

JOURNAL

OF THE

SENATE

OF THE

FIRST SESSION OF THE

124th GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA

BEING THE

**REGULAR SESSION BEGINNING
TUESDAY, JANUARY 12, 2021**

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Tuesday, January 12, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by ACTING PRESIDENT, Senator JACKSON.

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

Psalm 90:17

At the end of Psalm 90 we read:

“Let the favor of the Lord our God be upon us, and prosper for us the work of our hands -- O prosper the work of our hands!”

Bow in prayer with me, please. As this New Year continues embracing us, dear Lord, we cannot help but reflect upon the year just completed. How tumultuous and desperate so much of that year proved to be for us all. And as this year of 2021 has itself begun -- also against a backdrop of unsettledness, and more recently even of horror with events that unfolded last week -- we turn to You, O God, beseeching Your blessings upon this Body and its members. May each individual involved with governing this State that we so cherish feel the power of Your loving care, the grace of Your gentle Spirit, the wisdom of Your promises for the future. Allow each Senator and every other person who also has any supportive role in this place to trust unabashedly in Your merciful guidance. And truly, “prosper the work of our hands.” In Your loving name we pray, dear Lord. Amen.

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

TUESDAY, JANUARY 12, 2021
COMMUNICATIONS RECEIVED
STATE OF SOUTH CAROLINA
OFFICE OF THE SECRETARY OF STATE

November 30, 2020

Mr. Jeffrey S. Gossett
Clerk of the South Carolina Senate
Post Office Box 142
Columbia, SC 29202

Dear Mr. Gossett:

The State Election Commission has certified to this office by mail the winners of the State Senate and State House of Representatives, federal, statewide, multicounty offices, and countywide and less than countywide offices in the General Election held on November 3, 2020. Please find enclosed a copy of the election results as certified to this office by the State Election Commission.

Sincerely,
Mark Hammond
Secretary of State

SOUTH CAROLINA ELECTION COMMISSION

November 16, 2020

Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary,

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winners of the federal

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offices, State Senate, State House of Representatives, solicitor, multi-county offices, countywide offices, and less than countywide offices in the General Election held on November 3, 2020, as reflected in the enclosed winner's report.

Sincerely,
Marci Andino
Executive Director

SENATE MEMBER
2020 Election Results

District 1	The Honorable Thomas Alexander
District 2	The Honorable Rex Rice
District 3	The Honorable Richard Cash
District 4	The Honorable Mike Gambrell
District 5	The Honorable Tom Corbin
District 6	The Honorable Dwight Loftis
District 7	The Honorable Karl Allen
District 8	The Honorable Ross Turner
District 9	The Honorable Danny Verdin
District 10	The Honorable Billy Garrett
District 11	The Honorable Josh Kimbrell
District 12	The Honorable Scott Talley
District 13	The Honorable Shane Martin
District 14	The Honorable Harvey Peeler
District 15	The Honorable Wes Climer
District 16	The Honorable Michael Johnson
District 17	The Honorable Michael Fanning
District 18	The Honorable Ronnie Cromer
District 19	The Honorable John Scott
District 20	The Honorable Dick Harpootlian
District 21	The Honorable Darrell Jackson
District 22	The Honorable Mia McLeod
District 23	The Honorable Katrina Shealy
District 24	The Honorable Tom Young
District 25	The Honorable Shane Massey
District 26	The Honorable Nikki Setzler

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District 27	The Honorable Penry Gustafson
District 28	The Honorable Greg Hembree
District 29	The Honorable Gerald Malloy
District 30	The Honorable Kent Williams
District 31	The Honorable Hugh Leatherman
District 32	The Honorable Ronnie Sabb
District 33	The Honorable Luke Rankin
District 34	The Honorable Stephen Goldfinch
District 35	The Honorable Thomas McElveen
District 36	The Honorable Kevin Johnson
District 37	The Honorable Larry Grooms
District 38	The Honorable Sean Bennett
District 39	The Honorable Vernon Stephens
District 40	The Honorable Brad Hutto
District 41	The Honorable Sandy Senn
District 42	The Honorable Marlon Kimpson
District 43	The Honorable Chip Campsen
District 44	The Honorable Brian Adams
District 45	The Honorable Margie Bright Matthews
District 46	The Honorable Tom Davis

REGULATIONS RECEIVED

The following were received and referred to the appropriate committees for consideration:

Document No. 4969

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Section 58-3-140

SUBJECT: Protection of Consumer Data

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Document No. 4970

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-114-75

SUBJECT: South Carolina National Guard College Assistance Program

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Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 4974

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140 et seq.

SUBJECT: Licensed Midwives

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4975

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10 et seq.

SUBJECT: Hazardous Waste Management Regulations

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4977

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-7-260 et seq.

SUBJECT: Standards for Licensing Day Care Facilities for Adults

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4979

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140(11), 44-1-150, 44-55-825, 44-55-827, and 48-1-10 et seq.

SUBJECT: Septic Tank Site Evaluation Fees; Onsite Wastewater Systems; License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and

Self-Contained Toilets; and Licensing of Onsite Wastewater Systems Master Contractors

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Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4980

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-19-90(10), 59-63-30, 59-63-420, 59-63-470, 59-63-480, 59-63-490, 59-63-500, 59-63-510, 59-63-520, 59-63-530, 59-65-30, and 59-65-90

SUBJECT: Transfers and Withdrawals

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 4981

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60, 59-5-65, and 59-59-10 et seq.

SUBJECT: Minimum Standards of Student Conduct and Disciplinary Enforcement Procedures to be Implemented by Local School Districts

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 4982

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Section 62-7-405(e)

SUBJECT: Records of Charitable Trust

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Document No. 4983

Agency: Attorney General

Chapter: 13

Statutory Authority: 1976 Code Section 33-55-10 et seq.

SUBJECT: Fees to Accompany Request for Confirmation of Solicitation Exemption

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Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 4984

Agency: Department of Labor, Licensing and Regulation-Board of Architectural Examiners

Chapter: 11

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-3-50, and 40-3-60

SUBJECT: Board of Architectural Examiners

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 4985

Agency: Department of Labor, Licensing and Regulation-Board of Dentistry

Chapter: 39

Statutory Authority: 1976 Code Sections 40-1-50(D), 40-1-70, and 40-15-40(G)

SUBJECT: Continuing Education; Elections; and Use of Lasers in a Dental Setting

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4986

Agency: Department of Labor, Licensing and Regulation-Board of Medical Examiners

Chapter: 81

Statutory Authority: 1976 Code Sections 40-1-70, 40-47-10, and 40-47-110

SUBJECT: Election Procedures for the State Board of Medical Examiners and the Medical Disciplinary Commission

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4987

Agency: Department of Labor, Licensing and Regulation-Board of Long Term Health Care Administrators

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Chapter: 93

Statutory Authority: 1976 Code Sections 40-1-70 and 40-35-60

SUBJECT: Administrator-in-Training Program Requirements

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 4988

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-60, 58-3-140, and 58-41-20

SUBJECT: Role of the Qualified Independent Third-Party Consultant and Expert and the Commissioners' Reliance on the Contents of the Qualified Independent Third-Party Consultant and Expert's Report

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Document No. 4991

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-5-60(1), 59-5-65, 59-25-110, 59-25-115, 59-26-40, and 59-26-85

SUBJECT: Credential Classification

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 4992

Agency: Office of Regulatory Staff

Chapter: 111

Statutory Authority: 1976 Code Sections 58-27-2620, 58-27-2630, 58-27-2640, and 58-27-2660

SUBJECT: Consumer Protection for the Lease of Renewable Energy Generation Facilities

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

TUESDAY, JANUARY 12, 2021

Document No. 4993

Agency: South Carolina Jobs-Economic Development Authority

Chapter: 68

Statutory Authority: 1976 Code Section 41-43-90

SUBJECT: South Carolina Jobs-Economic Development Authority

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 4994

Agency: Department of Consumer Affairs

Chapter: 28

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

SUBJECT: Sale or Lease of Renewable Energy Facilities

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Document No. 4995

Agency: Department of Health and Environmental Control

Chapter: 30

Statutory Authority: 1976 Code Sections 48-39-10 et seq.

SUBJECT: Statement of Policy; and Specific Project Standards for Tidelands and Coastal Waters

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 4996

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-75-10 et seq.

SUBJECT: Athletic Trainers

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

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Document No. 4997

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-60, 44-1-65, 46-45-80, and 48-1-10 et seq.

SUBJECT: Standards for the Permitting of Agricultural Animal Facilities

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Agriculture and Natural Resources

Document No. 5002

Agency: Department of Motor Vehicles

Chapter: 90

Statutory Authority: 1976 Code Section 56-23-100

SUBJECT: Truck Driver Schools; and Driver Training Schools

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Transportation

Document No. 5003

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-96-10 et seq.

SUBJECT: Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Document No. 5004

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-149-10

SUBJECT: LIFE Scholarship Program and LIFE Scholarship Enhancement

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

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Document No. 5005

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-104-20

SUBJECT: Palmetto Fellows Scholarship Program

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 5006

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-150-370

SUBJECT: South Carolina HOPE Scholarship

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Document No. 5007

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-15-15, 50-15-70, and 50-15-80

SUBJECT: Regulations for Spotted Turtle; and Exchange and Transfer for Certain Native Reptiles and Amphibians

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5008

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Fee Schedule for Bulk Licensure Verification

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

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Document No. 5009

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-60-10(I)(3), and 40-60-360

SUBJECT: Fees for the Real Estate Appraisers Board

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 5010

Agency: Department of Labor, Licensing and Regulation-Auctioneers' Commission

Chapter: 14

Statutory Authority: 1976 Code Section 40-6-40

SUBJECT: Auctioneers' Commission

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 5011

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210

SUBJECT: Wildlife Management Area Regulations; and Turkey Hunting Rules and Seasons

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5012

Agency: Department of Labor, Licensing and Regulation-Board of Registration for Foresters

Chapter: 53

Statutory Authority: 1976 Code Sections 48-27-140 and 48-27-190

SUBJECT: Board of Registration for Foresters

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Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5013

Agency: Department of Labor, Licensing and Regulation-Office of Occupational Safety and Health

Chapter: 71

Statutory Authority: 1976 Code Section 41-15-220

SUBJECT: Recording and Reporting Occupational Injuries and Illnesses

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 5016

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-5-110, 50-17-1020, and 50-17-1590

SUBJECT: Marine Resources Division

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5017

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-21-610 and 50-21-710

SUBJECT: Restrictions on the Use of Watercraft in Certain Areas and No Wake Zones

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5018

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-3-100, 50-19-1920, and 50-19-1960

SUBJECT: Freshwater Fisheries

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Received by Lieutenant Governor January 12, 2021
Referred to Committee on Fish, Game and Forestry

Document No. 5019

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-15-30, 50-15-40, 50-15-50, and 50-15-70

SUBJECT: Sea Turtle Protection

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5020

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-3-100, 50-19-1920, and 50-19-1960

SUBJECT: Alexander Sprunt, Jr., Wildlife Refuge and Sanctuary

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5021

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-21-610 and 50-21-710

SUBJECT: Boating

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Document No. 5022

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 63-11-30

SUBJECT: Residential Group Care Facilities for Children

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Family and Veterans' Services

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Document No. 5023

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 43-1-80

SUBJECT: Licensure for Foster Care

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Family and Veterans' Services

Document No. 5024

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Fees Assessed by the State Athletic Commission

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Document No. 5025

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-6-50, and 40-6-60

SUBJECT: Fees Assessed by the Auctioneers' Commission

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

REGULATION RESUBMITTED

The following was received:

Document No. 4952

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-140, 58-37-60, and 58-41-20

SUBJECT: Procedure to Employ, through Contract or Otherwise, Qualified, Independent Third-Party Consultants or Experts

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Legislative Review Expiration May 12, 2021

Resubmitted January 12, 2021

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Doctor of the Day

Senator CAMPSSEN introduced Dr. Michael Finch of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SHEALY, at 1:32 P.M., Senator YOUNG and Senator SETZLER were granted a leave of absence for today.

CO-SPONSORS ADDED

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

- S. 1 Sens. Martin, Shealy, Climer, Cromer, Corbin, Adams, Hembree and Rice
- S. 2 Sens. Malloy, McElveen and Hembree
- S. 5 Sen. Fanning
- S. 6 Sen. K. Johnson
- S. 7 Sen. K. Johnson
- S. 8 Sen. K. Johnson
- S. 9 Sens. K. Johnson and Fanning
- S. 10 Sens. K. Johnson and Stephens
- S. 16 Sens. Malloy and Fanning
- S. 20 Sen. Stephens
- S. 27 Sens. Fanning and Stephens
- S. 28 Sens. K. Johnson, Climer and McLeod
- S. 32 Sens. Adams and Rice
- S. 33 Sens. Hembree and Rice
- S. 38 Sens. Hembree and Rice
- S. 44 Sen. Rice
- S. 53 Sen. Shealy
- S. 60 Sens. Fanning and Stephens
- S. 63 Sen. Fanning
- S. 78 Sen. Campsen
- S. 101 Sen. Hembree
- S. 103 Sens. Hembree and Rice
- S. 104 Sens. Hembree and Rice
- S. 110 Sen. Fanning
- S. 111 Sen. Fanning
- S. 114 Sen. Fanning
- S. 115 Sen. Fanning

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- S. 116 Sens. Fanning, Hembree and Rice
- S. 117 Sen. Hembree
- S. 119 Sens. Fanning and Hembree
- S. 120 Sen. Rice
- S. 123 Sen. Gustafson
- S. 124 Sens. Adams and Rice
- S. 125 Sens. Adams and Rice
- S. 126 Sens. Adams and Rice
- S. 127 Sen. Rice
- S. 128 Sens. Adams and Rice
- S. 130 Sens. Martin and Rice
- S. 133 Sens. Gustafson, Hembree, Rice, Kimbrell, Turner and Bennett
- S. 134 Sen. Fanning
- S. 138 Sen. Hembree
- S. 141 Sens. Hembree, Rice and Bennett
- S. 142 Sen. Fanning
- S. 147 Sens. Hembree, Rice, Adams and Peeler
- S. 150 Sens. Malloy, Hutto, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Gustafson, Jackson, Leatherman, Grooms, Adams, Stephens and Shealy
- S. 152 Sens. Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice and Hembree
- S. 155 Sens. Kimbrell, Verdin, Corbin, Shealy, Adams and Rice
- S. 159 Sen. Stephens
- S. 173 Sen. Fanning
- S. 174 Sen. Hembree
- S. 176 Sens. Adams and Hembree
- S. 177 Sen. Rice
- S. 183 Sen. Rice
- S. 188 Sen. Gustafson
- S. 192 Sen. Rice
- S. 194 Sen. Adams
- S. 200 Sen. Kimbrell
- S. 206 Sen. Rice
- S. 212 Sens. K. Johnson and Hembree
- S. 214 Sen. Hembree

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S. 223 Sen. Adams
S. 224 Sen. Adams
S. 248 Sen. Hembree
S. 250 Sen. Hembree
S. 260 Sen. Stephens
S. 263 Sen. K. Johnson
S. 266 Sens. K. Johnson and Stephens
S. 271 Sens. Rice and Adams
S. 275 Sen. Adams
S. 277 Sen. Adams
S. 288 Sen. Hembree
S. 292 Sen. Rice
S. 294 Sen. Fanning
S. 295 Sen. Fanning
S. 296 Sens. Fanning and M. Johnson
S. 298 Sen. Fanning
S. 299 Sens. Fanning and Hembree
S. 300 Sen. Fanning
S. 301 Sen. Fanning
S. 302 Sens. Fanning and Rice
S. 303 Sen. Fanning
S. 304 Sen. Fanning
S. 310 Sen. K. Johnson
S. 317 Sen. Stephens
S. 326 Sens. K. Johnson and Stephens
S. 337 Sen. Stephens
S. 338 Sen. Fanning
S. 339 Sen. Fanning
S. 340 Sen. Fanning
S. 344 Sen. Stephens
S. 346 Sen. Fanning
S. 350 Sen. Fanning
S. 361 Sen. Adams
S. 365 Sen. Rice
S. 367 Sens. Adams and M. Johnson
S. 369 Sen. Rice
S. 373 Sen. Rice
S. 374 Sen. Rice

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S. 376 Sen. Hembree
S. 377 Sen. Rice
S. 381 Sen. Rice
S. 382 Sen. Rice
S. 384 Sens. Fanning and Rice
S. 385 Sen. Rice
S. 386 Sens. Adams and Rice
S. 387 Sens. Hembree and Rice
S. 390 Sens. Fanning and Rice
S. 391 Sens. Fanning, Hembree and Rice
S. 392 Sen. Fanning
S. 395 Sen. Rice
S. 399 Sens. Adams, Hembree and Rice
S. 400 Sens. Adams and Rice
S. 401 Sen. Hembree
S. 404 Sen. Hembree
S. 405 Sen. Rice
S. 406 Sen. Young

**Administration of Oath of Office
Senators Sworn In**

Senators presented themselves at the Bar and the Oath of Office was administered to them by the Clerk.

