

NO. 32

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, MARCH 4, 2021

Thursday, March 4, 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:

Proverbs 3:5-6

In Proverbs we read:

“Trust in the Lord with all your heart and lean not on your own understanding; in all your ways acknowledge him and he will make your paths straight.”

Bow in prayer with me, please: We are all indeed grateful, O Lord, for the many gifted and talented Senators and staff members who, with great dedication, serve this State and her people. We all benefit from their wisdom and diligence in so many meaningful ways. Yet the challenges and even the opportunities for further service never seem to diminish. Every significant accomplishment is virtually always followed by some new challenges, it seems. And so the struggle to solve problems and to seek new answers to issues great and small goes on and on, taxing the strengths of even the most diligent public servants. Therefore, dear Lord, grant to these leaders renewed determination to keep moving forward, to continue doing their genuine best for every woman, man, and child in this State. And may all of their successes, ultimately, be to Your glory, O God. We pray this in Your loving name. Amen.

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

Leave of Absence

At 11:04 A.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 11:14 A.M., Senator FANNING requested a leave of absence for Senator McLEOD until 11:30 A.M.

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Leave of Absence

At 11:14 A.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks to be Printed

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

CO-SPONSORS ADDED

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

- S. 48 Sen. Shealy
- S. 108 Sen. Senn
- S. 627 Sen. Leatherman
- S. 643 Sen. Cash, Bennett, Rice, Massey, Turner, Martin, Talley and Peeler

RECALLED

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.

Senator YOUNG asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

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

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MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED, AMENDED AND READ THE SECOND TIME

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

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

The Bill was recalled from the Committee on Education.

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

There was no objection.

Senators HEMBREE and FANNING proposed the following amendment (3589R001.SP.GH), which was adopted:

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

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

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a ~~school~~ schools of choice innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local

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board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption and shall disclose the financial model to be used. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

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

(a) demonstrate compliance with the financial model identified in item (1);

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

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

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

(4) In addition to exempting one or more schools within a district as provided in item (1), a local school board of trustees may choose to exempt all schools in the district by following the procedures in item (1) for exempting individual schools.” /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

On motion of Senator HEMBREE, with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

H. 3589 -- Ordered to a Third Reading

On motion of Senator HEMBREE, H. 3589 was ordered to receive a third reading on Friday, March 5, 2021.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 640 -- Senators Setzler and Jackson: A SENATE RESOLUTION TO CONGRATULATE DR. CHARLES B. JACKSON, SR. UPON THE OCCASION OF HIS FIFTIETH ANNIVERSARY AS PASTOR OF BROOKLAND BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE WEST COLUMBIA COMMUNITY.

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The Senate Resolution was adopted.

S. 641 -- Senator Rankin: A BILL TO AMEND SECTION 25-11-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO DESIGNATE COUNTY VETERANS' AFFAIRS OFFICERS AS COUNTY EMPLOYEES AND TO PROVIDE THAT THEY MAY BE REMOVED BY THE COUNTY LEGISLATIVE DELEGATION.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 642 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-2270 SO AS TO ENSURE FAIRNESS IN COST SHARING BY PHARMACY BENEFITS MANAGERS; AND TO AMEND SECTION 38-71-2200, RELATING TO PHARMACY BENEFITS MANAGERS DEFINITIONS, SO AS TO DEFINE APPLICABLE TERMS.

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

S. 643 -- Senators Kimbrell, Corbin, M. Johnson, Adams, Rice, Shealy, Cash, Bennett, Massey, Turner, Martin, Talley and Peeler: A SENATE RESOLUTION TO STRONGLY ENCOURAGE THE SOUTH CAROLINA HIGH SCHOOL LEAGUE TO ALLOW PARENTS OR GUARDIANS TO ATTEND INDIVIDUAL MATCHES FOR THE SOUTH CAROLINA HIGH SCHOOL LEAGUE'S WRESTLING FINALS TO BE HELD ON MARCH 5 AND 6, 2021.

