

NO. 46

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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TUESDAY, MARCH 30, 2021

**Tuesday, March 30, 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:

Psalm 34:2

The Psalmist reminds us that: "My soul makes its boast in the Lord; let the humble hear and be glad."

Join me as we bow in prayer, please: O Glorious Lord, even here during Holy week it remains a challenge for a lot of us to be the kind of servant You want us to be. The stereotype of a public servant is that she or he needs to be not only capable and dedicated, but also a hard-driving, no-nonsense individual in order to accomplish the good she or he strives to do. Some of that may be true, Lord. Yet the evidence clearly tells us that the Senators and staff members who routinely make the greatest impact on those they serve possess a genuine servant's heart. They are the ones who grasp the reality that being humble is perhaps one of the very best ways of honoring You, O God, even as they labor on behalf of the people of our State. May that ever be so in this Senate, Lord. In Your loving name we pray. Amen.

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

**Point of Quorum**

At 12:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hutto	<i>Johnson, Michael</i>

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

A quorum being present, the Senate resumed.

**MESSAGE FROM THE HORRY COUNTY COUNCIL**

The following appointment was transmitted by the Horry County Council:

**Local Appointment**

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2020, and to expire June 30, 2024

County Council:

D. Blaine Garren, 5727 Downybrook Road, Myrtle Beach, SC 29588

**Doctor of the Day**

Senator VERDIN introduced Dr. C. Wendell James of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 12:35 P.M.

**Leave of Absence**

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator JACKSON for the day.

**Leave of Absence**

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator MATTHEWS for the day.

**CO-SPONSORS ADDED**

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

S. 145 Sen. Alexander

S. 245 Sen. Turner

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S. 248 Sen. Turner  
S. 614 Sen. Verdin  
S. 464 Sen. McElveen  
S. 677 Sen. Williams  
S. 698 Sen. Campsen

**CO-SPONSORS REMOVED**

The following co-sponsors were removed from the respective Bills:

S. 536 Sen. Kimbrell  
S. 587 Sen. Loftis

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 709 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND DR. AZALEE REBEKAH CHAPLIN BISHOP AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 710 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2021, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2021, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

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

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

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Read the first time and ordered placed on the Local and Uncontested Calendar.

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S. 712 -- Senator Davis: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

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

S. 713 -- Senator Williams: A BILL TO AMEND SECTIONS 4-10-470 AND 4-10-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO AUTHORIZE ITS IMPOSITION IN CERTAIN SITUATIONS.

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

S. 714 -- Senator Martin: A SENATE RESOLUTION TO EXTEND THE PERIOD AFTER WHICH AN APPOINTMENT TO THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IS CONSIDERED REJECTED UNTIL MAY 13, 2021.

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The Senate Resolution was adopted.

**REPORTS OF STANDING COMMITTEES**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

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

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

Ordered for consideration tomorrow.

**Appointment Reported**

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

**Statewide Appointment**

Initial Appointment, Chief Resilience Officer, with term coterminous with Governor

Benjamin I. Duncan, II, 205 Running Fox Rd., Columbia, SC 29223-3022

Received as information.

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned on Wednesday, March 31, 2021, that it will adjourn to meet Thursday, April 1, 2021 at 11:00 A.M., under the provisions of Rule 1B.

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

**CARRIED OVER**

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

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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.

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

**HOUSE BILL RETURNED**

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

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.

Senator SETZLER explained the Resolution.

The question being the third reading of the Resolution.

The Resolution was read the third time passed and ordered sent to the House.

**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

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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 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



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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.

**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. 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.

**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 TURNER, the Bill was carried over.

**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. 461 -- Senators Alexander, Setzler and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY

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ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

S. 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 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

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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.

**AMENDED, 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. 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.

The Senate proceeded to a consideration of the Bill.

Senators DAVIS and HUTTO proposed the following amendment (503R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 2, line 33, by inserting an appropriately numbered new SECTION to read:

/SECTION \_\_. Section 44-69-20(5)(a) of the 1976 Code is amended to read:

“(a) Part-time or intermittent skilled nursing care as ordered by a physician, an APRN pursuant to Section 40-33-34(D)(2)(h), or a PA pursuant to Section 40-47-935(B)(8) and as provided by or under the supervision of a registered nurse and at least one other service listed below;” /

Amend the bill further, as and if amended, on page 2, by striking line 34 and inserting:

/SECTION 3. This act takes effect sixty days after the approval of the Governor. /

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Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**HOUSE BILL RETURNED**

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

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.

**Recorded Vote**

Senator ADAMS desired to be recorded as voting against the third reading of the Bill.

**READ THE SECOND TIME**

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

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COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS spoke on the Bill.

