the application of deadly force in a manner that applies extended or continued pressure to the throat or windpipe, a maneuver that restricts blood or oxygen flow to the brain, or

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a carotid artery restraint that prevents or hinders breathing or reduces the intake of air by an individual.

(B) The use of a chokehold or carotid hold is justifiable only if a law enforcement officer reasonably believes that the use of deadly force is necessary to protect the life of a civilian or a law enforcement officer. The substantiated use of an unjustified chokehold or carotid hold shall be deemed excessive force and may result in criminal prosecution.

(C) In addition to any other penalty provided by law, the use of excessive force may serve as grounds for disciplinary action against the law enforcement officer, including dismissal, demotion, suspension, or transfer.

(D) The Law Enforcement Training Council shall develop and implement curriculum to address the lawful justifiable use of chokeholds and carotid holds in accordance with this section.”

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

“Section 23-23-85. (A) The council shall establish required minimum standards for all law enforcement agencies. The standards must include, but are not limited to, policies regarding:

(1) the use-of-force continuum and the elimination or restricted use of lethal and less than lethal options with regard to when and how to respond to active resistance. The use-of-force continuum must eliminate the use of chokeholds and carotid holds as less lethal options;

(2) uniform vehicle pursuit standards and the use of lethal options during pursuit;

(3) an officer’s duty to intervene in the actions of other observed officers;

(4) hiring and terminating practices;

(5) mandatory and uniform post-basic academy field training;

(6) uniform implementation and the use of body-worn cameras;

and

(7) the use of ‘no knock’ warrants.

(B) The council shall have the authority to take punitive action against any law enforcement agency that refuses to comply with standards issued pursuant to this section, including civil fines, as described in Section 23-23-100.

(C) Nothing in this section shall be construed to prevent or prohibit law enforcement agencies from adopting policies that exceed the minimum standards adopted by the council.”

SECTION 5. Chapter 23, Title 23 of the 1976 Code is amended by adding:

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“Section 23-23-160. (A) There is hereby established a Compliance Division under the jurisdiction of the council. The inspectors and such other personnel as may be provided for the division shall be selected by the director.

(B) The division shall be responsible for inspecting, at least once every three years, the relevant policies and procedures for every law enforcement agency in this State to ensure compliance with minimum standards established in Section 23-23-85. For the purposes of this section, ‘law enforcement agency’ means any agency or entity of the State or any of its political subdivisions that employs or appoints law enforcement officers.

(C) If an inspection under this chapter discloses that a law enforcement agency does not meet the minimum standards established in Section 23-23-85, the council shall notify the law enforcement agency director and hold a meeting of the council to consider the inspection reports. If requested, the inspection personnel shall appear to advise and consult concerning appropriate corrective action. The law enforcement agency shall initiate appropriate corrective action within ninety days or may be subject to additional penalties, as described in Section 23-23-100.

(D) If a law enforcement agency produces evidence satisfactory to the director to prove the agency is currently accredited by either the South Carolina Law Enforcement Accreditation Council or the Commission on Accreditation for Law Enforcement Agencies, the agency shall be exempt from inspections pursuant to this section and shall be deemed to be in compliance with the minimum standards established in Section 23-23-85.”

SECTION 6. Section 23-23-100 of the 1976 Code is amended to read:

“Section 23-23-100. (A) Whenever the director finds that any public law enforcement agency is in violation of any provisions of this chapter, the director may issue an order requiring the public law enforcement agency to comply with the provision. The director may bring a civil action for injunctive relief in the appropriate court or may bring a civil enforcement action. Violation of any court order issued pursuant to this section must be considered contempt of the issuing court and punishable as provided by law. The director also may invoke the civil penalties as provided in subsection (B) for violation of the provisions of this chapter, including any order or regulation hereunder. Any public law enforcement agency against which a civil penalty is

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invoked by the director may appeal the decision to the court of common pleas of the county where the public law enforcement agency is located.

(B) Any public law enforcement agency which fails to comply with this chapter and regulations promulgated pursuant to this chapter or fails to comply with any order issued by the director is liable for a civil penalty not to exceed one thousand ~~five hundred dollars a violation dollars per day the agency is not in compliance or is found to be in violation~~. When the civil penalty authorized by this subsection is imposed upon a sheriff, the sheriff is responsible for payment of this civil penalty.

(C) If the imposition of civil fines fails to bring a law enforcement agency into compliance with the standards established in Section 23-23-85, the council is authorized to temporarily suspend the law enforcement certification of every law enforcement officer employed or appointed by the noncompliant law enforcement agency until such time as the council deems the agency to be in compliance with the minimum standards or a motion for injunctive relief is settled. An individual who has had his law enforcement certification suspended as a result of a noncompliant law enforcement agency shall not be prohibited from regaining law enforcement certification if he is subsequently employed or appointed by a compliant law enforcement agency, provided he is otherwise qualified to be certified.”

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. JOHNSON explained the amendment.

The amendment was then adopted.

Rep. WOOTEN explained the Bill.

Further proceedings were interrupted by the time expiring on the uncontested calendar, the pending question being consideration of the Bill.

RECURRENCE TO THE MORNING HOUR

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

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H. 3050--REQUESTS FOR DEBATE

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

H. 3050 -- Reps. D. C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Rep. WOOTEN spoke in favor of the Bill.

Reps. POPE, COBB-HUNTER, SIMRILL, OTT, BLACKWELL, TAYLOR, CASKEY, MCGARRY, BUSTOS, COGSWELL, BENNETT, WILLIS, B. COX, NUTT, ALLISON, MAGNUSON, KING, HENDERSON-MYERS, J. MOORE, BRAWLEY, J. L. JOHNSON, HOSEY, CLYBURN, GOVAN, HENEGAN, KIRBY, ALEXANDER, HERBKERSMAN, BAILEY, HEWITT, GARVIN, OREMUS, R. WILLIAMS, JEFFERSON, BAMBERG, MCCRAVY, M. M. SMITH, WHEELER, MCGINNIS, HARDEE, WEST, WEEKS, HYDE, BRYANT, MCDANIEL, GILLIAM and DILLARD requested debate on the Bill.