Senator MASSEY moved under Article III, Section 37 of the South Carolina Constitution that the Senate proceed to the election of the PRESIDENT of the Senate.

Senator ALEXANDER seconded the motion.

The motion was adopted.

Election of the PRESIDENT of the Senate

Senator JACKSON announced that nominations for PRESIDENT of the Senate were in order.

Senator MASSEY placed the name of Senator PEELER in nomination as PRESIDENT.

Senator HUTTO seconded the nomination.

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Senator ALEXANDER moved that the nominations be closed and that Senator PEELER be elected PRESIDENT of the Senate by acclamation.

Senator JACKSON announced that Senator PEELER had been elected PRESIDENT of the Senate.

PRIVILEGE OF THE FLOOR

On motion of Senator MASSEY, with unanimous consent, the Privilege of the floor was extended to the family of the PRESIDENT.

Administration of Oath of Office

Senator PEELER presented himself at the Bar and the Oath of Office was administered by Senator JACKSON.

PRESIDENT PRESIDES

At 12:09 P.M., the PRESIDENT assumed the Chair.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the PRESIDENT was introduced and granted leave to address the Senate with brief remarks.

PRESIDENT PEELER was recognized for brief remarks.

Remarks by Senator PEELER, PRESIDENT

Thank you Senator JACKSON, Senator MASSEY, Senator HUTTO, and my fellow South Carolina State Senators, thank you.

It is a great honor to have the opportunity to lead this Body for the next four years. I do not take your faith in me lightly -- and I hope I have proved that to you.

The last two years were challenging and unpredictable. It is not what I imagined when you first elected me PRESIDENT, but I took on the challenge -- because difficult situations are when we learn the most as leaders. We need direction when times are tough.

These next four years will look different than the last. For starters, we have some new faces I would like to welcome. I want every one of you to know that I do not take your presence here today for granted. We are

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here, in the middle of a pandemic, to uphold our oath of office and to serve the great people of South Carolina.

Last year, we were forced to abruptly stop session due to the COVID-19 pandemic. This meant many of our legislative priorities were paused in order to prioritize emergency funding and keep our elections safe and secure. We have a duty to our constituents to show up to work because we have a lot to accomplish this year.

This session will be unlike any other. You chose me to be your leader and I look forward to working with each of you to make sure this year is healthy and successful. I invite and encourage spirited debate, but I want to reintroduce to you my gavel. I have named this gavel "Senatorial Courtesy." Let's get to work!

On motion of Senator MASSEY, with unanimous consent, the remarks of Senator PEELER, were ordered printed in the Journal.

Motion Adopted

Senator MASSEY moved that the Senate adopt the following Agenda of Business:

- Election of Clerk, Reading Clerk and Sgt. At Arms
- Administration of oath to the officers
- Five minute introductory remarks by new Senators
- Consideration of a Senate Rules Resolution
- Committee Selections
- Seat Selections
- Introduction of Bills

Senator ALEXANDER seconded the motion.

The motion was adopted.

Election of Senate Officers

The Senate proceeded to the election of Clerk of the Senate, the Reading Clerk, and the Sergeant-at-Arms, *en banc*.

Senator MASSEY placed the names of Mr. Jeffrey Stephen Gossett in nomination as Clerk of the Senate, Mr. John Othniel Wienges as Reading Clerk, and Mr. Charles D. Williams, Jr. as Sergeant-at-Arms.

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Senator ALEXANDER moved that the nominations be closed and that Mr. Jeffrey Stephen Gossett be elected as Clerk of the Senate, Mr. John Othniel Wienges be elected as Reading Clerk, and Mr. Charles D. Williams, Jr. be elected as Sergeant-at-Arms by acclamation.

The PRESIDENT announced that Mr. Jeffrey Stephen Gossett was elected Clerk of the Senate, Mr. John Othniel Wienges was elected Reading Clerk, and Mr. Charles D. Williams, Jr. was elected Sergeant-at-Arms by acclamation.

Administration of the Oath of Office

The Clerk, Reading Clerk, and Sergeant-at-Arms presented themselves at the Bar, and the Oath of Office was administered to them by the PRESIDENT.

Clerk's Appointments

The Clerk announced the following appointments:

Mr. Kenneth M. Moffitt	Assistant Clerk
Ms. Sara Parrish	Counsel to the Clerk
Mr. John P. Hazzard V	Assistant Parliamentarian
Mrs. Michele Neal	Journal Clerk
Mrs. Cynthia C. Alston	Journal Clerk
Ms. Agnes H. Walker	General Desk Clerk
Mrs. Lesley Stone	Calendar Clerk
Mrs. Betty Graham	Chief Administrative Assistant to the Clerk of the Senate
Mrs. Ann John	Records Management Clerk
Mrs. Beth Dworjany	Director of Senate Finance
Mrs. Jean Tisdale	Accounts Manager
Mrs. Stephanie Jones-Fitts	Payroll/Personnel Manager
Ms. Alicia Eatmon	Bill Clerk
Ms. Kathleen Burns	Assistant Bill Clerk

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MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, Senators ADAMS, GARRETT, GUSTAFSON, M. JOHNSON, KIMBRELL and STEPHENS were introduced and granted leave to address the Senate with brief remarks.

Remarks by Senator ADAMS

First of all, I want to thank you, Mr. PRESIDENT for this opportunity. What an honor it is to stand here within the Senate Chamber during the current 124th Session of the South Carolina Legislature. I have felt the urge to serve the public and help others since a very young age. I began my public service volunteering with a local fire department and with the Berkeley County EMS. I later entered a career in law enforcement, which was my dream since I was a child. I was sworn in at the City of Goose Creek where I served a little over three years prior to serving the City of North Charleston, from which I retired from in 2018. I am proud and honored to have served alongside fellow law enforcement officers who are willing to risk their lives for others. It was an honor to serve the public in times of need and to protect those that are unable to protect themselves. After retiring, I still felt the need to serve and help others but in another capacity. While working with other public servants to impact the lives of people that live and work within our great State, that brings me here. I look forward to working with all of you. I learned when I was a young man to be respectful, persistent, challenge myself, chase my dreams and allow my character to be what others perceive of me. Saying that, in my office hangs a letter that was written from my grandfather in 1944 to his son, which is my father, when my dad was two years old. My grandfather wrote this letter to my dad, before he stormed the beach during World War II. He was attached to the First Marine Division, and if anyone has seen the movie The Pacific, he was there with his fine men who sacrificed so much for all of us. In this letter, he explained life like a football game, in which you can experience hardships. Sometimes you will fall while chasing your dreams and your challenges. He went on to explain it is up to you and how you handle such times and recover. Do you stop challenging yourself? Do you blame others? Do you take responsibility? Or do you learn from your mistakes and continue the fight? Now just think, my grandfather wrote this letter thinking he was never going to return home to be the dad of my father. The odds seemed stacked against him. However, my grandfather had the fighting mentality for which my family is grateful and blessed. He returned home after serving during World War II. My

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grandfather and father served in the military and my mother was a military wife, which also takes great strength and tenacity. This is where I get my guidance and encouragement to do better. I want to thank my parents, who are here today, for their support, their direction and love. I also want to thank the rest of my family: my brothers, my aunts, uncles, my sister-in-law, nephews, nieces, and their spouses, now four amazing children, and two wonderful daughter-in-laws who have blessed us with two grandchildren, and we have a third one on the way. I also would like to thank my friends and family of blue who I have leaned on, cried with, and celebrated with during those years of service. Finally, I would not be here today without my beautiful wife, who is also here today. Shell--her name is Michelle. I've always called her Shell; her support and encouraging words push me forward, and telling me I could do better makes me a better man and public servant. She is an amazing woman who took care of our four children who were under three and a half years of age, and we had twins at the end. She held our house together when I was at work and instilled in our children values, morals, beliefs, and showing respect to others. She has an amazing character and holds our family together with love. I am so fortunate to have met her in high school and fallen in love with her, and now we have been married for 26 years. I am a blessed man and look forward to working with all of you, and accomplishing great things for all who live, visit, and work in the State of South Carolina. I am looking forward to sharing new ideas and facing new challenges that confront me during this journey. I want to thank you all again for this opportunity, and I want to thank the constituents of District 44 for believing in me. Thank you.

Remarks by Senator GARRETT

Mr. PRESIDENT, members of the Senate, in my family, we look to God for guidance, love and understanding. We stand upon the shoulders of our veterans of South Carolina. We have fought for our rights to serve in this Civil Government, at the great South Carolina Senate. I follow in this office the great Senators who have occupied this office before me: Senator Floyd Nicholson, Senator John Drummond, who I see looking down on me here; Senator Francis Nicholson, Senator James Bradford, Sr., and my law partner, Senator G. P. Callison, Sr. I intend to represent all the people in my district. There is no red district. There is no blue district. There is no independent district. I represent the great and hardworking families who made South Carolina what it is today. All our constituents usually ask of us the simple things. They ask for the right to let them live free lives; protect the right of the unborn; have religious

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freedoms; have a good education for themselves and their children; and jobs for those who want jobs. My goal of the Senate is to make a difference and to help our citizens in pursuing the best quality of life possible. Thank you very much.

Remarks by Senator GUSTAFSON

Good afternoon. I am the new Senator from Kershaw County, PENRY GUSTAFSON. My husband is working today, and could not be here. I do have a very special friend, and colleague, someone who helped me get to where I am, standing here, and that is Mrs. Sissy Griffin Ballou. Thank you very much for being here. The rest of my family is either in school or working.

I ran for office to provide fresh representation for my area, District 27, which includes almost all of Chesterfield County, most of Kershaw County and a good third of the bottom of Lancaster County. I have seen areas that can be energized, recognized, built up, expanded, lifted up, helped, and I am humbled to be in the position where I feel like I can help our district do that and help make our State a better place to live, work, and be good citizens. I am a wife and a mother of three, and all of them are college age. I am also a former business owner. I have worked as a caseworker connecting adults with special needs with Medicaid services. I have been in sales, but one thing I have done for 35 years is serving as a community advocate. I have worked across many populations of this great State to help them, to connect people with services, and to solve problems. That is what I want to do. I am looking forward to working with each one of you -- each one of my colleagues. I will work with respect, tenacity, decency, and persistence. I cannot tell you what an honor it is for me to be standing here. I did not seek politics. It kind of sought me out. And I really do feel that this is a moment in our lives that is pivotal. A lot of things are happening in our country. A lot of things are happening in our State and right here in Columbia, South Carolina. We must be good leaders. We must do it respectfully. We must really work hard together, and that is my plea as a brand new Senator, that is my plea to each one of you my new colleagues. The State and our citizens are looking to us to properly lead. They are looking to us to be decent people, and to find solutions to problems. Not create them -- not to exasperate them. So that wasn't very brief but I will be gone now. Thank you so much, to everyone here, thank you to the fine citizens of District 27 who elected me. This is an honor, a privilege, one that I do not take lightly at all, and thank each one of you for supporting

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me and being so welcoming. I hope to be the same for you for years to come. Thank you very much.

Remarks by Senator MICHAEL JOHNSON

Mr. PRESIDENT and members of the Senate, it is a great honor to stand before you today. I do not take this endeavor lightly. Instead, I enter this Chamber with an appreciation. An appreciation for those who have held this seat before me, what we must do, and what is expected of the people of me by the people of Lancaster and York County. I would like to take a few minutes and share my story with you in what has led me here.

Three, fifteen, two and forty-four -- to most of you, those are just random numbers. To me they are much, much more and they signify why I am here today. Three is the most important number to me. Three signifies my family. My wife, my daughter, Grace, my son, Cole, who is not with us today. He is at Auburn University. In fact he texted me in the last five minutes asking for money. That is how I know he is officially in college. I would not be standing here today without them. There is no way I would be here today without my wife, Amy. She has sacrificed beyond measure. She has done all that I could ever ask. I will never be able to repay her for what she has done to allow me to stand here. Thank you, thank you, thank you for all you have done and I love you. The number fifteen -- before I entered this Chamber, I spent fifteen years in local government. I spent seven years on the Fort Mill School Board and eight years on the county council. I have seen what works. I have seen what does not work. I know the impact that our decisions can have on the local level and I know how our actions and more importantly our inactions can impact at a local level. I do not intend to put these experiences on a shelf. When I talk to you about reforming the tax code, I am going to give you examples of economic development lost, because our tax system is not as competitive as it could be. When I talk to you about roads and infrastructure, I am going to give you specific examples on how to make the system faster, especially at a local level. I look forward to blending my experiences with yours moving forward. The number two -- education is extremely important to me. My wife is a public school teacher. For twenty-one years, she has been teaching first grade. This year she is teaching twenty-eight children, first graders, virtually. I am a product of public schools. My children graduated from public schools but that was not the case two generations ago. Two generations ago neither of my grandparents graduated from high school. My grandfather went to war, came back and worked at a cotton mill. My

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grandmother followed him and worked at that same cotton mill. They worked hard. They saved their money and ensured that my mother had the advantages that they did not. Two generations later, I am the product of that grit and determination. I stand here because they wanted better for their family and they knew that education was the way to make that happen. In two generations, we have gone from the cotton mill to the state Senate. Everything I do, I will remember that we can change people's lives. We have the power to change families' stories. The number forty-four -- this room is full of tradition. One of those is our seniority system from one to forty-six. I am number forty-four. That number has picked my parking space, my office, and before the day is out it will tell me what committees and where I will sit in this Chamber. I am more than the number forty-four. I am a collection of all that has come before me and all that have influenced me. Whether I am forty-four, twenty-four, or number four, I am here to work. I am here to work hard. The challenges before us are great. Ronald Reagan once said, "By working together, pooling our resources and building on our strengths we can accomplish great things." The forty-six of us have great strengths. I look forward to working with each one of you to accomplish great things for our State. Thank you.

Remarks by Senator KIMBRELL

Thank you, Mr. PRESIDENT. Senators, it is an honor to be among you. It is an honor to be here in this distinguished Body that has guided this State so ably for more than two centuries. It is also an honor to walk such a short distance to this podium. I know that is not going to be so after today. I told a few folks that the closest I am going to get to an historical figure in here for quite a while is today, and the historical figure is John C. Calhoun behind the PRESIDENT. Nevertheless, being on this side of the rail is an honor.

This State, I think we all agree, is the greatest State in the United States of America and in this tumultuous time could be a light to the rest of the country. I thank God for his divine providence in allowing me the opportunity to be here and I thank my family for the support they have given me -- starting with my mother and father, Brett and Cindy Kimbrell. They are probably a little bit stunned that their wild child is in the South Carolina Senate. I am grateful for my beautiful wife, Liliya, and our two children. This is the best behaved those children have ever been; speaking of a wild child, I am reaping what I sowed as a kid.

