

NO. 43

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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WEDNESDAY, MARCH 24, 2021

**Wednesday, March 24, 2021**  
**(Statewide Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

The Senate assembled at 1:00 P.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:

Numbers 6:24-26

An ancient priestly blessing proclaims: "The Lord bless you and keep you, the Lord make his face to shine upon you and be gracious to you, the Lord lift up his countenance upon you, and give you peace."

Bow with me, if you will: Truly, O God, You indeed bless each and every one of us so very richly. With all our hearts do we join together to give You our thanks and our praise for Your unending care. Furthermore, we pray today that by Your Spirit You'll continue to allow each Senator and staff member personally to feel your strength in marvelously encouraging ways as they and our State's other elected officials all use their gifts to Your glory, staying focused upon doing what is right and best for every South Carolinian. Moreover, as our hearts brim with sorrow, O God, we ask You today to embrace in Your tender care all of those across our land who have lost loved ones in our Nation's most recent mass shootings. We humbly pray all this in Your wondrous name, Lord. Amen.

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

**Point of Quorum**

At 1:03 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson

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Harpootlian	Hembree	Hutto
Kimbrell	Kimpson	Martin
Massey	Peeler	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator WILLIAMS introduced Dr. Joseph Hoyle of Florence, S.C., Doctor of the Day.

**Leave of Absence**

At 1:03 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

**Leave of Absence**

At 1:34 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:40 P.M..

**Leave of Absence**

At 2:41 P.M., Senator McLEOD requested a leave of absence for Senator MATTHEWS for the day.

**Leave of Absence**

At 3:58 P.M., Senator SABB requested a leave of absence for Senator KIMPSON for the balance of the day.

**Leave of Absence**

At 5:14 P.M., Senator TURNER requested a leave of absence for Senator TALLEY for the balance of the day.

**Expression of Personal Interest**

Senator SHEALY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 14 Sen. Senn  
S. 499 Sen. Climer  
S. 528 Sen. Shealy

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S. 596 Sens. Campsen and McElveen  
S. 614 Sen. Gustafson  
S. 627 Sen. Gustafson  
S. 677 Sens. Hutto, Talley, Kimpson and McElveen  
S. 685 Sens. Scott and Turner

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 150 Sen. Gustafson

**RECALLED**

S. 455 -- Senator Davis: A BILL TO AMEND SECTION 40-33-36 OF THE 1976 CODE, RELATING TO THE TEMPORARY LICENSURE OF NURSES, TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PRESCRIBE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH TEMPORARY LICENSURE AS A GRADUATE NURSE SHALL BE IMMEDIATELY REVOKED, AND TO DEFINE NECESSARY TERMS.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

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

**RECALLED**

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis and Young: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

Senator CLIMER asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Agriculture and Natural Resources.

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The Joint Resolution was recalled from the Committee on Agriculture and Natural Resources and ordered placed on the Calendar for consideration tomorrow.

**RECALLED**

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN "HARVEY MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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 AND ADOPTED**

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.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

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

There was no objection.

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

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 696 -- Senators Setzler and Shealy: A CONCURRENT RESOLUTION TO SEEK TO DESTIGMATIZE SUBSTANCE USE DISORDER, SHARE REAL STORIES OF HOPE AND RECOVERY, AND INSPIRE LEXINGTON COUNTY RESIDENTS TO SEEK HELP AND SUPPORT BY CHOOSING #COURAGEOVERSTIGMA.

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

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

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

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young and Rice: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5, 2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT

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SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2025; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

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

S. 700 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN "HARVEY MIDDLETON ROAD" 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.

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H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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

**REPORTS OF STANDING COMMITTEES**

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 101 -- Senators Cromer and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-671 SO AS TO PROVIDE FOR THE DESIGN, COLOR, AND OTHER ELEMENTS OF THE SOUTH CAROLINA STATE FLAG AND TO DESIGNATE THE FLAG OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 235 -- Senator Turner: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO REVISE THE MEMBERSHIP OF ITS GOVERNING COMMISSION BY REMOVING ONE MEMBER FROM SPARTANBURG COUNTY AND ADDING ONE MEMBER FROM GREENVILLE COUNTY, AND TO AMEND REWA'S SERVICE AREA.