S. 623--ORDERED TO THIRD READING

The following Bill was taken up:

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A

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REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

Rep. HARDEE explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 112; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	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	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Howard	Huggins	Hyde
Jefferson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
J. Moore	T. Moore	Morgan
D. C. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rivers
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith

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Stavrinakis	Stringer	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--112

Those who voted in the negative are:

Total--0

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

S. 304--DEBATE ADJOURNED

The following Bill was taken up:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

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

SPEAKER *PRO TEMPORE* IN CHAIR

H. 4149--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4149 -- Reps. Ott, Sandifer, Ballentine and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-70 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 8-27-80 SO AS TO PROHIBIT A PUBLIC UTILITY FROM TAKING ADVERSE EMPLOYMENT ACTION

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AGAINST AN EMPLOYEE WHO MADE A REPORT OF WRONGDOING BY THE PUBLIC UTILITY TO THE OFFICE OF REGULATORY STAFF; AND BY ADDING SECTION 8-27-90 SO AS TO PROVIDE REMEDIES IF A PUBLIC UTILITY TAKES ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO MADE A REPORT OF WRONGDOING.

Rep. WEST explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 118; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	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	J. Moore
T. Moore	Morgan	D. C. Moss

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Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Stringer	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--118

Those who voted in the negative are:

Total--0

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

S. 685--INTERRUPTED DEBATE

The following Bill was taken up:

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy, Matthews and Jackson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

Rep. HAYES proposed the following Amendment No. 1 to S. 685 (COUNCIL\WAB\685C001.RT.WAB21)

Amend the bill, as and if amended, SECTION 1, Section 59-158-60, by adding an appropriately lettered subsection to read:

/ An institution of higher learning shall provide instruction in basic personal finance and financial literacy to a student-athlete before he may enter into a name, image, or likeness contract. /

Renumber sections to conform.

Amend title to conform.

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Rep. HAYES explained the amendment.

Further proceedings were interrupted by the time expiring on the uncontested calendar, the pending question being consideration of Amendment No. 1.

RECURRENCE TO THE MORNING HOUR

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

S. 685--ORDERED TO THIRD READING

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy, Matthews and Jackson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

Rep. HAYES proposed the following Amendment No. 1 to S. 685 (COUNCIL\WAB\685C001.RT.WAB21), which was tabled:

Amend the bill, as and if amended, SECTION 1, Section 59-158-60, by adding an appropriately lettered subsection to read:

/ An institution of higher learning shall provide instruction in basic personal finance and financial literacy to a student-athlete before he may enter into a name, image, or likeness contract. /

Renumber sections to conform.

Amend title to conform.

Rep. HAYES spoke in favor of the amendment.

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

Rep. MCGINNIS explained the Bill.

The question recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:
Yea 103; Nays 15

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Bradley	Brawley
Brittain	Burns	Bustos
Calhoon	Carter	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lucas	Magnuson	Martin
Matthews	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	Murphy
Murray	B. Newton	W. Newton
Nutt	Ott	Parks
Pendarvis	Pope	Rivers
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Yow		

Total--103

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Those who voted in the negative are:

Blackwell	Bryant	Chumley
Dabney	Forrest	Hill
Huggins	J. E. Johnson	Lowe
May	McCabe	McCrary
D. C. Moss	Oremus	Wooten

Total--15

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

S. 241--ORDERED TO THIRD READING

The following Bill was taken up:

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.

Rep. MCGINNIS explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 117; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott

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Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	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	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--117

Those who voted in the negative are:

Total--0

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

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S. 607--DEBATE ADJOURNED

The following Bill was taken up:

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

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

S. 667--ORDERED TO THIRD READING

The following Bill was taken up:

S. 667 -- Senators Grooms, Verdin and Climer: 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.

Rep. MORGAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yea 115; Nays 0

Those who voted in the affirmative are:

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

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

Total--115

Those who voted in the negative are:

Total--0

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

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S. 40--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

Reps. BUSTOS, CARTER, MORGAN, CALHOON, MCCABE, MAY, OREMUS, MCGARRY, B. NEWTON, OTT, ANDERSON, HYDE, T. MOORE, B. COX, NUTT, ALLISON, HIXON, KIRBY, WETMORE, STAVRINAKIS, M. M. SMITH and TEDDER requested debate on the Bill.

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S. 201--DEBATE ADJOURNED

The following Bill was taken up:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

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

H. 3006--DEBATE ADJOURNED

The following Bill was taken up:

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J. L. Johnson, Henderson-Myers, Govan, King, Gilliard, Murray and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

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

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H. 3591--DEBATE ADJOURNED

The following Bill was taken up:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

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

H. 3943--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3943 -- Reps. D. C. Moss, Yow, McCravy, Hyde, T. Moore, Chumley, Haddon, Bailey, Burns, Allison, Bannister, Bryant, Herbkersman, Simrill, West, Willis and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, AND TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3943 (COUNCIL\CM3943C002.CC.CM21), which was adopted:

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

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/ SECTION 1. Article 33, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-4072. Notwithstanding another provision of law, for recreational purposes only, a truck towing a vehicle utilizing a fifth wheel assembly may tow one additional vehicle. The combination of vehicles subject to this provision may not exceed a length of seventy-five feet overall dimension, inclusive of front and rear bumpers and load carried on it. However, the final trailing vehicle with its load must weigh no more than 3,000 pounds. A truck operating a towing combination as described in this provision also must include a video system which allows the driver of the truck to monitor the final trailing vehicle as it is being towed and comply with the provisions contained in Section 56-5-5150.” /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 113; Nays 0

Those who voted in the affirmative are:

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	Hayes
Henderson-Myers	Henegan	Herbkersman

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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	Lucas	Magnuson
Martin	Matthews	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	Murphy
Murray	B. Newton	Nutt
Oremus	Ott	Parks
Pendarvis	Pope	Rivers
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--113

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3943. If I had been present, I would have voted in favor of the Bill.

Rep. Wm. Weston Newton

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

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RECURRENCE TO THE MORNING HOUR

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

S. 304--DEBATE ADJOURNED

The following Bill was taken up:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

S. 607--DEBATE ADJOURNED

The following Bill was taken up:

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

Rep. FRY moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

S. 201--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION

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ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

Rep. FRY moved to adjourn debate on the Bill until Thursday, April 29.

Rep. SIMRILL moved to table the motion, which was agreed to.

Reps. FRY, ELLIOTT, B. COX, MAY, STRINGER, MORGAN, CRAWFORD, HEWITT and SANDIFER requested debate on the Bill.