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Senator KIMBRELL spoke on the Resolution.

The Senate Resolution was introduced and referred to the Committee on Education.

RECALLED, AMENDED AND ADOPTED

S. 643 -- Senators Kimbrell, Corbin, M. Johnson, Adams, Rice, Shealy, Cash, Bennett, Massey and Turner: A SENATE RESOLUTION TO STRONGLY ENCOURAGE THE SOUTH CAROLINA HIGH SCHOOL LEAGUE TO ALLOW PARENTS OR GUARDIANS TO ATTEND INDIVIDUAL MATCHES FOR THE SOUTH CAROLINA HIGH SCHOOL LEAGUE'S WRESTLING FINALS TO BE HELD ON MARCH 5 AND 6, 2021.

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

There was no objection.

Senator MARTIN proposed the following amendment (643R001.KMM.SRM), which was adopted:

Amend the resolution, as and if amended, on page 1, by striking line 42 and inserting:

/Be it resolved by the Spartanburg County Legislative Delegation:
/

Amend the resolution further, as and if amended, on page 2, by striking line 2 and inserting:

/That the members of the Spartanburg County Legislative Delegation, by this resolution, /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

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

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On motion of Senator MARTIN, the Resolution was adopted.

S. 644 -- Senator Scott: A BILL TO AMEND SECTION 11-35-5270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF SMALL AND MINORITY BUSINESS CONTRACTING AND CERTIFICATION IN THE DEPARTMENT OF ADMINISTRATION, SO AS TO TRANSFER THE DIVISION TO THE COMMISSION FOR MINORITY AFFAIRS; TO AMEND SECTION 1-11-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE A CONFORMING CHANGE; TO PROVIDE VARIOUS NECESSARY PROVISIONS TO EFFECT THE TRANSFER; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

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

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO

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DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

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

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, G. M. Smith, Brawley and Govan: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

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

H. 3208 -- Reps. Allison, Felder, Nutt and Calhoon: A BILL TO AMEND SECTION 59-67-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PASSING OF A SCHOOL BUS BY ANOTHER SCHOOL BUS, SO AS TO PROVIDE THAT A SCHOOL BUS MAY LAWFULLY PASS ANOTHER SCHOOL BUS ON A MULTILANE HIGHWAY; AND TO REPEAL SECTION 59-67-515 RELATING TO SPEED LIMITS FOR PUBLIC SCHOOL BUSES.

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

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H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

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

H. 3726 -- Reprs. West, G. M. Smith, W. Cox, M. M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkerman, White, Wheeler, Rutherford, Ballentine and Ott: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

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

H. 3765 -- Reprs. Burns, Chumley and Long: A BILL TO AMEND SECTION 27-40-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND TO AMEND SECTION 45-2-60, RELATING TO

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THE EJECTION OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTION.

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

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 571 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3501 -- Reps. Collins, V.S. Moss and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out H. 3900 favorable:

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

**Poll of the Medical Affairs Committee
Polled 17; Ayes 15; Nays 0; Abstain 0; Not Voting 2**

AYES

Verdin

Peeler

Hutto

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Martin	Scott	Alexander
Davis	Kevin Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	Loftis	Garrett

Total--15

NAYS

Total--0

ABSTAIN

Total--0

NOT VOTING

Matthews	McLeod
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Total--2

Ordered for consideration tomorrow.

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

OBJECTION

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Senator RICE objected to consideration of the Bill.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

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S. 105 -- Senator Campsen: A BILL TO AMEND SECTION 29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF CERTAIN LIENS BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION TO A MAGISTRATE.

CARRIED OVER

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY.

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On motion of Senator MASSEY, the Bill was carried over.