Ordered for consideration tomorrow.



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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out S. 245 favorable:

S. 245 -- Senators Young and Rankin: A BILL TO AMEND SECTION 56-5-3435 OF THE 1976 CODE, RELATING TO MAINTAINING A SAFE OPERATING DISTANCE BETWEEN A MOTOR VEHICLE AND A BICYCLE, TO DEFINE "SAFE OPERATING DISTANCE".

**Poll of the Transportation Committee  
Polled 17; Ayes 17; Nays 0**

**AYES**

Grooms	Leatherman	Rankin
Verdin	Malloy	Campsen
Peeler	Bennett	Hembree
McElveen	<i>K. Johnson</i>	Kimpson
Sabb	Matthews	Climer
Rice	Senn	

**Total--17**

**NAYS**

**Total--0**

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Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

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

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE

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DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25

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OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out S. 667 favorable:

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.

**Poll of the Transportation Committee  
Polled 17; Ayes 16; Nays 1**

**AYES**

Grooms	Leatherman	Rankin
Verdin	Malloy	Campsen
Peeler	Bennett	Hembree
McElveen	<i>K. Johnson</i>	Kimpson
Sabb	Matthews	Climer
Rice		

**Total--16**

**NAYS**

Senn

**Total--1**

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3262 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, McGarry, V.S. Moss, Haddon, Long, Pope, Forrest,

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Caskey, Hixon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Brittain and Crawford: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, INCLUDING CANDIDATES FROM PARTIES THAT ARE NOT REQUIRED TO CONDUCT A PRIMARY ELECTION, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR POLITICAL PARTY CONVENTION; AND TO AMEND SECTION 7-11-210, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REQUIRE CANDIDATES TO AFFIRM THEIR PARTICIPATION IN AT LEAST THREE OF THE LAST FOUR STATEWIDE PARTY PRIMARIES, OR, IN THE ALTERNATIVE, IF PRECLUDED FROM PARTICIPATION DUE TO AGE, PERSONAL HEALTH, RESIDENCY, OR ACTIVE MILITARY SERVICE, CANDIDATES MAY PLEDGE THAT THEY ARE BONA FIDE MEMBERS OF THE POLITICAL PARTY WHOSE NOMINATION THEY ARE SEEKING, AND TO PROVIDE THAT THE STATE PARTY CHAIRMAN, IF PERMITTED BY PARTY RULE, MAY REQUIRE ADDITIONAL VERIFICATION WHEN A CANDIDATE'S AFFIRMATION OF BONA FIDE PARTY MEMBERSHIP IS DISPUTED, AND THAT THE STATE CHAIRMAN IS THE FINAL AUTHORITY TO RESOLVE QUESTIONS REGARDING BONA FIDE PARTY MEMBERSHIP.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.

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Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

Ordered for consideration tomorrow.

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

**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. 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. (Abbreviated Title)

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

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

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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.

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.

**HOUSE BILL RETURNED**

The following Resolution was read the third time and ordered returned to the House with amendments:

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

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**GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE  
RESULTING ECONOMIC IMPACT.**

**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. 195 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 12-37-2650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND THE DELEGATION OF COLLECTION OF TAXES, SO AS TO PROVIDE THAT THE TAX NOTICE MUST SET FORTH THE FAIR MARKET VALUE USED FOR THE VEHICLE.

S. 463 -- Senators Alexander, Cromer, Grooms, Scott and Loftis: A BILL TO DELETE SECTION 2.B. OF ACT 134 OF 2016, RELATING TO THE EXPIRATION OF TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT.

**OBJECTION**

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

Senator MARTIN objected to further 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:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen,



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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3059 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3684 -- Reps. Herbkersman, Erickson, Bradley and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA,

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1976, BY ADDING SECTION 50-5-1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

**OBJECTION**

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 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

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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 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.