H. 3006--DEBATE ADJOURNED

The following Bill was taken up:

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J. L. Johnson, Henderson-Myers, Govan, King, Gilliard, Murray and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

Rep. FRY moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

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H. 3591--DEBATE ADJOURNED

The following Bill was taken up:

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

Rep. FRY moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

H. 3219--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3219 -- Reps. Collins, Allison, Henderson-Myers, Erickson, Bradley and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-35 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO ESTABLISH A PROGRAM TO PAY FOR CERTAIN EXPENSES INCIDENTAL TO BECOMING LEGALLY AUTHORIZED TO DRIVE FOR CHILDREN FIFTEEN YEARS OF AGE OR OLDER WHO RESIDE IN OUT-OF-HOME CARE, WITH EXCEPTIONS; TO AMEND SECTION 56-1-110, RELATING TO IMPUTED LIABILITY OF A PERSON SIGNING A DRIVER'S LICENSE APPLICATION FOR AN UNEMANCIPATED MINOR, SO AS TO PROVIDE AN EXCEPTION TO LIABILITY FOR, AMONG OTHERS, FOSTER PARENTS; AND TO AMEND SECTION 63-7-2310, RELATING TO FOSTER CARE, SO AS TO PROVIDE IMMUNITY FROM LIABILITY FOR FOSTER PARENTS WITH EXCEPTIONS.

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The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3219 (COUNCIL\VR\3219C001.CC.VR21), which was adopted:

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

/ SECTION 1. Article 1, Chapter 7, Title 63 of the 1976 Code is amended by adding:

“Section 63-7-35. (A) To the extent that specific state funding is appropriated to the department by the General Assembly for this purpose, the department shall establish a program to pay the costs of a driver’s education program approved by the department and, upon successful completion of the program, the driver’s license fee and motor vehicle insurance, up to a maximum limit of two thousand dollars per child, per twelve-month period, for a child fifteen to eighteen years of age in the care, custody, or guardianship of the department pursuant to this chapter.

(B) If a caregiver, or an individual or not-for-profit entity approved by the caregiver, adds a child to his existing insurance policy, the amount reimbursed by the program to the caregiver or approved purchaser may not exceed the increase in cost attributable to the addition of the child to the policy, up to a maximum limit of two thousand dollars per child, per twelve-month period.

(C) Payments or reimbursements up to the maximum limit must be made to eligible recipients in the order of eligibility until appropriated program funds are exhausted.

(D) If a child who is determined to be eligible exits the care, custody, or guardianship of the department to a permanent home, the program may pay for that child to complete a driver’s education program and obtain a driver’s license for up to six months after the date the child reaches permanency status. A child continuing in the care, custody, or guardianship of the department after eighteen years of age as authorized by the department may be eligible to have the additional costs set forth in subsection (A) according to the department’s policies and programs for young adults in the care, custody, or guardianship of the department.

(E) The department shall develop procedures for operating and administering the program including, but not limited to:

(1) determining eligibility, including responsibilities for the child and caregiver;

(2) notifying eligible children, caregivers, group homes, and residential programs about the program;

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(3) providing technical assistance to lead agencies, providers, group homes, and residential programs to support removing obstacles that prevent children in the care, custody, or guardianship of the department from driving; and

(4) publicizing the program, engaging in outreach, and providing incentives to youth participating in the program to encourage the greatest number of eligible children to obtain drivers' licenses."

SECTION 2. Section 56-1-110 of the 1976 Code is amended to read:

"Section 56-1-110. Any negligence or wilful misconduct of a minor when driving a motor vehicle upon a highway must be imputed to the person who has signed the application of ~~such~~ the minor for a beginner's permit, instruction permit, or driver's license, ~~which~~ and the person is jointly and severally liable with ~~such~~ the minor for any damage caused by ~~such~~ the negligence or wilful misconduct, except that if ~~such~~ the minor is protected by a policy of liability insurance in the form and in the amounts as required under Chapter 9 of this title and Sections 38-77-140 through 38-77-310, then ~~such parent or guardian or other responsible adult~~ the person responsible for the unemancipated minor's welfare is not subject to the liability otherwise imposed under pursuant to this section. In addition, if the person who signed the application is a caregiver, as that term is defined in Section 63-7-20, the person is immune from and not subject to liability otherwise imposed pursuant to this section to the extent provided in Section 63-7-2310(I)."

SECTION 3. Section 63-7-2310 of the 1976 Code is amended by adding:

"(I) A caregiver is not liable for harm caused to or by a child in foster care who participates in an activity insofar as the caregiver acted in accordance with the reasonable and prudent parent standard pursuant to Sections 63-7-20 and 63-7-25."

SECTION 4. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

"Section 56-1-142. In accordance with Section 63-7-25, the Department of Motor Vehicles must waive the following fees for applicants who are at least fifteen years of age and less than nineteen years of age if those applicants present proof from the Department of Social Services that they are in the care, custody, or guardianship of the department pursuant to Chapter 7, Title 63:

- (1) the beginner's permit fee referenced in Section 56-1-50(D);
- (2) the fee for a knowledge examination referenced in Section 56-1-130(A);

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(3) the fee for the first eight-year driver's license referenced in Section 56-1-140(A); and

(4) the fee for the first identification card referenced in Section 56-1-3350(C)(1)."

SECTION 5. This act takes effect one hundred and eighty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. COLLINS explained the amendment.

The amendment was then adopted.

Rep. COLLINS proposed the following Amendment No. 2 to H. 3219 (COUNCIL\DG\3219C001.NBD.DG21), which was adopted:

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

Renumber sections to conform.

Amend title to conform.

Rep. COLLINS explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 114; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
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	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan

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Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Stringer	Taylor	Tedder
Thayer	Thigpen	Weeks
West	Wetmore	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--114

Those who voted in the negative are:

Total--0

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

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3219. If I had been present, I would have voted in favor of the Bill.

Rep. Will Wheeler

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LEAVE OF ABSENCE

The SPEAKER granted Rep. D. C. MOSS a leave of absence for the remainder of the day.

H. 3730--AMENDED AND INTERRUPTED DEBATE

The following Bill was taken up:

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3730 (COUNCIL\CM\3730C001.GT.CM21), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 56-5-2710(a)(1) and (2) and inserting:

/ (1) A clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train or other on-track equipment.

(2) A crossing gate is lowered or when a flagman gives or continues to give a signal of the approach or passage of a railroad train or other on-track equipment. /

Renumber sections to conform.

Amend title to conform.

Rep. MORGAN explained the amendment.

The amendment was then adopted.

