

NO. 12

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, JANUARY 28, 2021

**Thursday, January 28, 2021
(Statewide Session)**

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

1 Samuel 3:10

In 1 Samuel we read that finally:

“The Lord came and stood there, calling as at the other times, ‘Samuel! Samuel!’ Then Samuel said, ‘Speak, for your servant is listening.’”

Let us pray. Holy God, how hugely significant it is to be a servant of Your people, to be one of those chosen to work for You on behalf of the citizens of South Carolina. It is an honor, of course. But far beyond that fact is the responsibility which goes along with the role. We do thank you, Lord, for having called these women and men to this place and to their roles in this Senate. Now we ask You to grant to each of them not just wise use of their individual gifts, but also to give them the grace to work together collegially and positively. And may it always be, O God, that it is Your voice they continue to hear clearly above all others as You lead them forward day by day. This we pray in Your most holy name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:03 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpoottlian	Hembree

THURSDAY, JANUARY 28, 2021

Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Martin
Massey	Matthews	Peeler
Rankin	Rice	Scott
Shealy	Stephens	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RANKIN introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

At 1:46 P.M., Senator HUTTO requested a leave of absence for Senator KIMPSON for the balance of the day.

Leave of Absence

At 1:46 P.M., Senator SABB requested a leave of absence for Senator JACKSON for the day.

Leave of Absence

At 1:50 P.M., Senator HUTTO requested a leave of absence for Senator SETZLER for the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 133 Sens. Campsen and M. Johnson
S. 271 Sen. M. Johnson
S. 436 Sen. Turner

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 496 -- Senator McLeod: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MRS. WILHELMENIA PERCELL GOLSTON, TO CELEBRATE HER LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

THURSDAY, JANUARY 28, 2021

S. 497 -- Senator Campsen: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 498 -- Senators Grooms, Massey, Shealy, Verdin, Gambrell and Matthews: A BILL TO AMEND CHAPTER 95, TITLE 44 OF THE 1976 CODE, RELATING TO THE CLEAN INDOOR AIR ACT, BY ADDING SECTION 44-95-45, TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO THE INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR CERTAIN PRODUCTS CONTAINING NICOTINE, AND TO PROVIDE THAT LAWS, ORDINANCES, OR RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020 ARE NOT SUBJECT TO THIS PREEMPTION.

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Read the first time and referred to the Committee on Medical Affairs.

THURSDAY, JANUARY 28, 2021

S. 499 -- Senator Campsen: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

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Read the first time and referred to the Committee on Judiciary.

S. 500 -- Senators Scott and Loftis: A BILL TO AMEND SECTION 40-3-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 501 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ISSUING INSURANCE, SO AS TO INCLUDE RELEVANT CITATIONS WHICH ARE NOT SUBJECT TO THE ENUMERATED RATE-FILING LIMITATIONS.

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Read the first time and referred to the Committee on Banking and Insurance.

THURSDAY, JANUARY 28, 2021

S. 502 -- Senator Gambrell: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT TOYS PURCHASED BY THE MARINES TOYS FOR TOTS FOUNDATION.

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Read the first time and referred to the Committee on Finance.

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

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Read the first time and referred to the Committee on Medical Affairs.

S. 504 -- Senator Gambrell: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GRACIE SEABROOK FLOYD OF ANDERSON, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 505 -- Senator Talley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

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THURSDAY, JANUARY 28, 2021

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley and M. Johnson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.
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Read the first time and referred to the Committee on Medical Affairs.

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

THURSDAY, JANUARY 28, 2021

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

Read the first time and referred to the Committee on Judiciary.

H. 3602 -- Reprs. W. Cox, Elliott, B. Cox, Hyde, Ligon, Collins, West, Gilliard, T. Moore, Gilliam, Yow, Bradley, Gagnon, Burns, Chumley, Haddon, Govan, Howard, G. M. Smith, Brawley, Cobb-Hunter, J. L. Johnson, Rose, Wooten, Calhoon, Cogswell, Hewitt, Jefferson, R. Williams, Murray, B. Newton, Hixon, Carter, Jones, King, McGarry, Anderson, K. O. Johnson, Wheeler, Rivers and Henegan: A JOINT RESOLUTION TO ADDRESS THE LOW RATE OF ADMINISTRATION OF COVID-19 VACCINATIONS IN SOUTH CAROLINA BY DIRECTING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TEMPORARILY AUTHORIZE CERTAIN QUALIFIED HEALTH CARE WORKERS TO ADMINISTER CERTAIN APPROVED COVID-19 VACCINATIONS REGARDLESS OF WHETHER THE HEALTH CARE WORKERS ARE OTHERWISE PROHIBITED FROM DOING SO UNDER ANY PROFESSIONAL SCOPE OF PRACTICE OR UNAUTHORIZED PRACTICE PROVISION OF LAW IN THIS STATE.

Read the first time and referred to the Committee on Medical Affairs.

H. 3608 -- Reprs. Lucas, G. M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

Read the first time and referred to the Committee on Finance.

