

NO. 38

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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TUESDAY, MARCH 16, 2021

**Tuesday, March 16, 2021**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

Genesis 11:4

In Genesis chapter 11:4 reads:

“Then they said, ‘Come, let us build for ourselves a city, with a tower that reaches to the heavens, so that we may make a name for ourselves.’”

Let us pray: O Glorious and All-Loving Lord, we pray that You will embrace each one of these leaders as they continue to use their gifts and talents to “build” an ever greater South Carolina. In this day and time the challenges in their doing so are enormous. Needs are greater than ever. Goals seem to be harder than ever to achieve. The temptations to take shortcuts emerge around almost every corner. And the temptations to build for personal glory are right there staring each Senator and every staff member in the face, as well. However, O God, may it never be that these leaders seek to do and accomplish meaningful results simply in order to bring credit to themselves. Rather, may they -- may all of us -- continually focus on ways to honor You, O Lord, most of all. And may it ever be so. In Your holy name we pray. Amen.

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

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4994

Agency: Department of Consumer Affairs

Chapter: 28

Statutory Authority: 1976 Code Sections 37-6-104, 37-6-402, 37-6-403, 37-6-506, and 58-27-2660

SUBJECT: Sale or Lease of Renewable Energy Facilities

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted March 11, 2021

**TUESDAY, MARCH 16, 2021**

**Doctor of the Day**

Senator LEATHERMAN introduced Dr. Coleman Buckhouse of Florence, S.C., Doctor of the Day.

**Leave of Absence**

At 12:07 P.M., Senator RICE requested a leave of absence for Senator CASH for the day.

**Leave of Absence**

At 12:12 P.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

**Leave of Absence**

At 12:12 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 2:15 P.M.

**CO-SPONSORS ADDED**

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

S. 525 Sen. Gustafson  
S. 530 Sen. Kimbrell  
S. 541 Sen. Senn  
S. 615 Sen. Campsen  
S. 631 Sen. Campsen  
S. 645 Sen. Corbin

**RECALLED**

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

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.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 666 -- Senator Grooms: A BILL TO AMEND CHAPTER 37, TITLE 27 OF THE 1976 CODE, RELATING TO THE EJECTMENT OF TENANTS, BY ADDING SECTION 27-37-45, TO PROVIDE FOR THE EXPEDITED EJECTMENT OF CERTAIN TENANTS BY LANDLORDS; AND TO AMEND SECTION 8-21-1010(A) OF THE 1976 CODE, RELATING TO MAGISTRATES' FEES, TO PROVIDE A FEE FOR FILING AN EXPEDITED EJECTMENT.

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

S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

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

S. 668 -- Senators Goldfinch and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NICHOLS HIGHWAY FROM ITS INTERSECTION WITH SARVIS ROAD TO ITS INTERSECTION WITH TRULUCK JOHNSON ROAD IN HORRY COUNTY "BRENDA COOK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE

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NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

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

S. 670 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE APRIL 15, 2021 AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE MILITARY, AND OUR COUNTRY AS A WHOLE.

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

S. 671 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 7, 2021 AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT WORK DONE TO COMBAT THE SIGNIFICANT PROBLEM OF CHILD MALTREATMENT.

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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 672 -- Senators Massey, Setzler and Garrett: A SENATE RESOLUTION TO CONGRATULATE THE SALUDA HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 2A GIRLS BASKETBALL STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021 AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR

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INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

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

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson and Harpootlian: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

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

S. 675 -- Senators Kimbrell, Rice and Talley: 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.

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

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S. 676 -- Senators Grooms, Kimbrell, Climer, Loftis, Shealy, Gustafson, Hembree, Corbin, Massey, Bennett, Adams, Turner, Verdin, Campsen, Garrett, Rice, Goldfinch, Senn, Davis and Rankin: A BILL TO ENACT THE "EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACCOUNT ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF ACCOUNTS FOR USE IN MEETING CERTAIN EDUCATION EXPENSES OF ELIGIBLE STUDENTS, TO PROVIDE GUIDELINES FOR THE USE OF SUCH FUNDS AND PENALTIES FOR MISUSE, TO PROVIDE CERTAIN RELATED POWERS AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, TO CREATE A PARENTAL REVIEW PANEL TO ASSIST IN DETERMINING WHETHER CERTAIN EXPENSES CONSTITUTE QUALIFIED EDUCATION EXPENSES, AMONG OTHER THINGS, AND TO DEFINE NECESSARY TERMS.

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

S. 677 -- Senator Davis: 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.

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

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS 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.

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

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H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M. M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

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

H. 3772 -- Reps. Bernstein, G. M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M. M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

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

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

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

H. 4076 -- Rep. Lowe: A CONCURRENT RESOLUTION TO RECOGNIZE THE ONE HUNDREDTH ANNIVERSARY OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION, THE LEADING PROFESSIONAL MEMBERSHIP ORGANIZATION FOR



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THE PHYSICAL THERAPY PROFESSION, WITH THE MISSION OF BUILDING A COMMUNITY THAT ADVANCES THE PROFESSION OF PHYSICAL THERAPY TO IMPROVE THE HEALTH OF SOCIETY.

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

**REPORT OF STANDING COMMITTEE**

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

**Statewide Appointments**

Reappointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

Veterinarian - At Large:

Elizabeth M. Fuller, 1236 Sunset Dr., Charleston, SC 29407

Received as information.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

2nd Congressional District:

Tracie Quick, 1125 Sam Bradshaw Road, Irmo, SC 29063-9057 *VICE*  
Ginger Macaulay

Received as information.