Reps. RUTHERFORD and BANNISTER proposed the following Amendment No. 2 to H. 3730 (COUNCIL\WAB\3730C001.RT.WAB21):

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

/ SECTION ___. Section 58-17-4080 of the 1976 Code is amended to read:

“Section 58-17-4080. (A) If any A person, including any a conductor of any a train of railroad cars or any other another agent or

servant of any a railroad company, ~~shall~~ may not obstruct unnecessarily any a public road or highway by permitting any a railroad car or locomotive to be or remain upon or across any a street, public road, or highway for a longer period than five minutes, ~~after notice to remove such cars has been given to the conductor, engineer, agent or other such person in charge of such train or shall permit~~ permits any timber, wood, or other obstruction to remain upon or across any such a street, road, or highway to the hindrance or inconvenience of ~~travelers or any person~~ persons passing along or upon such the street, road, or highway, ~~every such person so offending shall forfeit and pay for every such offense any sum not exceeding twenty nor less than five dollars and shall be.~~ A railroad company whose railroad car, locomotive, or other object obstructed a street, public road, or highway in violation of the provisions of this section must be fined by the Public Service Commission two thousand dollars for each lane of the street, public road, or highway obstructed. If the violation occurs between the hours of 7:30 a.m. and 5:30 p.m., the fine must be increased to five thousand dollars for each lane of the street, public road, or highway obstructed. In addition, the railroad company is liable for all damages arising to any highway, to be recovered by an action at the suit of the governing body of the county in which such the offense shall have has been committed or any a person suing therefor for damages, before any a magistrate within the county in which such the offense shall have has been committed or by indictment in the court of general sessions or suit in the court of common pleas. All fines so accruing under the provisions of this section, when collected, shall be paid over by the magistrate to the county treasurer for the district in which such offense was committed. Every twenty four hours five minutes such person, after being notified, shall suffer such obstructions to the hindrance or inconvenience of travelers or any person going along or upon such road or highway to continue of obstruction shall be deemed constitutes an additional offense against the provisions of this section.

(B) The provisions of this section do not apply to obstruction of a public street, road, or highway by a continuously moving train or caused by circumstances wholly beyond the control of the railroad company, but do apply to other obstructions including, but not limited to, those caused by stopped trains and trains engaged in switching, loading, or unloading operations.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Further proceedings were interrupted by the time expiring on the uncontested calendar, the pending question being consideration of Amendment No. 2.

RECURRENCE TO THE MORNING HOUR

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

H. 3730--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up, the pending question being consideration of Amendment No. 2:

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

Reps. RUTHERFORD and BANNISTER proposed the following Amendment No. 2 to H. 3730 (COUNCIL\WAB\3730C001.RT.WAB21), which was adopted:

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

/ SECTION ___. Section 58-17-4080 of the 1976 Code is amended to read:

“Section 58-17-4080. (A) If any A person, including any a conductor of any a train of railroad cars or any other another agent or servant of any a railroad company, shall may not obstruct unnecessarily any a public road or highway by permitting any a railroad car or locomotive to be or remain upon or across any a street, public road, or highway for a longer period than five minutes, after notice to remove such cars has been given to the conductor, engineer, agent or other such person in charge of such train or shall permit permits any timber, wood, or other obstruction to remain upon or across any such a street, road, or highway to the hindrance or inconvenience of travelers or any person persons passing along or upon such the street, road, or highway, every such person so offending shall forfeit and pay for every such offense any sum not exceeding twenty nor less than five dollars and shall be. A

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railroad company whose railroad car, locomotive, or other object obstructed a street, public road, or highway in violation of the provisions of this section must be fined by the Public Service Commission two thousand dollars for each lane of the street, public road, or highway obstructed. If the violation occurs between the hours of 7:30 a.m. and 5:30 p.m., the fine must be increased to five thousand dollars for each lane of the street, public road, or highway obstructed. In addition, the railroad company is liable for all damages arising to any highway, to be recovered by an action at the suit of the governing body of the county in which such the offense shall have has been committed or any a person suing therefor for damages, before any a magistrate within the county in which such the offense shall have has been committed or by indictment in the court of general sessions or suit in the court of common pleas. All fines so accruing under the provisions of this section, when collected, shall be paid over by the magistrate to the county treasurer for the district in which such offense was committed. Every twenty four hours five minutes such person, after being notified, shall suffer such obstructions to the hindrance or inconvenience of travelers or any person going along or upon such road or highway to continue of obstruction shall be deemed constitutes an additional offense against the provisions of this section.

(B) The provisions of this section do not apply to obstruction of a public street, road, or highway by a continuously moving train or caused by circumstances wholly beyond the control of the railroad company, but do apply to other obstructions including, but not limited to, those caused by stopped trains and trains engaged in switching, loading, or unloading operations.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD spoke in favor of the amendment.

POINT OF ORDER

Rep. R. WILLIAMS raised the Point of Order that under Rule 9.3 that Amendment No. 2 to H. 3730 was not germane to the Bill.

Rep. RUTHERFORD spoke against the Point of Order.

SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that the Bill and Amendment dealt with railroad crossings and the regulation of activities at railroad crossings.

Rep. MORGAN spoke against the amendment and moved to table the amendment.

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

Yea 27; Nays 74

Those who voted in the affirmative are:

Allison	Bryant	Burns
Bustos	Chumley	B. Cox
Dabney	Elliott	Felder
Gilliard	Govan	Haddon
Hyde	Jefferson	Ligon
Magnuson	May	McCabe
McCrary	McGarry	T. Moore
Morgan	B. Newton	Nutt
G. M. Smith	Stringer	R. Williams

Total--27

Those who voted in the negative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Carter	Caskey
Clyburn	Cobb-Hunter	Cogswell
W. Cox	Crawford	Daning
Davis	Dillard	Erickson
Finlay	Fry	Gagnon
Garvin	Gatch	Gilliam
Hardee	Hayes	Henegan
Hewitt	Hill	Hiott
Hosey	Howard	Huggins
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	Kimmons	King
Long	Lowe	Martin
McGinnis	J. Moore	Murphy
Murray	W. Newton	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Rutherford
Simrill	M. M. Smith	Stavrinakis
Tedder	Thayer	Weeks
West	Wetmore	Wheeler

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Whitmire	S. Williams	Willis
Wooten	Yow	

Total--74

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 117; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	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
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe

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

Total--117

Those who voted in the negative are:

Total--0

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

H. 3592--DEBATE ADJOURNED

The following Bill was taken up:

H. 3592 -- Reps. Allison, Lucas and Henderson-Myers: A BILL TO AMEND SECTION 59-18-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND STUDENT PERFORMANCE, SO AS TO REMOVE SOCIAL STUDIES FROM AMONG THE SUBJECTS ASSESSED IN THIRD GRADE THROUGH EIGHTH GRADE, TO PROVIDE SPECIFIC DIAGNOSTIC INFORMATION THAT THE ASSESSMENTS MUST INCLUDE, AND TO PROVIDE CERTAIN RELATED INFORMATION THAT DISTRICTS AND SCHOOLS SHALL PROVIDE PARENTS OR GUARDIANS OF STUDENTS BEING ASSESSED; AND TO AMEND SECTION 59-18-325, RELATING TO THE PROCUREMENT AND ADMINISTRATION OF CERTAIN ASSESSMENTS BY THE STATE DEPARTMENT OF EDUCATION,

