

NO. 63

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

WEDNESDAY, MAY 12, 2021
(STATEWIDE SESSION)

Wednesday, May 12, 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 29:1: “Ascribe to the Lord, O heavenly being, ascribe to the Lord glory and strength.”

Let us pray. Lead us, O Lord, as we enter another day of service to our State. Bless each Representative and staff as they progress in getting the work done. Keep them always in Your care. Look in favor upon our defenders of freedom and first responders as they protect us. May Your grace shine on our World, Nation, President, State, Governor, Speaker, staff, and all who give of their time and effort for this State. 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. THIGPEN moved that when the House adjourns, it adjourn in memory of Mykaela C. Jones, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Mykaela C. Jones and her grandmother, who both passed due to Covid.

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett

WEDNESDAY, MAY 12, 2021

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

Total Present--120

WEDNESDAY, MAY 12, 2021

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Justine DeCastro of Mt. Pleasant 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.”

WEDNESDAY, MAY 12, 2021

CO-SPONSORS ADDED

Bill Number: H. 3764
Date: ADD:
05/12/21 HENEGAN, CLYBURN, HOSEY, OTT, KIRBY,
J. L. JOHNSON, BAMBERG, WHEELER,
RUTHERFORD, THIGPEN, R. WILLIAMS,
JEFFERSON, KING, COBB-HUNTER and
BRAWLEY

ORDERED ENROLLED FOR RATIFICATION

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

S. 461 -- Senators Alexander, Setzler and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

WEDNESDAY, MAY 12, 2021

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

S. 436--DEBATE ADJOURNED

The following Bill was taken up:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

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

S. 675--ORDERED TO THIRD READING

The following Bill was taken up:

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander, Bennett, Garrett and Cash: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

Rep. BALLENTINE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 2

[HJ]

WEDNESDAY, MAY 12, 2021

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Daning	Dillard	Elliott
Felder	Forrest	Fry
Gagnon	Gatch	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
McCabe	McCrary	McDaniel
McGarry	McGinnis	T. Moore
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Trantham	West
Wetmore	Whitmire	Wooten
Yow		

Total--91

Those who voted in the negative are:

Dabney	Hill
--------	------

Total--2

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

[HJ]

WEDNESDAY, MAY 12, 2021

S. 631--POINT OF ORDER, RULE 5.10 WAIVED PURSUANT TO RULE 5.15, AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 631 -- Senators Talley and Campsen: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

Rep. MURPHY explained the Bill.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

RULE 5.10 WAIVED PURSUANT TO RULE 5.15.

Rep. HIOTT moved to waive rule 5.10, pursuant to rule 5.15.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bennett
Bernstein	Blackwell	Bradley
Brittain	Burns	Bustos
Calhoon	Carter	Caskey

[HJ]

WEDNESDAY, MAY 12, 2021

Chumley	Clyburn	Cogswell
Collins	B. Cox	W. Cox
Dabney	Daning	Davis
Dillard	Elliott	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	T. Moore	Morgan
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Robinson	Rose
Rutherford	Sandifer	Simrill
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Trantham	West	Wetmore
Wheeler	White	Whitmire
R. Williams	Wooten	Yow

Total--99

Those who voted in the negative are:
Hill

Total--1

So, Rule 5.10 was waived, pursuant to Rule 5.15.

The question recurred to the passage of the Bill.

[HJ]

WEDNESDAY, MAY 12, 2021

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Burns
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	May
McCravy	McDaniel	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Trantham	Weeks
West	Wetmore	Wheeler
White	R. Williams	Wooten
Yow		

Total--100

WEDNESDAY, MAY 12, 2021

Those who voted in the negative are:
Hill

Total--1

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

STATEMENT FOR JOURNAL

I support the passage of S. 631 as it implements recommendations from the House Legislative Oversight Committee's 2020 study of the Secretary of State's Office.

Rep. Wm. Weston Newton

**H. 3094--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. HILL proposed the following Amendment No. 4A to H. 3094 (COUNCIL\AHB\3094C032.BH.AHB21), which was tabled:

[HJ]

WEDNESDAY, MAY 12, 2021

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

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

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

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

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

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

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

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

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

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

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

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

WEDNESDAY, MAY 12, 2021

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

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

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

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

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

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

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

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

~~(b) concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;~~

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

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

~~(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the~~

WEDNESDAY, MAY 12, 2021

handgun between the permittee's person and a location specified in item (9);

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

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

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

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

~~(1) law enforcement, correctional, or detention facility;~~

~~(2) courthouse or courtroom;~~

~~(3) polling place on election day;~~

~~(4) business meeting or office of the governing body of a county, public school district, municipality, or special purpose district;~~

~~(5) school or college athletic event not related to firearms;~~

~~(6) daycare facility or preschool facility;~~

~~(7) place where the carrying of firearms is prohibited by federal law;~~

~~(8) church or other established religious sanctuary;~~

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

~~(10) residence or dwelling place of another person; or~~

~~(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

WEDNESDAY, MAY 12, 2021

(B) The provisions of subsection (A) do not apply to:

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

(2) employees of a law enforcement facility, correctional facility, detention facility or courthouse while in the course of employment and where the employment requires the possession of a firearm;

(3) members of the armed forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of 'qualified retired law enforcement officer' contained in Section 23-31-600;

(5) a person carrying as authorized by Section 23-31-240; or

(6) a person given permission to carry a firearm by the property owner or person in control of the premises or an agent of the owner or person in control of the premises with the authority to give such permission, whether or not the property is posted pursuant to Section 23-31-235.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215."

SECTION 4. Section 16-23-50(A)(2) of the 1976 Code is amended to read:

"(2) A person violating the provisions of Section 16-23-20, except for a violation of Section 16-23-20(A)(11), is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both."

SECTION 5. Section 16-23-420 of the 1976 Code is amended to read:

"Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical

WEDNESDAY, MAY 12, 2021

college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the ~~weapon~~ firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

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

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

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

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

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

SECTION 6. Section 16-23-430 of the 1976 Code is amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two

WEDNESDAY, MAY 12, 2021

inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

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

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

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

“Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, ~~16-23-460~~, 23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

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

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a ‘NO CONCEALABLE WEAPONS ALLOWED’ sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

WEDNESDAY, MAY 12, 2021

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A)."

SECTION 8. Section 23-31-215(K), (M), (O), and (U) of the 1976 Code is amended to read:

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

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

~~holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into ~~a~~ any place listed in Section 16-23-20(A) except as otherwise permitted by law

- ~~(1) law enforcement, correctional, or detention facility;~~
- ~~(2) courthouse or courtroom;~~
- ~~(3) polling place on election days;~~
- ~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~
- ~~(5) school or college athletic event not related to firearms;~~
- ~~(6) daycare facility or preschool facility;~~
- ~~(7) place where the carrying of firearms is prohibited by federal law;~~
- ~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~

WEDNESDAY, MAY 12, 2021

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

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

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

~~Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a violation of Section 16-23-20 and in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.~~

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

~~(O)(1) A permit issued pursuant to this article is not required for a person:~~

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

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

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

~~(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one's person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.~~

~~(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation~~

WEDNESDAY, MAY 12, 2021

~~of Section 16-23-20 but must be fined not more than one hundred dollars.”~~

SECTION 9. Section 23-31-220 of the 1976 Code is amended to read:

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

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

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

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

SECTION 10. Section 23-31-235(B) of the 1976 Code is amended to read:

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

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words ‘NO CONCEALABLE WEAPONS ALLOWED’ in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five-degree angle from the horizontal;
- (5) a diameter of a circle; and

WEDNESDAY, MAY 12, 2021

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.”