Senator MALLOY objected to consideration of the Bill.

**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

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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.

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

**CARRIED OVER**

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.

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

**CARRIED OVER**

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.

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

**CARRIED OVER**

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.

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

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**CARRIED OVER**

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEYS' FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

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

**CARRIED OVER**

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

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

**CARRIED OVER**

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION

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50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

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

**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

The Senate proceeded to a consideration of the Resolution.

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The Committee on Finance proposed the following amendment (SA\3770C001.BH.SA21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 2, by striking subsection (A)(1) and inserting:

/ (A)(1) There is created the South Carolina Emergency Rental Assistance Program (program) administered by the South Carolina State Housing Financing and Development Authority (SC Housing), under the direction of its board of commissioners, with the funds appropriated in SECTION 1, to assist eligible households that are unable to pay rent, utilities, and other expenses incurred related to housing due to the COVID-19 pandemic, as defined by the Secretary of the Treasury./

Re-number sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator CASH proposed the following amendment (3770R001.SP.RJC), which was adopted:

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

/SECTION \_\_. SC Housing must take action, to include working with the judicial department, to ensure that eligible households and landlords are aware of the program and that program information is distributed in rental deferrals and evictions cases. /

Re-number sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

Senator CAMPSER proposed the following amendment (3770R004.SP.GEC), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 in its entirety and inserting”

/ SECTION 1. A. The federal funds disbursed to the State pursuant to the federal “Consolidated Appropriations Act, 2021” for the Emergency Rental Assistance Program, are hereby authorized to be expended as set forth in this Joint Resolution.

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B.In accordance with the provisions of the Consolidated Appropriations Act, 2021, applications for funding can be made by a utility, landlord, or tenant on behalf of the eligible household. /

Re-number sections to conform.

Amend title to conform.

Senator CAMPSSEN 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 41; Nays 0**

**AYES**

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

**Total--41**

**NAYS**

**Total--0**

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



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**POINT OF ORDER**

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill 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. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill 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. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

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**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**READ THE SECOND TIME**

S. 689 -- Senators Leatherman, Massey, Malloy, Alexander, Peeler, Setzler, Williams, Scott and Fanning: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS UNTIL THE SAME DATE AS FEDERAL RETURNS AND PAYMENTS FOR INDIVIDUALS ARE DUE.

The Senate proceeded to a consideration of the Resolution.

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

**Total--42**

**NAYS**

**Total--0**

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

**POINT OF ORDER**

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

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**ADOPTED**

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GRANT ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST SEVEN MILE ROAD TO ITS INTERSECTION WITH BASSWOOD ROAD "JUDGE TAFT GUILLE, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

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"

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AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

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

**MOTION ADOPTED**

At 1:36 P.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.**

**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Education proposed the following amendment (615R001.SP.TRY), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 27 through 41, and on page 2, by striking lines 1 through 12 and inserting:

/ “(1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

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(c) private school attended by the student does not offer the particular sport for the student's gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity." /

Re-number sections to conform.

Amend title to conform.

Senator TURNER explained the committee amendment.

The amendment was adopted.

**Amendment No. 1**

Senator MARTIN proposed the following amendment (615R003.KMM.SRM), which was tabled:

Amend the bill, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 59-63-540 of the 1976 Code is amended to read:

“Section 59-63-540. (A) Notwithstanding any other provision of law, in the distribution of state funds provided on a per pupil basis in the State Annual General Appropriation Act, no pupil shall be counted as enrolled, or as having been enrolled, in any primary or secondary school who has not attended such school at least thirty-five days during the school year on which the allocation of such funds is based. A pupil shall

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be counted as enrolled only in the first school district, or operating unit, such pupil legally attended.

