

NO. 52

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, APRIL 8, 2021

Thursday, April 8, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

II Chronicles 9:22

In the Old Testament we read: "Thus King Solomon excelled all the kings of the earth in riches and in wisdom."

Bow in prayer with me, please: At every turn, dear God, it is apparent that not a single one of us has all the answers. And we might indeed want to think that we really are the very brightest person on planet Earth, that our wisdom exceeds that of anyone around us, as was the case allegedly with King Solomon. Yet reality reminds us of the truth: that our knowledge, our insights, our understanding is frequently limited, and likely only partial at best. So it is, Lord, that here in this Senate we know that it is always helpful to learn from one another, to labor openly in concert with others who also seek the common good, and thereby to accomplish what really is best for the people of our State. May this always be the goal and practice for everyone here in this Senate, O Lord. So we pray in Your loving name. Amen.

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

Point of Quorum

At 11:05 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Fanning
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	<i>Johnson, Michael</i>

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Martin	Massey	McElveen
Peeler	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2019, and to expire June 30, 2023

Master Hair Care Specialist:

Melissa Jones-Horton, 338 Clearwater Drive, Lancaster, SC 29720-7524

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator DAVIS introduced Dr. James Gigante of Hilton Head, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SABB, at 12:05 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 3:10 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 3:51 P.M., Senator LOFTIS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CAMPSSEN, at 4:56 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

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Leave of Absence

On motion of Senator TALLEY, at 4:56 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator WILLIAMS, at 4:56 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CLIMER rose for an Expression of Personal Interest.

Remarks to be Printed

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

CO-SPONSORS ADDED

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

- S. 141 Sen. Cash
- S. 379 Sens. Campsen and Fanning
- S. 464 Sens. Davis, K. Johnson, Cromer and Turner
- S. 614 Sen. Martin
- S. 730 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND

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SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO

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REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 743 -- Senators Alexander, Shealy, Peeler, Hutto, Verdin, Massey and Scott: A BILL TO AMEND SECTION 1-30-35 OF THE 1976 CODE, RELATING TO THE COMPOSITION AND GOVERNANCE OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY A DIRECTOR WHO IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 44-3-210 OF THE 1976 CODE, RELATING TO THE CREATION OF THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS, TO ELIMINATE THE COMMISSION AS THE GOVERNING BODY OF THE DEPARTMENT AND TO REENACT THE ESTABLISHMENT OF THE DEPARTMENT AND ITS POWERS AND DUTIES; TO AMEND SECTION 44-3-220 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION, TO ELIMINATE THE POWERS AND DUTIES OF THE COMMISSION, TO PROVIDE THAT THE DEPARTMENT FALLS WITHIN THE GOVERNOR'S CABINET, AND TO PROVIDE THAT THE DEPARTMENT'S ADMINISTRATIVE HEAD IS A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 44-3-230 OF THE 1976 CODE, RELATING TO THE POWERS AND

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DUTIES OF THE DIRECTOR, TO TRANSFER POWERS AND DUTIES VESTED IN THE COMMISSION TO THE DIRECTOR; TO AMEND SECTION 44-3-240 OF THE 1976 CODE, RELATING TO THE CREATION OF THE DEPARTMENT, TO TRANSFER FROM THE COMMISSION TO THE DEPARTMENT THE AUTHORITY TO PROMULGATE REGULATIONS; TO AMEND SECTION 44-20-320 OF THE 1976 CODE, RELATING TO POLICIES AND REGULATIONS RELATING TO THE ACCEPTANCE OF GIFTS BY THE DEPARTMENT, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44-20-350 OF THE 1976 CODE, RELATING TO REIMBURSEMENT TO THE STATE FOR ITS FISCAL OUTLAY ON BEHALF OF THE DEPARTMENT, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

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

S. 744 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

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

S. 745 -- Senator Gustafson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" 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. 3096 -- Reps. B. Cox, Magnuson, Burns, Forrest, Morgan, Haddon, Jones, McCabe, McCravy, Elliott, G. R. Smith, Taylor, Oremus, Trantham, May, Kimmons, Chumley, Long, Stringer, Wooten, McGarry, Fry, V. S. Moss, Hill, Thayer, Caskey, Nutt, T. Moore, Ligon, Hardee, Yow, Hixon, Huggins, Crawford, Willis, Hiott, White, M. M. Smith, Hyde, Martin, Dabney, Gagnon, D. C. Moss, Bailey and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING OF A FIREARM, SO AS TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO REVISE THE LOCATIONS AND CIRCUMSTANCES WHERE CARRYING A HANDGUN IS LEGAL; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES ASSOCIATED WITH VIOLATING CERTAIN HANDGUN LAWS, SO AS TO PROVIDE THAT THE PENALTIES DO NOT APPLY TO A PERSON CARRYING A CONCEALABLE WEAPON ONTO A PREMISE THAT DISPLAYS A SIGN THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON; TO AMEND SECTIONS 16-23-420 AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR CARRYING A FIREARM INTO A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO A PERSON WHO VIOLATES CERTAIN OFFENSES, AND TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN IT DOES APPLY TO CERTAIN OFFENSES; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT LISTS THE PLACES UPON WHICH A

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PERSON MAY NOT CARRY A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND REVISE THE PENALTIES THAT MAY BE IMPOSED PURSUANT TO THIS SECTION; TO AMEND SECTION 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, AND TO PROVIDE THIS PROVISION APPLIES TO A PERSON WHO KNOWINGLY BRINGS A CONCEALABLE WEAPON ONTO A PREMISE OR WORKPLACE; TO AMEND SECTION 23-31-235, RELATING TO THE POSTING OF SIGNS THAT PROHIBIT THE CARRYING OF CONCEALABLE WEAPONS ONTO A PREMISE, SO AS TO PROVIDE THE SIGNAGE PROHIBITS BOTH PERMIT HOLDERS AND NON-PERMIT HOLDERS FROM CARRYING A WEAPON ONTO THE PREMISE; AND TO REPEAL SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO UNLAWFULLY CARRYING A CONCEALED DEADLY WEAPON, AND CARRYING A CONCEALABLE WEAPON FROM A MOTOR VEHICLE TO CERTAIN RENTAL DWELLINGS.

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

H. 3164 -- Reps. McCravy, V. S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry, Burns and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR, PUBLIC SCHOOL DISTRICTS SHALL MAKE ADVANCED PLACEMENT TESTING AND CERTAIN OTHER TESTING AVAILABLE TO HOME SCHOOL STUDENTS RESIDING IN THE DISTRICT IF THE TESTS ARE MADE AVAILABLE TO STUDENTS ATTENDING PUBLIC SCHOOLS IN THE DISTRICTS, AND TO PROVIDE RELATED DUTIES OF SCHOOL BOARDS AND THE STATE DEPARTMENT OF EDUCATION.

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

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H. 3465 -- Reps. Gilliam, B. Newton, Atkinson, Long, McCravy, Forrest, Caskey, Felder, Matthews and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-42 SO AS TO PROVIDE A PERSON WHO HOLDS A PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR MORE YEARS AND WHO TEACHES IN THIS STATE FOR TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND TO PROVIDE THESE PROVISIONS APPLY NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER CERTIFICATION OR ANOTHER PROVISION OF LAW.

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

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

H. 3620 -- Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill, Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope, Stavrinakis, Thigpen, Wheeler, Bradley, Alexander, Kirby, Henegan, Pendarvis, Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter, R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter, Rose, Tedder, J. L. Johnson, Wetmore, Weeks, Matthews, Rivers, Anderson, Jefferson, Garvin, Hosey and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN

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FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

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

H. 3681 -- Reps. Simrill, Rutherford, Bannister, West and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

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

H. 3786 -- Reps. G. M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

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

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H. 3899 -- Reps. Elliott, G. R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

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

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

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

H. 4168 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 12 THROUGH 16, 2021, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK."