Like others before me, I have aspirations of doing great things for the district I am elected to represent. We all have passions and desires and

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things we would like to see accomplished here. I also recognize, as our distinguished PRESIDENT has said, that the distance between where I am sitting now, on the front row, and where I will be sitting at the end of the day is a little over 30 years. There is a lot of wisdom and experience ahead of me. I would just say that, instead of waxing philosophical, or going into any specific policies I would like to pursue, I will go back to the notion that I think this is the greatest State in the country.

Historians sometimes get it wrong when it comes to our history. Because of early shots fired, Senator CAMPSER would agree, we are known for the Civil War; however, we recognize that most of the symbols of this State, right down to the flag, are symbols of the Revolutionary War instead. I like to remind friends of mine from other states that they are welcome for their independence. Our State led the way for the independence of the United States of America, as we were the crossroads of the American Revolution.

As we are now faced with unrest like we have rarely ever seen in the life of this country, certainly in the life of most of us in this room, I believe that South Carolina's spirit cannot only renew our spirits in this State but again be a guide to the rest of the country. I've heard it said before that, before South Carolina was even admitted into the Union, we were kicking and screaming for liberty and the concept that the rights of the individual come before the power of the State. I tell you that, in every debate we have, from talking about religious liberty, to discussions of taxes and spending, anything I contribute will be in the defense of the culture and the values of this State that I believe are defined by faith, family and the free enterprise system.

The motto of our great State, as most of us know, is, "While I breathe, I hope" but on the other side of the seal it also reads, "Ready in mind and resource." I hope that each one of us in this room, all 46 of us, are ready in mind and resource for the challenges that may come this year. I try to ensure that every day I am ready in mind and resource to aid you and support you and work together with you, to accomplish that which the citizens of South Carolina have elected us to do. Most of us have kids and grandkids, and some have maybe even great-grandkids, and it is incumbent upon us to ensure that this State can be a light to this beautiful nation.

I look forward to working with you this year and that we are ready in mind and resource, and that our children can truly say, "While I breathe, I hope." God bless this greatest State of the United States of America, South Carolina.

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Remarks by Senator STEPHENS

Mr. Majority Leader, Mr. Minority Leader, my esteemed colleagues, thank you, as one of the other Senators spoke of numbers; I do have a tale of some numbers. My mom said I was born on the 13th, my vital records say I was born on the 14th and my parking space is 1314. Next week we will seat the 46th President. Today you are seating the 46th Senator, myself, right over there under the picture of one of our great statesmen Marion Gressette and my predecessor Senator John W. Matthews, Jr. I have a Senator behind me and Senator MATTHEWS in front of me.

Give honor to God because without his blessings, grace and mercy, I would not be standing before you all. Secondly, let me recognize my wife, Hilda, my 5 sons, and their families. I want to thank them for their patience, and their support, as we made our way through the election cycle this past summer and fall. Finally, finally yet importantly, let me thank and recognize the people of Senatorial District number 39 for electing me as their State Senator. I realize that I have some big shoes to fill -- shoes worn by the former Senator John W. Matthews, Jr., my predecessor who made great contributions to this great State.

I want the citizens of District 39 and this State to know that when I stand on this floor, I speak on their behalf. Although it is my words that are heard, it is my distinct honor and privilege to join you in this place to do good work on behalf of the people of the State of South Carolina. I want you to know that I do solemnly swear to take this job and awesome responsibility very seriously.

For those of you who do not know me, I grew up in one of the largest small towns in the State of South Carolina, Bowman, South Carolina. I graduated from St. George High School, now Woodland High School. I matriculated from South Carolina State College, now SC State University. After graduation, I took to my passion, farming. After farming and as my family grew, I knew I needed to do something different. I was a manufacture manager for 28 plus years. I stood up in these hollowed walls as an advocate for the school board as I was a school board member for almost 20 years. Ladies and gentlemen, for many years I worked with former Senator Matthews and others in this very fine State. Senator Matthews, prior to announcing his resignation, asked me if I would offer myself as a candidate. I did, and the rest is history. During the election, I pledged to the people of this district and to the State of South Carolina that I would come here to work hard for them every day. I would not cower in the face of adversity but stand resolute to make sure that every child could get a good public education,

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breathe clean air, drink good quality water and that every citizen in this State would have the opportunity to live the American dream. For me, this is about more than filing Bills for political gamesmanship and randomly assigning big numbers to budgets to show that you care. This is about conviction from the heart. There is a hymn that we sang quite a bit, may the work I have done speak for me. I am looking forward to working with each and every one of you Republicans and Democrats. The work that we do speaks volumes for the State of South Carolina and I leave you with these words, "If I speak with the tongues of men and of angels and have not charity, I become of the sounding brass or tinkling symbol, now abide faith hope and charity. These three but the greatest is charity." Thank you, may God bless this State.

On motion of Senator MASSEY, with unanimous consent, the remarks of Senators ADAMS, GARRETT, GUSTAFSON, M. JOHNSON, KIMBRELL and STEPHENS were ordered printed in the Journal.

**CONSIDERATION OF AND THE ADOPTION OF RULES
INTRODUCTION OF A RESOLUTION**

S. 406 -- Senators Massey, Climer and Young: A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

Senator MASSEY spoke on the Resolution.

At 1:01 p.m., Senator MASSEY moved the previous question to vote on the entire matter of S. 406.

Senator ALEXANDER seconded the motion.

The motion was adopted.

Motion Adopted

Senator MASSEY, with unanimous consent, moved to allow up to 30 minutes of debate on the Resolution.

Senator HUTTO spoke on the Resolution.

Senator MALLOY spoke on the Resolution.

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Remarks by Senator MALLOY

Thank you, Mr. PRESIDENT, members of the Senate. I rise today also, to discuss a little bit about the rules and the rule changes. I will first remind us that this is a Body of rules. They are used in circumstances, sometimes to your benefit, and sometimes to your detriment, and at the end of the day, it is the will of the Body.

Many of you know that I have been a person that has been involved in the rule and rule changes for a long time. In fact, former Senator McConnell, during the time when there was a change in the majority, and this majority party in the Senate now took over, looked at a person sitting in the front row searching the Jefferson's Rule Book and Senator McConnell turned and looked at him and said, "It is not in there." What is a good start today is that there is no debate on rule changes now allowing unanimous consent. However, I applaud Senator MASSEY for giving us the opportunity to discuss the rules during this time allowing unanimous consent. It could have been said, done, and adopted. There may come a time that there may be a need to change. It is the first day of session. We can organize. We have done that. We have elected a president. Now, we are at the point to adopt our rules, choose committees and then choose our seats.

I recall two years ago, Senator MASSEY, that you and I were trying to figure out where we were going to be once we elected a president, and we had some real serious thoughts as to what would happen, and some serious thoughts if it went to Senator PEELER -- the PRESIDENT. What does it mean to be the first Senate President? You could be our George Washington. We decided then that we were not going to have a new chairman of a committee that would be our presiding officer over major committees and a few other things.

I was watching the Pittsburgh Steelers not too long ago, one of my favorite teams when I was a kid. They had three turnovers in the first quarter and they lost. It is not lost on me that we have 30 majority Senators today in the Republican Party and 16 in the minority party. Elections have consequences. There are some rules I do not like and some rules I think we could do better. Do you know that I have always wanted to get rid of Rule 33B? I do not think that we need a roll call voting in the rules because we ask unanimous consent for that to happen all the time. I do not get a chance to make that call now, but there is a process. Therefore, the most important thing that we can do today is to set an example for the people of South Carolina who choose each of us to represent them.

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How do we do that? First, we are showing our constituents how we can operate in a safe manner. I want to applaud the PRESIDENT of the Senate for implementing safety protocols that allow us the opportunity to do business. I also want to thank each of my fellow Senators for agreeing to wear masks. The PRESIDENT of the Senate asked us to do it, and we have adhered to it.

I think how we did it is important in that we are an example to constituents back home. We accomplished it by appealing to the other Senators with senatorial courtesy.

Second, we can do our jobs. While these are not normal times and the country is in a pandemic, operating sends a message of normalcy during a difficult time in our country. If teachers can teach, if police can police, then legislators can legislate. Seeing us working today and seeing us together for the State of the State, shows that we can go forward in the midst of the coronavirus.

Another message we can send, and thank you for saying this Senator MASSEY, is that we are not Washington. We are the great State of South Carolina. We do not need to be in a partisan gridlock. We do not talk at each other, but rather we talk with each other. Although we are changing our rules as we have every four years for as long as I can remember, what this Body stands for is more than the rules that govern our procedure. We, collectively and individually, are more than our rules. My dad always said, "You see that Bible on that table? That is your guideline and you live by it. You do not have to go and grab it every day, but you are expected to live by it." So generally, we do not need the rules, until we need rules in order to do the work here. You do not have to take advantage of folks, just ask. We should not let our desire for a quick action deter us from what the founders intended us to be.

My last point is about a deliberative Body. The Senate is designed to foster compromise -- and therefore a better end product. Much as to Proverbs in the biblical sense, you use steel to sharpen steel and one friend sharpens another. But "deliberative" must not be a synonym for "stoppage". We should not delay solely for the sake of obstruction. Slowing down should be done in a sincere attempt to make it better. That is what the process is designed to do, and that is why our rules are the way they are and should continue. We used to debate on second reading and have extended debate on third reading. Once the product was finalized on third reading, a filibuster used to happen. There could be cases where there was no possible compromise. Those are rare, and those are not typical of our normal operations. We all have consultants whispering in our ears. We are a political Body.

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There are many people telling us what we should do and what we should do to end up being popular. Never forget the voices whispering in your ears since you were little, and those above these walls. The voices of our parents, grandparents, and teachers and those who tell you how to act and behave. I am sure you hear those voices in your heads right now -- some of the lessons learned. Those voices are important because if you honor their teachings on the floor of the South Carolina Senate, then the Senate would be a place we can be proud of and a wonderful example for the people back home. I tell you there is a process. Senator MASSEY, I am going to hold you to this. If we see Rule 15A does not work, you and I will hopefully be on the Rules Committee where I would like to see a resolution come through that committee, and that we have a discussion when there are some things that we did not anticipate that did not work out.

I think you started a good example today by letting us have the debate, asking for unanimous consent. This is what the Senate is to me. Many of you know this past fall I lost my mom. She is one of those voices that whispered constantly in my ear and whose teachings I strive to honor each day. The Majority Leader, Senator MASSEY, came to her visitation. He drove several hours each way for a few minutes just to show that he cared for me and my loss. He did not have to do that, but he did. He is a Senator. Many of you came to her visitation and funeral and had nice things to say. Many from the opposite party. The night before, you sat down, talked, and stayed. You did not have to do that, but you wanted to do it. You did not have to talk to me about these rules. You did not have to do that, but you are Senators and you wanted to. That is an example for each of us, for the State of South Carolina and for our Nation.

We all are Senators from our hometowns and our home districts. To those who were sworn in today, congratulations. You are not just a Senator from your own town; you are a State Senator and represent all of us. I hope that we can have the example that my dad was talking about in the biblical way; we do not use these rules until we have to. I use the example of my Pittsburgh Steelers to understand that we know what it means to have 30 Senators. You do not have to have consideration for these rules. You could have ramrodded them through. You did not.

Today is the first start. I plan to vote for the rule changes. I also plan to use the rules to be helpful and effective. I plan to appeal to the conscience of all of us here when it comes time to have issues that I think that are of concern, so that we do not run over anybody -- particularly the new Senators that are here. We have to be sensitive to the fact that

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they have not been part of these rules. The most important thing is many times you know what is in the rule book and all of a sudden you read it, you read it just right and say, "That's not it." You have to go back to Jefferson's, Senator GARRETT.

With that, I conclude my remarks -- rules are made to be used and the Senate is a Body of rules. It could have been a whole lot different and I thank you for the consideration. I hope that we have conversations from now on, continuing to understand that we are Senators, and the rules are rules that we are making today, but they can be changed, but not now used to operate the Senate. Thank you.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

Senator SCOTT spoke on the Resolution.

The question was the adoption of the Resolution.

The Resolution was adopted.

Be it resolved by the Senate that the Rules of the Senate are as follows:

SENATE RULES

RULE 1.

A.

Time of Daily Meeting

The Senate, on the first day of each annual session, shall convene at 12 o'clock noon. Thereafter, the Senate shall meet each legislative day at ~~2 o'clock p.m.~~ 12 o'clock noon every Tuesday, ~~12 o'clock noon~~ 1 o'clock p.m. every Wednesday, 11 o'clock a.m. every Thursday for statewide matters and on Friday for local matters and uncontested matters which have previously received unanimous consent to be taken up unless otherwise ordered by the Senate. A motion to change the time of daily meeting may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2½) for and two and a half (2½) against. The Senate

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shall stand adjourned Saturday through Monday unless otherwise ordered by a majority vote of the members present in statewide session.

B.

At various times as he or she deems necessary during the session, the President, or his designee, is authorized to make a motion to provide for the convening of the Senate in statewide session for the exclusive purpose of the introduction and referral of bills, receipt of communications and committee reports and the reading and passage of local legislation to which all members of an affected delegation have given their consent for the bill to be taken up, and to adjourn immediately thereafter. Any such motion shall provide the specific dates during which the motion shall apply and shall provide that the Senate must convene at 11:00 a.m. and adjourn not later than 12:30 p.m. on each such day and such motion must be made at least two (2) days prior to the beginning of the period for which it applies.

C.

The President, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the Senate, may declare the body adjourned to some other time or may convene the Senate under the provisions of Rule 1B. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and acts of God.

RULE 2.

Quorum

A majority of the total number of Senators qualified shall constitute a quorum.

Quorum Call of the Senate

If at any time during the daily session of the Senate it is ascertained that there is not a quorum present, no business shall be in order except a call of the Senate, an order to send for absentees (as provided for in Rule 3B), a motion to recede for a fixed period of time or to a time certain, or a motion to adjourn. Each of the foregoing motions shall be of equal standing and none shall have priority over the others.

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RULE 3.

Attendance, Duties and Obligations of Senators

A.

Any member or officer of the Senate who shall absent himself or herself from the service of the Senate, without leave of the Senate first obtained, shall forfeit his or her subsistence while so absent. The Clerk shall maintain a record of those members present on each statewide legislative day.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, at any time during a session when the presence of absent members is required, the Senate, by majority vote of those present and voting shall authorize the Sergeant-at-Arms to send for the absent members. In case a less number than a quorum of the Senate shall convene, the members present are hereby authorized to send the Sergeant-at-Arms or any person or persons by them authorized for any or all absent members, as the majority of such members present shall agree. This Rule shall apply to the first convention of the Senate each year at the legal time of meeting and to each day of the session after the hour to which the Senate stood adjourned has arrived. When provisions of this Rule are invoked then the outer doors of the antechamber shall be secured and any member within the confines of the chamber shall be counted for the purpose of determining a quorum. A motion to invoke or repeal Rule 3B may be made at any time when a quorum of the Senate is present or not present and must be voted on after no more than five (5) minutes of debate, two and a half (2½) for and two and a half (2½) against.

RULE 4.

A.

Majority Party and Minority Party

Prior to the commencement of the session, the members of the Senate in each party shall select a leader of their respective party. The leader of each respective party shall serve as either the Majority Leader or Minority Leader of the Senate. A Senator

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selected as Majority Leader or Minority Leader may not serve as President.

For purposes of these Rules, the majority party shall be the party at the opening of the session who has at least fifty (50) percent of the vote in the Senate plus one. In the event that the membership of the Senate is equally divided, the party affiliation of the President will decide the majority party. The majority party shall be determined at the opening of the session and shall remain the majority party for the duration of these Rules.