SECTION 11. Sections 16-23-460, 23-31-225, and 23-31-230 of the 1976 Code are repealed.

SECTION 12. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 13. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 9
Constitutional Carry/Second Amendment
Preservation Act

Section 23-31-910. This article may be referred to as the ‘Constitutional Carry/Second Amendment Preservation Act’.

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

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

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

(2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation, regulation, or enforcement of any executive order, or directive issued by the President of the United States that contradicts the provisions of this act relating to Constitutional Carry, or that regulates the ownership, use,

WEDNESDAY, MAY 12, 2021

or possession of firearms, ammunitions, or firearm accessories if passed after January 1, 2021.

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

SECTION 14. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. CASKEY spoke against the amendment.

Rep. WHITE spoke against the amendment.

Rep. HILL spoke in favor of the amendment.

Rep. CASKEY spoke against the amendment.

Rep. CASKEY moved to table the amendment.

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

Yeas 67; Nays 48

Those who voted in the affirmative are:

Allison	Anderson	Bailey
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Bustos	Caskey	Clyburn
Cobb-Hunter	Cogswell	Collins
W. Cox	Crawford	Dabney
Daning	Elliott	Erickson
Felder	Forrest	Gagnon
Gatch	Govan	Hardee
Hayes	Henegan	Herbkersman
Hewitt	Hixon	Hosey
Hyde	J. E. Johnson	Jordan
Kimmons	Kirby	Ligon
Lowe	Lucas	McGarry
McGinnis	V. S. Moss	Murphy
B. Newton	W. Newton	Ott
Pope	Sandifer	Simrill

[HJ]

WEDNESDAY, MAY 12, 2021

G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Trantham
West	Wetmore	Wheeler
White	Whitmire	Wooten
Yow		

Total--67

Those who voted in the negative are:

Alexander	Atkinson	Bamberg
Burns	Carter	Chumley
B. Cox	Davis	Dillard
Fry	Garvin	Gilliam
Gilliard	Haddon	Hart
Henderson-Myers	Hill	Hiott
Howard	Jefferson	J. L. Johnson
K. O. Johnson	Jones	King
Long	Magnuson	Martin
Matthews	May	McCabe
McCrary	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
Murray	Nutt	Oremus
Pendarvis	Robinson	Rose
Rutherford	G. M. Smith	Tedder
Thigpen	R. Williams	S. Williams

Total--48

So, the amendment was tabled.

Rep. KING proposed the following Amendment No. 5A to H. 3094 (COUNCIL\DG\3094C007.NBD.DG21), which was ruled out of order:

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

/ SECTION ___. Upon the effective date of this act, there is imposed a five percent surcharge on the sale of all weapons in this State. The surcharge is in addition to the sales tax imposed on weapons, but the surcharge must be imposed, collected, and administered in the same manner as the sales tax. The revenues collected pursuant to this surcharge must be credited to an account, separate and distinct from the

WEDNESDAY, MAY 12, 2021

general fund, that only may be used to fund salary increases for law enforcement officers. /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

POINT OF ORDER

Rep. CASKEY raised the Point of Order that under Rule 9.3 that Amendment No. 5A to H. 3094 was not germane to the Bill.

Rep. KING spoke against the Point of Order.

The SPEAKER sustained the Point of Order and ruled the Amendment out of order.

Rep.KING spoke against the Senate Amendments.

Rep. BAMBERG spoke upon the Senate Amendments.

SPEAKER PRO TEMPORE IN CHAIR

Rep. BAMBERG continued speaking.

Rep. HART spoke against the Senate Amendments.

Rep. GILLIARD spoke against the Senate Amendments.

Rep.JEFFERSON spoke against the Senate Amendments.

The question then recurred to the concurrence in the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 34

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Bradley
Brittain	Bryant	Burns
Bustos	Carter	Caskey
Chumley	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest

[HJ]

WEDNESDAY, MAY 12, 2021

Fry	Gagnon	Gatch
Gilliam	Haddon	Hardee
Hayes	Herbkersman	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCrary
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Ott	Pope	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Thayer
Thigpen	Trantham	West
Wheeler	White	Whitmire
Wooten	Yow	

Total--83

Those who voted in the negative are:

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

Total--34

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

WEDNESDAY, MAY 12, 2021

SPEAKER IN CHAIR

**H. 3786--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3786 -- Reps. G. M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

Rep. G. M. SMITH proposed the following Amendment No. 1A to H. 3786 (COUNCIL\DG\3786C001.NBD.DG21), which was adopted:

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

/ SECTION 1. Section 1-1-1210 of the 1976 Code, as last amended by Act 178 of 2018, is further amended to read:

“Section 1-1-1210. (A) The annual salaries of the state officers listed below are:

Governor	\$98,000
Lieutenant Governor	43,000
Secretary of State	85,000
State Treasurer	85,000
Attorney General	85,000
Comptroller General	85,000

[HJ]

WEDNESDAY, MAY 12, 2021

Superintendent of Education 85,000
Adjutant General 85,000
Commissioner of Agriculture 85,000

(B) These salaries must be increased by two percent on July 1, 1991, and on July first of each succeeding year through July 1, 1994.

(C) A state officer whose salary is provided in this section may not receive compensation for ex officio service on any state board, committee, or commission.

(D) Beginning with Fiscal Year 2022-2023, and beginning when the state officer's term commences and lasting until the term concludes, with the exception of the Governor and Lieutenant Governor, salaries for the state officers listed in subsection (A) must be based on recommendations by the Agency Head Salary Commission to the General Assembly as provided in Sections 8-11-160 and 8-11-165."

SECTION 2. Section 8-11-160 of the 1976 Code is amended to read:

"Section 8-11-160. (A) All boards and commissions are required to submit justification of an agency head's performance and salary recommendations to the Agency Head Salary Commission.

(B) This commission consists of four appointees of the chairman of the House Ways and Means Committee, four appointees of the chairman of the Senate Finance Committee, and three appointees of the Governor with experience in executive compensation.

(C) Beginning with Fiscal Year 2022-2023:

(1) salaries for the term of state officers listed in Section 1-1-1210(A), with the exception of the Governor and Lieutenant Governor, must be based on recommendations by the Agency Head Salary Commission to the General Assembly; and

(2) the Agency Head Salary Commission shall authorize a study be conducted every four years to recommend a salary range for each state constitutional officer, with the exception of the Governor and Lieutenant Governor, based on their job duties and responsibilities as well as the pay of state constitutional officers in other states.

(D) Salary increases for agency heads must be based on recommendations by each agency board or commission to the Agency Head Salary Commission and their recommendations to the General Assembly."