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

Read the first time and referred to the Committee on Judiciary.

THURSDAY, JANUARY 28, 2021

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

Read the first time and referred to the Committee on Finance.

H. 3720 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXCEPTIONAL SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2020 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 3721 -- Reps. J. L. Johnson, Brawley, Garvin, Bernstein, Rose, Thigpen, Howard, McDaniel, Rutherford, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, 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, Finlay, Forrest, Fry, Gagnon, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Huggins, Hyde, Jefferson, J. E. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King,

THURSDAY, JANUARY 28, 2021

Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINWOOD DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

RECALLED AND ADOPTED

S. 493 -- Senator Hembree: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 24 THROUGH JANUARY 30, 2021, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted.

THURSDAY, JANUARY 28, 2021

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable report on:

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.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 454 favorable:

S. 454 -- Senators Martin, Bennett, Massey and Jackson: A BILL TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

Poll of the Medical Affairs Committee

Polled 17; Ayes 17; Nays 0

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	<i>K. Johnson</i>	Corbin
Kimpson	Matthews	Gambrell
Senn	Cash	McLeod
Loftis	Garrett	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

THURSDAY, JANUARY 28, 2021

HOUSE CONCURRENCES

S. 487 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT MICHAEL CLAYTOR AND LIEUTENANT THOMAS MILLER FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

Returned with concurrence.

Received as information.

S. 488 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE SERGEANT COREY COOK FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND HIM FOR HIS LEVEL-HEADED AND HEROIC ACTIONS IN THE LINE OF DUTY.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 478 -- Senator K. Johnson: A BILL TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT FOUR, TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

On motion of Senator K. JOHNSON.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

THURSDAY, JANUARY 28, 2021

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell, Loftis and Campsen: A BILL TO ENACT THE “SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT”; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN’S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

Senator SENN spoke on the Bill.

Remarks to be Printed

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator SENN, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator SHEALY spoke on the Bill.

THURSDAY, JANUARY 28, 2021

Remarks to be Printed

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator SHEALY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator CASH spoke on the Bill.

Remarks to be Printed

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator MATTHEWS spoke on the Bill.

Remarks to be Printed

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator MATTHEWS, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator HARPOOTLIAN spoke on the Bill.

Senator K. JOHNSON spoke on the Bill.

Senator McLEOD spoke on the Bill.

Remarks to be Printed

On motion of Senator FANNING, with unanimous consent, the remarks of Senator McLEOD, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator STEPHENS spoke on the Bill.

Remarks to be Printed

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator STEPHENS, when reduced to writing and made available to the Desk, would be printed in the Journal.

Senator HUTTO spoke on the Bill.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

THURSDAY, JANUARY 28, 2021

Ayes 30; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Martin	Massey
Peeler	Rankin	Rice
Shealy	Talley	Turner
Verdin	Williams	Young

Total--30

NAYS

Allen	Fanning	Harpootlian
Hutto	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Sabb	Scott	Senn
Stephens		

Total--13

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Statement by Senator MALLOY

I did not vote for S. 1, as I have concerns about a woman's knowledge of her pregnancy at only six weeks. Further, criminal prosecution of doctors set forth in this Bill is problematic. I have supported the 20 week abortion ban and the SC Pain-Capable Unborn Protection Act. This Bill has further constitutional problems that will prove timely and expensive as a stay/injunction is expected. It is my further belief that while many say that this legislation is a partisan issue, this Bill could have been defeated by the opponents by if they had fought the exception amendment. (R014, KMM.ASM). Finally, it is my belief that the Senate should be addressing other priorities such as the COVID-19 at this early stage of the session instead of S. 1.

THURSDAY, JANUARY 28, 2021

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

ADOPTED

S. 492 -- Senators Jackson, Scott, Harpootlian, McLeod and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINWOOD DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Wayne Steven Smith of West Columbia, S.C. Wayne was a friend of our beloved Senator SETZLER. He was a graduate of Brookland-Cayce High School and a U.S. Navy vet. Wayne worked for Delta Airlines several years before starting a career with Richland Wholesale Liquors. He was an avid Gamecock Club member for over 50 years. Wayne was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:58 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up and to stand adjourned to meet Tuesday, February 2, 2021, under the provisions of Rule 1B.

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THURSDAY, JANUARY 28, 2021

SENATE JOURNAL INDEX

S. 1.....	12	S. 502.....	5
S. 201.....	10	S. 503.....	5
S. 454.....	10	S. 504.....	5
S. 478.....	11	S. 505.....	5
S. 487.....	11	S. 506.....	6
S. 488.....	11		
S. 492.....	15	H. 3194.....	6
S. 493.....	9	H. 3602.....	7
S. 496.....	2	H. 3608.....	7
S. 497.....	3	H. 3691.....	7
S. 498.....	3	H. 3707.....	8
S. 499.....	4	H. 3720.....	8
S. 500.....	4	H. 3721.....	8
S. 501.....	4		