Except for meetings to elect the Majority Leader or Minority Leader or to take any other formal action, meetings of party caucuses are exempt from the Freedom of Information Act.

B.

Seating

During the opening session after the election of Senators or, in the case of a special election, at a session designated by the President, the President shall pick his seat in the Chamber first. The Majority Leader and then the Minority Leader shall pick seats in the Chamber on opposite sides. The reading clerk shall then call the roll of the Senate by seniority and each member shall then select a seat in the Chamber. The front two rows on the side of the Chamber selected by the majority leader are reserved for the majority party members; the front two rows on the side of the Chamber selected by the minority leader are reserved for the minority party members.

RULE 5.

Journal of the Senate

The Journal of the Senate shall be prepared and printed daily by the Clerk. Any Senator shall have the right to demand the reading of that portion of the Journal of the previous day containing an error or omission and to move to correct any such errors or omissions after debate of no more than five (5) minutes for and five (5) minutes against. The Clerk must annually compile and publish a permanent Journal of the proceedings of the Senate.

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RULE 6.

Which Senator Entitled to Floor

A.

When a Senator desires to speak, he or she shall rise from his or her seat and address the President, and may not proceed until he or she is recognized. When two or more Senators rise from their seats to speak at the same time, the Senator who first addresses the President as determined by the President shall have the floor and the President shall so announce it.

B.

When a Senator raises a question of order, as provided for in Rule 7, the President shall stop all other debate and allow the Senator raising the question to explain the point of order subject only to a superior question of order.

C.

Every Senator, when speaking, shall address the President, standing in his or her place and when finished shall take his or her seat. Senators, when addressing the Senate, may stand at their desk or may go to the podium in the center aisle.

Except as otherwise provided in the Rules of the Senate, no Senator may interrupt the Senator who has been granted the floor without his or her consent. To obtain consent, he or she shall first address the President. If a member wishes to present a question to the Senator who has been granted the floor, he or she shall address the President and gain recognition. Once recognized, the member shall ask the President, "Does the Senator yield for a question?" The President shall inquire of the member granted the floor "Does the Senator yield?" If the Senator who holds the floor agrees to yield, the President shall so instruct the Senator who wishes to present the question.

RULE 7.

A.

Question of Order

Appeal from President's Decision

If a Senator in speaking, or otherwise, violates the Rules of the Senate, the presiding officer shall, or any member may, by raising a point of order, call him to order; and when a member is called to

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order by the President or under a point of order, he or she shall sit down and may not proceed without leave of the Senate, unless the President takes the point of order under advisement. The President may call for the Sense of the Senate on any question of order. Every question of order must be decided by the President, without debate, and Senators shall have the right to appeal the decisions of the President to the full Senate. When the decision of the President is appealed, the next most senior Senator shall preside during the pendency of the appeal and the Senate's debate and action on the motion to appeal. The question before the Senate shall be "Shall the ruling of the President be overridden?" and after not more than thirty (30) minutes, fifteen (15) minutes for and fifteen (15) minutes against, of debate it shall be decided by a majority vote of the membership.

B.

Introduction of Visitors and Guests

When a member wishes to introduce a visitor, guest or family member, he or she shall first gain recognition from the President and shall limit his or her introduction and associated remarks to not more than two minutes.

If a visitor or guest in the Chamber or in the gallery engages in a demonstration of approval or disapproval or creates a disturbance which affects the decorum of the Senate, the Clerk and Sergeant-at-Arms shall take those measures necessary to enforce order.

C.

Decorum in the Senate

The presiding officer shall maintain proper decorum in the Senate at all times. Members of the Senate are prohibited from eliciting responses of any kind from visitors in the Senate gallery.

The use of cellular phones is prohibited in the Senate Chamber. Other silent electronic devices may be used only in a manner as not to be disruptive to the Senate. This rule shall be enforced in a manner prescribed by the Operations and Management Committee.

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RULE 8.

May Speak Twice in One Debate

No Senator shall speak more than twice in any one debate, on the same day, without leave of the Senate.

Any Senator, who absents himself or herself for three (3) hours or more from the Senate Chamber after due notice that Rule 3(B) has been invoked, or is not present for two quorum roll calls which are called more than two hours apart, forfeits his or her right to speak for more than one hour on any matter pertaining to the Bill being debated on that legislative day, unless granted leave by the Senate to speak for a longer period, or unless such member obtains a leave of absence from the Senate either before or after invocation of the Rule.

RULE 9.

Endorsement of Papers

No Senator shall present any Bill, amendment or other paper, without having first affixed his or her name to such Bill, amendment or other paper. A member who is granted leave to place material on the desks of other members, and who is not the author of or who has not signed the material, shall affix his or her name to a copy of the material and forward that copy to the Clerk prior to distribution of the material. No notice shall be required of a member of his or her intention to introduce a Bill or Resolution. Any member may introduce Bills or Resolutions which shall be received by the Senate staff whether or not the Senate is in session. A member may co-sponsor any Bill or Resolution with the permission of the primary sponsor. After introduction, a member may, with permission of the primary sponsor, co-sponsor any Bill or Resolution that is in the possession of the Senate by notifying the Clerk. Bills and Resolutions so received shall be periodically referred by the President of the Senate to the appropriate committee or committees which may then consider them at such times as the committee meets.

Any matter acted upon favorably by any committee may be reported out by the committee when the Senate reconvenes and need not thereafter be sent to any committee but shall then be

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ready, upon compliance with other Rules of the Senate, for second reading consideration.

The Clerk of the Senate shall establish procedures to notify the Senate membership on a monthly basis of Bills and Resolutions introduced during periods when the Journal is not printed.

All Bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading, *en banc*, on the first day of the session.

RULE 10.

Committee Reports, How Made

Reports must be separately made on each Bill or Resolution and shall be signed by the Chairman or such Senator as the Chairman may designate.

No Bill or Joint Resolution may be polled out of a Standing Committee until all of the committee members present are notified and polled and a majority of the entire membership of the committee votes in favor of polling the legislation out. The poll results must be certified by the Committee Chairman who must certify that each member of the committee was notified and given an opportunity to vote and a written copy of the results must be given to the Clerk to be published in the Journal.

Notwithstanding the provisions of Rule 33 and unless otherwise ordered by the Senate, when the annual General Appropriation Bill or a Capital Reserve Fund Resolution or any reapportionment bill or any Resolution affecting the sine die adjournment date is received by the Senate to be placed on the calendar, it shall be placed in a position under the masthead of the calendar as the first order of business to be taken up each day immediately following the conclusion of the call of the Uncontested Local Calendar.

RULE 11.

Writing and Withdrawal of Motions

When a motion is made, with the exception of motions made under Rule 14, if requested by any member, it must be reduced to writing, delivered at the desk, and read before the same is voted up or down; provided, however, that the request to have a motion reduced to writing shall not cause the mover of such motion to lose

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the floor. Any motion may be withdrawn by the mover at any time prior to being put before the body. Thereafter, it may be withdrawn only with the unanimous consent of the Senate. No motion may be made concerning a matter which has gone out of the possession of the Senate except a motion to recall, and if the same should prevail, the Clerk shall send an appropriate message requesting a return of the matter, and when returned shall be placed in the box.

RULE 12.

Motion to Reconsider

No motion for the reconsideration of any vote shall be in order unless the matter is in the possession of the Senate, nor shall any motion to reconsider be in order unless made within the next two statewide legislative days of the actual session of the Senate thereafter, and by a Senator voting with the prevailing side. Except for procedural motions, a motion to reconsider may be made immediately after the act or motion to which it applies has occurred, during the motion period, during the time between the call of orders of business after the introduction and reference of new Bills and Resolutions, or during the time the bill or resolution is being debated.

RULE 13.

Points of Personal Privilege and Expressions of Personal Interest

Any member may rise to a point of personal privilege provided that a point of personal privilege shall be defined as questions affecting the rights, reputation and conduct of members of the body in their representative capacity.

A point of personal privilege must relate to persons as members of the body or relate to charges against the character of a member which charges, if true, would affect the rights of membership.

A member rising to a point of personal privilege must confine his or her remarks to those matters which concern the member personally and has only the right to defend himself or herself and no other persons, and such remarks shall in all cases be limited to not more than one (1) hour.

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All other remarks made by a member shall be regarded as an expression of personal interest. A member may only be recognized for an expression of personal interest between the call of orders of business and such remarks shall in all cases be limited to not more than five (5) minutes.

RULE 14.

Privileged Motions

When a question is under debate, no motion shall be entertained, unless otherwise provided for in the Rules, but

1. To adjourn
2. To adjourn to a date and time certain
3. To recede for a fixed period of time or to a time certain
4. To appeal a decision of the Chair
5. To go into Executive Session
6. To take up order of the day
7. To continue
8. To lay on the table
9. To adjourn debate to a certain day or to adjourn debate
10. To carry over
11. To strike out the enacting clause
12. To commit or recommit
13. To reconsider
14. To amend

which several motions may only be made by the Senator having the floor and shall have precedence in the order in which they are above arranged, and the first ten (10) of which shall be determined without debate. A motion to lay an amendment on the table being agreed to shall not have the effect of disposing of the main question.

Provided, however, when a Bill or any other matter is under debate, a motion to carry over may be made by the Senator having the floor, with such Senator retaining the floor on that Bill or any other matter upon an affirmative vote of twenty-six (26) members of the Senate. Provided, that when a Bill or any other matter is under debate and a motion to carry over is made pursuant to a majority vote of the Rules Committee for a carry over motion, the Senator having the floor shall retain the floor on that Bill or other

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matter upon a majority vote of those members present and voting. The Rules Committee vote requirement can be fulfilled either at a duly called meeting of the Rules Committee or the Committee may be polled in accordance with Rule 10.

No motion to carry over, either by the Senator who has the floor or by the Rules Committee as provided herein, shall be in order for any Bill in the status of Interrupted Debate for less than one legislative day. The failure of a motion to carry over by an individual Senator or by the Rules Committee shall not cause the member who has the floor to lose the floor.

When a motion to adjourn debate is passed, the Bill to which it applies is subject to consideration on the next legislative day that the Senate reaches that order of business. When a motion to adjourn debate to a date certain is passed, the Bill to which it applies is not subject to consideration until the date so specified, if the Senate reaches that order of business. If the Senate does not reach that order of business, the Bill remains in adjourned debate status.

A motion to ratify acts may be made by any Committee Chairman at any time and must receive a majority vote of the membership of the Senate.

Whenever a member who has been recognized and properly holds the floor makes a motion relating to any business, matter or other question before the Senate, such motion shall require a majority vote of those present and voting unless otherwise provided. If a request is made to repeat or restate any such motion, it shall only be repeated or restated by the member originally making the motion.

No member may make any dilatory motion, including placing amendments on the desk, or take any other action or use any parliamentary tactic for the purpose of delaying or obstructing business.

RULE 15.

A.

Fixing a Time Certain to Vote

Except for any Reapportionment Bill, the debate on the question of third reading of a Bill or Resolution may be brought to a close

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by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, if such Bill or Resolution has been under debate for two (2) hours on the current legislative day. The debate on any other matter pending before the Senate, except as otherwise provided in these Rules, may be brought to a close by a majority of the membership of the Senate after ~~one (1) hour~~ two (2) hours of debate on the current legislative day.

However, notwithstanding the provisions of Rule 14, during the final three (3) statewide legislative days prior to the date set for sine die adjournment, the time periods provided above may be waived by three-fifths (3/5) of the Senators present and voting.

Notwithstanding the provisions of Rule 14 or any other rule, such motion may be made after the time period provided for herein has elapsed and may be made by any member and shall not be subject to amendment or debate. Such motion shall include a fixed time for the vote, a time when no further amendments may be placed on the desk, the limitations on amendments sponsored by each Senator, and/or the limitations on consideration and debate of each amendment and the main question. Any Senator may request a call of the Senate prior to the vote being ordered.

~~However, notwithstanding the provisions of Rule 14, during the final three (3) statewide legislative days prior to the date set for sine die adjournment, the time periods provided above may be waived by three-fifths (3/5) of the Senators present and voting.~~

When the time arrives, the Senate shall proceed to a consideration (seriatim) of the amendments and the main question as provided by the motion adopted under the provisions of the rule.

When a motion is adopted under the provisions of this rule, no further amendments may be received unless provided by the motion, except that the Majority Leader and the Minority Leader may each offer one additional amendment and the Clerk may authorize an amendment necessary to correct some technical error or omission or to conform the language of an amendment to a previous action of the Senate.

~~Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when the time for a vote arrives, as set under this rule, the Senate shall proceed to a consideration (seriatim) of the amendments on the desk and upon~~

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~~disposition of all amendments, proceed immediately to a vote on the main question. Opponents and proponents of an amendment shall be granted an equal amount of time in the discretion of the presiding officer, not to exceed twenty (20) minutes.~~

~~Except as otherwise provided by a motion adopted under the provisions of Section C of this rule, when a motion to fix a date or time certain has been agreed to, the Clerk of the Senate, at that time, is prohibited from receiving any future or further amendments to the pending matter unless the Clerk certifies that an amendment is necessary to correct some technical error or omission or conform the language of an amendment to an action of the Senate taken previous to the consideration of the amendment.~~ Any question to which the Senate has agreed to fix a date or time certain shall become the unfinished business of the Senate and shall be considered on each subsequent legislative day immediately after the call of the uncontested local calendar.

B.

Notwithstanding the provisions of Rule 14 or any other Rule of the Senate, when any Reapportionment Bill has been under debate for two statewide legislative days, the President shall immediately recognize any Senator for the purpose of a motion to bring the debate to a close. Upon being made, the President shall at once state the motion and submit to the Senate by a yea and no vote the question:

“Is it the Sense of the Senate that the debate shall be brought to a close?”

And if that question shall be decided in the affirmative by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting, then said measure pending before the Senate, or unfinished business, shall be the unfinished business of the Senate to the exclusion of all other business until disposed of.

Thereafter, no Senator shall be entitled to speak in all, more than one hour on the measure, pending before the Senate, or the unfinished business, the amendments thereto, and the motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. After no more than forty-six hours of consideration of the measure, motion, or other matter on which cloture has been invoked, the Senate shall

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proceed, without further debate on any question, to vote on the final disposition thereof to the exclusion of all other matters.

C.

Except for any reapportionment Bill and notwithstanding the provisions of Rule 14, the President or his or her designee shall have the right to make a motion to establish a schedule for a future date and time for the vote on any Bill or Resolution, which is in the status of Interrupted Debate, Adjourned Debate or Special Order. The motion shall also establish the time when no further amendments may be placed on the desk and the limitations on consideration and debate of amendments and the main questions. Any such motion shall not be subject to amendment or debate and must be adopted by the lesser of twenty-six (26) Senators or three-fifths (3/5) of the Senators present and voting and if adopted, then the Bill or Resolution shall be the business of the Senate on the date and time set, to the exclusion of all other matters.

RULE 16.

Vote by Ayes and Nays

Senators Present Must Vote

Except as otherwise provided, the decision of the Senate on any question other than unanimous consent shall be taken by all members voting 'viva voce' or electronically when a roll call is required, if an electronic voting system is available. Votes on the following matters shall be taken by roll call and the names of the Senators voting shall be recorded in the Journal:

(1) Second reading of Joint Resolutions proposing amendments to the South Carolina Constitution and third reading of such Joint Resolutions that are substantively amended on third reading;

(2) The question on any act returned from the Governor with his or her objections;

(3) Second reading of Bills and Resolutions having the force and effect of law and third reading of such Bills and Resolutions that are substantively amended on third reading;

(4) Adoption of reports of conference committees and free conference committees and the granting of free conference powers;

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(5) The question on concurrence or the adoption of a substantive amendment proposed to Bills or Resolutions returned from the House of Representatives; and

(6) Any vote on the main question of an amendment for which there is a request for a roll call by three (3) Senators and the vote on any other motion for which there is a request for a roll call by five (5) Senators.