RECOMMITTED

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 563 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5013, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 564 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE STATE ATHLETIC COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5024, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 565 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5025, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 566 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 567 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

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RELATING TO FEE SCHEDULE FOR BULK LICENSURE VERIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5008, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 568 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES FOR THE REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5009, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 570 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE ATTORNEY GENERAL, RELATING TO FEES TO ACCOMPANY REQUEST FOR CONFIRMATION OF SOLICITATION EXEMPTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4983, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

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CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

READ THE SECOND TIME

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 34-1-150 TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 TO PROVIDE CONDITIONS TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 TO PROVIDE FOR THE ARTICLES OF INCORPORATION; BY ADDING SECTION 34-1-180 TO PROVIDE THE REQUIREMENTS FOR A BOARD TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 TO PROVIDE THAT THE BOARD SHALL DECIDE TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT A BANK BRANCH; BY ADDING SECTION 34-1-220 TO ALLOW DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350 TO PROVIDE THAT THE BANKING COMMISSIONER SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTIONS 34-3-360, 34-3-370, AND 34-3-380 TO MAKE CONFORMING CHANGES; TO AMEND SECTION 34-3-810 TO PROVIDE FOR THE CONVERSION OF A BANK TO A STATE BANK; TO AMEND SECTIONS 34-3-820 AND 34-3-830 TO PROVIDE CORRESPONDING REFERENCES; TO AMEND SECTION 34-3-840, TO PROVIDE FOR THE DISSOLUTION OF BOARD MEMBERS; TO AMEND SECTION 34-9-10 TO PROVIDE FOR CURRENCY; TO AMEND SECTION 34-9-40 TO REQUIRE A MINIMUM CAPITAL AMOUNT; TO AMEND SECTION 34-11-60 TO REMOVE A REQUIREMENT RELATING TO FRAUDULENT

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CHECKS; TO AMEND SECTION 34-13-140 TO PROVIDE AN EXCEPTION RELATING TO OWNERSHIP OF BANK STOCK; TO AMEND SECTION 34-26-350, TO REQUIRE MAINTENANCE OF A CREDIT UNION FACILITY; TO AMEND SECTION 34-26-530 TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640 AND 34-26-645 TO PROVIDE FOR BOARD MEETINGS AND THEIR DUTIES; TO AMEND SECTION 34-26-1220 TO PROVIDE FOR THE ASSETS AND LIABILITIES OF THE CREDIT UNION; AND TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 AND SECTIONS 34-1-70, 34-3-60, 34-9-70, 34-9-80, 34-11-40, AND 34-11-50.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO

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AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator HARPOOTLIAN, the Bill was carried over.

READ THE SECOND TIME

S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

The Senate proceeded to a consideration of the Bill.

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Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 505 -- Senators Talley, Alexander and Gambrell: 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

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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.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpoottian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning and Corbin: 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.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

On motion of Senator MARTIN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3608 -- Reps. 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.

The Senate proceeded to a consideration of the Resolution.

Senator SETZLER proposed the following amendment (3608NS1), which was adopted:

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Amend the joint resolution, as and if amended, page 1, by striking line 28 and inserting the following:

/

Act 91 of 2019, Part 1.B. Proviso 1.A.50. This funding shall not be used for administrative salary increases. /

Re-number sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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There being no further amendments, the Resolution as amended, was read the second time, passed and ordered to a third reading.

H. 3608 --Ordered to a Third Reading

On motion of Senator MALLOY, H. 3608 was ordered to receive a third reading on Friday, March 5, 2021.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3609 -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoun, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG3609C002.NBD.DG21), which was adopted:

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

/ SECTION 1. (A) From the 2018-2019 Contingency Reserve Fund, and notwithstanding Act 135 of 2020, Part II, Section (4)(D), there is appropriated \$50,000,000 to the Executive Budget Office to provide teacher step increases, including fringe, for the 2020-2021 School Year in accordance with Act 91 of 2019, Part 1.B. Proviso 1.A.36. The funds must be held in a separate account and disbursed to school districts in accordance with subsection (B). Any funds remaining in the account after June 30, 2021, must be remitted to the Contingency Reserve Fund.