(B) Notwithstanding subsection (A), a high school student who attends a private school but participates in a high school league sport offered at a public high school pursuant to Section 59-63-100, for the purposes of the distribution of state funds provided on a per-pupil basis, shall be counted as enrolled in the public high school at which he is participating in a high school league sport.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 38; Nays 6**

**AYES**

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

**Total--38**

**NAYS**

Fanning	Malloy	Martin
McLeod	Sabb	Stephens

**Total--6**

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The amendment was laid on the table.

**Amendment No. 2**

Senator FANNING proposed the following amendment (WAB\615C001.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( )1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program, excluding middle school football programs and high school football programs, offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district’s school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity

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prohibits the participation of private school students in interscholastic athletic programs supervised by the entity.” /

Re-number sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

**Point of Quorum**

At 3:44 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator FANNING resumed speaking on the amendment.

Senator TURNER moved to lay the amendment on the table.

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

**Ayes 38; Nays 4**

**AYES**

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

**Total--38**

**NAYS**

Fanning	McLeod	Sabb
Scott		

**Total--4**



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The amendment was laid on the table.

**Motion Adopted**

On motion of Senator TALLEY, with unanimous consent, Senators HUTTO, CLIMER, SENN, CASH and HARPOOTLIAN were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Amendment No. 5C**

Senator KIMBRELL proposed the following amendment (615R010.SP.JK), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by striking Section 59-63-100( )(1)(g) and inserting:

/ (g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements;  
and

(ii) class and enrollment requirements of the association administering the interscholastic sports. /

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

/SECTION \_\_. The provisions of this act shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

**Amendment No. 6**

Senators CAMPSER and GROOMS proposed the following amendment (615R004.KMM.GEC), which was withdrawn:

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

/SECTION \_\_. A. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59-5-170. (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that take into account factors such as seriousness and frequency, and other relevant factors, when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) a guarantee that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics, including, but not limited to, state playoffs or championships, based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) a guarantee that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics, including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team;

(3) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel that consists of seven members who serve four-year terms, with one person appointed by the delegation of each congressional district, provided that:

(a) a member of the appellate panel serves until his successor is appointed and qualifies. A vacancy on the appellate panel is filled in the manner of the original appointment; and

(b) a member of the appellate panel shall not concurrently serve as an officer of the association, body, or entity and may not have served as a member of the executive committee within the last three years.

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Principals and superintendents are able to appeal a ruling of the association, body, or entity to the appellate panel. The appellate panel must also provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices; and

(5) provisions that require the composition of the executive committee of the association, body, or entity to be geographically representative of this State.

(B) In the event that an association, body, or entity fails to include one of the items listed in this section, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

Section 59-5-180. An interscholastic athletic association, body, or entity in this State that provides oversight of interscholastic athletics amongst the public schools in this State is required to submit a financial audit by no later than January first of each year to the General Assembly, Governor, and Secretary of Education. Any such association, body, or entity is subject to review by the House of Representatives and Senate Legislative Oversight Committees and investigation by the State Inspector General.”

B.Provisions pursuant to Section 59-5-170(5), as added by this act, shall be implemented within one year after the effective date of this act.

SECTION \_\_. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

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Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, with unanimous consent, the amendment was withdrawn.

**Amendment No. 7**

Senators CAMPSSEN and GROOMS proposed the following amendment (615R005.KMM.GEC), which was carried over and subsequently adopted:

Amend the bill, as and if amended, page 1, by striking line 24 and inserting:

/by adding appropriately lettered new subsections at the end to  
/

Amend the bill further, as and if amended, page 2, line 13, by inserting:

/ ( ) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.”  
/

Amend the bill further, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.  
/

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

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**ACTING PRESIDENT PRESIDES**

Senator GAMBRELL assumed the Chair.

**PRESIDENT PRESIDES**

At 4:32 P.M., the PRESIDENT assumed the Chair.

Senator CAMPSEN continued speaking on the amendment.

On motion of Senator CAMPSEN, with unanimous consent, the amendment was carried over.

**Amendment No. 3**

Senator FANNING proposed the following amendment (WAB\615C002.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“(1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport, and the State provides the district with funding in the amount of at least eight

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percent of the base student cost for the current fiscal year in order to fund the participation of the private school student in the public school sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity." /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator TURNER moved to lay the amendment on the table.