SECTION 3. Section 8-11-165 of the 1976 Code is amended to read:

"Section 8-11-165. (A) It is the intent of the General Assembly that:

(1) A salary and fringe benefit survey for agency heads must be conducted by the ~~Office of Human Resources of the Department of~~

WEDNESDAY, MAY 12, 2021

~~Administration~~ State Fiscal Accountability Authority every ~~three~~ four years. The staff of the ~~office~~ authority shall serve as the support staff to the Agency Head Salary Commission.

(2) Beginning with the Fiscal Year 2022-2023 and every four years thereafter, the Agency Head Salary Commission shall commission a study to recommend a salary range for the term of each state constitutional officer listed in Section 1-1-1210, with the exception of the Governor and Lieutenant Governor, based on each state constitutional officer's job duties and responsibilities as well as the pay of other state constitutional officers in other states. The commission shall then determine a salary for the term of each such state constitutional officer within the recommended pay range subject to funding being provided in the annual appropriations act.

(B) No employee of agencies reviewed by the Agency Head Salary Commission may receive a salary in excess of ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the State Budget and Control Board Director of the Division of State Human Resources at the Department of Administration, and except for employees of higher education technical colleges, colleges, and universities.

~~No president of a technical college may receive a salary in excess of ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater, except on approval of the Agency Head Salary Commission and the State Budget and Control Board.~~

(C) The Agency Head Salary Commission may recommend to the State Budget and Control Board General Assembly that agency head salaries be adjusted to the minimum of their salary ranges and may recommend to the board that agency head salaries be adjusted when necessary up to the midpoints of their respective salary ranges. These increases must be based on criteria developed and approved by the Agency Head Salary Commission.

(D) All new members appointed to a governing board of an agency where the performance of the agency head is reviewed and ranked by the Agency Head Salary Commission shall attend the training in agency head performance appraisal provided by the commission within the first year of their appointment unless specifically excused by the chairman of the Agency Head Salary Commission."

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

[HJ]

WEDNESDAY, MAY 12, 2021

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

The yeas and nays were taken resulting as follows:

Yeas 114; 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	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gilliam	Gilliard
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	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
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith

WEDNESDAY, MAY 12, 2021

G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Wooten	Yow

Total--114

Those who voted in the negative are:

Total--0

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

**H. 3957--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

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

Rep. LOWE proposed the following Amendment No. 1A to H. 3957 (COUNCIL\CZ\3957C004.RT.CZ21), which was adopted:

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

/ SECTION 3. Section 50-9-540(A) of the 1976 Code is amended to read:

“Section 50-9-540. (A) For the privilege of recreational statewide fishing in saltwater:

(1) a resident must purchase:

(a) a fourteen day temporary saltwater fishing license for ~~five~~ ten dollars, one dollar of which the issuing sales vendor may retain;

WEDNESDAY, MAY 12, 2021

(b) an annual saltwater fishing license for ~~ten~~ fifteen dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year saltwater fishing license for ~~thirty~~ forty-five dollars, one dollar of which the issuing sales vendor may retain;

(d) a lifetime statewide saltwater fishing license for three hundred dollars at designated licensing locations; or

(e) any other license which grants saltwater fishing privileges;

(2) a nonresident must purchase:

(a) a ~~fourteen~~ seven day temporary saltwater fishing license for ~~eleven~~ thirty-five dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for ~~thirty-five~~ seventy-five dollars, one dollar of which the issuing sales vendor may retain; or

(c) ~~a three year saltwater fishing license for one hundred five dollars, three dollars of which the issuing sales vendor may retain~~ a one day temporary saltwater fishing licenses for ten dollars, one dollar of which the issuing sales vendor may retain; or

(d) any other license which grants saltwater fishing privileges. A nonresident who uses a guide must purchase a temporary or annual saltwater fishing license.” /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 4

Those who voted in the affirmative are:

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

[HJ]

WEDNESDAY, MAY 12, 2021

Erickson	Felder	Forrest
Fry	Gagnon	Garvin
Gilliam	Gilliard	Govan
Haddon	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
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
McCabe	McCrary	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
Yow		

Total--109

Those who voted in the negative are:

Dabney	Hill	Matthews
May		

Total--4

The amendment was then adopted.

WEDNESDAY, MAY 12, 2021

Rep. HILL proposed the following Amendment No. 2A to H. 3957 (COUNCIL\AHB\3957C001.BH.AHB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HIOTT spoke against the amendment.

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

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

H. 3056--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF

WEDNESDAY, MAY 12, 2021

CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Rep. HIOTT proposed the following Amendment No. 1 to H. 3056 (COUNCIL\DG\3056C001.NBD.DG21), which was adopted:

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

/ SECTION 1. Title 47 of the 1976 Code is amended by adding:

“CHAPTER 8

Non-native Venomous Reptiles

Section 47-8-10. (A) For purposes of this chapter, ‘non-native venomous reptiles’ means all members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison, and includes all venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and Hydrophiidae; all reptiles in the genus Heloderma; and all reptiles in the family Colubridae belonging to the genera: Rhabdophis, Boiga, Dispholidus, Thelatornis, and Atractapsis.

(B) Except as otherwise provided in this chapter, it is unlawful for a person to import into, possess, keep, purchase, have custody or control of, reproduce, or sell within this State, by any means, a non-native venomous reptile, including transactions conducted via the Internet.

(C) A possessor of a non-native venomous reptile must be at least eighteen years of age.

(D) A person in legal possession of a non-native venomous reptile before the effective date of this act, and who is the legal possessor of the animal, may keep possession of the animal for the remainder of the animal’s life, subject to the following conditions:

(1) before September 1, 2021, the possessor of a non-native venomous reptile shall register with the Department of Natural Resources. The registration must include the person’s name, address, telephone number, a complete inventory of each non-native venomous reptile that the person possesses, the address for the site at which each animal is located, and a fee of one hundred dollars to cover the costs of enforcement of this chapter. The permits are valid for three years and must be renewed with the department. A possessor shall have a

WEDNESDAY, MAY 12, 2021

continuing obligation to promptly notify the department of material changes to the information required for registration. No new permits will be issued after September 1, 2021, except for research purposes to licensed medical facilities or institutions of higher learning;

(2) the possessor shall prepare and submit to the department at the time of payment of the fee required by item (1) a contingency plan to protect first responders by providing for the quick and safe recapture of the non-native venomous reptile in the event of an escape;

(3) the possessor shall maintain acquisition papers for the animal, or other documents or records that establish that the person possessed the animal before the effective date of this act;

(4) the possessor shall present paperwork described in item (3) to any law enforcement authority upon request;

(5) the venomous reptile must be housed in a sturdy and secure enclosure. Enclosures must be designed to be escape-proof, bite-proof, and have an operable lock. Each enclosure must be clearly and visibly labeled 'Venomous Reptile Inside' with scientific name, common name, appropriate antivenin, and owner's identifying information noted on the container. A written bite protocol that includes emergency contact information, local animal control office, the name and location of suitable antivenin, first aid procedures, and treatment guidelines, as well as an escape recovery plan, must be within sight of permanent housing, and a copy must accompany the transport of any venomous reptile;

(6) venomous reptiles may only be possessed in houses, buildings, facilities, owned by the possessor or with written permission from the owner or landlord;

(7) venomous reptiles and enclosures must be kept in secure, lockable, escape proof rooms. Rooms must be posted with a sign stating venomous reptiles inside;

(8) in the event of an escape of a venomous reptile, the owner or possessor of the venomous reptile shall immediately notify local law enforcement and the department;

(9) the possessor shall notify the department and local law enforcement immediately upon discovery that the non-native venomous reptile has escaped. The possessor of the animal is liable for any and all costs associated with the escape, capture, and disposition of a registered animal; and

(10) the possessor shall comply with any and all applicable federal, state, or local laws, rules, regulations, ordinances, permits, or other permissions regarding ownership of non-native venomous reptile.