Prior to third reading of the annual general appropriations bill, each section of Part IA with the corresponding provisos must be considered individually and receive a roll call vote.

Upon a call of the Senate and unless a division is ordered, the Senators present shall vote alphabetically, unless voting electronically, when a roll call is required and every Senator present must give his or her vote as aye, no, or abstain unless excused by the Senate.

No Senator who is absent when the vote is taken and the result announced by the President shall be allowed to vote without leave of the Senate. A Senator who is absent from a vote may not be recorded as voting on that matter.

RULE 17.

A.

President of the Senate

At a session designated in accordance with Article III, Section 37 of the South Carolina Constitution, the Senate shall elect from among the members thereof a President to preside over the Senate and to perform other duties as provided by law and these Rules. The President shall serve for the quadrennium concurring with the term of the Senators.

In accordance with Article III, Section 18 of the South Carolina Constitution, the President must ratify all acts that are appropriately presented.

The President may name a Senator to act as President in order to preside in a temporary capacity for a period not to exceed beyond adjournment of that legislative day and who, if the President is unable, may ratify acts on behalf of the Senate.

The President may authorize or retain counsel to initiate, defend, intervene in, or otherwise participate in any suit on behalf of the

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Senate, a Senate committee, a Senator, or a Senate officer or employee.

In accordance with Article III, Section 12 of the South Carolina Constitution, any reference to the President *Pro Tempore* of the Senate in the Code of Laws shall be considered to mean the President of the Senate.

B.

Parliamentarian of the Senate

The Clerk shall serve as Parliamentarian of the Senate to provide expert, nonpartisan advice and assistance to the President and other Senators on questions relating to the meaning and application of the Senate's rules, precedents, and practices. The Clerk may appoint an Assistant Parliamentarian as required upon approval of the Operations and Management Committee.

RULE 18.

A Question May Be Divided

If a question in debate contains several points, any Senator may move to have the same divided and shall state how the division is to be made. Such motion shall be decided by a majority of the Senators present and voting after not more than five (5) minutes of debate. On a motion to strike out and insert it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion to simply strike out prevent a subsequent motion to strike out and insert.

RULE 19.

A.

Standing Committees of the Senate

The Standing Committees of the Senate shall be as follows and shall have jurisdiction over legislation, appointments and other matters which fall within the title or titles of the Code of Laws as are herein below enumerated for each of the Committees:

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Agriculture and Natural Resources - Titles 4 (county fairs), 39 (agricultural and food products), 46, 47, 48 (land resources, soil and water conservation, mining, oil and gas, and wetlands), and 49

Banking and Insurance - Titles 21 (trust companies), 29, 34, 35, 36, 37, and 38

Corrections and Penology - Titles 2 (community corrections), ~~and 24,~~ and 63 (DJJ & Juv. Parole Bd.)

Education - Titles 2 (higher education), 51, 59, and 60 (school governance and structure at all levels)

Ethics

Family and Veterans' Services - Titles 1 (state emblems and observances), 5 (cemeteries), 25, 26, 27 (cemeteries), 39 (blind persons), 43, 45, 52, 53, and 63 (children's services, childcare)

Finance - Titles 1 (Administration, SFAA), 2 (bonding authority, taxation, finances), 3, 4 through 6 (bonding authority, taxation, finances), 8 (employment standards, retirement, deferred compensation), 9, 10, 11, and 12, Constitution (bonding authority, taxation, finances)

Fish, Game and Forestry - Titles 48 (forestry and fire protection), 49, 50, and 51

Judiciary - Constitution, Titles 1, 2, 4, 5 through 8, 14 through 23, 27, 28, 30, 32, 33 (electric cooperatives), 42, 44 (drug related offenses), 56 (criminal offenses), 58, 61, 62 and 63 (family court, legal issues, ~~juvenile justice~~)

Labor, Commerce and Industry - Titles 1, (occupational licensing, building codes), 4 through 6 (building, construction, planning, fire codes), 13, 23 (firefighting), 31, 33, 39 (business matters, chemicals, industrial products), 40 and 41

Legislative Oversight

Medical Affairs - Titles 39 (drug products), 40 (health care professionals), 43, 44, and 48 (pollution control, waste management, water and sewer)

Rules - Senate Rules, Joint Rules

Transportation - Titles 5 (streets, sidewalks, parking), 54, 55, 56, 57, and 58 (Regional Transportation Authorities and railroads)

Matters shall be referred to the appropriate standing committee with jurisdiction over the primary subject matter addressed by the Bill or Resolution. If there is any objection to the referral of any

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bill or resolution to any Standing Committee, the Rules Committee shall hear the same, resolve the issue and report to the Senate within one (1) legislative day its decision which decision may be overruled by a vote of twenty-nine (29) Senators.

The several committees shall have such powers and duties as provided for in these rules. It shall not be in order for any committee to consider any proposed committee amendment (other than a technical, clerical, or conforming amendment) which contains any significant matter not within the jurisdiction of the committee proposing such amendment.

B.

Committee Composition

The membership of the above listed committees shall be as follows: The Committees on Judiciary and Finance shall each have twenty-three (23) members. All other standing Committees, except the Committee on Ethics and the Committee on Legislative Oversight, shall have seventeen (17) members.

The Committee on Ethics shall be composed of ten (10) members. Of the ten (10) members selecting a seat, five (5) shall be members of the majority party and five (5) shall be members of the minority party. The Committee on Legislative Oversight shall be composed of thirteen (13) members. Of the thirteen (13) members selecting a seat, in addition to the President who must select a seat, six (6) shall be members of the majority party, and six (6) shall be members of the minority party.

The total membership of each Standing Committee shall be composed of members of the two major political party caucuses in proportion to the number of Senators of each of such political party caucuses as nearly as possible and ensuring that the majority party as defined in these Rules contains a majority of the membership within each Standing Committee. For purposes of determining committee composition, percentages shall be rounded as follows: percentages of .49 or below shall be rounded down and percentages of .50 and above shall be rounded up.

Membership on the Judiciary Committee excludes membership on the Finance Committee and vice versa.

Committee seniority shall be determined by tenure within the committee rather than tenure within the Senate. When members

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with seniority transfer to a new committee, their seniority will be counted ahead of newly-elected Senators.

Where two or more Standing Committees are combined, initial membership on such committee shall be based on tenure within the Senate.

C.

Special Committees

In addition to the above listed Standing Committees, there shall be two (2) Special Committees to be known as the Committee on Interstate Cooperation, which shall be composed of five (5) members, and the Operations and Management Committee, which shall be composed of nine (9) members. The Chairman of the Special Committees shall be the President of the Senate or in his or her absence the next most senior Senator of the majority party serving thereon.

D.

Committee Selections

Members of the Senate shall make their committee selections at the commencement of the session following the election of Senators or in the case of a special election, at such session designated for that purpose by the President. In the case of a special election, the President must call a session for the purpose of committee selections within three statewide days after a Senator elected in a special election has taken the oath of office.

Members of the Senate may not select more than five (5) Standing Committees. The Committee on Ethics, the Committee on Interstate Cooperation, and the Committee on Legislative Oversight are not included in this limitation.

For the members to make their Standing Committee selections, the Clerk of the Senate (or if the Clerk has not been elected, the Clerk of the Senate during the preceding General Assembly or an assistant clerk) shall prepare a roll of the Senate listing the members in the order of length of continuous service, beginning with the longest continuous service. Where two or more members have equal continuous service they shall be listed in alphabetical order. The Clerk of the Senate shall also prepare a list of each Standing Committee and the number of seats available to members of each party. The Clerk of the Senate shall then call the roll twice

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in order of continuous service. Each member, upon his or her name being called during the first call of the roll, shall select four (4) unfilled Standing Committees on which he or she wishes to serve (and shall also select at this same time a seat on any or all of the Ethics, Legislative Oversight, and Interstate Cooperation Committees so long as a vacancy exists). Each member must select either the Finance or Judiciary Committee during the first call of the roll.

When the prescribed number of seats provided for a particular party within a Standing Committee has been filled, the President shall announce that the seats available for either the Majority or Minority party are filled. When the roll is called for the second time, it shall be called in reverse order of continuous service and each member upon his or her name being called, may select one additional unfilled Standing Committee on which he or she wishes to serve.

In the event any member is unable to be present for selection of Standing Committees, that member may authorize in writing any member of the Senate to make selections in his or her behalf. This procedure shall be followed on the first day of the session following the election of Senators and at any other session where a newly elected member(s) is seated and the President has made the designation within the timeframe hereinabove provided. Any Senator who served on a Standing Committee in the session immediately past shall have the right to select such committee, regardless of the Senator's seniority in the Senate, unless the Senator shall elect to be removed from such committee by the choices made by the member during the first round of selection of committees or unless the number of seats available to his respective party have already been filled.

Except as otherwise provided herein, in the selection by members of a seat on a Senate Standing Committee, the seniority system from the previous session shall be retained so as to become a part of these rules.

E.

Chairmen of the Standing Committees

In the selection of the Chairman of the Standing Committees, the senior member of the Committee from the majority party, in terms

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of seniority within the Committee, shall be the Chairman of the Standing Committee. However, the President shall be the Chairman of the Committee on Legislative Oversight and must not be the Chairman of any other Standing Committee. The Chairman of the Standing Committee shall serve for the quadrennium concurring with the term of the Senators adopting these Rules. If a vacancy occurs in the Chairmanship of a Standing Committee, then the next most senior member of the majority party shall become Chairman of the Committee for the remainder of the original term. However, a Senator shall serve as Chairman of only one of the Standing Committees, but may chair a Standing Committee and a Special Committee concurrently.

Should any Senator, during his term of office, cease to be a member of the political party of which he was a member at the time of his election, he shall not be deemed, thereby, to have forfeited all Committee memberships to which he may have been elected and shall not waive all seniority within each of the committees of which he or she was member if a majority of the caucus to which the member switches consents to that Senator retaining his seniority within the Committees to which he was a member at the time of his switch. No Senator elected as a Chairman of a Standing Committee at the opening of a session shall lose that Chairmanship even if a Senator switches parties and because of that switch becomes the senior member of the majority party on that Committee.

Each Committee Chairman shall have necessary staff to oversee the operation of the committee and its staff appointed by the Committee Chairman and such Committee counsel, staff assistants, and pages as the Chair of the Committee may deem necessary. The number of positions and salaries of personnel selected pursuant to this provision shall be subject to the approval of the Operations and Management Committee.

The Chair of any Committee may appoint subcommittees to consider a particular bill or resolution or to consider matters relative to a portion of work of the Committee. Such subcommittees shall make recommendations to the Committee. The Chair of the full Committee shall name the chairman of the subcommittee who need not be the senior member appointed to the

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subcommittee. The total membership of a subcommittee shall be composed of members of the two major political parties if practicable. The Chair of the full Committee shall be an ex officio member of all subcommittees and entitled to vote, but shall not be counted as a member for purposes of a quorum.

F.

Operations and Management Committee

The Operations and Management Committee shall be composed of the President, the Chairman of the Finance Committee, the Chairman of the Judiciary Committee, the Majority Leader, the Minority Leader, and four (4) members selected by the President, of whom two (2) must be members of the minority party. If the Majority Leader also is the Chairman of the Finance Committee or the Judiciary Committee, then the next most senior member of the majority party on the committee shall serve.

The Operations and Management Committee, through the Clerk of the Senate and subject to the Committee's approval, shall oversee the day-to-day operation of the Senate including the allocation of office space between members. The Sergeant-at-Arms shall appoint such number of employees as Deputy Sergeant-at-Arms, subject to the approval of the Operations and Management Committee, as are necessary for the proper transaction of the business of the Senate.

Each Senator, who is not a Committee Chairman, shall hire such number of pages and other employees as is necessary for the proper transaction of their legislative business. The Operations and Management Committee shall determine the number and salary ranges for these positions. All staffing decisions, including the hiring and firing of all staff, unless otherwise provided herein, shall be the sole responsibility of the affected Senator who must ensure that his or her employees follow the policies and procedures of the Operations and Management Committee, which shall be enforced by the Operations and Management Committee. However, if an employee works for more than one Senator, then the decision to hire and fire must be made by both of the affected Senators. If an agreement cannot be reached regarding the hiring and firing of an employee who works for more than one Senator, then the

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Operations and Management Committee shall arbitrate the dispute and render a decision which decision shall be final.

The Operations and Management Committee shall also oversee the Office of Senate Research which shall provide assistance as requested by Senate members and committees of the Senate. The Operations and Management Committee shall appoint a majority and minority research director and such other research counsel and staff assistants as is necessary for the proper transaction of its business.

G.

Committees of Conference and Free Conference

Committees of conference and free conference between the two Houses shall be comprised of three members. The President shall select two members, and the chairman of the committee with jurisdiction over the Bill which is the subject of the request for appointment of conference committee shall select one member; ~~the Majority Leader of the Senate shall select one member; and the Minority Leader shall select one member.~~ In all cases, the chairman of the committee of conference or free conference shall be chosen by a majority of the appointed conferees.

H.

Committee Meetings

The following schedule shall be the regular meeting times for Standing Committees when the General Assembly is in session. Any additional or special meeting may be called only by individual Committee Chairmen subject to the provisions of the Freedom of Information Act.

Every Tuesday

~~11:00 a.m.~~ 3:00 p.m. - Finance and Judiciary

1st and 3rd Wednesday

10:00 a.m. - Fish, Game and Forestry

11:00 a.m. - Transportation

2nd and 4th Wednesday

9:00 a.m. - Family and Veterans' Services

10:00 a.m. - Education

11:00 a.m. - Banking and Insurance

1st and 3rd Thursday

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9:00 a.m. - Corrections and Penology

10:00 a.m. - Medical Affairs

2nd and 4th Thursday

9:00 a.m. - Labor, Commerce and Industry

10:00 a.m. - Agriculture and Natural Resources

The Rules Committee, Ethics Committee, Interstate Cooperation Committee, and Legislative Oversight Committee shall meet at the call of the Chair. Provided, however, that nothing herein shall prohibit the Chairman of a Standing Committee from canceling a committee meeting. No committee, except the Rules Committee, shall hold a meeting while the Senate is in session without first being granted leave by the Senate.

The above listed dates refer to calendar weeks as opposed to session weeks. The date, time and place of any called meetings shall be reported to the Clerk of the Senate who shall post such information in the lobby of the Gressette Senate Office Building and the State House. Notice of regular scheduled meetings, as well as called meetings, shall be posted in accordance with the South Carolina Freedom of Information Act.

Each Standing Committee is responsible for keeping minutes of all meetings of the full committee. The vote total on any matter before the committee shall be recorded in the minutes and a roll call vote must be recorded upon request of five Senators.

RULE 20.

Priority of Business Not Debatable

All questions relating to the priority of business to be acted upon shall be settled without debate.

RULE 21.

Bills May Be Recommitted

After commitment and report of a Bill to the Senate, or at any time before its passage it may be recommitted by a motion to recommit which can only be made when the matter is under debate or by unanimous consent or when the Senate is in the Motion Period and such question shall be decided after not more than ten (10) minutes of debate. At any time, the President or his designee

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may move to recommit a Bill that has been on the calendar for a minimum of nine (9) legislative days.

RULE 22.

**All Bills Referred to Committees, and to Provide
for Recalling Bills from Committees**

All Bills or Joint Resolutions when first read shall be referred to the appropriate committees. After the expiration of five legislative days from the date of reference, any Bill, or Joint or Concurrent Resolution, except the General Appropriation Bill may be recalled from any committee by a majority vote of the Senators present and voting; before the expiration of five days from the date of reference, any Bill, or Joint or Concurrent Resolution may be recalled from committee by the vote of three-fourths (3/4) of the Senators present and voting.