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

H. 4183 -- Reps. McCravy, W. Newton, Allison, Bailey, Ballentine, Bannister, Bennett, Bradley, Bryant, Burns, Caskey, Finlay, Gilliam, Haddon, Herbkersman, Hiott, Hyde, J. E. Johnson, Jones, Jordan, Kirby,

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Long, Magnuson, Martin, May, T. Moore, D. C. Moss, V. S. Moss, Nutt, G. M. Smith, G. R. Smith, Stringer, Trantham, West, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE LAST WEEK IN AUGUST 2021 AS "FAMILY WEEK" IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO CELEBRATE FAMILY DURING "FAMILY WEEK."

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

REPORTS OF STANDING COMMITTEES

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

S. 41 -- Senator Grooms: A BILL TO AMEND SECTION 31-12-70(A)(16) OF THE 1976 CODE, RELATING TO THE POWERS OF REDEVELOPMENT AUTHORITIES, TO PROVIDE THAT CERTAIN REDEVELOPMENT FEES MAY BE USED FOR FINANCING, ACQUIRING, DEVELOPING, SUPPORTING, AND OPERATING CERTAIN MUSEUM PROJECTS.

Ordered for consideration tomorrow.

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

S. 635 -- Senator Setzler: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION

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DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

Ordered for consideration tomorrow.

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

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

Ordered for consideration tomorrow.

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

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE

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TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

Ordered for consideration tomorrow.

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

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

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Ordered for consideration tomorrow.

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

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

Ordered for consideration tomorrow.

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

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2018, and to expire June 30, 2023

5th Congressional District:

Christy B. Rhyne, 2170 Westbrook Road, Edgemoor, SC 29712-6736

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Received as information.

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoun, 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.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

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The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 7, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

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.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, APRIL 8, 2021

SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 3011 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators BENNETT, McELVEEN and TURNER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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. 729 -- Senators Gustafson and McElveen: A BILL TO AMEND SECTIONS 1 AND 2 OF ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD'S POWERS AND DUTIES; TO AMEND SECTION 3 OF ACT 868 OF 1954, RELATING TO THE BOARD'S POWERS AND DUTIES, TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.

On motion of Senator McELVEEN.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

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

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 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

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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.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0028.005), which was adopted:

Amend the bill, as and if amended, page 27, by striking line 1 through line 40, in Section 56-5-2951(B), as contained in SECTION 8, and inserting therein the following:

/ ~~(4)~~(c) obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, Twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by

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Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure. The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, the person can obtain a temporary alcohol license without an ignition interlock restriction.

(3) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c).

(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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Senator MALLOY proposed the following amendment (JUD0028.006), which was tabled:

Amend the bill, as and if amended, page 27, by striking line 1 through line 40, in Section 56-5-2951(B), as contained in SECTION 8, and inserting therein the following:

/ (1)(c) obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, Twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while the remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure. The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, the person can obtain a temporary alcohol license without an ignition interlock restriction.

(3) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

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(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c). Should the suspension be overturned against a person whose fees have been paid from the Ignition Interlock Device Fund after a determination of indigency, as provided for in Section 56-5-2941(F), then such funds shall be returned to the Ignition Interlock Device Fund upon said disposition.

(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HUTTO spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 29; Nays 14

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Massey	McLeod
Peeler	Rankin	Rice
Sabb	Setzler	Shealy
Stephens	Young	

Total--29

NAYS

Allen	Campsen	Davis
Fanning	Garrett	Gustafson

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Malloy	Martin	McElveen
Scott	Talley	Turner
Verdin	Williams	

Total--14

The amendment was laid on the table.

Senators MALLOY proposed the following amendment (JUD0028.007), which was withdrawn:

Amend the bill, as and if amended, page 27, line 20, by inserting an appropriately-numbered subsection in Section 56-5-2951(B)(1), as contained in SECTION 8, to read:

/ (d) All fees collected pursuant to Section 56-1-400(C) and Section 56-5-2941(G) must be held in trust by the appropriate collecting department until the final disposition of any contested case hearing pursuant to this section. Should the temporary suspension provided for in this subsection be upheld, then the fees held in trust must be disbursed according to the provisions of Section 56-1-400(C) and Section 56-5-2941(G). Should the temporary suspension provided for in this subsection be overturned, then the fees held in trust must be returned to the individual from whom they were collected. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senators MALLOY proposed the following amendment (JUD0028.008), which was adopted:

Amend the bill, as and if amended, beginning on page 32, by striking lines 26 through 43 on page 32 and by striking lines 1 through 14 on page 33, in Section 56-5-2951, as contained in SECTION 8, and inserting therein the following:

/ ~~(P) If a person does not request a contested case hearing within the thirty day period as authorized pursuant to this section, the person may file with the department a form after enrolling in a certified Alcohol and Drug Safety Action Program to apply for a restricted license. The restricted license permits him to drive only to and from work and his place of education and in the course of his employment or education during the period of suspension. The restricted license also permits him to drive to and from Alcohol and Drug Safety Action~~

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~~Program classes or a court ordered drug program. The department may issue the restricted license at any time following the suspension upon a showing by the individual that he is employed or enrolled in a college or university, that he lives further than one mile from his place of employment, place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court ordered drug program, and that there is no adequate public transportation between his residence and his place of employment, his place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court ordered drug program. The department must designate reasonable restrictions on the times during which and routes on which the individual may drive a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance of Alcohol and Drug Safety Action Program classes, status of his court ordered drug program, or residence must be reported immediately to the department by the licensee. The route restrictions, requirements, and fees imposed by the department for the issuance of the restricted license issued pursuant to this item are the same as those provided in this section had the person requested a contested case hearing. A restricted license is valid until the person successfully completes a certified Alcohol and Drug Safety Action Program, unless the person fails to complete or make satisfactory progress to complete the program. Nothing in this section shall prevent the prosecuting authority from waiving or dismissing the charge." /~~

Renumber sections to conform.

Amend title to conform.

Senator MALLOY 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 41; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett

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Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Malloy

Total--1

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

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

S. 351 -- Senators McLeod and Malloy: 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 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 AN 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

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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.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and HEMBREE proposed the following amendment (351R004.KMM.CBH), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 20 and inserting:

/probation and parole, then /

Amend the bill further, as and if amended, on page 2, by striking lines 31-32 and inserting:

/sentence, including probation and parole, then a detention facility, as defined by Section /

Amend the bill further, as and if amended, on page 2, by striking lines 42-43 and inserting:

/all terms of his sentence, then the probation agent must provide a written notice /

Amend the bill further, as and if amended, on page 3, by striking lines 27-32 and inserting:

/sentence, including probation and parole time unless sooner pardoned.

(C) A person formerly disqualified from being registered to vote or from voting pursuant to subsection (B)(3) must provide verification at the time of registration that he has served his disqualifying sentence, including probation and parole time.” /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

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The amendment was adopted.

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
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	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 third time, passed and ordered sent to the House.

**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. 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

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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, AND TO MAKE CONFORMING CHANGES.

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

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.

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

S. 29 -- Senators Hutto and McElveen: A BILL TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-107, TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN FIFTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

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The Senate proceeded to a consideration of the Bill.

Senators CAMPSER and GOLDFINCH proposed the following amendment (29R003..GEC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

“Section 50-21-107. (A) For the purposes of this section:

(1) ‘Acceptable electronic format’ means an electronic image produced on a person’s cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) ‘Proof of insurance’ shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation, available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty propcraft that reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The presentment of proof of insurance in an acceptable electronic format does not:

(a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or

(b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty

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propcraft is covered by an insurance policy that meets the requirements of this section.

(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancelation in insurance coverage.

(E)(1) If a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The amendment was adopted.