WEDNESDAY, MAY 12, 2021

Failure to comply with any law, rule, regulation, ordinance, permit, or other permission constitutes a violation of this chapter.

(E) No person convicted of a state or federal fish or wildlife crime is eligible for a permit pursuant to the provisions of this chapter.

(F)(1) A law enforcement officer may confiscate a non-native venomous reptile when:

(a) the animal control authority or other person designated under this chapter has probable cause to believe that the non-native venomous reptile was acquired or is being held in contravention of this chapter; or

(b) the non-native venomous reptile poses an immediate, imminent danger to the health and safety of the public.

(2) A non-native venomous reptile that is confiscated under this section may be returned to the possessor if the animal control authority or law enforcement officer establishes that the possessor had legal possession of the animal pursuant to this chapter, and the return does not pose a public safety or health risk. However, the Department of Natural Resources, animal control authority, or other person designated under this chapter to confiscate a non-native venomous reptile may immediately, or at any time thereafter, euthanize the non-native venomous reptile in their discretion as such non-native venomous reptile may be considered as contraband per se to possess.

(G) Notwithstanding the provisions of this chapter, the department may issue a permit to any business for public exhibition purposes. The exhibition must be a non-traveling, fixed facility that is open to the public for a time no less than thirty hours per week for at least six months each year. The department is authorized to issue such permits in accordance with this chapter requiring adequate facilities for humane handling, care, and confinement of non-venomous reptiles and ensuring public safety. An Association of Zoos and Aquariums accredited facility is exempt from all permitting requirements of this chapter.

(H) A city or county may adopt an ordinance governing non-native venomous reptile that is more restrictive than this chapter. However, nothing in this chapter requires a city or county to adopt an ordinance to be in compliance with this chapter. The provisions of this section control over Section 50-16-60.

(I) The animal control authority and its staff and agents, local law enforcement agents, state law enforcement agents, and county sheriffs and state law enforcement are authorized and empowered to enforce the provisions of this chapter.

WEDNESDAY, MAY 12, 2021

(J) The possessor or owner of a non-native venomous reptile, at all reasonable times, shall allow the department or other persons designated by this chapter to enter the premises and inspect the enclosure where the animal is being kept to ensure compliance with this chapter.

(K)(1) A person who possesses less than ten non-native venomous reptiles in violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars, be imprisoned not more than 30 days, or both.

(2) A person who possesses ten or more non-native venomous reptiles in violation of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, be imprisoned not more than five years, or both.”

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

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 106; Nays 2

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	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	K. O. Johnson

[HJ]

WEDNESDAY, MAY 12, 2021

King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCabe	McCray
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams		

Total--106

Those who voted in the negative are:

Kimmons Yow

Total--2

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

**S. 201--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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.

WEDNESDAY, MAY 12, 2021

Rep. FELDER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 6

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Cogswell	Collins
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henegan	Herbkerman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Kimmons	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCabe	McCrary
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Tedder	Thayer
Trantham	West	Wetmore
Wheeler	White	Whitmire
Wooten	Yow	

Total--98

WEDNESDAY, MAY 12, 2021

Those who voted in the negative are:

Govan	Henderson-Myers	Hill
McDaniel	Rivers	S. Williams

Total--6

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

H. 3205--SENT TO THE SENATE

The following Joint Resolution was taken up:

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J. E. Johnson, Jordan, Caskey, B. Newton, Bryant, G. M. Smith, G. R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M. M. Smith, Bustos, V. S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

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

WEDNESDAY, MAY 12, 2021

**S. 525--RETURNED TO THE SENATE WITH
AMENDMENTS**

The following Bill was taken up:

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.

The Bill was read the third time and ordered returned to the Senate with amendments.

S. 587--ORDERED ENROLLED FOR RATIFICATION

The following Bill was taken up:

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

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

WEDNESDAY, MAY 12, 2021

**S. 677--RETURNED TO THE SENATE WITH
AMENDMENTS**

The following Bill was taken up:

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The Bill was read the third time and ordered returned to the Senate with amendments.

S. 658--ORDERED ENROLLED FOR RATIFICATION

The following Bill was taken up:

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH

[HJ]

WEDNESDAY, MAY 12, 2021

OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND

[HJ]

WEDNESDAY, MAY 12, 2021

TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

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

**S. 627--RETURNED TO THE SENATE WITH
AMENDMENTS**

The following Bill was taken up:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

The Bill was read the third time and ordered returned to the Senate with amendments.

**S. 783--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 783 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

[HJ]

WEDNESDAY, MAY 12, 2021

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

MOTION PERIOD

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

H. 3050--AMENDED AND ORDERED TO THIRD READING

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 ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Reps. WOOTEN and COBB-HUNTER proposed the following Amendment No. 4 to H. 3050 (COUNCIL\CM\3050C002.GT.CM21), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 4 in its entirety and inserting:

/ 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;

WEDNESDAY, MAY 12, 2021

(7) the use of ‘no knock’ warrants;

(8) the establishment, implementation, or continuation of systems and processes for filing and investigating complaints, including anonymous complaints, against the law enforcement agency or an employee of the law enforcement agency. The council shall require law enforcement agencies to have a written directive, which must be made available to the public, that delineates how complaints can be made, the investigative process of such complaints, and a maximum timeframe for the resolution of the complaint. All substantiated complaints must be reported to the council through standardized forms as promulgated by the council; and

(9) the establishment, implementation, or continuation of an early warning system that identifies, assesses, reviews, and tracks at risk behavior of employees and requires intervention where appropriate.

(B) For the purposes of this section, “at risk behavior” is defined as behavior or action that increases the risk of injury to an employee or to others, that could constitute a civil rights violation, or that could result in the law enforcement agency losing public support and confidence.

(C) 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.

(D) 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.” /

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

/SECTION _____. Section 23-23-60(B)(5) of the 1976 Code is amended to read:

“(5) evidence satisfactory to the director that the candidate is a person of good character. This evidence must include, but is not limited to:

(a) certification by the candidate's employer that a background investigation has been conducted and the employer is of the opinion that the candidate is of good character;

(b) evidence satisfactory to the director that the candidate holds a valid current state driver's license with no record during the previous five years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for

WEDNESDAY, MAY 12, 2021

certification as state or local correctional officers may hold a valid current driver's license issued by any jurisdiction of the United States;

(c) evidence satisfactory to the director that a local credit check has been made with favorable results;

(d) evidence satisfactory to the director that the candidate's fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions; and

(e) evidence satisfactory to the director that the candidate has signed an attestation form committing to the practice of ethical policing, which means the discharge of responsibilities, stemming from employment as a law enforcement officer, which is devoid of misconduct and which is carried out in conformance with this chapter, including the duty to safeguard life and the duty to intervene.