All Concurrent Resolutions which invite persons to address the General Assembly in joint session shall be submitted to the President and shall only be voted on by the Senate after they have been approved by a majority of the members of the Operations & Management Committee.

The Clerk is authorized to endorse Resolutions expressing congratulatory messages or sympathy without a reading.

RULE 23.

Printing

All Bills and Resolutions when placed on the Calendar shall be printed and made available to the Senators.

RULE 24.

A.

Clauses in Bill Must Be Germane

No clause shall be inserted in a Bill or Resolution unless the same is germane to the Bill or Resolution. In order to be germane, an amendment must be a natural and logical change or expansion directly related to the specific subject of the Bill or Resolution, as defined in the Bill or Resolution, and must not raise any new or independent matter different from the specific subject of the Bill or Resolution. Any perfecting amendment must be germane to

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both the amendment to be perfected and the underlying Bill or Resolution and must not offer a new proposition or substantially alter the main amendment.

Matter which is germane to the subject of the General Appropriation Bill and any Supplemental Appropriation Bill shall be defined as those things which reasonably, specifically, and inherently directly relate to the raising or spending of revenue for or in the fiscal year for which the bill applies and do not temporarily or permanently add, amend, or repeal a portion of the general permanent laws of South Carolina. Nothing in this paragraph prohibits the temporary suspension of any permanent law.

The provisions of this rule must be strictly construed.

B.

Vote Requirement for General Permanent Laws Included in Reports of Conference Committees on Appropriation Bills

Any part, section, or division of a general or supplemental appropriation bill which reasonably, specifically, and inherently directly relate to the raising and spending of revenue for or in the fiscal year which the bill applies or any future years, and which amends, adds, or repeals a portion of the general permanent laws of South Carolina that is not otherwise prohibited by the South Carolina Code of Laws may only be included in any conference report or concurred in as a House amendment by a vote of three-fifths (3/5) of the Senators present and voting.

RULE 25.

Bill by Committee

No Bill or Resolution shall be introduced in the name of a Committee except with the approval of two-thirds (2/3) of the members thereof at a duly called meeting of the Committee; and the Chairman of the Committee shall certify thereon that this rule has been complied with.

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RULE 26.

A.

**Second Reading of Bills, Recommittal
and Amendments on Third Reading**

After a bill has been called for second reading, the President shall recognize the Bill's primary sponsor and/or the committee or subcommittee chairman with jurisdiction over the bill for brief explanatory comments on the bill. These explanatory comments shall not be counted for the purposes of the time limits specified in Rule 15A. Upon conclusion of the explanatory comments, the Senate immediately shall begin consideration of any amendments on the desk.

~~If a motion under Rule 15A has been adopted and all amendments on the desk have been considered, the Senate will proceed to a vote on the main question after one (1) hour of debate with thirty (30) minutes for and thirty (30) minutes against.~~

The final question upon the second reading of every Bill, Resolution, Constitutional Amendment (or motion originating in the Senate), and requiring three readings previous to being passed, shall be, "Shall it pass and be ordered to a third reading?"

B.

Amendments on Third Reading

No amendment shall be received on third reading of a Bill or Resolution, unless three-fifths (3/5) of the Senators present and voting give leave for the amendment to be received. The primary sponsor of an amendment offered on third reading may be recognized for up to three (3) minutes to explain the amendment prior to the vote required under this provision being taken. Any amendment offered pursuant to this provision must be in conformance with Rule 24.

C.

Amendments on Third Reading Debatable

Whenever an amendment is received, pursuant to Rule 26B, on a third reading of any Bill, Resolution, or amendment, the same shall be debatable.

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D.

Motion to Commit Always in Order

It shall at all times be in order before the final passage of any such Bill, Resolution, Constitutional Amendment, or motion, to move its commitment. Any such motion shall be decided after no more than ten (10) minutes debate, five (5) minutes for and five (5) minutes against. Should such commitment take place and amendment be reported by the Committee, the said Bill, Resolution, Constitutional Amendment, or motion shall be again considered and read a second time.

E.

Fiscal Estimate Required Prior to Second Reading

Any Bill or Resolution affecting the expenditure of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the State Revenue and Fiscal Affairs Office as may appear appropriate regarding its effect on the finances of the State.

Any Bill or Resolution affecting the expenditure of money by any county, municipality, school district, or special purpose district within the State shall, prior to receiving second reading, have attached to it in writing a statement by the Committee Chairman that the passage of such Bill or Resolution may affect the revenue of counties, municipalities, school districts, or special purpose districts.

Failure to comply with the provisions of this rule does not limit debate on such a Bill or Resolution prior to the question of second reading.

The provisions of this section shall not apply where the exact amount of money to be spent or expended is clearly set out in the Bill or Resolution.

F.

Earmarks Report Required

The General Appropriations Bill, any supplemental appropriations bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue-raising measure as described in Section 11-11-440 shall, prior to receiving a second reading, have attached to it a statement from the Chairman of the Committee on Finance identifying each

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funding request included in the bill or resolution made by a Senator for an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year. The statement shall include the requesting Senator's name, an explanation of the project or program, and the amount appropriated.

The Conference Report for the General Appropriations Bill, any supplemental appropriations bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue-raising measure as described in Section 11-11-440 shall, prior to consideration by the Senate, have attached to it a statement from the Chairman of the Committee on Finance identifying each funding request contained in the conference report for an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year. The statement shall identify whether the funding request originated in the Senate or in the House of Representatives and, to the extent practicable, an explanation of the project or program and the amount appropriated.

RULE 27.

Presentation of Papers

Senators, when presenting petitions, memorials or reports, or introducing Bills or Resolutions, may make a brief statement, not exceeding three (3) minutes, on the subject matter of such report, Bill or Resolution, or send it to the President, when it shall be read by the Reading Clerk, unless otherwise ordered.

RULE 28.

Message to the House

All messages to the House of Representatives shall be sent by the Clerk, as required by the actions of the Senate.

RULE 29.

The Clerk Charged with Printing

The Clerk shall be charged with the duty of having executed, in a proper and accurate manner, the printing ordered by the Senate

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or provided in the Rules; provided, however, that notwithstanding any other rule to the contrary, any Resolution which expresses sympathy, congratulations or commendation shall be printed in the Senate Journal by title only unless a member requests that the full text of the Resolution be printed in the Journal.

RULE 30.

All Papers to Be Delivered to Clerk at Close of Session

At the close of every bi-annual session the members of the Senate shall be required to hand in to the Clerk all petitions not reported on, and all papers in any way appertaining to the legislative business of the Senate, that the same may be regularly filed in his or her office.

RULE 31.

Executive Sessions

When considering confidential or executive business the Senate shall be cleared of all persons except the President, the Senators, the Clerk of the Senate, the Reading Clerk, the Assistant Clerk designated by the Clerk of the Senate, the Assistant Parliamentarian designated by the Clerk of the Senate, the Sergeant-at-Arms of the Senate, and such Deputy Sergeants-at-Arms required to ensure the security of the Executive Session.

All appointments made by the Governor and delivered to the Senate shall be referred to such committee of the Senate in accordance with the provisions of Rule 19 which are applicable to the reference of bills. Such appointment shall be considered at the next meeting of such committee or such other time as the committee may determine. No report may be made on an appointment unless and until the committee has held a screening hearing and given the appointee an opportunity to appear before the committee. A screening hearing or any portion of a screening hearing, may be held in Executive Session only if allowed pursuant to applicable provisions of law and upon the vote of two-thirds (2/3) of the members of the committee. Any information or material provided to or developed by the committee in an Executive Session and any communications between a Committee

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Chairman and the appointing authority must be held confidential and only reported to the full Senate in Executive Session. If a committee fails to make a report on an appointment to the full Senate within two (2) weeks after a screening hearing, then the Senate may recall the appointment in Executive Session. Executive Sessions must be held on committee reports on appointments pursuant to applicable provisions of law, unless the Senate agrees to take up any such report in open session.

Before going into Executive Session, the Senate shall vote in open session on the question of whether to go into Executive Session and the reason therefore. When a motion to go into Executive Session is agreed to, the President shall announce publicly the purpose or purposes of the Executive Session as specified by the member making the motion. No final action may be taken by the Senate in the Executive Session on appointments. For the purpose of this Rule, "final action" means a decision by the Senate which constitutes a dispositive act regarding the consideration of an appointment. No vote may be taken on a final action in Executive Session, and the confirmation of appointments must be voted on in open session.

When the Senate is in Executive Session, any member may make a motion to bring the debate to a close in the Executive Session or to rise from the Executive Session and such motions must be decided without debate by a majority of the Senators present and voting. When the Senate rises from an Executive Session and the report of an Executive Session is received by the Senate, the final question on every appointment shall be: "Will the Senate advise and consent to this appointment?" Confirmation of statewide appointments shall be by roll call vote unless otherwise agreed to by unanimous consent.

Messages containing appointments may be published in the Journal when received as other messages, and the fact that an appointment has been made or that it has been confirmed or rejected shall not be regarded as a secret. When considering appointments in Executive Session, all information communicated, or remarks made by a Senator concerning the character or qualifications of the person appointed and any action

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or failure to act on any appointment(s) required to be kept confidential by applicable provisions of law shall be kept secret.

Other messages from the Governor pertaining to confidential matters shall be subject to such secrecy or publication as the Senate, in each instance, may order.

Any Member or Officer of the Senate who violates the secrecy provisions of this rule shall be subject to the provisions of Rule 44 of the Senate and Article 5 of Chapter 13 of Title 8 of the Code of Laws.

RULE 32.

A.

Order of Business

1. Called to Order by the President
2. Prayer by the Chaplain
3. Pledge of Allegiance
4. Receipt of Communications
5. Introduction and reference of new Bills and Resolutions
6. Call of the Uncontested Local Third Reading Calendar
7. Call of the Uncontested Local Second Reading Calendar
8. Call of the Uncontested Statewide Third Reading Calendar
9. Call of the Uncontested Statewide Second Reading Calendar
10. Motion Period
11. Acts returned by the Governor
12. Reports of Committees of Conference and Free Conference
13. Bills and Resolutions returned from the House of Representatives
14. Interrupted Debate
15. Adjourned Debate
16. Special Order
17. Call of the Contested Statewide Third Reading Calendar
18. Call of the Contested Statewide Second Reading Calendar
19. Call of the Contested Local Calendar

The order of business above provided for may be varied by vote of two-thirds (2/3) of the Senators present and voting and any order or business already completed may be reverted to in any legislative

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day by the vote of two-thirds (2/3) of the Senators present and voting. A motion to vary the order of the day shall be in order, prior to, or at the completion of, any orders enumerated above or during the motion period and any such motion shall be decided without debate.

For the order of business designated as Interrupted Debate there shall not be more than one (1) Bill in this status at any one time provided however, that this limitation shall not apply to the General Appropriation Bill. For the order of business designated as Adjourned Debate there shall not be more than two (2) Bills in this status at any one time. For the order of business designated as Special Order there shall not be more than three (3) Bills on second reading and three (3) Bills on third reading in this status at any one time. Provided that of the Special Order slots, one (1) shall be reserved exclusively for Bills which are the subject of motions authorized by the Rules Committee and made by the Chairman of the Rules Committee or his or her designee, and provided only one bill may be in this status on any reading at any one time. The Bill occupying the slot reserved for the Rules Committee shall have a unique notation to call such status to the Senate's attention.

When a Bill or Resolution is returned from the House of Representatives or an Act or Joint Resolution is returned by the Governor with his or her objections, the message shall be read and the matter placed on the Calendar for consideration the next legislative day. However, in the final two (2) weeks before the date set for sine die adjournment, this requirement may be waived upon a motion adopted at the time the message is read in which case the matter will be considered when the Senate reaches that order of business. Such motion shall be decided without debate.

B.

Contested Calendar

On any legislative day, a Senator may move no more than five Bills or Resolutions from the Uncontested Statewide Calendar to the Contested Statewide Calendar and each such Bill or Resolution shall have a notation on the Senate's calendar stating the name of the Senator who contests the Bill or Resolution.

During the motion period, a motion may be made by the Chairman of the Rules Committee to call any Bill or Resolution,

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which has been on the calendar for a minimum of six (6) statewide legislative days, from the Contested Calendar. Except for explanatory remarks, such motions shall be determined without debate and by a majority of the Senators present and voting. If agreed to, the Bill or Resolution shall be considered in the ordinary course of business after Special Orders.

However, in the final two (2) weeks before sine die adjournment, a Bill or Resolution which is on the calendar, may be called from the Contested Calendar by the Rules Committee upon majority vote of the committee and shall be considered in the ordinary course of business after Special Orders.

C.

Bills and Resolutions Returned from the House of Representatives

If a Bill or Resolution is returned from the House of Representatives with amendments that add subject matter that is not germane to the Bill as passed by the Senate pursuant to Rule 24 or that is substantially similar to a bill on the Senate Calendar or in a standing committee of the Senate or a subcommittee thereof, the President may, upon recommendation of the Chairman of the Standing Committee with jurisdiction over the bill, refer the matter to the Standing Committee with jurisdiction over the bill. After which, the Bill or Resolution may be reported to the full Senate to be considered when the Senate next reaches that order of business. All bills returned from the House of Representatives shall be subject to debate as provided for bills on third reading in Rule 15A. The referral required under this provision may be waived by three-fifths (3/5) of the Senators present and voting upon motion of any Senator at the time of referral and the debate on any such motion is limited to no more than twenty (20) minutes, ten (10) minutes for and ten (10) minutes against.

D.

Reports of Committees of Conference and Free Conference

Notwithstanding the provisions of Rule 32A, during the final three (3) statewide legislative days prior to the date set for Sine Die adjournment, reports of committees of conference and free conference and Sine Die Resolutions shall be in order at any time except when a question of order has been raised, when the Senate

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is voting on any matter, while ascertaining a quorum, or when a Senator who has been recognized prior thereto makes a motion to adjourn.

RULE 33.

Motion Period and Special Orders

A.

During the motion period, any motion pertaining to the business of the Senate may be made. When a motion is made to set a Bill for Special Order, time shall be given to one proponent and one opponent to speak on the motion. Such remarks shall be limited in the discretion of the presiding officer provided, that no Bill may be taken up during the motion period for the purpose of debating the merits of the Bill or for the purpose of giving the Bill a reading. Procedural motions shall be decided without debate; provided, that procedural motions which present a main question, such as a motion to recall, are subject to not more than ten minutes of debate, five (5) minutes for and five (5) minutes against. The motion period shall not exceed thirty (30) minutes unless extended by a majority of Senators present and voting.

At any time, the President, after consultation with the Majority Leader and Minority Leader, may make any motion pertaining to the business of the Senate and such motion shall be adopted upon approval of three-fourths (3/4) of the membership of the Senate.

B.

During the motion period, all motions to set a Bill or Resolution for Special Order on a subsequent legislative day shall be in order irrespective of whether the Bill or Resolution was given a reading on the legislative day the motion is made. Said motions shall be considered in the priority established by the recognition of the Senators making said motions. Each such motion shall relate to a separate Bill or Resolution. Except for explanatory remarks authorized in subsection A, such motions shall be determined without debate and by two-thirds (2/3) of the Senators present and voting. Provided, that, when authorized in writing by a majority of the members of the Rules Committee and delivered to the desk, a motion to set a bill for Special Order, shall require a vote of a majority of the members present and voting. At no time may the

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Special Order calendar have more than one Bill which is set for Special Order by a motion authorized by the Rules Committee. During the motion period, no Bill or Resolution can be made a Special Order ahead of Bills or Resolutions which have already been placed in the status of Adjourned Debate.

If a Bill is set for Special Order on a date and/or time certain, such Bill is not subject to consideration at the specified date and/or time unless the Senate reaches that order of business or unless by unanimous consent the Senate has agreed that consideration of the Bill will be to the exclusion of all other matters pending before the Senate at such time.