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SO AS TO REQUIRE THE ADMINISTRATION OF THE ACT WITH THE WRITING ASSESSMENT TO ELEVENTH GRADE STUDENTS BEGINNING WITH THE 2021-2022 SCHOOL YEAR AND FOR FIVE YEARS THEREAFTER, TO PROVIDE FOR THE 2026-2027 SCHOOL YEAR THE DEPARTMENT SHALL PROCURE A COLLEGE READINESS ASSESSMENT PROVIDER THAT INCLUDES CERTAIN SUBJECTS, AND TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR THE DEPARTMENT SHALL EMBED ITEMS IN STANDARDS-BASED ASSESSMENTS TO ADDRESS CERTAIN SOCIAL STUDIES STANDARDS ON THE SC READY READING AND WRITING ASSESSMENTS.

Rep. ELLIOTT moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

H. 3194--POINT OF ORDER

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

H. 3194 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO

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FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

POINT OF ORDER

Rep. HILL made the Point of Order that the Senate Amendments were 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 such reading.

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

H. 3991--DEBATE ADJOURNED

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

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.

Rep. COGSWELL moved to adjourn debate upon the Senate Amendments until Thursday, April 29, which was agreed to.

MOTION PERIOD

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

SPEAKER IN CHAIR

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,

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Caskey, Forrest, Hixon, Kimmons, McGarry, V. S. Moss, G. M. Smith, Taylor, Thayer, McCabe, Dabney, B. Newton, Elliott, Atkinson and Huggins: 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 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 INFILCTING 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. MURPHY moved to adjourn debate on the Bill until Thursday, April 29, which was agreed to.

H. 3939--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3939 -- Reps. Pope, Hyde, McCravy, McGarry, Bryant, Wheeler, Wooten, Hixon, B. Newton, Blackwell and Weeks: A BILL TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

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The Committee on Judiciary proposed the following Amendment No. 1 to H. 3939 (COUNCIL\PH\3939C001.JN.PH21), which was adopted:

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

/ SECTION 1. Section 42-1-160 of the 1976 Code is amended to read:

“Section 42-1-160. (A) ‘Injury’ and ‘personal injury’ mean only injury by accident arising out of and in the course of employment and shall not include a disease in any form, except when it results naturally and unavoidably from the accident and except such diseases as are compensable under the provisions of Chapter 11 of this title. In construing this section, an accident arising out of and in the course of employment includes employment of an employee of a municipality outside the corporate limits of the municipality when the employment was ordered by a duly authorized employee of the municipality.

(B) Stress, mental injuries, and mental illness arising out of and in the course of employment unaccompanied by physical injury and resulting in mental illness or injury are not considered a personal injury unless the employee establishes, by a preponderance of the evidence:

(1) that the employee’s employment conditions causing the stress, mental injury, or mental illness were extraordinary and unusual in comparison to the normal conditions of the particular employment; and

(2) the medical causation between the stress, mental injury, or mental illness, and the stressful employment conditions by medical evidence.

(C) The provisions of subsection (B)(1) do not apply, however, if an employee is employed as a first responder and if the stress, mental injury, or mental illness is medically diagnosed as an anxiety disorder, conduct disorder, depression, obsessive-compulsive disorder, sleep-wake disorder, or post-traumatic stress disorder as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association and arises from the first responder’s involvement in a significant traumatic experience or situation in the course and scope of his employment, without regard to whether the experience or situation was extraordinary or unusual in comparison to the normal working conditions of a first responder’s employment.

(D) Stress, mental injuries, heart attacks, strokes, embolisms, or aneurisms arising out of and in the course of employment unaccompanied by physical injury are not considered compensable if

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they result from any event or series of events which are incidental to normal employer/employee relations including, but not limited to, personnel actions by the employer such as disciplinary actions, work evaluations, transfers, promotions, demotions, salary reviews, or terminations, except when these actions are taken in an extraordinary and unusual manner.

(D)(E) Stress, mental injuries, and mental illness alleged to have been aggravated by a work-related physical injury may not be found compensable unless the aggravation is:

- (1) admitted by the employer/carrier;
- (2) noted in a medical record of an authorized physician that, in the physician's opinion, the condition is at least in part causally related or connected to the injury or accident, whether or not the physician refers the employee for treatment of the condition;
- (3) found to be causally related or connected to the accident or injury after evaluation by an authorized psychologist or psychiatrist; or
- (4) noted in a medical record or report of the employee's physician as causally related or connected to the injury or accident.

(E)(F) In medically complex cases, an employee shall establish by medical evidence that the injury arose in the course of employment. For purposes of this subsection, 'medically complex cases' means sophisticated cases requiring highly scientific procedures or techniques for diagnosis or treatment excluding MRIs, CAT scans, x-rays, or other similar diagnostic techniques.

(F)(G) The word 'accident' as used in this title must not be construed to mean a series of events in employment, of a similar or like nature, occurring regularly, continuously, or at frequent intervals in the course of such employment, over extended periods of time. Any injury or disease attributable to such causes must be compensable only if culminating in a compensable repetitive trauma injury pursuant to Section 42-1-172 or an occupational disease pursuant to the provisions of Chapter 11 of this title.

(G)(H) As used in this section, 'medical evidence' means expert opinion or testimony stated to a reasonable degree of medical certainty, documents, records, or other material that is offered by a licensed health care provider.

(I) As used in this section:

- (1) 'First responder' means a law enforcement officer or firefighter employed by state or local government. A volunteer law enforcement officer or firefighter engaged by state or local government**

is also considered a first responder of the state or local government for the purposes of this section.