In the director's determination of good character, the director shall give consideration to all law violations, including traffic and conservation law convictions, as indicating a lack of good character. The director shall also give consideration to the candidate's prior history, if any, of alcohol and drug abuse in arriving at a determination of good character;” /

Renumber sections to conform.

Amend title to conform.

Rep. WOOTEN explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 6 to H. 3050 (COUNCIL\VR\3050C002.CC.VR21), which was tabled:

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

/ 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

WEDNESDAY, MAY 12, 2021

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

(B)(1) 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.

(2) In addition to the prohibitions in item (1), a law enforcement officer may not use greater restraint than is necessary when detaining a person or unreasonable force when making an arrest.

(3) A person who violates this section is guilty of use of excessive force, a felony and, upon conviction, must be imprisoned for not more than thirty years. Charges pursuant to this section only must be brought by an investigative agency.

(C) In addition to the penalty provided in this section, 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.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

SPEAKER *PRO TEMPORE* IN CHAIR

Rep. RUTHERFORD continued speaking.

Rep. D. C. MOSS moved to table the amendment.

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

Yeas 78; Nays 32

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bamberg	Bannister
Bennett	Blackwell	Bradley
Brawley	Bryant	Burns

[HJ]

WEDNESDAY, MAY 12, 2021

Bustos	Calhoon	Carter
Caskey	Chumley	Cobb-Hunter
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Elliott	Felder	Forrest
Fry	Gagnon	Gatch
Gilliam	Hardee	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Huggins
Hyde	J. E. Johnson	K. O. Johnson
Jones	King	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Nutt
Oremus	Ott	Pope
Sandifer	Simrill	G. R. Smith
M. M. Smith	Taylor	Thayer
Trantham	West	White
Whitmire	Wooten	Yow

Total--78

Those who voted in the negative are:

Alexander	Anderson	Bernstein
Brittain	Clyburn	Dillard
Erickson	Garvin	Gilliard
Govan	Haddon	Hosey
Howard	Jefferson	J. L. Johnson
Jordan	Kimmons	Kirby
McDaniel	J. Moore	Murphy
Pendarvis	Rivers	Robinson
Rose	Rutherford	G. M. Smith
Stavrinakis	Tedder	Wetmore
R. Williams	S. Williams	

Total--32

So, the amendment was tabled.

[HJ]

WEDNESDAY, MAY 12, 2021

ACTING SPEAKER SIMRILL IN CHAIR

Reps. BRYANT and POPE proposed the following Amendment No. 7H. 3050 (COUNCIL\VR\3050C001.CC.VR21), which was adopted:

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

/ SECTION __. Section 16-23-20(1) of the 1976 Code is amended to read:

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

Renumber sections to conform.

Amend title to conform.

Rep. POPE explained the amendment.

The amendment was then adopted.

SPEAKER PRO TEMPORE IN CHAIR

Rep. MCCRAVY spoke against the Bill.

Rep. MCCRAVY moved to recommit the Bill to the Committee on Judiciary.

Rep. WOOTEN moved to table the motion.

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

Yeas 95; Nays 11

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett

[HJ]

WEDNESDAY, MAY 12, 2021

Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Bustos	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Fry	Gagnon
Garvin	Gatch	Gilliard
Govan	Hardee	Hayes
Henderson-Myers	Henegan	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Lowe	Lucas
Magnuson	Martin	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	D. C. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rivers	Sandifer	Simrill
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thigpen
Trantham	West	Wetmore
White	Whitmire	R. Williams
Wooten	Yow	

Total--95

Those who voted in the negative are:

Burns	Chumley	Dabney
Gilliam	Haddon	Long
McCabe	McCrary	V. S. Moss
Rutherford	Thayer	

Total--11

So, the motion to recommit the Bill was tabled.

[HJ]

WEDNESDAY, MAY 12, 2021

Rep. RUTHERFORD spoke against the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 13

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant
Bustos	Calhoon	Carter
Caskey	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Hyde	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	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	Sandifer	Simrill
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	West
Wetmore	Wheeler	White

WEDNESDAY, MAY 12, 2021

Whitmire
Yow

R. Williams

Wooten

Total--100

Those who voted in the negative are:

Burns

Chumley

Dabney

Gilliard

Haddon

Howard

Jefferson

McCabe

McCrary

Rivers

Robinson

Rose

Rutherford

Total--13

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

SPEAKER IN CHAIR

S. 40--ORDERED TO THIRD READING

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

[HJ]

WEDNESDAY, MAY 12, 2021

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.

Rep. BUSTOS spoke against the Bill.

Rep. BUSTOS moved to continue the Bill.

By a division vote of 28 to 71, the House refused to continue the Bill.

Rep. MORGAN explained the Bill.

Rep. WETMORE spoke in favor of the Bill.

Rep. M. M. SMITH spoke in favor of the Bill.

Rep. BUSTOS spoke against the Bill.

Rep. BUSTOS moved to adjourn debate on the Bill.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 10

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Blackwell	Bradley	Brawley
Bryant	Burns	Calhoon
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	W. Cox
Dabney	Daning	Davis

[HJ]

WEDNESDAY, MAY 12, 2021

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

Total--102

Those who voted in the negative are:

Bernstein	Bustos	Carter
Caskey	Ligon	McCabe
Oremus	Pope	Simrill
G. M. Smith		

Total--10

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

WEDNESDAY, MAY 12, 2021

STATEMENT FOR JOURNAL

I inadvertently missed the second reading vote on S. 40 due to being temporarily out of the Chamber for a work related call. Please have the record reflect that I would like to vote "Yea" on this important bill.

Rep. William Cogswell, Jr.

RECURRENCE TO THE MORNING HOUR

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

REPORT OF STANDING COMMITTEE

Rep. G. R. SMITH, from the Greenville Delegation, submitted a favorable report on:

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

Ordered for consideration tomorrow.

CONFIRMATION OF APPOINTMENT

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., May 12, 2021

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is therefore submitted for your consideration.

LOCAL APPOINTMENT

Orangeburg County Master-in-Equity

Term Commencing: 08/15/2021

Term Expiring: 08/14/2027

WEDNESDAY, MAY 12, 2021

The Honorable James B. "Jay" Jackson, Jr.
133 Wateree Drive
Santee, South Carolina 29116

Yours very truly,
Henry McMaster
Governor

The yeas and nays were taken resulting as follows:
Yeas 101; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Fry	Gagnon
Garvin	Gatch	Gilliam
Govan	Haddon	Hardee
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCrary	McDaniel	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill

[HJ]

WEDNESDAY, MAY 12, 2021

G. M. Smith	M. M. Smith	Stavrinakis
Tedder	Thayer	Thigpen
Trantham	West	Wetmore
Wheeler	Whitmire	S. Williams
Wooten	Yow	

Total--101

Those who voted in the negative are:

Total--0

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

CONFIRMATION OF APPOINTMENT

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., May 12, 2021

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is therefore submitted for your consideration.