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Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2021, and to expire April 6, 2027

1st Congressional District:

LaDon S. Wallis, 886 Hunt Club Run, Charleston, SC 29414-9111

Received as information.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

Consumer:

Deloris Mungo, 379 Hollywood Rd., Columbia, SC 29212-8400 *VICE*  
Rebecca L. Shealy

Received as information.

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

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

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 446 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, AS AMENDED, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS.

On motion of Senator MALLOY.

S. 447 -- Senator Malloy: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN

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MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

On motion of Senator MALLOY.

**OBJECTION**

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.

Senator MASSEY objected to consideration of the Resolution.

**CARRIED OVER**

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

On motion of Senator MARTIN, the Bill 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

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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 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**

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER

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OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION

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56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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

**OBJECTION**

S. 94 -- Senators Malloy and Adams: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST RESPONDER DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER, AND TO DEFINE NECESSARY TERMS.

Senator TURNER objected to consideration of the Bill.

**READ THE SECOND TIME**

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

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

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

**Total--41**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

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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	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	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.

**CARRIED OVER**

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.



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

**OBJECTION**

S. 425 -- Senators Alexander and McLeod: 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.

Senator GAMBRELL objected to consideration of the Bill.

**CARRIED OVER**

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

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

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**READ THE SECOND TIME**

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE “RESPONSIBLE ALCOHOL SERVER TRAINING ACT”; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 36; Nays 7**

**AYES**

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

**Total--36**

**NAYS**

Climer	Corbin	Cromer
Grooms	Gustafson	Loftis
Massey		

**Total--7**

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

The Senate proceeded to a consideration of the Bill.

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The Committee on Education proposed the following amendment (WAB\607C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-47-75(B), page 1, by striking line 41 and inserting:

/ the charter school's bylaws. /

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

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

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**CARRIED OVER**

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.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

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

**CARRIED OVER**

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

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

**CARRIED OVER**

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

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

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**POINT OF ORDER**

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

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

**MOTION ADOPTED**

At 12:39 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

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

**CARRIED OVER**

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

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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.

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.

**DEBATE INTERRUPTED BY ADJOURNMENT**

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 Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (525R001.SP.MWG):

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

/SECTION 1. Section 44-96-40 of the 1976 Code is amended by adding appropriately numbered new items to read:

“( ) ‘Advanced recycling’ means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming,



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hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) 'Depolymerization' means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) 'Gasification' means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) 'Pyrolysis' means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(d) 'Solvolysis' means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to, monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonolysis, methanolysis, ethanolysis, and glycolysis.

( ) 'Advanced recycling facility' means a manufacturing facility that receives, separates, stores and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste

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management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

( ) ‘Post-use polymer’ means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

( ) (a) ‘Recovered feedstock’ means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste; or

(b) Recovered feedstock does not include unprocessed municipal solid waste.” /

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

/SECTION \_\_. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“( ) Review and consider the environmental compliance history of an applicant or person in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status; prohibit the transfer of a permit or the transfer or achievement of interim status; or prohibit a change in the ownership of or a controlling interest in an existing facility.” /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

Debate was interrupted by adjournment.

**EXECUTIVE SESSION**

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2020, and to expire August 1, 2023

South Carolina Education Oversight:

Jonathan Butcher, 105 Bridgeton Dr., Greenville, SC 29615-2652

On motion of Senator HEMBREE, the question was confirmation of Jonathan Butcher.

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

**Ayes 44; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Climer

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

**Total--44**

**NAYS**

**Total--0**

The appointment of Jonathan Butcher was confirmed.

Reappointment, South Carolina Commission on Higher Education,  
with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Ben W. Satcher, Jr., 358 Catawba Court, P. O. Box 921, Lexington,  
SC 29072-9500

On motion of Senator HEMBREE, the question was confirmation of  
Ben W. Satcher, Jr..

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

**Ayes 44; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto

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Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

**Total--44**

**NAYS**

**Total--0**

The appointment of Ben W. Satcher, Jr. was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Commission for the Blind, with the term to commence December 16, 2018, and to expire December 16, 2022  
4th Congressional District:

Mary S. Sonksen, 102 Edgebrook Ct., Spartanburg, SC 29302

On motion of Senator SHEALY, the question was confirmation of Mary S. Sonksen.

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

**Ayes 44; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>

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Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

**Total--44**

**NAYS**

**Total--0**

The appointment of Mary S. Sonksen was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Public Safety, with the term to commence February 1, 2020, and to expire February 1, 2024

Director:

Robert G. Woods, IV, 503 Varsity Court, Chapin, SC 29036-7362  
*VICE* Leroy Smith

On motion of Senator RANKIN, the question was confirmation of Robert G. Woods, IV.

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

**Ayes 44; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin

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Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

**Total--44  
NAYS**

**Total--0**

The appointment of Robert G. Woods, IV was confirmed.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Jerry Ellig of Cassatt, S.C. Dr. Ellig was an economist, researcher and regulatory reform advocate whose work was invaluable. Dr. Ellig was a research professor at the George Washington University Regulatory Studies Center. Before that, Jerry served as chief economist at the Federal Communications Commission and served on the Joint Economic Committee of Congress. He published numerous articles on government regulation and management over the course of his career. Jerry was a loving husband and devoted father who will be dearly missed.

and

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**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Gloria Vivian Wilson of Walhalla, S.C. Gloria was a beautician and worked for 40 years with the Torrington Company. She was a member of Flat Rock Baptist Church where she was very active. She was a member of the 50 Year Club, Woman's Missionary Society and Sunday school and Bible study. Gloria was a devoted Christian who loved her community and will be dearly missed.

**ADJOURNMENT**

At 2:09 P.M., on motion of Senator GAMBRELL, the Senate adjourned to meet tomorrow at 1:00 P.M.

\* \* \*



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