(2) 'Significant traumatic experience or situation' means one of the following events:

(a) witnessing a deceased minor or the death of a minor;
(b) witnessing an injury to a minor who subsequently died before or upon arrival at a hospital emergency department;

(c) participating in the physical treatment of an injured minor who subsequently died before or upon arrival at a hospital emergency department;

(d) manually transporting an injured minor who subsequently died before or upon arrival at a hospital emergency department;

(e) seeing for oneself a decedent whose death involved grievous bodily harm;

(f) witnessing a death, including suicide, that involved grievous bodily harm;

(g) witnessing a homicide regardless of whether the homicide was criminal or excusable, including murder; mass killing, which means the killing of three or more individuals in a single incident; voluntary manslaughter; involuntary manslaughter; and self-defense;

(h) witnessing an injury, including an attempted suicide, to a person who subsequently died before or upon arrival at a hospital emergency department if the person was injured with grievous bodily harm;

(i) participating in the physical treatment of an injury, including an attempted suicide, to a person who subsequently died before or upon arrival at a hospital emergency department if the person was injured with grievous bodily harm;

(j) manually transporting a person who was injured, including by attempted suicide, and subsequently died before or upon arrival at a hospital emergency department if the person was injured with grievous bodily harm; or

(k) using deadly force or being subjected to deadly force in the course of the first responder's employment.

(3) 'Witnessing' means to see, hear, or smell for oneself.

(4) 'Grievous bodily harm' means serious bodily injury including fractured or dislocated bones, deep cuts, torn members of the body, serious damages to internal organs, and other severe bodily injuries."

SECTION 2. This act takes effect on July 1, 2021, and is applicable to injuries that occur on or after the effective date. /

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Renumber sections to conform.
Amend title to conform.

Rep. MCCRAVY explained the amendment.

Rep. LOWE spoke against the amendment.

The amendment was then adopted.

Rep. MCKNIGHT proposed the following Amendment No. 3 to H. 3939 (COUNCIL\PH\3939C003.JN.PH21), which was adopted:

Amend the Bill, as and if amended, by adding an appropriately lettered subsection to read:

/ (A law enforcement officer who received benefits pursuant to subsection (B) and is later convicted of an unlawful killing while on duty must return the benefits to his employer or insurance carrier.) /

Renumber sections to conform.

Amend title to conform.

Rep. MCKNIGHT explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 95; Nays 19

Those who voted in the affirmative are:

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

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Govan	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	King	Kirby
Ligon	Lucas	Matthews
McCrary	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	Murphy
Murray	B. Newton	W. Newton
Nutt	Parks	Pendarvis
Pope	Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	S. Williams
Wooten	Yow	

Total--95

Those who voted in the negative are:

Burns	Chumley	B. Cox
Haddon	Hill	Hiott
Huggins	Jones	Long
Lowe	Magnuson	Martin
May	McCabe	Oremus
Ott	G. R. Smith	Stringer
Willis		

Total--19

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

H. 3623--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3623 -- Reps. Murphy, Stavrinakis, Kimmons, Hart, Rutherford, Lucas, Dillard, Erickson, Hyde, W. Newton, Thigpen, Wheeler,

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R. Williams, Murray, Gilliard, Rivers, Brawley, Anderson, S. Williams, King, Alexander, McDaniel, Henderson-Myers and Govan: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EARLY RELEASE OF AN INMATE, SO AS TO REDUCE THE PERCENTAGE OF TIME AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FROM EIGHTY-FIVE PERCENT TO SIXTY-FIVE PERCENT FOR CERTAIN DRUG OFFENSES, AND TO PROVIDE THIS REDUCTION APPLIES TO INMATES CURRENTLY INCARCERATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; AND TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3623 (COUNCIL\AHB\3623C001.BH.AHB21), which was adopted:

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

/ SECTION _____. Section 44-53-190(B) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

“ _____. Fentanyl-related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

a. replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

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- b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino or nitro groups;
- c. substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;
- d. replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; or
- e. replacement of the N-propionyl group by another acyl group.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha-methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta-hydroxyfentanyl, Beta-hydroxy-3-methylfentanyl, 3-Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetylentanyl, Butyrylfentanyl, Beta-Hydroxythiofentanyl, Lofentanyl, Ocfentanyl, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl Fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fentanyl."

SECTION _____. Section 44-53-370(e) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"() four grams or more of any fentanyl or fentanyl-related substance, as described in Section 44-53-190 or 44-53-210, or four grams or more of any mixture containing fentanyl or any fentanyl-related substance, is guilty of a felony which is known as 'trafficking in fentanyl' and, upon conviction, may be punished as follows:

(a) four grams or more, but less than fourteen grams:

1. for a first offense, a term of imprisonment of not more than ten years, or a fine of not more than fifty thousand dollars, or both;

2. for a second or subsequent offense, a term of imprisonment not more than fifteen years and a fine of one hundred thousand dollars;

(b) fourteen grams or more but less than twenty-eight grams, a term of imprisonment of not more than fifteen years and a fine of two hundred thousand dollars;

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(c) twenty-eight grams or more, a term of imprisonment of not more than twenty years or a fine of two hundred thousand dollars, or both;” /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. JOHNSON explained the amendment.

The amendment was then adopted.

Reps. CHUMLEY, LONG and BURNS proposed the following Amendment No. 3H. 3623 (COUNCIL\WAB\3623C001.RT.WAB21), which was ruled out of order:

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

/ SECTION 1. Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Article 17

State Work Program

Section 24-13-1710. As used in this article:

(1) ‘Eligible inmate’ means a person committed to the South Carolina Department of Corrections who:

(a) has been convicted of a nonviolent crime; and

(b) is physically able to participate in the state work program.

(2) ‘State work program’ means a program in which eligible inmates are ordered by the court to participate and serve not less than three years and not more than five in an incarceration facility and requires an inmate to work an eight hour day for five days a week maintaining state and county roads and property, mow grass and pick up litter along state and county roads, and repair pot holes along state and county roads.

(3) ‘Director’ means the Director of the Department of Corrections.

Section 24-13-1720. (A) The director, guided by consideration for the safety of the community and the welfare of an inmate, shall promulgate regulations, according to procedures set forth in the Administrative Procedures Act, for the state work program. The regulations must reflect the purpose of the program and include, but are not limited to, selection criteria, inmate discipline, programming and supervision, and program structure and administration.

(B) The program may be established only at an institution classified by the director as a state work facility.

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(C) The department shall undertake studies and prepare reports periodically on the impact of the program and on whether the programmatic objectives are met.

Section 24-13-1730. (A) A court may order an eligible inmate be sentenced to the state work program. If an eligible inmate is sentenced to the state work program he must be transferred to the custody of the department for evaluation.

(B) The department must evaluate the inmate to determine whether the inmate is physically, psychologically, and emotionally able to participate in this program.

(C) The director shall notify the court within fifteen working days if the inmate is physically, psychologically, or emotionally unsuitable for participation in the state work program. An unsuitable inmate must be returned to court for sentencing to another term as provided by law.