LOCAL APPOINTMENT

Calhoun County Master-in-Equity

Term Commencing: 08/14/2021

Term Expiring: 08/14/2027

The Honorable Martin R. Banks
716 F.R. Huff Drive
St. Matthews, South Carolina 29135

Yours very truly,
Henry McMaster
Governor

[HJ]

WEDNESDAY, MAY 12, 2021

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Collins	B. Cox	Crawford
Dabney	Daning	Davis
Dillard	Elliott	Erickson
Felder	Fry	Gagnon
Garvin	Gatch	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. 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	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	Wheeler
Whitmire	S. Williams	Wooten
Yow		

Total--103

[HJ]

WEDNESDAY, MAY 12, 2021

Those who voted in the negative are:

Total--0

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 11, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 427:

S. 427 -- Senators Alexander, Hutto and Scott: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Tuesday, May 11, 2021

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3539:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN

[HJ]

WEDNESDAY, MAY 12, 2021

OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

Very respectfully,
President

H. 3539--HOUSE RECEDES FROM ITS AMENDMENTS

On motion of Rep. HIOTT, the House receded from its amendments, and a message was ordered sent to the Senate accordingly.

H. 3011--FREE CONFERENCE POWERS GRANTED

Rep. WEST moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 3011 -- Reps. West, G. M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

The yeas and nays were taken resulting as follows:
Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley

[HJ]

WEDNESDAY, MAY 12, 2021

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	Forrest
Fry	Gagnon	Garvin
Gatch	Gilliam	Haddon
Hardee	Hayes	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	May
McCabe	McCravy	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	West
Wetmore	Wheeler	White
Whitmire	S. Williams	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

WEDNESDAY, MAY 12, 2021

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference.

The SPEAKER appointed Reps. MORGAN, WEST and HENDERSON-MYERS to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

H. 3011--FREE CONFERENCE REPORT ADOPTED

H. 3011 -- Free Conference Report

The General Assembly, Columbia, S.C., May 5, 2021

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Article 13, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-1885. (A) A vehicle may not be driven in the farthest left-hand lane of a controlled access highway except when overtaking and passing another vehicle.

WEDNESDAY, MAY 12, 2021

(B) Subsection (A) of this section does not apply:

- (1) when no other vehicle is directly behind the vehicle in the left lane;
- (2) when traffic conditions and congestion make it impractical to drive in the right lane;
- (3) when snow and other inclement weather conditions make it safer to drive in the left lane;
- (4) when obstructions or hazards exist in the right lane;
- (5) when, because of highway design, a vehicle must be driven in the left lane when preparing to exit;
- (6) to law enforcement vehicles, ambulances, or other emergency vehicles engaged in official duties and vehicles engaged in highway maintenance and construction operations;
- (7) when a driver of a tractor-trailer commercial motor vehicle combination is unable to move into the right lane safely due to another vehicle overtaking or passing his vehicle to the right; or
- (8) when a driver of a vehicle requiring a commercial motor vehicle license to operate is unable to move into the right lane safely due to a highway grade or another vehicle overtaking or passing his vehicle on the right.

(C) Nothing in this section shall limit the Department of Transportation's ability to establish and delineate lane restrictions for certain types of vehicles.

(D) The Department of Transportation must place signs along interstate highways directing slower traffic to move to the right. The signs must be placed at intervals of no more than thirty-five miles.

(E)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty-five dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for a failure to appear in court when summoned or for a failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56-1-640, a violation of this section must not be:

- (a) included in the offender's motor vehicle records maintained by the Department of Motor Vehicles;
- (b) included in the criminal records maintained by SLED; or
- (c) reported to the offender's motor vehicle insurer.

WEDNESDAY, MAY 12, 2021

(2) A violation of this section is not negligence per se, or contributory negligence, and is not admissible as evidence in a civil action.

(3) A law enforcement officer must not search, and may not request consent to search, a vehicle, or the driver or occupant of the vehicle, solely because of a violation of this section.

(4) A person charged with a violation of this section may admit or deny the violation, enter a plea of nolo contendere, or be tried before either a judge or a jury. If the trier of fact is convinced beyond a reasonable doubt that the person violated the provisions of this section, then the penalty is a civil fine pursuant to item (1) of this subsection. If the trier of fact determines that the State has failed to prove beyond a reasonable doubt that the person violated the provisions of this section, then no penalty shall be assessed.

(5) A person found to be in violation of this section may bring an appeal to the court of common pleas.”

SECTION 2. This act takes effect ninety days after approval by the Governor. For a period of ninety days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act. /

Amend title to conform.

/s/Sen. Sean M. Bennett

/s/Rep. Adam Michael Morgan

/s/Sen. J. Thomas McElveen III

/s/Rep. John “Jay” West IV, Ph.D.

/s/Sen. Clarence Ross Turner III

/s/Rep. Rosalyn Henderson-Myers

On Part of the Senate.

On Part of the House.

Rep. WEST explained the Free Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 2

Those who voted in the affirmative are:

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

[HJ]

WEDNESDAY, MAY 12, 2021

Crawford	Dabney	Daning
Davis	Elliott	Erickson
Forrest	Gagnon	Garvin
Gatch	Gilliam	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	May	McCabe
McCrary	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Nutt	Oremus	Ott
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Wooten	Yow

Total--105

Those who voted in the negative are:

Bryant Felder

Total--2

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

WEDNESDAY, MAY 12, 2021

H. 3011--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

H. 3354--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

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

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

Rep. STAVRINAKIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	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
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins

[HJ]

WEDNESDAY, MAY 12, 2021

Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	King	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCabe	McCray
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten	Yow	

Total--107

Those who voted in the negative are:
Hill

Total--1

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

**H. 3244--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY

WEDNESDAY, MAY 12, 2021

DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Rep. SANDIFER proposed the following Amendment No. 1A to H. 3244 (COUNCIL\WAB\3244C002.RT.WAB21), which was adopted:

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

/ SECTION 1. Title 41 of the 1976 Code is amended by adding:
"CHAPTER 5

Employment First Initiative Act

Section 41-5-110. This chapter must be known and may be cited as the 'Employment First Initiative Act'.

Section 41-5-120. As used in this chapter:

(1) 'Competitive integrated employment' means work in the competitive labor market that is:

(a) performed on a full-time or part-time basis in an integrated setting; and

(b) for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals without disabilities.

(2) 'Integrated setting' means, with respect to an employment outcome, a setting typically found in the community in which employed individuals with disabilities interact with individuals without disabilities, other than individuals who are providing services to employees with disabilities, to the same extent that individuals without disabilities in comparable positions interact with other people.

Section 41-5-130. All state agencies and political subdivisions of this State are encouraged to consider adopting a policy that encourages competitive integrated employment for individuals with disabilities.