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Senator CAMPSEN proposed the following amendment (29R002..GEC), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

“Section 50-21-107. (A) For the purposes of this section:

(1) ‘Acceptable electronic format’ means an electronic image produced on a person’s cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) ‘Proof of insurance’ shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation, available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty propcraft that reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The presentment of proof of insurance in an acceptable electronic format does not:

(a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or

(b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy that meets the requirements of this section.

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(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

(E)(1) If a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State." /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator KIMBRELL proposed the following amendment (29R002.SP.JK), which was adopted:

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

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/SECTION __. Section 50-23-20 of the 1976 Code is amended to read:

“Section 50-23-20. Any watercraft ~~or~~ and outboard motor, ~~or both,~~ held or principally used in this State must be dually titled by the department. An owner of a watercraft ~~or~~ and outboard motor titled in this State must notify the department within thirty days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.”

SECTION __. Section 50-23-35 of the 1976 Code is amended to read:

“Section 50-23-35. (A) No dual title for a watercraft ~~or~~ and outboard motor may be issued by the department if currently titled in this State or titled or registered in another state unless it is accompanied by a receipt from the applicant's appropriate county official stating payment of ad valorem taxes due for the tax year in which the ownership was initiated has been paid. Applications submitted more than one year after ownership was initiated must be accompanied by paid tax receipts for all subsequent years up to the date the application was accepted by the department.

(B) A dual title for a watercraft ~~or~~ and outboard motor sold by a permitted marine dealer is exempt from the requirement for a paid tax receipt and may be titled by the department without the receipt indicating ad valorem taxes have been paid. The department must transmit daily a list of the titles and certificates of registration issued under this exemption to the respective county official for collection of ad valorem taxes.

(C) No receipt is required for a watercraft ~~or~~ and outboard motor designated as exempt from ad valorem taxes by the appropriate county official, provided that each county makes such a determination when a watercraft ~~or~~ and outboard motor is dually titled in their respective county.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

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Senator GOLDFINCH proposed the following amendment (29R001.SP.SLG), which was withdrawn:

Amend the bill, as and if amended, in SECTION 2, by striking Section 50-21-107(B) and (C) and inserting:

/ (B) It shall be unlawful for the owner of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, to allow the operation of the watercraft, personal watercraft, or specialty propcraft unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration and each applicant for a registration renewal of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy as required in subsection (B).

/

Re-number sections to conform.

Amend title to conform.

The amendment was withdrawn.

The question being the third reading of the Bill.

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

Ayes 37; Nays 4

AYES

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

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Young

Total--37

NAYS

Corbin
Peeler

Grooms

Martin

Total--4

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

**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. 153 -- Senator Martin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAME OF THE SPARTANBURG HIGH SCHOOL VOTING PRECINCT TO THE MCCRACKEN MIDDLE SCHOOL VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE SPARTANBURG COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

S. 177 -- Senators Corbin, Rice, Loftis, Verdin, Martin, Garrett and Gustafson: A JOINT RESOLUTION TO PROVIDE THAT COVID-19 VACCINATIONS ARE PURELY VOLUNTARY, TO PROVIDE THAT AN EMPLOYER CANNOT TAKE AN ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CANNOT REQUIRE ISOLATION OR QUARANTINE FOR A PERSON WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION.

The Senate proceeded to a consideration of the Resolution.

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Senator HUTTO proposed the following amendment (177R003.SP.CBH), which was adopted:

Amend the joint resolution, as and if amended, on page 1, by striking lines 32 through 39 and inserting:

/SECTION 2. Notwithstanding the provisions contained in SECTION 1, an employee or contractor working for an entity who is treating or caring for vulnerable populations may be required by that entity to undergo vaccination to prevent COVID-19. For the purposes of this SECTION, "vulnerable populations" includes a person over the age of sixty, or a person with an underlying medical condition identified by the Centers for Disease Control and Prevention as having a higher risk of complications related to COVID-19. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator KIMPSON spoke on the Resolution.

The amendment was adopted.

The question being third reading of the Resolution.

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

Ayes 33; Nays 7

AYES

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

Total--33

NAYS

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Allen	<i>Johnson, Kevin</i>	Kimpson
McLeod	Sabb	Scott
Stephens		

Total--7

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

Statement by Senator KIMPSON

I inadvertently voted for second reading of S. 177. Upon further consideration and review, I would have voted against giving S. 177 a second reading.

**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. 379 -- Senators Cash, Kimbrell, Campsen and Fanning: A BILL TO AMEND CHAPTER 89, TITLE 44 OF THE 1976 CODE, RELATING TO THE BIRTHING CENTER LICENSURE ACT, BY ADDING ARTICLE 3, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROMULGATE REGULATIONS TO INTEGRATE BIRTHING CENTERS AND LICENSED MIDWIVES INTO PERINATAL CARE SERVICES, AND TO DEFINE NECESSARY TERMS.

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN

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THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

**COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME**

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

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (SA\644C001.BH.SA21), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking line 30 through line 36 and inserting:

/ “Section 11-35-5270. The Division of Small and Minority Business Contracting and Certification must be established within the ~~Department of Administration~~ State Fiscal Accountability Authority to assist the ~~Department of Administration~~ State Fiscal Accountability Authority and

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the Department of Revenue in carrying out the intent of this article. The responsibilities of the division include, but are not limited to, the following: /

Amend further, by striking SECTION 3 and inserting:

/ SECTION 3. A. Where the provisions of this act transfer duties, programs, or services of the Department of Administration to the State Fiscal Accountability Authority, the employees, authorized appropriations, and assets and liabilities of these divisions, services, and programs also are transferred to and become part of the State Fiscal Accountability Authority. All classified or unclassified personnel employed by the divisions, programs, services, or initiatives transferred from the Department of Administration, either by contract or by employment at will, become on July 1, 2021, employees of the State Fiscal Accountability Authority with the same compensation, classification, and grade level, as applicable. Before the transfer of the applicable divisions, programs, services, or initiatives of the Department of Administration pursuant to this act, these agencies and organizations shall cause all necessary actions to be taken to accomplish this transfer in accordance with state and federal laws and regulations.

B. Applicable regulations promulgated by the Department of Administration are continued and are considered to be promulgated by the State Fiscal Accountability Authority. Applicable contracts entered into by the Department of Administration are continued and are considered to be devolved upon the State Fiscal Accountability Authority at the time of the transfer. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the Bill.

Senator SCOTT explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

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

Ayes 23; Nays 19

AYES

Alexander

Allen

Cromer

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Davis	Fanning	Gambrell
Garrett	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	McElveen
McLeod	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Williams	

Total--23

NAYS

Adams	Bennett	Campsen
Climer	Corbin	Goldfinch
Grooms	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Talley	Turner	Verdin
Young		

Total--19

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

**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. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO

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AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT

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BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander, Bennett, Garrett and Cash: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

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

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy Matthews and Jackson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

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The Committee on Education proposed the following amendment (685R001.KMM.GH), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 9 through 11 and inserting:

/performance. Compensation may only be provided by a third party./

Amend the bill further, as and if amended, on page 3, by striking lines 33 through 39 and inserting:

/ (E) An intercollegiate athlete at an institution of higher learning may not use the institution of higher learning's facilities, uniforms provided by the institution of higher learning, or the institution of higher learning's intellectual property, including, but not limited to, the unauthorized use of a registered trademark or product protected by copyright, in connection with the use of the intercollegiate athlete's name, image, or likeness activities. /

Amend the bill further, as and if amended, on page 5, by striking line 7 and inserting:

/ tobacco, alcohol, illegal substances or activities, banned athletic substances, /

Amend the bill further, as and if amended, on page 5, line 37, by adding:

/ (D) An institution of higher learning may fund, through its athletic department, an independent, third-party administrator to support education, monitoring, disclosures, and reporting concerning name, image, or likeness activities authorized pursuant to this chapter. A third-party administrator can not be a registered athlete agent. An athlete agent is prohibited from having any affiliation with a third-party administrator. /

Amend the bill further, as and if amended, on page 6, by striking line 38 and inserting:

/SECTION 3. Section 59-102-70 of the 1976 Code is amended by adding:

“(C) The department may suspend, refuse to renew, or revoke a person's registration if that person fails to complete at least twenty hours of continuing athlete agent education coursework biennially. The department may promulgate regulations necessary for the approval of credit hours.”