(D) An applicant may not participate in the program unless he agrees to be bound by all of its terms and conditions and indicates this by signing the following:

'I accept the foregoing program and agree to be bound by its terms and conditions. I understand that my participation in the program is a privilege that may be revoked at the sole discretion of the director. I understand that I shall complete the entire program successfully to obtain a certificate of earned eligibility upon the completion of the program, and if I do not complete the program successfully, for any reason, I will be returned to court for sentencing to another term as provided by law.'

(E) An inmate who has completed the state work program successfully is eligible to receive a certificate of earned eligibility and must be granted parole release if he has executed the agreement contained in subsection (D).

(F) Nothing contained in this article confers upon an inmate the right to participate or continue to participate in the program.

Section 24-13-1740. (A) If an inmate sentenced to a state work program:

(1) becomes ill and is unable to work, he will not be required to work during the duration of his illness. However, the inmate would not be eligible to receive credit towards his sentence while recovering from his illness;

(2) is unable to work due to inclement weather or the facility's inability to find suitable work for the inmate, then the inmate would be eligible to receive credit towards his sentence during this period; or

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(3) refuses to perform assigned tasks for a period of time, he must be terminated from the program and resentenced by the judge who initially sentenced him to the state work program.

(B) State work program work crews shall not consist of more than five inmates and must be monitored by a GPS device.

(C) A Department of Corrections employee who mistreats a member of a state work program work crew is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than two years.

(D) It is unlawful for a person who is not employed by the Department of Corrections to approach a member of a state work program work crew. A person who violates this provision is guilty of a misdemeanor and, upon conviction, may be imprisoned for not more than thirty days."

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

Amend title to conform.

Rep. CHUMLEY explained the amendment.

POINT OF ORDER

Rep. J. E. JOHNSON raised the Point of Order that under Rule 9.3 that Amendment No. 3 to H. 3623 was not germane to the Bill. He stated that Amendment No. 3 was a strike all and insert amendment and that the rule required the amendment to be germane to the original title of the Bill. He stated further that the substantial effect of the Amendment was to create a work program for all inmates, but the Bill dealt with drug offenses, sentencing, and penalties for drug offenses.

Rep. CHUMLEY spoke against the Point of Order.

The SPEAKER sustained the Point of Order and stated that the Amendment went beyond the scope of the Bill and was not germane.

Rep. J. E. JOHNSON explained the Bill.

Rep. MURPHY spoke in favor of the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yea 62; Nays 45

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Those who voted in the affirmative are:

Alexander	Anderson	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brittain
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Dillard
Elliott	Erickson	Finlay
Fry	Garvin	Gatch
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Herbkersman
Hosey	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jordan	Kimmons	King
Kirby	Lucas	Matthews
McDaniel	McGinnis	McKnight
J. Moore	T. Moore	Murphy
Murray	W. Newton	Ott
Parks	Pendarvis	Rivers
Rutherford	Sandifer	G. M. Smith
Stavrinakis	Taylor	Tedder
Weeks	West	Wetmore
R. Williams	S. Williams	

Total--62

Those who voted in the negative are:

Allison	Bailey	Ballentine
Bennett	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	B. Cox
Dabney	Daning	Davis
Felder	Forrest	Gagnon
Gilliam	Haddon	Hardee
Hill	Hiott	Hixon
Huggins	Ligon	Long
Lowe	Magnuson	Martin
May	McCabe	McGarry
Morgan	B. Newton	Nutt
Oremus	Pope	G. R. Smith

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M. M. Smith	Stringer	White
Whitmire	Willis	Wooten

Total--45

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

STATEMENT FOR JOURNAL

I attempted to vote against H. 3623, but the button on my desk malfunctioned and did not record my vote. I wish for the record to show that I would have voted against the Bill.

Rep. John McCravy

RECURRENCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEES

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

S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer: A BILL A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS

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PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

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

S. 131 -- Senators Massey and Malloy: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

Ordered for consideration tomorrow.

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

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR

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LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE 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 DEPARTMENT OF CORRECTIONS DIRECTOR 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 INFlicting 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.

Ordered for consideration tomorrow.

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

S. 107 -- Senators Campsen, Climer and Senn: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

Ordered for consideration tomorrow.

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

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN

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BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

H. 3055 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL

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RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4270 -- Rep. Taylor: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MELANIE DRISCOLL OF AIKEN FOR HER FIFTY-ONE YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND TO WISH HER MUCH CONTINUED SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4271 -- Rep. G. M. Smith: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA CHAPTER OF THE AMERICAN BOARD OF TRIAL ADVOCATES TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR THE ORGANIZATION'S JAMES OTIS LECTURE SERIES, PROVIDED THAT THE HOUSE IS NOT IN SESSION AND THE CHAMBER IS NOT OTHERWISE UNAVAILABLE, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON ALTERNATE DATES AND TIMES AS MAY BE SELECTED BY THE SPEAKER.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4272 -- Rep. Jones: A HOUSE RESOLUTION TO RECOGNIZE AND CELEBRATE THE REMARKABLE LIFE OF DR. MARY STEWART NEWTON, WHO ACCOMPLISHED MUCH THROUGH STEADFAST AND DILIGENT HARD WORK.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4273 -- Reps. Yow, 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,

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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 and Wooten: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DONNIE EARL "PAW PAW" COOK AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4274 -- Reps. McCravy, Parks, 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, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, 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 CASON HOWLE OF THE GREENWOOD HIGH SCHOOL WRESTLING TEAM ON A TREMENDOUS SEASON AND TO HONOR HIM FOR WINNING THE SOUTH CAROLINA YOUTH WRESTLING ASSOCIATION 15U STATE CHAMPIONSHIP TITLE IN HIS WEIGHT CLASS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 4275 -- Reps. McCravy, Parks, 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, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, 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 THE LANDER UNIVERSITY WOMEN'S BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON, TO CONGRATULATE THEM FOR WINNING THE 2021 PEACH BELT CONFERENCE TOURNAMENT CHAMPIONSHIP TITLE AND THE NCAA SOUTH REGION CHAMPIONSHIP, AND TO FURTHER COMMEND THEM FOR MAKING THE FIRST NCAA TOURNAMENT FINAL FOUR APPEARANCE IN PROGRAM HISTORY.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4276 -- Reps. 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,

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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 EXPRESS PROFOUND SORROW UPON THE PASSING OF HIS GRACE BISHOP DR. DONALD HYMAN, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4277 -- Reps. Parks, McCravy, Jones, 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, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, 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 THE SALVATION ARMY AND CELEBRATE ITS