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

**Ayes 34; Nays 8**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

**Total--34**

**NAYS**

Allen	Fanning	<i>Johnson, Kevin</i>
Martin	McLeod	Sabb

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Stephens

Williams

**Total--8**

The amendment was laid on the table.

**Amendment No. 4**

Senator FANNING proposed the following amendment (WAB\615C003.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“( ) (1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district’s school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

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(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity.

(3) The provisions of this subsection are contingent upon the General Assembly appropriating an amount equal to at least eight percent of the base student cost for all private school students to all receiving districts, allocated to each district based on the number of private school students participating in public school sports in the district. Absent such funding to every district in the State, the provisions of this subsection may not be enforced in any public school or district. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator TURNER moved to lay the amendment on the table.

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

**Ayes 29; Nays 13**

**AYES**

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

**Total--29**

**NAYS**

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
McElveen	McLeod	Sabb
Scott	Setzler	Stephens
Williams		



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**Total--13**

The amendment was laid on the table.

**Amendment No. 7**

Senators CAMPSSEN and GROOMS proposed the following amendment (615R005.KMM.GEC), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 24 and inserting:

/by adding appropriately lettered new subsections at the end to  
/

Amend the bill further, as and if amended, page 2, line 13, by inserting:

/ ( ) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.”

/

Amend the bill further, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 34; Nays 9**

**AYES**

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

**Total--34**

**NAYS**

Allen	Fanning	Harpootlian
Hutto	McElveen	McLeod
Sabb	Scott	Stephens

**Total--9**

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

**AMENDED, READ THE SECOND TIME**

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

The Senate proceeded to a consideration of the Resolution.

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**Amendment No. 1**

Senator HEMBREE proposed the following amendment (WAB\3925C003.RT.WAB21), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION \_\_. For the 2020-2021 School Year, every school district in the State must offer five-day, in-person classroom instruction to students no later than April 12, 2021. For the 2021-2022 School Year, every school district in the State must offer five-day, in-person classroom instruction to students.

SECTION \_\_. (A) Due to the significant health threat and risks associated with the 2019 novel coronavirus, also referred to as COVID-19, the earnings limitation imposed pursuant to Section 9-1-1790 does not apply to the extent provided in subsection (B) if the retired member of the South Carolina Retirement System:

(1) retired on or before April 1, 2020; and

(2) returns to covered employment in the K-12 public education system to participate in the state's public health response to the COVID-19 virus.

(B) A retired member who meets the qualifications of subsection (A) may be hired and return to employment covered by the system and earn up to fifty thousand dollars annually without affecting the monthly retirement allowance that the member is receiving from the system. No retired member participating under this section may be compensated more than fifty thousand dollars per academic year or for an employment period exceeding thirty-six consecutive months. An employer shall notify the system of the engagement of a retirement member to perform services, and if an employer fails to notify the system of the engagement of a retired member to perform services, the employer shall reimburse the system for all benefits wrongly paid to the retired member. Nothing in this joint resolution may be construed to require an employer to hire a person after that person has retired. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

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The amendment was ruled out of order.

**Amendment No. 4**

Senator HEMBREE proposed the following amendment (AHB\3925C001.BH.AHB21), which was adopted:

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

/ SECTION \_\_\_\_. The four academic course requirement provided by Section 59-39-160, and as also may be provided by regulation, for all students to participate in interscholastic activities, including all sports-related activities, is waived due to the COVID-19 pandemic for the 2020-2021 school year. And for this school year, to participate in interscholastic activities, including all sports-related activities, students must achieve an overall passing average in at least three academic courses and be on track for graduation. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then was 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	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner

**WEDNESDAY, MARCH 24, 2021**

Verdin

Williams

Young

**Total--42**

**NAYS**

**Total--0**

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

**Motion Adopted**

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

**ADJOURNMENT**

At 5:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*

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