SECTION 4. Chapter 102, Title 59 of the 1976 Code is amended by adding:

“Section 59-102-85. The Department of Consumer Affairs shall maintain an online, public directory of all registered athlete agents in

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good standing. The directory shall include each athlete agent's registration application information that is required pursuant to this chapter."

SECTION 5. Section 59-102-90 of the 1976 Code is amended to read:

"Section 59-102-90. An application for registration or renewal of registration must be accompanied by a fee of:

(1) one thousand five hundred dollars for an initial application for registration;

(2) two thousand five hundred dollars for registration based on a certificate of registration issued by another state;

(3) ~~three~~ seven hundred dollars for an application for renewal of registration; or

(4) ~~three hundred~~ one thousand dollars for renewal of registration based on a renewal of registration in another state."

SECTION 6. Section 59-102-100 of the 1976 Code is amended by adding:

"(H) An agency contract for name, image, or likeness activities, as defined in Chapter 158, Title 59, may not provide for athlete agent compensation that exceeds ten percent of the name, image, or likeness contract."

SECTION 7. This act takes effect for each institution of higher learning in this State upon the earlier of July 1, 2022 or certification by the Attorney General to the Governor of the enactment of rules consistent with the provisions contained in this act by the institution of higher learning's collegiate governing body. Upon certification by the Attorney General, the provisions of this act are suspended until the General Assembly takes further action. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator ADAMS proposed the following amendment (685R006.SP.BA), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by striking Section 59-158-50 and inserting:

/ Section 59-158-50. An intercollegiate athlete participating in name, image, or likeness activities must abide by his institution of higher

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learning and its athletics department's policies with respect to missed class time and good academic standing. Good academic standing includes meeting both grade point average and course hour requirements. An intercollegiate athlete must also meet all academic requirements of the athletic association and conference that his institution of higher learning is a member of in order to participate in name, image, or likeness activities. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator ADAMS proposed the following amendment (685R005.SP.BA), which was withdrawn:

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to Section 59-158-20 to read:

/ () An intercollegiate athlete who transfers from an institution of higher learning that is located outside of the State is prohibited from entering into any name, image, or likeness contracts for one academic year. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was withdrawn.

Senator ADAMS proposed the following amendment (685R008.SP.BA), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to Section 59-158-70 to read:

/ () A name, image, or likeness contract shall be void if an intercollegiate athlete is convicted of a felony pursuant to Section 16-1-90. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

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The amendment was adopted.

Senator CAMPSEN proposed the following amendment (685R003.SP.GEC), which was tabled:

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

/SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 158

Intercollegiate Athletes’ Compensation

Section 59-158-10. For the purposes of this chapter:

(1) ‘Compensation’ means any remuneration, in cash or in kind, whether provided at the time or at any subsequent date, to a student athlete that is equal to no less than part-time minimum wage employment, but no more than one and a half times this amount. ‘Compensation’ does not mean any grant, scholarship, fellowship, tuition assistance, stipend, cost of attendance, or other form of financial aid provided to a student for pursuing a post-secondary education.

(2) ‘Institution of higher learning’ means any post-secondary educational institution, including a technical or comprehensive educational institution.

(3) ‘Intercollegiate athlete’ means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in an intercollegiate sport. If an individual is permanently ineligible to participate in a particular intercollegiate sport, then the individual is not an intercollegiate athlete for the purposes of that sport.

(4) ‘Intercollegiate sport’ means a sport played at the collegiate level for which eligibility requirements for participation by an intercollegiate athlete are established by a national association that promotes or regulates collegiate athletics.

(5) ‘Part-time employment’ means no more than thirty-five hours per week.

Section 59-158-20. (A) An intercollegiate athlete at an institution of higher learning may be paid by the institution of higher learning compensation for participating in an intercollegiate sport if the intercollegiate athlete is unable to be employed otherwise because of scheduling restrictions resulting from participation in the intercollegiate sport.

(B) An institution of higher learning or its athletic conference cannot directly or indirectly create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

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(C) An institution of higher learning may not use or allow boosters directly or indirectly to create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(D) A grant in aid, including the cost of attendance, awarded to an intercollegiate athlete by an institution of higher learning is not compensation for the purposes of this chapter and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation under this chapter.

Section 59-158-30. Earning compensation in compliance with the provisions of this chapter does not affect an intercollegiate athlete's grant in aid or athletic eligibility."

SECTION 2. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

Senator KIMPSON spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

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

Ayes 28; Nays 13

AYES

Alexander	Allen	Bennett
Garrett	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--28

NAYS

Adams	Campsen	Climer
Corbin	Cromer	Davis

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Gambrell	Goldfinch	Grooms
Gustafson	Loftis	Martin
Verdin		

Total--13

The amendment was laid on the table.

Senator CAMPSSEN proposed the following amendment (685R007.SP.GEC), which was withdrawn:

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

/SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 158

Intercollegiate Athletes’ Compensation

Section 59-158-10. For the purposes of this chapter:

(1) ‘Compensation’ means any remuneration, in cash or in kind, whether provided at the time or at any subsequent date, to a student athlete that is equal to part-time minimum wage employment. ‘Compensation’ does not mean any grant, scholarship, fellowship, tuition assistance, stipend, cost of attendance, or other form of financial aid provided to a student for pursuing a post-secondary education.

(2) ‘Institution of higher learning’ means any post-secondary educational institution, including a technical or comprehensive educational institution.

(3) ‘Intercollegiate athlete’ means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in an intercollegiate sport. If an individual is permanently ineligible to participate in a particular intercollegiate sport, then the individual is not an intercollegiate athlete for the purposes of that sport.

(4) ‘Intercollegiate sport’ means a sport played at the collegiate level for which eligibility requirements for participation by an intercollegiate athlete are established by a national association that promotes or regulates collegiate athletics.

(5) ‘Part-time employment’ means no more than thirty-five hours per week.

Section 59-158-20. (A) An intercollegiate athlete at an institution of higher learning may be paid by the institution of higher learning compensation for participating in an intercollegiate sport if the intercollegiate athlete is unable to be employed otherwise because of

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scheduling restrictions resulting from participation in the intercollegiate sport.

(B) An institution of higher learning or its athletic conference cannot directly or indirectly create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(C) An institution of higher learning may not use or allow boosters directly or indirectly to create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(D) A grant in aid, including the cost of attendance, awarded to an intercollegiate athlete by an institution of higher learning is not compensation for the purposes of this chapter and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation under this chapter.

Section 59-158-30. Earning compensation in compliance with the provisions of this chapter does not affect an intercollegiate athlete's grant in aid or athletic eligibility."

SECTION 2. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was withdrawn.

The question being the third reading of the Bill.

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

Ayes 22; Nays 21

AYES

Alexander	Allen	Cromer
Fanning	Gustafson	Harpoottlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Talley	Turner
Young		

Total--22

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NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Garrett
Goldfinch	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Shealy	Verdin	Williams

Total--21

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

**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. 716 -- Senator Climer: A BILL TO AMEND SECTION 7-7-530 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND.