Section 41-5-140. All state agencies are encouraged to:

(1) coordinate efforts and collaborate within and among themselves to ensure that state programs, policies, procedures, and funding support the competitive and integrated employment of individuals with disabilities;

[HJ]

WEDNESDAY, MAY 12, 2021

(2) share data and information across systems in order to track progress toward full implementation of this chapter, whenever feasible, and in accordance with all applicable state and federal confidentiality laws; and

(3) adopt rules and promulgate regulations to implement the provisions of this chapter.

Section 41-5-150. (A) There is hereby established the ‘South Carolina Employment First Oversight Commission’ consisting of seventeen members. The commission consists of the following members who serve for a three-year term with a limit of two consecutive terms:

(1) one must be appointed by the Governor from Protection and Advocacy for People with Disabilities;

(2) one must be appointed by the Governor from the South Carolina Developmental Disabilities Council;

(3) one must be appointed by the Governor from Able South Carolina;

(4) one must be appointed by the Governor from the South Carolina University Center for Excellence in Developmental Disabilities;

(5) one must be appointed by the Governor from a cross-disability, consumer-run, private entity;

(6) two members representing the business community appointed by the Governor;

(7) the State Superintendent of Education or his designee, serving ex officio;

(8) the Director of the South Carolina Department of Employment and Workforce or his designee, serving ex officio;

(9) the Director of the South Carolina Department of Disabilities and Special Needs or his designee, serving ex officio;

(10) the Director of the South Carolina Department of Mental Health or his designee, serving ex officio;

(11) the Director of the South Carolina Vocational Rehabilitation Department or his designee, serving ex officio;

(12) the Director of the South Carolina Commission for the Blind or his designee, serving ex officio; and

(13) four members, each of whom has a disability or substantial knowledge of disability issues and who is employed by a governmental or private entity which provides an employment service to individuals with disabilities, provided at least two of these members must have a disability. Of the members appointed pursuant to the item:

WEDNESDAY, MAY 12, 2021

(a) one must be appointed by the Speaker of the House of Representatives;

(b) one must be appointed by the Minority Leader of the House of Representatives;

(c) one must be appointed by the President of the Senate; and

(d) one must be appointed by the Minority Leader of the Senate.

(B) The Governor shall designate one member to convene and organize the first meeting of the commission. During this meeting, the commission shall elect a chairperson and a vice chairperson from among its members.

(C) All actions of the commission must be taken by a majority of the members of the commission present and voting.

(D) Members of the commission may not receive compensation, mileage, subsistence, or per diem for their service to the commission.

Section 41-5-160. Within six months after the first meeting required in Section 41-5-150(B), the commission shall establish evidence-based measurable goals and objectives to encourage implementation of this chapter. The commission shall track the measurable progress of state agencies in implementing this chapter. All state agencies are encouraged to assist the commission in carrying out its duties by fully cooperating with each other and the commission, and by providing data and information in accordance with all applicable state and federal confidentiality laws.

Section 41-5-170. The commission annually shall, before January first, issue a report to the Governor and members of the General Assembly which details progress toward the goals and objectives of the commission and progress toward the full implementation of this chapter. The report also shall identify barriers to achieving the outcomes and effective strategies and policies that can help realize the employment first initiative. All state agencies are encouraged to cooperate with the commission on the creation and dissemination of the annual report.

Section 41-5-180. The commission may seek the guidance and expertise of all stakeholders, including individuals with disabilities, organizations that advocate on behalf of individuals with disabilities, providers of services to individuals with disabilities, local government, and business associations.”

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

Renumber sections to conform.

Amend title to conform.

WEDNESDAY, MAY 12, 2021

Rep. SANDIFER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	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
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	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	McCrary
McDaniel	McGarry	McGinnis
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	Wheeler

WEDNESDAY, MAY 12, 2021

White	Whitmire	R. Williams
S. Williams	Wooten	Yow

Total--108

Those who voted in the negative are:

Hill	May	McCabe
------	-----	--------

Total--3

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

S. 425--NONCONCURRENCE IN SENATE AMENDMENTS

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

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 110

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Allison	Anderson	Atkinson
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bryant

[HJ]

72

WEDNESDAY, MAY 12, 2021

Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
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
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stavrinakis
Taylor	Tedder	Thayer
Thigpen	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten	Yow	

Total--110

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

WEDNESDAY, MAY 12, 2021

**S. 304--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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 explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brittain
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cobb-Hunter	Cogswell
B. Cox	W. Cox	Crawford
Dabney	Daning	Davis
Elliott	Erickson	Felder
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon

[HJ]

WEDNESDAY, MAY 12, 2021

Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCravy	McDaniel
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	Murphy
Murray	B. Newton	W. Newton
Oremus	Ott	Pendarvis
Pope	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Taylor	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

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

**H. 3694--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. HIOTT explained the Senate Amendments.

[HJ]

WEDNESDAY, MAY 12, 2021

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Clyburn	Cobb-Hunter
Cogswell	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
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	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray
B. Newton	W. Newton	Nutt
Oremus	Pendarvis	Pope
Rivers	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Thigpen
Trantham	West	Wetmore
White	Whitmire	R. Williams
S. Williams	Wooten	Yow

Total--102

WEDNESDAY, MAY 12, 2021

Those who voted in the negative are:

Total--0

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

**H. 3865--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. WETMORE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	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	Forrest	Fry
Gagnon	Garvin	Gatch

[HJ]

WEDNESDAY, MAY 12, 2021

Gilliam	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
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	Murray	B. Newton
W. Newton	Nutt	Oremus
Pendarvis	Pope	Rivers
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Thayer	Trantham
West	Wetmore	White
Whitmire	R. Williams	S. Williams
Yow		

Total--109

Those who voted in the negative are:

Total--0

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

WEDNESDAY, MAY 12, 2021

**H. 3024--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

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

Rep. HENEGAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 4

Those who voted in the affirmative are:

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

[HJ]

WEDNESDAY, MAY 12, 2021

Lucas	Martin	Matthews
May	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Ott	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Tedder
Thayer	Trantham	West
Wetmore	Wheeler	Whitmire
R. Williams	S. Williams	Wooten
Yow		

Total--106

Those who voted in the negative are:

Fry	Hill	Magnuson
Oremus		

Total--4

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

**H. 3899--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3899 -- Reps. Elliott, G. R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY

WEDNESDAY, MAY 12, 2021

EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

Rep. ELLIOTT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	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
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Govan	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Jones	Jordan	Kimmons
King	Kirby	Ligon
Long	Lowe	Lucas
Magnuson	Martin	Matthews
May	McCabe	McCrary
McDaniel	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murray

[HJ]

WEDNESDAY, MAY 12, 2021

B. Newton	W. Newton	Nutt
Oremus	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	G. M. Smith	G. R. Smith
M. M. Smith	Taylor	Tedder
Thayer	Thigpen	Trantham
West	Wetmore	Whitmire
R. Williams	S. Williams	Wooten
Yow		

Total--106

Those who voted in the negative are:
Wheeler

Total--1

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

S. 436--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

Rep. SIMRILL proposed the following Amendment No. 1 to S. 436 (COUNCIL\DG\436C002.NBD.DG21), which was adopted:

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

/ SECTION 1. A. Section 12-6-40(A)(1)(a) and (c) of the 1976 Code, as last amended by Act 147 of 2020, is further amended to read:

“(a) Except as otherwise provided, ‘Internal Revenue Code’ means the Internal Revenue Code of 1986, as amended through December 31, ~~2019~~ 2020, and includes the effective date provisions contained in it.