The question being the second reading of the Bill.

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

**Motion Under Rule 26B**

Senator DAVIS asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**CARRIED OVER**

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.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

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

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FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0236.004), which was adopted:

Amend the bill, as and if amended, starting on page 1, line 31, and ending on page 2, line 13, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 7-7-1000 of the 1976 Code is amended to read:

“Section 7-7-1000. (A) For purposes of municipal general elections only, a municipality may pool one or more precincts with other precincts and have one voting place for all of these pooled precincts upon the following conditions:

(1) Any precinct which contains five hundred or more registered voters within the municipality must have its own voting place.

(2) The total number of registered voters within the municipality in each group of pooled precincts cannot exceed one-thousand five hundred.

(3) The voting place of any precinct pooled with others cannot be more than three miles from the nearest part of any pooled precinct.

(4) The notice requirements of Section 7-7-15 must be complied with and in addition to this requirement, the location of voting places for all precincts including those pooled must be published in a newspaper of general circulation in the municipality on the day of the election. If the newspaper is not published daily, then on the date of publication nearest and prior to the date of election.

(5) Whenever precincts are pooled in a municipal general election, the voter registration lists, poll lists, and ballots for each precinct represented must be used by the managers of election. Results of the election must also be reported and certified by individual precinct.

(B) For purposes of municipal primary elections only, a municipality may pool one or more precincts with other precincts and have one voting place for all of these pooled precincts upon the following conditions:

(1) Any precinct which contains three thousand or more registered voters within the municipality must have its own voting place.

(2) The total number of registered voters within the municipality in each group of pooled precincts cannot exceed three thousand.

(3) The voting place of any precinct pooled with others cannot be more than three miles from the nearest part of any pooled precinct.

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(4) The notice requirements of Section 7-7-15 must be complied with and in addition to this requirement, the location of voting places for all precincts including those pooled must be published in a newspaper of general circulation in the municipality on the day of the election. If the newspaper is not published daily, then on the date of publication nearest and prior to the date of election.

(5) Whenever precincts are pooled in a municipal primary election, the voter registration lists, poll lists, and ballots for each precinct represented must be used by the managers of election. Results of the election must also be reported and certified by individual precinct.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

#### **OBJECTION**

S. 245 -- Senators Young, Rankin, Climer and Turner: 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”.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

Senator LOFTIS objected to further consideration of the Bill.

#### **READ THE SECOND TIME**

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

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ENERGY CONSUMPTION ASSOCIATED WITH  
TRANSPORTATION ELECTRIFICATION SHALL NOT  
CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

The Senate proceeded to a consideration of the Bill.  
Senator CLIMER explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 43; Nays 1**

**AYES**

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

**Total--43**

**NAYS**

Kimpson

**Total--1**

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

**CARRIED OVER**

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1,  
CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO



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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.

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

**CARRIED OVER**

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 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.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

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

**AMENDED, READ THE SECOND TIME**

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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.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (455R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 24 through 33 and inserting:

/ (d) the graduate nurse has not taken the NCLEX within ninety days of receiving a temporary license, except that the board may extend this time period if circumstances prevent the NCLEX from being offered during the period for which temporary licensure has been granted;

(e) the graduate nurse misrepresents being a registered nurse or a licensed practical nurse; or

(f) the graduate nurse is charged with a felony or misdemeanor, other than a minor traffic violation, while authorized to practice as a graduate nurse. For the purposes of this subitem, a minor traffic violation does not include instances related in any way to driving under the influence of alcohol or other drugs, or instances that result in the revocation or suspension of a graduate nurse's driver's license." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS 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 42; Nays 0**

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**AYES**

Adams	Alexander	Bennett
Campsen	Cash	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
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
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.

**CARRIED OVER**

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

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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.

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

**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

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

**Ayes 42; Nays 0**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	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
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

**Total--42**

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**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

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.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

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

**Ayes 44; Nays 0**

**AYES**

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

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Williams

Young

**Total--44**

**NAYS**

**Total--0**

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

**POINT OF ORDER**

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, TO MAKE CONFORMING CHANGES.

**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. 351 -- Senator McLeod: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS

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CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT A INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

**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. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO

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REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

**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. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

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

**Motion Under Rule 26B**

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

**POINT OF ORDER**

S. 705 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**



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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. 706 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR REINSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5029, 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.

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

**MOTION ADOPTED**

At 12:43 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**LOCAL APPOINTMENT**

**Confirmation**

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

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2020, and to expire June 30, 2024

County Council:

D. Blaine Garren, 5727 Downybrook Road, Myrtle Beach, SC 29588

**Motion Adopted**

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

**ADJOURNMENT**

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At 12:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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