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

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

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION

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TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG proposed the following amendment (533R005.SP.TRY), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 1 through 10 and inserting:

/SECTION 2. Beginning on January 1, 2022, and annually thereafter, the Department of Disabilities and Special Needs shall submit a report to the General Assembly concerning the payment of a subminimum wage in South Carolina. The report shall:

(1) identify all providers in this State that maintain a Section 14(c) certificate;

(2) identify which of those providers pay a subminimum wage;

(3) identify which of those providers used to pay a subminimum wage but have stopped that practice;

(4) identify which of those providers that stopped paying a subminimum wage did so due to an increase in the federal minimum wage; and

(5) provide data regarding the success in obtaining minimum wage employment of individuals with severe intellectual disabilities as compared to individuals with mild or moderate intellectual disabilities./

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (533R006.SP.TD), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 41 and 42, and on page 3, by striking lines 1 and 2 and inserting:

/ (5) two members who are currently authorized to pay a subminimum wage appointed by the Director of the South Carolina Department of Disabilities and Special Needs;

(6) two members who are current or former employees with a disability who are or were paid a subminimum wage appointed by the

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Director of the South Carolina Department of Disabilities and Special Needs; /

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being third reading of the Resolution.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

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AMENDED, READ THE SECOND TIME

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

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The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (628R008.SP.RWC), which was adopted:

Amend the bill, as and if amended, on page 4, by striking lines 40 through 43 and inserting:

/ (E) A pharmacy may collect an administration fee from a patient for services rendered pursuant to Section 40-43-230, or if a participant's health benefit plan includes contraception services, then health insurers or the State Health Plan must provide coverage for services provided pursuant to Section 40-43-230 and reimburse at a rate that is consistent with the Medicare fee schedule for the pharmacy administration of vaccinations and immunizations. Nothing in this section shall prohibit a health insurer or the State Health Plan from pursuing value-based reimbursement arrangements with pharmacies for these services or from applying any cost-sharing requirements or other terms or provisions of a health benefit plan. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER 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 40; Nays 0; Present 1

AYES

Adams	Alexander	Allen
Bennett	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

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--40

NAYS

Total--0

PRESENT

Cash

Total--1

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

Statement by Senator CASH

I decline to vote for S. 628 because I do not wish to put a pharmacist in the place of a family physician.

CARRIED OVER

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND

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COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY spoke on the Bill.

Senator SETZLER spoke on the Bill.

Senator SCOTT spoke on the Bill.

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

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

S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer: A BILL A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING

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SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0619.009), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 61-4-720 of the 1976 Code is amended to read:

“Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and a half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises and contains an alcoholic content of sixteen percent or less.

(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary American source of supply under subsection (A)(1), the winery may not sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident's personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.”

SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-748. (A). Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer's satellite certificate to establish up to three wholly-owned satellite locations for tasting and sale of wine

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produced or imported as the primary American source of supply, provided that:

- (1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;
- (2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;
- (3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;
- (4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;
- (5) the winery submits, and the department approves separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);
- (6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;
- (7) no more than one tasting-room premises shall be permitted in any one county of this State;
- (8) the winery may conduct tastings of or sell only wine that is (a) produced or bottled by the winery within or outside of this State, (b) produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c) wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;
- (9) the winery must sell wine for off-premises consumption at a tasting-room premises at a price approximating retail prices generally charged for identical wine in the county where the tasting-room premises is located;
- (10) the winery must charge a consumer a tasting fee to participate in a tasting or the consumer may not purchase any wine for off-premises consumption;
- (11) the winery shall remit applicable sales, use, and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;
- (12) all wine to be handled, tasted, or sold at a tasting-room premises must be purchased from licensed wholesalers and transported

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and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(13) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

(14) tastings and sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide or sell to an individual consumer at a tasting-room premises:

(1) more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed; or

(2) more than the equivalent of six seven hundred fifty milliliter bottles of wine each calendar month to an individual consumer for off-premises consumption and not for resale.

(C) Tasting rooms authorized in this section must close to the public at 5:30 PM and may not open to the public until 8:00 AM.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or permit that is available to other licensed breweries, micro-distilleries, or liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of sales and tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers."

SECTION 3. Section 61-4-770 of the 1976 Code is amended to read:

"Section 61-4-770. Wines containing more than sixteen and a half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink."

SECTION 4. Section 61-6-1035 of the 1976 Code is amended to read:

"Section 61-6-1035. Notwithstanding the provisions of Section 61-6-1500, the sampling of wines containing over sixteen and a half percent by volume of alcohol, cordials, and other distilled spirits sold in a retail

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alcoholic liquor store is authorized if the sampling is conducted as follows:

- (1) No sample may be offered from more than four products at one time.
- (2) The sample is limited to products from no more than one wholesaler at one time.
- (3) No more than one bottle of each of the four products to be sampled may be opened.
- (4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.
- (5) Samples must be less than one-half ounce for each product sampled.
- (6) No person may be served more than one sample of each product.
- (7) No sampling may be offered for longer than four hours.
- (8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.
- (9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years. This person must not be allowed to loiter on the store premises.
- (10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, an employee of a wholesaler, or an agent of a wholesaler.
- (11) No retail alcoholic liquor store may offer more than one sampling per day.
- (12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by Section 61-6-100(3).
- (13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.
- (14) Mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, may be provided in conjunction with the tasting, but the mixers must be provided free of charge.
- (15) Store mixers used, but not sold, in conjunction with tastings.”

SECTION 5. Section 61-6-1640 of the 1976 Code is amended to read:

“Section 61-6-1640. Notwithstanding the provisions of this subarticle or any other provision of law, an establishment licensed

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pursuant to Article 5 of this chapter is authorized to conduct samplings of wines in excess of sixteen and a half percent alcohol, cordials, and distilled spirits, if the sampling is conducted as follows:

- (1) the establishment must have a permanent seating capacity of fifty or more persons;
- (2) samples may not be offered from more than four products at any one time;
- (3) the sampling must be held in the bar area of a licensed establishment and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting;
- (4) samples must be less than one-half ounce for each product sampled;
- (5) a person may not be served more than one sample of each product;
- (6) sampling may not be offered for more than four hours;
- (7) at least five days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division;
- (8) a sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years;
- (9) a licensed establishment may not offer more than one sampling each day; and
- (10) the sampling must be conducted by the manufacturer or wholesaler or an agent of the manufacturer or wholesaler.”

SECTION 6. Section 61-6-1650 of the 1976 Code is amended to read:

“Section 61-6-1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen and a half percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen and a half percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer's customers. The producer or wholesaler shall remove all bottles at the conclusion of

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the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 7. Section 61-6-1540 of the 1976 Code is amended to read:

“Section 61-6-1540. (A) Except as provided in subsection (B), no other goods, wares, or merchandise may be kept or stored in or sold in or from a retail alcoholic liquor store or place of business, and no place of amusement may be maintained in or in connection with the store. However, retail dealers may sell:

(1) drinking glassware packaged together with alcoholic liquors if the glassware and alcoholic liquors are packaged together by the wholesaler or producer in packaging provided by the producer;

(2) nonalcoholic items, other than beer or wine, packaged together with alcoholic liquors if the nonalcoholic items and alcoholic liquors are in sealed packages and are packaged together by the alcoholic liquor producer at its place of business; and

(3) lottery tickets under the provisions of Chapter 150 of Title 59.

(B) Retail dealers licensed pursuant to the provisions of this article may sell all wines in the stores or places of business covered by their respective licenses, whether declared alcoholic or nonalcoholic or nonintoxicating by the laws of this State.

Wines containing more than sixteen and a half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink. The provisions of this section do not amend, alter, or modify the taxes imposed on wines or the collection and enforcement of these taxes.”

SECTION 8. A state agency with regulations specifying alcohol content percentages different from the percentages passed in this act must promulgate revised regulations to conform to the changes in this act. Until such time as the regulations are conformed, the percentages in the statutory provisions passed in this act supersede any differing percentages in the regulations.

SECTION 9 This act takes effect upon approval of the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

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ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

PRESIDENT PRESIDES

At 4:13 P.M., the PRESIDENT assumed the Chair.

Senators CASH, MASSEY, and CAMPSÉN proposed the following amendment (JUD0619.014), which was tabled:

Amend the bill, as and if amended, page 2, lines 1 through 14, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 61-4-720 of the 1976 Code is amended to read:

“Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and a half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises and contains an alcoholic content of sixteen percent or less.