WEDNESDAY, MAY 12, 2021

(c) If Internal Revenue Code sections adopted by this State which expired or portions thereof expired on December 31, ~~2019~~ 2020, are extended, but otherwise not amended, by congressional enactment during ~~2020~~ 2021, these sections or portions thereof also are extended for South Carolina income tax purposes in the same manner that they are extended for federal income tax purposes.”

B. Section 12-6-40(A)(1) of the 1976 Code, as last amended by Act 147 of 2020, is further amended by adding appropriately lettered subitems to read:

“() To the extent loans are forgiven and excluded from gross income for federal income tax purposes under the paycheck protection program in Section 1102 of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136), or from any extension of the paycheck protection program, those loans are excluded for South Carolina income tax purposes. Further, to the extent the federal government allows the deduction of expenses associated with the forgiven paycheck protection program loans, these expenses will be allowed as a deduction for South Carolina income tax purposes.

() South Carolina adopts the federal tax treatment for any exclusion from federal taxable income or allowance of expenses as provided in the federal Consolidated Appropriations Act of 2021 in Sections 276 (Clarification of Tax Treatment of Forgiveness of Covered Loans), 277 (Emergency Financial Aid Grants), and 278 (Clarification of Tax Treatment of Certain Loan Forgiveness and Other Business Financial Assistance).”

SECTION 2. (A) The following amendments in the Coronavirus Aid, Relief, and Economic Security Act (CARES) of 2020, P.L. 116-136 (March 27, 2020) are specifically not adopted by this State:

(1) Internal Revenue Code (IRC) Section 62(a)(22) relating to the \$300 charitable deduction allowed in 2020 for persons who claim the standard deduction;

(2) Section 2205(a), (b), and (c) of the CARES Act relating to the modification of limitations on individual and corporate cash charitable contributions for 2020 and relating to the increase in limits on charitable contributions of food inventory for 2020;

(3) IRC Section 172(a) relating to the modification of the income limitations allowed for the use of net operating losses in tax years 2018, 2019, and 2020;

(4) IRC Section 461(l) relating to the modification of the limitation on losses allowed for non-corporate taxpayers in tax years 2018, 2019, and 2020.

WEDNESDAY, MAY 12, 2021

(B) The following amendments in the Consolidated Appropriations Act of 2021, P.L. 116-260 (December 27, 2020) are specifically not adopted by this State:

(1) Amendment to Division N Section 275 relating to the allowance of personal protective equipment expenses for the educator expense deduction under IRC Section 62(a)(2)(D)(ii);

(2) IRC Section 274(n) relating to the temporary allowance of the full business deduction for business meals that are paid or incurred after December 30, 2020, and before January 1, 2023;

(3) IRC Section 170(p) relating to the \$300 or \$600 charitable deduction allowed in 2021 for persons taking the standard deduction;

(4) Amendment to CARES Act Section 2205 relating to the temporary extension of the modification of limitations on individual and corporate cash charitable contributions and the increase in limits on charitable contributions of food inventory to tax year 2021;

(5) Amendments to the Taxpayer Certainty and Disaster Tax Relief Act of 2020, P.L. 116-260 Division EE Section 304 relating to the special rules for qualified disaster relief for charitable contributions and special rules for qualified disaster related personal casualty losses.

SECTION 3. For tax year 2020, the amendment in the American Rescue Plan of 2021, P.L. 117-2 (March 11, 2021) relating to the exclusion from taxable income for tax year 2020 of \$10,200 of unemployment compensation for a taxpayer with less than \$150,000 in federal adjusted gross income is specifically adopted by South Carolina. The Department of Administration's Director of the Executive Budget Office is authorized to allocate sixty-one million three hundred thousand dollars in the appropriate fiscal years from the American Rescue Plan Act of 2021 to the general fund to account for the provisions of this SECTION.

SECTION 4. Section 12-6-3530(B) of the 1976 Code, as last amended by Act 77 of 2019, is further amended by adding an appropriately numbered item to read:

“() Notwithstanding items (1) and (2), the aggregate limit for all taxpayers in all tax years set forth in items (1) and (2) is increased by three million dollars. Of this additional three million dollars, only one millions dollars may be used for credits earned and certificates issued in tax year 2021, and the remaining two million dollars only may be used for credits earned and certificates issued for tax years beginning after 2021.”

SECTION 5. This act takes effect upon approval by the Governor. /

WEDNESDAY, MAY 12, 2021

Renumber sections to conform.
Amend title to conform.

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	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	Forrest	Fry
Garvin	Gatch	Gilliam
Gilliard	Govan	Haddon
Hardee	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCrary	McDaniel	McGarry
McGinnis	McKnight	T. Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
Nutt	Oremus	Pope

[HJ]

WEDNESDAY, MAY 12, 2021

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

Total--110

Those who voted in the negative are:

Total--0

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

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4315 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

H. 3873 -- Reps. R. Williams, Henegan, Anderson, Jefferson, Kirby, Alexander, S. Williams, Rivers, Lowe and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOCIETY HILL ROAD IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH GREENFIELD ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 "COLONEL CHRISTOPHER N. WILLIAMSON ROAD" AND ERECT APPROPRIATE MARKERS

[HJ]

WEDNESDAY, MAY 12, 2021

OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

H. 4132 -- Rep. G. R. Smith: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS STUDENT GOVERNMENT FALL CONFERENCE AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE, AND THE RESPECTIVE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

H. 4218 -- Reps. McDaniel and Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE CITY OF CHESTER IN CHESTER COUNTY FROM ITS INTERSECTION WITH HUDSON STREET TO ITS INTERSECTION WITH CEMETERY STREET "CHRISTOPHER KING, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

ADJOURNMENT

At 4:25 p.m. the House, in accordance with the motion of Rep. THIGPEN, adjourned in memory of Mykaela C. Jones, to meet at 10:00 a.m. tomorrow.

WEDNESDAY, MAY 12, 2021

H. 3011	60, 62, 66	S. 40	52
H. 3024	79	S. 40	52
H. 3050	44, 46, 49	S. 201	37
H. 3056	32, 33	S. 304	74
H. 3094	10, 22, 23	S. 425	72
H. 3205	39	S. 427	59
H. 3244	67, 68	S. 436	5, 82
H. 3354	66	S. 461	4
H. 3539	59, 60	S. 525	40
H. 3694	75	S. 527	4
H. 3764	4	S. 587	40
H. 3786	25	S. 627	43
H. 3865	77	S. 631	7
H. 3873	86	S. 658	41
H. 3899	80	S. 675	5
H. 3957	29, 32	S. 677	41
H. 4132	87	S. 711	55
H. 4218	87	S. 783	43
H. 4315	86		