If a Bill or Resolution is set for Special Order for second reading and subsequently receives such reading, the Bill or Resolution shall remain on Special Order unless otherwise agreed to by three-fifths (3/5) of the Senators present and voting. If debate is interrupted on a Bill or Resolution on Special Order, the Bill or Resolution shall be considered after the call of the uncontested local calendar.

RULE 34.

Calendar of Continued Bills

When a Bill or other matter is under debate, a Senator may move to continue it as provided for in Rule 14, to the 2nd, or any special session of the same General Assembly, and if the Senate agrees thereto, the matter shall be continued only to the next regular session unless otherwise specified in the motion. However, if a Bill or other matter has been under extended debate on three (3) consecutive legislative days or has been under debate for five (5) hours on any one legislative day, then any Senator may move to continue the matter to the 2nd, or any special session of the same General Assembly.

The Clerk of the Senate shall make up a Calendar of all matters so continued, placing the same thereon in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued. Matters ordered to be placed in the General Orders at the said ensuing session shall be placed there in turn and have priority according to the last order for consideration

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made upon them, and the Calendar shall be proceeded in as hereinbefore provided.

RULE 35.

**Admission to the Floor of Senate
Granting the Privilege of the Floor**

A.

No person shall be admitted to the floor of the Senate to that area behind the rail while the Senate is in session or in recess during a session, except as follows: immediate family members of a Senator; Members of the House of Representatives and their Clerk and Sergeant-at-Arms; former members of the Senate and House of Representatives unless such former member is a lobbyist registered pursuant to the provisions of Chapter 17 of Title 2 of the Code of Laws, a candidate or acting on behalf of a candidate for an office elected by the General Assembly or confirmed or elected by either the House or Senate, or a member of the governing body or employee of any state agency or department; the Governor and one member of his or her staff; Constitutional Officers; Justices of the Supreme Court; President and Vice-President of the United States; Members of Congress; Governors of States and Territories; and such Senate staff, Senators' staff, and no more than one member of the staff of each Senate Caucus, as the President of the Senate or any Member or Officer of the Senate may see fit to invite to a seat behind the rail. Members of the House of Representatives and former Members of the General Assembly, not subject to the foregoing limitations, shall be allowed on the floor of the Senate inside the rail. Members of a Senator's immediate family shall be allowed inside the rail only for the purposes of introductions.

Not less than two hours prior to the daily convening of the Senate and while the Senate is in session or in recess during a session no person, except those hereinabove enumerated, shall be allowed beyond the outer doors of the Senate antechamber. Persons not hereinabove enumerated may be admitted only to the antechamber when accompanying a Senator, but any such person is required to leave immediately upon conclusion of their business.

The Senate Cloakroom is reserved for the exclusive use of the Members of the Senate and their guests.

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B.

Any member who wishes to have the privilege of the area of the floor behind the rail granted to a guest shall make such request, in writing, to the President not less than two weeks prior to the date for which the request is made. The President is authorized to grant access to the area behind the rail for a limited period of time and with such conditions and limitations as he deems appropriate. If the number of guests involved exceeds more than half of the maximum seating capacity in the area behind the rail, then the President shall direct that these guests be seated in the balcony. No exceptions to this Rule may be made.

Guests who are granted the privilege of the chamber behind the rail may not approach the podium unless the written request so specifies and the President approves the request. A motion to grant the privilege of the floor within the rail may only be made by the President or his designee.

Any request to grant the privilege of the floor to address the body from the podium must be made in writing to the President two weeks prior to the date for which the request is made. Upon his approval, a Senate Resolution to that effect must be adopted by majority vote of the entire membership.

C.

The use of the Senate Chamber is restricted to statewide sessions of the Senate or such other meetings of the Senate or its committees as the Senate may, by Resolution, authorize. The use of the Senate Chamber for meetings by outside groups or individuals is limited to normal business hours on Monday through Friday and is prohibited unless authorized by a vote of the Senate. Incidental use or visitation by individuals or group tours may be authorized by the Clerk of the Senate.

RULE 36.

Places Assigned to Reporters

Reporters of public journals, upon application to the Clerk of the Senate, shall be assigned such places for the execution of their duties as shall not interfere with the convenience of the Senate. Any reporter for whom such application is made shall, in addition to the assigned places, be allowed free access to the Senate

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Antechamber during the time the Senate convenes and adjourns each legislative day. Reporters of the public journals shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate. Still photographers, upon application to the Clerk of the Senate, shall be granted access to the floor, behind the rail, for the exclusive purpose of taking photographs and upon completion of their assignment shall retire from the floor.

RULE 37.

Bills Shall Receive Three Readings--Resolutions and Committee Reports to Lie on Table One Day

Every Bill shall receive three different readings, on three different days prior to its being passed, and the President shall give notice of each, whether it be the first, second, or third reading. All Resolutions to which the approval and signature of the Governor may be requisite, or which may grant money out of the contingent or any other fund, shall be treated in all respects, as to introduction and form of proceedings on them in the Senate, as Bills. All other Resolutions and Reports of standing, special, conference and free conference Committees shall lie on the table one statewide legislative day for consideration provided, however, that during the six (6) statewide legislative days preceding the date set for sine die adjournment the one day requirement as to a specific Resolution or report of a committee may be suspended by a vote of three-fifths (3/5) of the Senators present and voting. The provisions of this Rule do not apply to amendments to sine die Resolutions that have been previously approved by the Senate.

First and Third Readings by Title

The first and third readings of each Bill shall be by its title only; provided, that on each second reading the Bill shall be read in full on the motion of any Senator which shall be decided without debate.

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RULE 38.

Precedence of Motion to Refer

A motion to refer to a Standing Committee shall take precedence over a motion to refer to a Special Committee.

RULE 39.

**Printed Bills to Be on Desk One Day Before
Second Reading**

No Bill or Joint Resolution shall receive a second reading unless printed and made available to the members at least one day previous to such reading.

RULE 40.

Title to Bills to Amend or Repeal Acts

Every Bill or Joint Resolution which shall propose the amendment or repeal of any Section, Chapter or Title of the General Statutes, or of any Act of Assembly or Joint Resolution, shall in its title express the subject matter of such Section, Chapter, Title, Act or Joint Resolution so sought to be amended or repealed. Every Bill or Joint Resolution proposing to amend any Section or Sections of any Chapter of the General Statutes, or of any Act or Joint Resolution, shall give the full text of the said Section or Sections, as it or they would read with such amendment or amendments inserted therein. No Act or Joint Resolution may include a provision designating that the Act or Joint Resolution may be referred to, cited as, or the like by reference to a person's or animal's given name or nickname.

RULE 41.

Broadcasts by Television and Radio

Broadcast media shall be allowed in the area behind the rail in specific locations as designated by the Clerk of the Senate with the approval of the Operations and Management Committee and are strictly prohibited from conducting interviews whether or not initiated by a member of the media or a member of the Senate.

The Operations and Management Committee shall have full authority to regulate, supervise and fix times of broadcasts of the proceedings of the Senate by radio or television.

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RULE 42.

Jefferson's Manual to Govern Other Cases

In all cases not embraced by the foregoing Rules, the Senate shall be governed by such rules as are laid down in the 1801 version of Jefferson's Manual of Parliamentary Practice.

RULE 43.

Suspending and Amending Rules

Any rule of the Senate or severable portion of a rule of the Senate may be suspended by unanimous consent of the Senate. Without unanimous consent one day's previous notice shall be given of a motion to suspend any of the rules or severable portion thereof. A motion to suspend shall require a vote of two-thirds (2/3) of the membership of the Senate.

Any permanent amendment, rescission, or repeal of any of the Senate rules shall require a two-thirds (2/3) vote of the total membership of the Senate. However, from the convening of each two-year session through the second Thursday of such session, any permanent amendment, rescission, or repeal of any of the Senate rules may be made by adoption, by a vote of three-fifths (3/5) of the membership, of a Senate Resolution that has been referred to and has received a favorable report from the Rules Committee.

The Clerk of the Senate shall have these rules recorded in a permanent book which shall be kept at all times in the Senate Chamber. All permanent changes in the rules after they have been adopted shall be recorded in a Permanent Rule Book and certified by the Clerk of the Senate. These rules shall remain in full force and effect until the conclusion of the terms for Senators or until the Rules are amended, suspended, or repealed by a vote of two-thirds (2/3) of the membership of the Senate prior thereto.

Rule 44.

Ethics Committee Duties

A.

In the Senate there shall be a Committee on Ethics, consisting of ten (10) members. The ethics committee has the following powers and duties:

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(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8, which may include, but is not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy these requirements;

(2) receive complaints filed by individuals and, upon a majority vote of the total membership of the committee, file complaints when alleged violations are identified;

(3) upon the filing of a complaint alleging a violation by a Senate member or staff, or a member or staff of a legislative caucus committee, or a Senate candidate, for a violation of Chapter 13, Title 8 or Chapter 17, Title 2, other than a violation of a rule of the appropriate house, the ethics committee shall refer the complaint to the State Ethics Commission for an investigation pursuant to Section 8-13-540;

(4) receive, investigate, and hear a complaint which alleges a possible violation of a breach of a privilege or a rule governing a Senate member or staff or legislative caucus committee, or Senate candidate, and enforce the appropriate provisions of the Senate's No Harassment Policy as approved by the Operations & Management Committee;

(5) a complaint may not be accepted by the ethics committee concerning a Senate member or candidate during the fifty-day period before an election in which the member or candidate is a candidate. During this fifty-day period, any person may petition the court of common pleas alleging the violations complained of and praying for appropriate relief by way of mandamus or injunction, or both. Within ten days, a rule to show cause hearing must be held, and the court must either dismiss the petition or direct that a mandamus order or an injunction, or both, be issued. A violation of Chapter 13, Title 8 by a candidate during this fifty-day period must be considered to be an irreparable injury for which no adequate remedy at law exists. The institution of an action for injunctive relief does not relieve any party to the proceeding from any penalty prescribed for violations of Chapter 13, Title 8. The court must award reasonable attorney's fees and

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costs to the nonpetitioning party if a petition for mandamus or injunctive relief is dismissed based upon a finding that the:

(a) petition is being presented for an improper purpose such as harassment or to cause delay;

(b) claims, defenses, and other legal contentions are not warranted by existing law or are based upon a frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law; and

(c) allegations and other factual contentions do not have evidentiary support or, if specifically so identified, are not likely to have evidentiary support after reasonable opportunity for further investigation or discovery.

Action on a complaint filed against a Senate member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the ethics committee at least thirty days before the election must be postponed until after the election;

(6) obtain information, investigate technical violation complaints, and hear complaints as provided in Section 8-13-540 with respect to any complaint filed pursuant to Chapter 13, Title 8 or Chapter 17, Title 2 and to that end may compel by subpoena issued by a majority vote of the committee the attendance and testimony of witnesses and the production of pertinent books and papers;

(7) administer or recommend sanctions appropriate to a particular Senate member or staff, or candidate for Senate, pursuant to Section 8-13-540, including the recovery of the value of anything transferred or received in breach of the ethical standards, or dismiss the charges; and

(8) act as an advisory body to the Senate and to individual Senate members or candidates on questions pertaining to the disclosure and filing requirements of Senate members or candidates, and may issue, upon request from a Senate member or staff, or legislative caucus committee, or Senate candidate, and publish advisory opinions on the requirements of Chapter 13, Title 8 and Chapter 17, Title 2.

(9) levy an enforcement or administrative fee on a person who is found in violation, or who admits to a violation, pursuant

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to Title 2 or Title 8. The fee must be used to reimburse the ethics committee for costs associated with the investigation and hearing of a violation as provided in Section 8-13-130. These fees and costs are in addition to any fines as otherwise provided by law.

(10) To recommend any rule or statutory change relating to ethics as the committee deems appropriate.

B.

All papers, documents, complaints, charges, requests for advisory opinions, and any other material filed with or received by the committee shall be strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint, including complainant, respondent, counsel, counsel's secretaries, committee members and staff, and investigators shall mention the existence of any such proceeding nor disclose any information pertaining thereto, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the Senate Ethics Committee finds that a person has violated the provisions of this item, it must report its findings to the Attorney General.

C.

Formal Advisory Opinions

(1) The ethics committee may issue a formal advisory opinion based on real or hypothetical sets of circumstances. In considering and formulating an advisory opinion the ethics committee shall consider its previous opinions, the relevant opinions of the House Ethics Committee, as well as relevant opinions issued by the commission in an attempt to create uniformity among the bodies. A formal advisory opinion issued by the ethics committee is binding on the committee, until amended or revoked, in any subsequent charges concerning the person who requested the formal opinion and any other person who acted in reliance upon it in good faith, unless material facts were omitted or misstated by the person in the request for the opinion. A formal advisory opinion must be in writing and is considered rendered when approved by a majority of the ethics committee members subscribing to the advisory opinion. Advisory opinions must be

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made available to the public unless the committee, by majority vote of the total membership of the committee, requires an opinion to remain confidential. However, the identities of the parties involved must be withheld upon request.

(2) The ethics committee only may issue formal advisory opinions for Senate members, staff and legislative caucus committees for which it has proper jurisdiction to make findings of fact and impose penalties pursuant to Chapter 13, Title 8.

(3) The ethics committee must consider whether a person relied in good faith upon a formal advisory opinion or written informal staff opinion when considering a finding of misconduct.

Rule 44.1.

Ethics Committee Procedures

A.

Complaint

(A)(1) A complaint alleging a member of the Senate, legislative caucus committees, candidates for the Senate, or staff of the Senate or legislative caucus committee has committed a violation of Chapter 13, Title 8 or Chapter 17, Title 2 must be a verified complaint in writing and state the name of the person alleged to have committed the violation and the particulars of the violation.

(2) When a complaint is filed with or by the ethics committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2, a copy must be sent to the person alleged to have committed the violation and to the State Ethics Commission, hereinafter referred to as 'the commission' within thirty days from the date the complaint was filed, for an investigation. However, if the complaint only alleges a violation of a rule of the Senate, the ethics committee must forward a copy of the complaint to the person alleged to have committed the violation, and the ethics committee shall investigate and make a determination for a complaint.

(3) Upon completing its investigation, the commission must provide a report to the ethics committee with a recommendation as to whether there is probable cause to believe a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred. A recommendation of probable cause requires an affirmative vote by

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six or more members of the commission. The report must include a copy of all relevant reports, evidence, and testimony considered by the commission.

(B)(1) All investigations, inquiries, hearings and accompanying documents are confidential and only may be released pursuant to Section 8-13-540.

(2)(a) Upon a recommendation of probable cause by the commission for a violation, other than a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the following documents become public record: the complaint, the response by the respondent, and the commission's recommendation of probable cause.

(b) If the ethics committee requests further investigation after receipt of the commission's report, documents only may be released if the commission's second report to the committee recommends a finding of probable cause.

(C)(1) Upon receipt of the commission's report, the ethics committee may concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the report, request the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission.

(2) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is not competent and substantial evidence a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant. The notice of dismissal must be made public if the commission made a recommendation that probable cause existed.

(3) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that the respondent has committed only a technical violation pursuant to Section 8-13-1170 or 8-13-1372, the provisions of the appropriate section apply.

(4) If, after reviewing the commission's recommendation and relevant evidence, the ethics committee determines that there is competent and substantial evidence that a violation of Chapter

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13, Title 8 or of Chapter 17, Title 2 has occurred, except for a technical violation of Section 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

- (a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or
- (b) convene a formal public hearing on the matter.

The ethics committee may obtain its own information, or request additional investigation by the State Ethics Commission, if it needs additional information to make a determination as to whether or not competent and substantial evidence of a violation exists. An advisory opinion to the respondent pursuant to subitem (a) must be made public.