(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary American source of supply under subsection (A)(1), the winery may not sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident’s personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.” /

Amend the bill further, as and if amended, beginning on page 2, line 16, and ending on page 3, line 34, by striking SECTION 2 in its entirety and inserting therein the following:

/ SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-748. (A). Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer’s satellite certificate to establish

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up to three wholly-owned satellite locations for tasting of wine produced or imported as the primary American source of supply, provided that:

(1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;

(2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;

(3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;

(4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;

(5) the winery submits, and the department approves separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);

(6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;

(7) no more than one tasting-room premises shall be permitted in any one county of this State;

(8) the winery may conduct tastings of only wine that is (a) produced or bottled by the winery within or outside of this State, (b) produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c) wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;

(9) the winery must charge a consumer a tasting fee to participate in a tasting;

(10) the winery shall remit applicable use and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;

(11) all wine to be handled or tasted at a tasting-room premises must be purchased from licensed wholesalers and transported and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(12) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

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(13) tastings shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide to an individual consumer at a tasting-room premises more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed;

(C) Tasting rooms authorized in this section must close to the public at 5:30 PM and may not open to the public until 8:00 AM.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or permit that is available to other licensed breweries, micro-distilleries, or liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers." /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

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

Ayes 25; Nays 12

AYES

Adams	Alexander	Bennett
Climer	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	McElveen

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Rankin	Sabb	Shealy
Talley	Turner	Williams
Young		

Total--25

NAYS

Allen	Campsen	Cash
Corbin	Davis	Malloy
Massey	McLeod	Peeler
Rice	Scott	Verdin

Total--12

The amendment was laid on the table.

Call of the Senate

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

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

A quorum being present, the Senate resumed.

Senators BENNETT, McELVEEN, TURNER, CLIMER, FANNING, HARPOOTLIAN, M. JOHNSON, GAMBRELL and KIMBRELL proposed the following amendment (JUD0619.015), which was adopted:

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Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. The General Assembly finds and declares that:

(A) The State has a substantial interest in regulating alcoholic liquors and other beverages containing alcohol; the activities of manufacturers, importers, wholesalers, and retailers; and the influences that affect the consumption levels of alcoholic liquors and other beverages containing alcohol by the people of the State.

(B) The State has a substantial interest in exercising its police power to promote the public health, safety, and welfare of the State by regulating the business of manufacturing, distributing, and retail sales of alcoholic liquors and other beverages containing alcohol in the manner and to the extent allowed by law to promote and preserve public health and safety through legitimate, nonprotectionist measures, which include regulating and controlling alcoholic beverage transactions in this State and the means and manner in which licensed micro-distilleries and alcoholic liquor manufacturers may sell alcoholic beverages to the State's qualifying consumers.

(C) Selling alcoholic liquors from manufacturers outside the State directly to residents of this State poses a serious threat to the State's efforts to prevent underage drinking, to state revenue collections, and to the public health and safety of the State's residents.

(D) By this act, the General Assembly intends to promote the public health, safety, and welfare of residents of this State with laws intended to strictly regulate alcoholic liquors and other beverages containing alcohol by preserving and promoting a robust, stable system of distribution of beverages containing alcohol to the public that does not provide for economic protectionism. Excessive use of alcoholic liquors and other beverages containing alcohol has wide-ranging deleterious health effects, including death. The General Assembly acknowledges that, according to the United States Centers for Disease Control, during the period from 2011 to 2015, an average of one thousand six hundred seventy-nine of this State's residents suffered alcohol attributed deaths due to excessive alcohol use and the rate of binge drinking in this State is ranked among the highest in the nation. The General Assembly acknowledges that, according to the National Highway Traffic Safety Administration, this State had two hundred eighty-five alcohol-impaired driving fatalities in 2019, which accounted for twenty-eight percent of the total traffic fatalities in the State. Attributed deaths due to alcohol-impaired driving in this State is ranked among the highest in the nation.

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(E) This act has been enacted pursuant to the authority granted to the State by the Twenty-first Amendment to the Constitution of the United States, the powers reserved to the states under the Tenth Amendment to the United States Constitution, and the inherent powers of the State under the Constitution of the State of South Carolina, 1895, and the statutes promulgated thereunder. It is the intent of the General Assembly that this act do all of the following:

(1) further regulate and control transactions in this State as to beverages containing alcohol under the control and supervision of the Department of Revenue;

(2) strictly regulate alcoholic beverage transactions by fostering moderation and responsibility in the use and consumption of beverages containing alcohol;

(3) promote and assure the public's interest in fair and efficient distribution and quality control of alcoholic beverages in this State;

(4) promote orderly marketing of alcoholic beverages;

(5) prevent unfair business practices, discrimination, and undue control of one segment of the alcoholic beverage industry by any other segment;

(6) foster vigorous and healthy competition in the alcoholic beverage industry and protect the interests of consumers against fraud and misleading practices in the sale of alcoholic beverages, and avoid problems associated with indiscriminate price cutting and excessive advertising of alcoholic beverages;

(7) provide for an orderly system of public revenues by facilitating the collection and accountability of this State and local excise taxes;

(8) facilitate the collection of state and local revenue;

(9) maintain trade stability and provide for the continuation of control and orderly processing by the State over the regulation of alcoholic beverage manufacturing locations and the process of selling alcoholic beverages to the State's consumers;

(10) ensure that the Department of Revenue and State Law Enforcement Division are able to monitor licensed operations through on-site inspections to confirm compliance with state law and that any alcoholic beverages shipped into, distributed, and sold throughout this State:

(a) have been registered for sale in this State with the Department of Revenue, as prescribed by law;

(b) are not subject to a government-mandated or supplier-initiated recall;

(c) are not counterfeit;

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(d) are labeled in conformance with applicable laws, rules, and regulations;

(e) can be inspected and tested by the Department of Revenue or the State Law Enforcement Division; and

(f) are not prohibited by this State;

(11) promote and maintain a sound, stable, and viable three-tier system of distribution of beverages containing alcohol to the public; and

(12) ensure that statutes and regulations relating to alcoholic beverages exist to serve the interests of the State of South Carolina and its citizens rather than to serve or protect the interests of market participants by adopting protectionist measures with no demonstrable connection to the State's legitimate interests in regulating alcoholic beverages.

SECTION 2. Section 61-4-720 of the 1976 Code is amended to read:

“Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and a half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises~~and contains an alcoholic content of sixteen percent or less.~~

(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary American source of supply under subsection (A)(1), the winery may not sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident's personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.”

SECTION 3. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-748. (A). Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer's satellite certificate to establish up to three wholly-owned satellite locations for tasting and sale of wine

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produced or imported as the primary American source of supply, provided that:

(1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;

(2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;

(3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;

(4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;

(5) the winery submits, and the department approves separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);

(6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;

(7) no more than one tasting-room premises shall be permitted in any one county of this State;

(8) the winery may conduct tastings of or sell only wine that is (a) produced or bottled by the winery within or outside of this State, (b) produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c) wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;

(9) the winery must sell wine for off-premises consumption at a tasting-room premises at a price approximating retail prices generally charged for identical wine in the county where the tasting-room premises is located;

(10) the winery must charge a consumer a tasting fee to participate in a tasting or the consumer may not purchase any wine for off-premises consumption;

(11) the winery shall remit applicable sales, use, and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;

(12) all wine to be handled, tasted, or sold at a tasting-room premises must be purchased from licensed wholesalers and transported

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and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(13) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

(14) tastings and sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide or sell to an individual consumer at a tasting-room premises:

(1) more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed; or

(2) more than the equivalent of six seven hundred fifty milliliter bottles of wine each calendar month to an individual consumer for off-premises consumption and not for resale.

(C) Tasting rooms authorized in this section must close to the public at 5:30 PM and may not open to the public until 8:00 AM.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or permit that is available to other licensed breweries, micro-distilleries, or liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of sales and tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers."