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ONE HUNDRED YEARS OF DEDICATED SERVICE TO THE
PEOPLE OF GREENWOOD, SOUTH CAROLINA.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4278 -- Reps. Ott, Hixon, Gatch, 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, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, 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 JASON HART, NATIONAL WILD TURKEY FEDERATION FOUNDATION BOARD MEMBER AND CO-FOUNDER AND GENERAL MANAGER OF NOMAD OUTDOOR, AND TO CONGRATULATE HIM FOR ACHIEVING THE EXTRAORDINARY MILESTONE OF THE U. S. SUPER SLAM.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4279 -- Reps. Bustos, Bennett, Jones, Cogswell, Felder, May, McGarry, B. Newton, Dabney, T. Moore, B. Cox, Calhoon and Ligon: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SIGNIFICANT WORK OF OPERATION ENDURING HONOR AND

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THE VOLUNTEERS WHO ACCOMPLISH THE LABOR THAT MAKES SOUTH CAROLINA'S PARKS AVAILABLE FOR DISABLED VETERANS TO ENJOY.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4280 -- Reps. Wooten, 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, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE RIVER BLUFF HIGH SCHOOL WE THE PEOPLE TEAM, THE TEAM SUPERVISORS, AND SCHOOL OFFICIALS AND TO CONGRATULATE THEM FOR A WINNING PERFORMANCE AT THE WE THE PEOPLE STATE LEVEL COMPETITION.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 4281 -- Rep. Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

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THE PORTION OF NORTH OLD RIVER ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH BASSWOOD ROAD TO ITS INTERSECTION WITH DELTA MILL ROAD "JUDGE TAFT GUILE, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

INTRODUCTION OF BILLS

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

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

H. 4282 -- Rep. Bailey: A BILL TO AMEND SECTION 15-77-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLOWANCE OF ATTORNEY'S FEES IN STATE-INITIATED ACTIONS, SO AS TO ELIMINATE THE EXCEPTION FOR DEPARTMENT OF SOCIAL SERVICES' CHILD ABUSE AND NEGLECT ACTIONS.

Referred to Committee on Judiciary

H. 4283 -- Reps. Murphy, G. M. Smith, Lucas, Stavrinakis, Bannister, W. Newton, Jordan, J. E. Johnson, Bernstein, Caskey, Finlay, Kimmons, Wetmore, Gatch and Brittain: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "JUDICIAL EMERGENCIES ACT" BY ADDING CHAPTER 33 TO TITLE 14 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE

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CIRCUMSTANCES IN WHICH JUDICIAL EMERGENCIES MAY BE DECLARED AND THE MANNER OF SCOPE OF SUCH DECLARATIONS, TO PROVIDE RELATED PROCEDURES, AND TO PROVIDE A RELATED APPEALS PROCESS.

Referred to Committee on Judiciary

H. 4284 -- Reps. J. Moore, King, McDaniel, McKnight, Pendarvis, Rose, Henderson-Myers, Bamberg, Tedder, Magnuson and Robinson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-727 SO AS TO ENACT THE "CAUTION AGAINST RACIALLY EXPLOITATIVE NON-EMERGENCIES (CAREN) ACT" BY PROVIDING A PERSON MAY BRING A CIVIL ACTION AGAINST AN INDIVIDUAL WHO USES A "911" CALL TO INTENTIONALLY INFIL HARM UPON THE PERSON AND TO PROVIDE A PENALTY.

Referred to Committee on Judiciary

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

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 28, 2021, at 9:00 a.m. and the following Acts and Joint Resolution were ratified:

(R. 38, S. 38) -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120, RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUIRED FOR GRADUATION, SO AS TO PROVIDE PUBLIC HIGH SCHOOLS SHALL PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE EMANCIPATION PROCLAMATION, AND THE FEDERALIST PAPERS TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER

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LEARNING SHALL REQUIRE STUDENTS TO COMPLETE AT LEAST THREE CREDIT HOURS OF INSTRUCTION THAT PROVIDES A COMPREHENSIVE OVERVIEW OF THE MAJOR EVENTS AND TURNING POINTS OF AMERICAN HISTORY AND GOVERNMENT, TO INCLUDE SPECIFIC REQUIREMENTS FOR SUCH INSTRUCTION, TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY NOT GRANT CERTIFICATES OF GRADUATION FOR BACCALAUREATE DEGREE PROGRAMS TO STUDENTS WHO FAIL TO SUCCESSFULLY COMPLETE THIS INSTRUCTION REQUIREMENT, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED IMPLEMENTATION REQUIREMENTS OF THE GOVERNING BOARDS OF PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO PROVIDE RELATED OVERSIGHT AND COMPLIANCE REPORTING REQUIREMENTS OF THE COMMISSION OF HIGHER EDUCATION, AND TO SPECIFY THE STUDENTS TO WHICH THESE PROVISIONS APPLY; TO REPEAL SECTION 59-29-140 RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE BEGINNING WITH THE 2021-2022 SCHOOL YEAR.

(R. 39, S. 147) -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms, Bennett, Corbin and Martin: A JOINT RESOLUTION TO ENACT THE “SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT” SO AS TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO DEFINE NECESSARY TERMS; TO PROVIDE LIABILITY PROTECTION FOR CERTAIN COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS-RELATED CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; AND TO PROVIDE A TIMEFRAME THAT THIS LIABILITY PROTECTION IS IN EFFECT.

(R. 40, H. 3101) -- Reps. Allison, Felder and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO

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DEFINE THE TERM “SALVAGE POOL OPERATOR” AND PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM AND SUBSEQUENTLY THE INSURANCE COMPANY DENIES MOTOR VEHICLE INSURANCE COVERAGE OR DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS’ SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS “WRECKAGE” OR “SALVAGE”, SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4266 -- Reps. Rose, Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, 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,

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Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, 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 CONCURRENT RESOLUTION TO CONGRATULATE COLONEL DAVID S. GAYLE, DIRECTOR OF JOINT OPERATIONS (J3) FOR THE SOUTH CAROLINA ARMY NATIONAL GUARD, UPON THE OCCASION OF HIS RETIREMENT, TO SALUTE HIM FOR HIS THIRTY-FOUR YEARS OF EXCEPTIONALLY MERITORIOUS SERVICE IN THE UNITED STATES ARMY AND THE GUARD, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

ADJOURNMENT

At 2:17 p.m. the House, in accordance with the motion of Rep. J. L. JOHNSON, adjourned in memory of Fran Brown Vincent, to meet at 10:00 a.m. tomorrow.

WEDNESDAY, APRIL 28, 2021

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