(B)(1) The Department of Education shall distribute the funds to each school district in an amount, determined by the Revenue and Fiscal Affairs Office, equal to the increased cost of salaries to the school district, including fringe, due to the step increase in the state minimum salary schedule.

(2) The Department of Education shall provide the Revenue and Fiscal Affairs Office the number of full-time equivalent state-funded

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positions that were eligible for the step increase pursuant to Section 59-20-50(4)(b) in school years 2019-2020 and 2020-2021 that each district has in each cell of the state minimum teacher salary schedule. For school year 2019-2020, the department shall provide the number of positions as of the end of the school year. For School Year 2020-2021, the department shall provide the number of positions as of March 1, 2021.

(3) The Revenue and Fiscal Affairs Office shall determine the actual increased cost of the step increase, including fringe, in the state minimum salary schedule by determining the increase in the amount of total salaries of such positions in School Year 2020-2021 when compared to School Year 2019-2020 due to the change in the salaries of eligible positions for the step increase that are in the same school district in School Year 2020-2021 as they were in School Year 2019-2020 due to moving up one year of experience on the state minimum salary schedule. The Revenue and Fiscal Affairs Office shall include in the cost of the step increase calculation position codes eligible for the step increase that have no experience rating or credentials associated with their respective position codes. The Revenue and Fiscal Affairs Office shall notify the Executive Budget Office and the Department of Education of its determination for each school district. Then, the Executive Budget Office shall distribute the cumulative amount to the Department of Education to be distributed to each school district that experienced an increase in the manner determined by the Revenue and Fiscal Affairs Office.

(C) For each position that is eligible for the step increase for the 2020-2021 School Year, each school district shall provide a one-time lump sum payment of the entire step increase due to the employee, including any amounts in arrears, by June 15, 2021, or the school district may utilize its current payroll system to pay the step increase as long as the first payment retroactively includes all previous payments that would have been due the eligible employee. A position is eligible for the step increase if that position was fulfilling the requirements of their School Year 2020-2021 contract as of March 1, 2021. In order for any amounts in arrears to be considered earnable compensation for the purposes of the South Carolina Retirement System, the amounts in arrears and the contributions thereon must be reported by allocating the amounts in arrears to the affected employees by quarter for the periods during which the amounts would have been earned. The Department of Education, the Revenue and Fiscal Affairs Office, and the Public Employee Benefit

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Authority must collaborate so that retirement reporting for any amounts in arrears can be submitted in a consolidated, electronic format.

SECTION 2. Pursuant to the intent and appropriation set forth in SECTION 1, the provisions of Act 135 of 2020, Part II, Section (4)(D) relating to step increases, are deleted. The step increases required and authorized by SECTION 1 for the 2020-2021 School Year are permanent.

SECTION 3. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

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Total--0

There being no further amendments, the Resolution as amended, was read the second time, passed and ordered to a third reading.

H. 3609--Ordered to a Third Reading

On motion of Senator MALLOY, H. 3609 was ordered to receive a third reading on Friday, March 5, 2021.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:30 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 208 -- Senators Hembree, Bennett, Gustafson and Loftis: A BILL TO AMEND SECTION 59-19-350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Carl Brown of Elgin, S.C. Mr. Brown was a fierce advocate for foster parents and children in South Carolina for over 45 years. He was the founder of the South Carolina Foster Parent Association where he served as Executive Director. He was the President of the National Foster Parent Association, and Vice-president of the International Foster Parent Association. Carl was named an “Angle in Adoption” by the Congressional Coalition on Adoption Institute, received the Order of the Palmetto and was appointed by the Governor to serve on a Department of Social Services advisory panel. He was a champion for foster children and provided support and resources for foster parents across the State. Carl was a loving husband, devoted father and doting grandfather who served our State well and will be dearly missed.

ADJOURNMENT

At 11:58 A.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.

* * *

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