SECTION 4. Section 61-4-770 of the 1976 Code is amended to read:

"Section 61-4-770. Wines containing more than sixteen and a half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink."

SECTION 5. Section 61-6-1035 of the 1976 Code is amended to read:

"Section 61-6-1035. Notwithstanding the provisions of Section 61-6-1500, the sampling of wines containing over sixteen and a half percent by volume of alcohol, cordials, and other distilled spirits sold in a retail

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alcoholic liquor store is authorized if the sampling is conducted as follows:

(1) No sample may be offered from more than four products at one time.

(2) The sample is limited to products from no more than one wholesaler at one time.

(3) No more than one bottle of each of the four products to be sampled may be opened.

(4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.

(5) Samples must be less than one-half ounce for each product sampled.

(6) No person may be served more than one sample of each product.

(7) No sampling may be offered for longer than four hours.

(8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.

(9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years. This person must not be allowed to loiter on the store premises.

(10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, an employee of a wholesaler, or an agent of a wholesaler.

(11) No retail alcoholic liquor store may offer more than one sampling per day.

(12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by Section 61-6-100(3).

(13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.

(14) Mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, may be provided in conjunction with the tasting, but the mixers must be provided free of charge.

(15) Store mixers used, but not sold, in conjunction with tastings.”

SECTION 6. Section 61-6-1640 of the 1976 Code is amended to read:

“Section 61-6-1640. Notwithstanding the provisions of this subarticle or any other provision of law, an establishment licensed

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pursuant to Article 5 of this chapter is authorized to conduct samplings of wines in excess of sixteen and a half percent alcohol, cordials, and distilled spirits, if the sampling is conducted as follows:

- (1) the establishment must have a permanent seating capacity of fifty or more persons;
- (2) samples may not be offered from more than four products at any one time;
- (3) the sampling must be held in the bar area of a licensed establishment and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting;
- (4) samples must be less than one-half ounce for each product sampled;
- (5) a person may not be served more than one sample of each product;
- (6) sampling may not be offered for more than four hours;
- (7) at least five days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division;
- (8) a sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years;
- (9) a licensed establishment may not offer more than one sampling each day; and
- (10) the sampling must be conducted by the manufacturer or wholesaler or an agent of the manufacturer or wholesaler.”

SECTION 7. Section 61-6-1650 of the 1976 Code is amended to read:

“Section 61-6-1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen and a half percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen and a half percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer's customers. The producer or wholesaler shall remove all bottles at the conclusion of

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the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 8. Section 61-6-1540 of the 1976 Code is amended to read:

“Section 61-6-1540. (A) Except as provided in subsection (B), no other goods, wares, or merchandise may be kept or stored in or sold in or from a retail alcoholic liquor store or place of business, and no place of amusement may be maintained in or in connection with the store. However, retail dealers may sell:

(1) drinking glassware packaged together with alcoholic liquors if the glassware and alcoholic liquors are packaged together by the wholesaler or producer in packaging provided by the producer;

(2) nonalcoholic items, other than beer or wine, packaged together with alcoholic liquors if the nonalcoholic items and alcoholic liquors are in sealed packages and are packaged together by the alcoholic liquor producer at its place of business; and

(3) lottery tickets under the provisions of Chapter 150 of Title 59.

(B) Retail dealers licensed pursuant to the provisions of this article may sell all wines in the stores or places of business covered by their respective licenses, whether declared alcoholic or nonalcoholic or nonintoxicating by the laws of this State.

Wines containing more than sixteen and a half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink. The provisions of this section do not amend, alter, or modify the taxes imposed on wines or the collection and enforcement of these taxes.”

SECTION 9. Subarticle 11, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-1155. (A)(1) In addition to alcoholic liquor production or manufacturing and sales authorized by this subarticle, a holder of a valid micro-distillery or manufacturer license issued by the State is authorized to sell the alcoholic liquors distilled at the licensed premises to consumers for on-premises consumption within an area of its licensed premises physically partitioned from the distilling and manufacturing operation and bona fide engaged primarily and substantially in the preparation and serving of meals, as required by Section 61-6-1610.

(2) These establishments also may apply for separate beer and wine licenses for on-premises consumption and alcoholic liquor by the drink, and local option permits authorizing the purchase for resale of

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beer, wine, and alcoholic liquors from wholesalers through the three-tier distribution chain and as required by Section 61-6-1636.

(3) The micro-distillery or manufacturer must:

(a) not sell or allow the consumption of alcoholic liquor by the drink on that part of the micro-distillery or manufacturer's premises designated and permitted for the distilling and manufacturing operations;

(b) maintain the books, records, and bank accounts of the restaurant operation separately from the books, records, and bank accounts of the distilling and manufacturing operations, and allocate expenses common to both operations in a manner the micro-distillery or manufacturer considers reasonable, when applicable; and

(c) maintain a physical partition between the distilling and manufacturing operations and the food establishment operations. The physical partition may be a permanent wall or a divider permanently affixed to the premises in a manner that the general public may not freely enter the distilling and manufacturing operations area, and may contain a door or doors which remain locked during hours when the micro-distillery or manufacturer is not in operation.

(B) The department shall terminate and a micro-distillery or manufacturer shall surrender each permit and license issued to the micro-distillery or manufacturer pursuant to subsection (A) immediately following inspection, determination, and report by the division to the department that distilling and manufacturing operations have ceased on the micro-distillery or manufacturer's permitted premises. This includes liquor by the drink authorization and licenses. Following reinstatement of distilling and manufacturing operations on the formerly permitted premises, a micro-distillery or manufacturer may re-apply for the applicable permits and licenses authorized by subsection (A).

(C) A micro-distillery or manufacturer selling beer, wine, or liquor at its licensed premises pursuant to authorization set forth in subsection (A) must:

(1) establish appropriate protocols to ensure that a consumer sold or served alcoholic liquors pursuant to this section is not intoxicated and is not under twenty-one years of age;

(2) sell the alcoholic liquors distilled on the licensed premises at a price approximating retail prices generally charged for identical beverages in the county where the permitted premises are located;

(3) remit appropriate taxes to the department for alcoholic liquor distilled and sold at retail on the licensed premises in an amount equal to and in a manner required for excise taxes assessed by the department. The micro-distillery or manufacturer also must remit appropriate sales,

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use, and other state and local taxes applicable to retail sale of beer, wine and liquor;

(4) post information that states the alcoholic content by volume of the various types of alcoholic liquors available in the micro-distillery or manufacturer and the penalties for convictions for:

- (a) driving under the influence;
- (b) unlawful transport of an alcoholic container; and
- (c) unlawful transfer of alcohol to minors.

And, the information shall be in signage that must be posted at each entrance, each exit, and in places in a micro-distillery or manufacturer seen during a tour;

(5) provide department- or DAODAS-approved alcohol enforcement training for the employees who serve alcoholic liquors on the permitted premises to consumers for on-premises consumption, so as to prevent and prohibit unlawful sales, transfer, transport, or consumption of alcoholic liquors by persons who are under the age of twenty-one or who are intoxicated;

(6) maintain all liability insurance required pursuant to Section 61-2-145;

(7) comply with all state and local laws concerning the hours of operation applicable to eating and drinking establishments and other food service establishments holding permits to sell alcoholic liquors by the drink; and

(8) comply with the discount pricing provisions of Sections 61-4-160 and 61-6-4550, as applicable.

(D) The establishment licensed pursuant to subsection (A) may sell the bottles of alcoholic liquor produced on its licensed premises as provided in and subject to the restrictions set forth in Sections 61-6-1140 and 61-6-1150. These bottles may not be considered in determining whether the establishment is bona fide engaged primarily and substantially in the preparation and serving of meals, as required by Section 61-6-1610.”

SECTION 10. Sections 61-6-1140 and 61-6-1150 of the 1976 Code are amended to read:

“Section 61-6-1140. A holder of a valid micro-distillery or manufacturer license issued by the State may permit tastings and retail sales of the alcoholic liquors produced at the licensed premises subject to the following limitations and any other limitations provided in this subarticle:

(1) tastings by and sales to consumers must be held in conjunction with a tour by the consumer of the on-site licensed premises and the

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micro-distillery or manufacturer may charge an amount in its discretion for the tour. The amount consumers are charged must be on a scale that accords with the amount of alcoholic liquors for on-premises consumption that is dispensed to consumers;

(2) the micro-distillery or manufacturer shall establish appropriate protocols to ensure that a consumer sold or served alcoholic liquors pursuant to this section is not under twenty-one years of age and that a consumer shall not attend more than one tasting in a day;

(3) the amount charged by micro-distilleries and manufacturers for tours must increase incrementally and accord with the amount of alcoholic liquors provided for on-premises consumption by one-half ounce, beginning with a base tour price corresponding with the provision of one ounce of alcoholic liquor;

~~(3)~~(4) the micro-distillery or manufacturer may not dispense more than ~~three~~ four and one half ounces to an individual consumer in one day;

~~(4)~~(5) tastings and sales may occur only between the hours of nine a.m. and seven p.m., Monday through Saturday;

~~(5)~~(6) the micro-distillery or manufacturer may not charge for alcoholic liquors consumed at a tasting, ~~but must collect and remit the liquor by the drink excise tax pursuant to the provisions of Chapter 33, Title 12;~~

~~(6)~~(7) the micro-distillery or manufacturer may provide mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, in conjunction with the tasting, but the micro-distillery or manufacturer may not charge for the mixers;

~~(7) tastings may not occur in conjunction with the service of food in a restaurant setting; and~~

(8) only brands of alcoholic liquors actually manufactured, distilled, or fermented at and distributed to wholesalers from the licensed premises may be sold or offered for tasting.; and

(9) a micro-distillery or a manufacturer licensed pursuant to Section 61-6-1155 must comply with the discount pricing provisions of Section 61-6-4550, as applicable, and may not dispense alcoholic liquors for free at a tasting in subsection (6) of this section.”

“Section 61-6-1150. Authorization by this section of sales and tastings at licensed premises of a micro-distillery or manufacturer is expressly intended for the promotion of education regarding production of alcoholic liquors in the State and not to create competition between producers and retailers. A holder of a valid micro-distillery or manufacturer license issued by the State may:

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- (1) sell in any quantities the alcoholic liquors produced at the licensed premises to a wholesaler licensed by the State;
- (2) transport in any quantities the alcoholic liquors produced at the licensed premises out of state for sale outside of the State;
- (3) sell at retail at the licensed premises the alcoholic liquors produced at the licensed premises, but only if the labels for the bottles are marked 'not for resale';
- (4) sell at retail no more than the equivalent of ~~three~~ six 750-milliliter bottles of alcoholic liquors to a consumer in one business day;
- (5) not allow consumption on the licensed premises of alcoholic liquors sold by the bottle at the licensed premises;
- (6) maintain pricing of the alcoholic liquors sold at the licensed premises at a price approximating retail prices generally charged for identical alcoholic liquors in the county where the on-site premises is located;
- (7) in addition to the sale of alcoholic liquors as authorized by this section, sell items promoting the brand or brands of alcoholic liquors produced at that location in a room on the licensed premises separate from the locations of the tastings;
- (8) not sell or store goods, wares, or merchandise in or from the room in which alcoholic liquors are sold or tasted;
- (9) store mixers used, but not sold, in conjunction with tastings; and
- (10) not allow minors into the portion of the facility where tastings are occurring, unless accompanied by an adult.

A micro-distillery or a manufacturer licensed pursuant to Section 61-6-1155 is not subject to subsections (7) through (10) of this section.”

SECTION 11. A state agency with regulations specifying alcohol content percentages different from the percentages passed in this act must promulgate revised regulations to conform to the changes in this act. Until such time as the regulations are conformed, the percentages in the statutory provisions passed in this act supersede any differing percentages in the regulations.

SECTION 12. If any provision of this act, or its application to any person or circumstance, is determined by a court or other authority of competent jurisdiction to be invalid or unconstitutional, that provision must be stricken and the remaining provisions must be construed in accordance with the intent of the General Assembly to further limit rather than expand commerce in beverages containing alcohol, and with respect to such beverages, the remaining provisions must be construed to enhance strict regulatory control over the taxation, importation, production, distribution, sale, and delivery of beverages containing

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alcohol through the three-tier regulatory system and the licensing laws imposed by this act.

SECTION 13. This act takes effect upon approval by the Governor./

Re-number sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

Senator MALLOY spoke on the Bill.

The amendment was adopted.

Recorded Vote

Senator ALEXANDER desired to be recorded as voting against the adoption of the amendment.

The question being the second reading of the Bill.

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

Ayes 31; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpoottlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Shealy
Talley	Turner	Williams
Young		

Total--31

NAYS

Campsen	Cash	Corbin
Massey	Rice	Verdin

Total--6

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

S. 619--Ordered to a Third Reading

On motion of Senator TALLEY, S. 619 was ordered to receive a third reading on Friday, April 9, 2021.

CARRIED OVER

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

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

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER

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19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS “SLADE LAKE FISHING”; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS “FISHING AND HUNTING IN LAKE WATEREE”.

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

CARRIED OVER

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

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

ADOPTED

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

The Resolution was adopted.

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS “MENTAL HEALTH MONTH” IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

The Resolution was adopted, ordered sent to the House.

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

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AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

The Resolution was adopted, ordered sent to the House.

S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

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 6:25 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 8, 2021, at 11:45 A.M. and the following Acts and Joint Resolutions were ratified:

(R13, S. 648) -- Senator K. Johnson: AN ACT TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE

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MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT, BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.
L:\COUNCIL\ACTS\648ZW21.DOCX

(R14, H. 3059) -- Reps. Hixon, Forrest and W. Newton: AN ACT 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.
L:\COUNCIL\ACTS\3059CZ21.DOCX

(R15, H. 3071) -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.
L:\COUNCIL\ACTS\3071CZ21.DOCX

(R16, 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: AN ACT TO AMEND

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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.

L:\COUNCIL\ACTS\3264ZW21.DOCX

(R17, H. 3501) -- Reps. Collins, V.S. Moss and Jones: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 148 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.

L:\COUNCIL\ACTS\3501CM21.DOCX

(R18, H. 3549) -- Reps. Ott, Kirby, Bryant and Pope: AN ACT 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.

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(R19, H. 3585) -- Reps. Sandifer and Hardee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY

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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.
L:\COUNCIL\ACTS\3585PH21.DOCX

(R20, H. 3587) -- Reps. Sandifer and Hardee: AN ACT 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.
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(R21, H. 3684) -- Reps. Herbkersman, Erickson, Bradley and W. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 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

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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.

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(R22, H. 3900) -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Mary Ann Elvington of Nichols, S.C. Mary Ann graduated from Floyds High School and attended Winthrop University and later graduated from Coker College. She received her masters in education from the University of South Carolina. Mary Ann taught in the public school system for thirty years. She loved to travel and attended Mt. Olive Baptist Church where she was very active. Mary Ann was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senators MALLOY, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LEATHERMAN, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Lorraine L. Moore of Lake City, S.C. Ms. Moore was the beloved mother of Darla Moore, of the University of South Carolina's School of Business. Lorraine was an active member of the Lake City area. She was a member of the Junior Sorosia Club, Friends of the Lake City Library, Lake City United Methodist Women and Circle #5. Lorraine was a dedicated volunteer with the community hospital, Meals on Wheels, Moore Farms Botanical Garden and ArtFields. She was a member of Lake City United Methodist Church where she sang in the choir and served as office administrator for twenty-five years. Lorraine was a loving mother and devoted grandmother who will be dearly missed.

ADJOURNMENT

At 6:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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