(5) If the ethics committee convenes a formal public hearing:

(a) the investigator or attorney handling the investigation for the State Ethics Commission shall present the evidence related to the complaint to the ethics committee;

(b) it is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the ethics committee, to request assistance from appropriate state agencies as needed, to request authorization from the committee for funds for the hiring of auditors, investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing. The ethics committee shall maintain the authority to approve subpoenas, authorize expenditures, dismiss complaints, schedule hearings, grant continuances, and as otherwise provided for by the Senate Rules;

(c) the respondent must be allowed to examine and make copies of all evidence in the ethics committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses;

(d) all hearings must be open to the public.

(6)(a) After the formal public hearing, the ethics committee shall determine its findings of fact and issue its final order.

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(b) If the ethics committee, based on competent and substantial evidence, finds the respondent has not violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant.

(c) If the ethics committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the committee shall:

- (i) administer a public reprimand;
- (ii) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;
- (iii) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;
- (iv) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;
- (v) recommend expulsion of the member;
- (vi) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to believe the respondent wilfully violated a section of Chapter 13, Title 8 or Chapter 17, Title 2 that imposes a criminal penalty; or
- (vii) require a combination of subitems (i) through (vi) as necessary and appropriate.

(d) The ethics committee shall report its findings in writing to the President of the Senate. The report must be accompanied by an order of punishment or dismissal and supported and signed by a majority of the ethics committee members.

(e) Upon the issuance of the final order, the following documents become public record: exhibits introduced at the hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information where the public disclosure would constitute an unreasonable invasion of personal privacy. In addition, any documents in the commission's report that substantiate the commission's recommendation of probable cause that would

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constitute a public document and are not exempt from disclosure under the Freedom of Information Act or other state or federal law also shall become public record. These documents must be redacted, as appropriate, in compliance with state or federal law.

(D) If, after conducting a formal public hearing, the ethics committee finds the respondent has violated Chapter 13, Title 8 or Chapter 17, Title 2, the respondent has ten days from the date of receiving the committee's order of punishment to appeal the action to the full Senate.

(E) No ethics committee member may take part in consideration of any matter in which they are the respondent, complainant, witness, or otherwise involved. Should an ethics committee member be unable to take part in consideration of any matter due to a recusal, a disability, or any other reason, the most senior member of the same party as the member who is unable to participate will temporarily fill his seat on the ethics committee.

(F) The ethics committee shall establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses.

(G) It is unlawful for anyone who is the subject of a pending investigation or open complaint, to contact or attempt to contact, either directly or indirectly, a member of the commission or the ethics committee to influence or attempt to influence the outcome of a pending investigation or open complaint.

Action may not be taken on a complaint filed more than four years after the violation is alleged to have occurred unless the person alleged to have committed the violation, by fraud or other device, prevents discovery of the violation.

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B.

Subsequent Actions by the Senate

Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the President shall call the Senate into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The Senate shall either sustain or overrule the Ethics Committee's action or order other action consistent with these Rules as otherwise permitted by statute. Upon consideration of an ethics committee report by the Senate, whether in executive or open session, the results of the consideration are a matter of public record.

No member may vote on the question of his or her expulsion from the Senate.

Failure to fully comply with a final ethics order is a separate violation that may be considered by the ethics Committee.

C.

Penalty for Failure to File Statements or Reports as Required

If the Senate Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the Senate Ethics Committee must order the respondent to pay a fine according to the provisions in Section 8-13-1510.

D.

Technical Violations

The Senate Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The Senate Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.

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E.

Receipt of Documents

In conjunction with the proceedings specified in Rule 44.2, the President, and the Senate Ethics Committee on behalf of the entire Senate, may receive:

(1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the Senate;

(2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the Senate;

(3) certified copies of any conviction of a member for the felony; and

(4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.

Rule 44.2.

Rules Governing Actions Taken Against a Member

(a) If an indictment, information on a felony, or a warrant for the offenses provided in Sections 7- 13-1920, 7-25-20, 7-25-50, 7-25-60, 7-25-110, 7-25-120 and 7-25-150 of the Code of Laws, is filed, returned, or issued against a member of the Senate, the member indicted, charged or informed against may request the President to excuse the member, without pay, from all privileges of membership of the Senate and the President shall comply with the request.

If the indictment, charge or information is either nol prossed or dismissed, or if the member is found not guilty of the offense or offenses charged or of lesser included offenses, the member may immediately return to active Senate duties and shall be paid all back pay and be restored to all other benefits and privileges retroactive to the date the member was excused.

(b) A member who enters a plea of guilty or nolo contendere to any offense listed in subsection (a) must be suspended by the President immediately, without a hearing and without pay, from all privileges of membership of the Senate through the remainder of that member's term. In addition, the Senate Ethics Committee shall recommend expulsion of such member to the Senate and the

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Senate shall vote on the expulsion of such member in accordance with Section 12 of Article III of the Constitution of this State.

(c) A member convicted of any offense listed in subsection (a) must be suspended by the President immediately, without a hearing and without pay, from all privileges of membership of the Senate pending final appellate action or the end of that member's term, whichever occurs first. If no appeal is taken by the member convicted, or if his or her appeal is denied, or if the final appellate decision is to sustain the conviction and the member's resignation is not forthcoming, the Senate Ethics Committee shall recommend expulsion of such member to the Senate, and the Senate shall vote on the member's expulsion in accordance with Section 12 of Article III of the Constitution of this State.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(d) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

If the final appellate decision is to vacate the conviction and there is a retrial or rehearing, the member is subject to the provisions of subsection (a). If the final appellate decision is to vacate the conviction and no charges for any offense listed in subsection (a) remain against the member, the member is entitled to restitution of back pay and restoration of all other benefits and privileges of membership of the Senate retroactive to the date of suspension.

(e) The action provided for in subsections (a), (b), and (c) of this rule is in addition to other action authorized pursuant to Article III, Section 12 of the Constitution or other Senate rule. Pursuant to

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the Constitution and except as provided herein, a member may not be disciplined, suspended, or expelled without a vote of the Senate.

RULE 45.

**Selection of Senate Members for Committee to
Consider Qualifications of Candidates for
Offices Filled by Election by the
General Assembly**

Whenever an election in Joint Assembly is to be held by the General Assembly to fill offices which require election by the General Assembly, the President of the Senate shall notify the Chairman of the Standing Committee of the Senate which would be most concerned with the office or offices to be filled by the election, which Chairman shall thereupon appoint four Senators from his or her committee to serve on the Joint Senate-House Committee to consider qualifications of candidates to be elected. The total membership of such a Committee shall be composed of members of the two major political parties in proportion to the number of Senators of each of such political parties as nearly as practicable. All appointments to such joint committees shall be recorded in the Senate Journal.

RULE 46.

Recorded Floor Proceedings

The Clerk may record the following proceedings on the floor of the Senate:

- (1) Congratulatory remarks;
- (2) Speeches;
- (3) Points of Order and Rulings of the Chair regarding such points and such other proceedings as the Clerk determines necessary.

RULE 47.

Final Date House Legislation May Be Considered

Bills received after April 10 shall be received, read and referred to the appropriate committee but are not eligible to be taken up until the next regular session unless upon the report of such a bill by a committee it receives a two thirds (2/3) vote of the Senators

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present and voting to be placed on the calendar. Any bill failing to receive the required vote shall be returned to the committee. The committee report on any such bill received after the April 10 deadline shall clearly indicate that the bill had been received after April 10 and is subject to this rule.

A Point of Order to enforce the provisions of this rule shall be valid until the Bill which is the subject of the Point of Order is printed and has been laid on the desks of the members in compliance with Rule 39.

RULE 48.

Invitations

All invitations which are extended to the entire membership of the Senate or any committee of the Senate must be sent to the President for consideration. The Senate may not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. The President or any committee of the Senate has the duty of determining whether or not the function is to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. Individual Senators may attend functions at any club without being censored or prejudiced in any manner.

The President must ensure that persons or organizations who extend invitations to the Senate have fully complied with the provisions of Act 248 of 1991 (The Ethics, Government Accountability, and Campaign Reform Act of 1991, as amended) and must make copies of any such procedure available upon request.

RULE 49.

Condemnatory Resolution

No Resolution of a condemnatory nature shall be considered by the Senate unless it has been sent to the appropriate committee at least twenty-four (24) hours prior to such consideration.

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RULE 50.

Vote Requirements

The question of granting of free conference powers and the question of adoption of a free conference report shall require an affirmative vote of two-thirds (2/3) of the membership of the Senate.

On the question of an act returned from the Governor with his or her objections, the presiding officer shall submit the following question to the Senate:

“Shall the act become law, the veto of the Governor to the contrary notwithstanding?”

And if that question shall be decided in the affirmative by two-thirds (2/3) of the Senators present and voting, then the Governor’s veto is overridden.

RULE 51.

Local Matters

A.

The Clerk of the Senate shall prepare a list for each county of the State the percentage of the population of that county that a Senator represents. For general bills with local application, a Senator’s vote shall be weighted based upon the percentage of the population of the county that the Senator represents. The provisions of Rule 16 do not apply to local matters.

B.

No general bill with local application shall be introduced unless personally signed by a Senator representing the county. No general bill with local application may be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators who represent the county as determined by their weighted voting percentages.

C.

When a general bill of local application is on the uncontested calendar, no further debate shall be allowed on the bill after no more than thirty (30) minutes of debate, fifteen (15) minutes for and fifteen (15) minutes against.

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D.

For purposes of this Rule, when a general bill of local application affects consolidation of school districts or municipalities within a county, then that bill cannot be moved from the local uncontested calendar to the local contested calendar unless approved by a vote of three-fifths (3/5) of the Senators of at least one of the affected school districts or municipalities. Upon motion, the Clerk of the Senate shall prepare a list for each affected school district or municipality the percentage of the population of that school district or municipality that a Senator represents.

E.

Unless all of the affected Senators of a county have agreed to an alternative method, candidates for gubernatorial appointment to local offices shall be considered for confirmation as described below:

Once received by the Senate, local appointments shall be referred to the appropriate county senatorial delegation. The delegation then may report the appointment to the Senate for consideration (1) if the Senators whose combined weighted vote is sixty-five percent or more favor such report or (2) if seventy-five percent of the members of the delegation favor such report.

RULE 52.

Personal Attacks on Senators Not Permitted; Executive Session

A.

No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

B.

If any Senator, in speaking or otherwise, in the opinion of the President transgresses this Rule the President shall, either on his own motion or at the request of any other Senator, call him to order; and when a Senator shall be called to order he shall immediately take his seat, and may not proceed without leave of the Senate, which if granted, shall be upon motion that he be allowed to proceed in order, which motion shall be determined without debate.

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C.

Any Senator directed by the President to take his seat, and any Senator requesting the President to require a Senator to take his seat, may appeal from the ruling of the Chair, which appeal shall be open to debate but only after the Senate has proceeded to Executive Session.

RULE 53.

Seventy-Two Hour Budget Review

Except for explanatory remarks by the chairman and subcommittee chairmen of the Senate Finance Committee, the Senate may not consider the General Appropriation Bill, any Supplemental Appropriation Bill, any Joint Resolution appropriating revenues from the state's reserve funds, any bond bill, or any revenue raising measure as described in Section 11-11-440 until the Bill or Joint Resolution and any Committee Report on the Bill or Joint Resolution have been made publicly available in a conspicuous location on the General Assembly's website for seventy-two (72) hours.

The time periods provided above may be waived by agreement of two-thirds (2/3) of the Senators present and voting.

RULE 54

Prohibition on Noncandidate Committees

Notwithstanding Section 8-13-1340, a member of the Senate shall not, directly or indirectly, establish, finance, maintain, or control a noncandidate committee as defined in Section 8-13-1300. A noncandidate committee does not include a candidate committee or a legislative caucus committee.

SELECTION OF COMMITTEES

Senator MASSEY asked unanimous consent for the Majority Committee Selections to be presented to the desk.

There was no objection.

Senator HUTTO asked unanimous consent for the Minority Committee Selections to be presented to the desk.

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There was no objection.

STANDING COMMITTEES OF THE SENATE

AGRICULTURE AND NATURAL RESOURCES

Climmer, David Wesley “Wes”, Chairman

Verdin, Daniel B. “Danny”, III

Williams, Kent M.

McElveen, J. Thomas, III

Sabb, Ronnie A.

Fanning, Michael “Mike”

Goldfinch, Stephen L., Jr.

Talley, Scott

Harpootlian, Richard A. “Dick”

Loftis, Dwight A.

Davis, Tom

Adams, Brian

Garrett, Billy

Gustafson, Penry

Johnson, Michael

Kimbrell, Josh

Stephens, Vernon

BANKING AND INSURANCE

Cromer, Ronnie W., Chairman

Setzler, Nikki G.

Jackson, Darrell

Rankin, Luke A.

Alexander, Thomas C.

Malloy, Gerald

Davis, Tom

Bennett, Sean

Williams, Kent M.

Hutto, Brad

Turner, Ross

Gambrell, Michael W. “Mike”

Loftis, Dwight A.

Scott, John

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Cash, Richard
Garrett, Billy
Kimbrell, Josh

CORRECTIONS AND PENOLOGY

Martin, Shane R., Chairman
Allen, Karl B.
Shealy, Katrina F.
Turner, Ross
Kimpson, Marlon E.
Matthews, Margie Bright
McLeod, Mia
Rice, Rex
Senn, Sandra J. "Sandy"
Harpootlian, Richard A. "Dick"
Hembree, Greg
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon

EDUCATION

Hembree, Greg, Chairman
Setzler, Nikki G.
Rankin, Luke A.
Peeler, Harvey S., Jr.
Jackson, Darrell
Grooms, Lawrence K. "Larry"
Malloy, Gerald
Hutto, Brad
Young, Tom, Jr.
Turner, Ross
Rice, Rex
Talley, Scott
Massey, A. Shane
Cash, Richard J.

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Scott, John
Allen, Karl
Loftis, Dwight

ETHICS

Bennett, Sean, Chairman
Leatherman, Hugh K., Sr.
Peeler, Harvey S., Jr.
Hutto, Brad
Rankin, Luke A.
Jackson, Darrell
Setzler, Nikki G.
Alexander, Thomas
Malloy, Gerald
Williams, Kent

FAMILY AND VETERANS' SERVICES COMMITTEE

Shealy, Katrina F., Chairman
Young, Tom, Jr.
Johnson, Kevin L.
McElveen, J. Thomas, III
Climer, David Wesley "Wes"
Fanning, Mike
McLeod, Mia
Talley, Scott
Gambrell, Michael W. "Mike"
Cash, Richard J.
Harpootlian, Richard A. "Dick"
Cromer, Ronnie
Adams, Brian
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon

FINANCE

Leatherman, Hugh K., Sr., Chairman
Setzler, Nikki G.

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Peeler, Harvey S., Jr.
Alexander, Thomas C.
Grooms, Lawrence K., "Larry"
Verdin, Daniel B., "Danny", III
Cromer, Ronnie W.
Jackson, Darrell
Williams, Kent M.
Davis, Tom
Martin, Shane R.
Scott, John L., Jr.
Allen, Karl B.
Bennett, Sean
Corbin, Thomas D. "Tom"
Hembree, Greg
Johnson, Kevin L.
McElveen, Thomas
Shealy, Katrina
Turner, Ross
Gambrell, Mike
Fanning, Mike
Goldfinch, Stephen

FISH, GAME AND FORESTRY

Campsen, George E. "Chip", III, Chairman
Hutto, Brad
Cromer, Ronnie W.
Williams, Kent M.
McElveen, J. Thomas, III
Young, Tom, Jr.
Goldfinch, Stephen L., Jr.
Talley, Scott
Corbin, Thomas D. "Tom"
Bennett, Sean
Turner, Ross
Matthews, Margie Bright
Fanning, Mike
Adams, Brian
Gustafson, Penry

TUESDAY, JANUARY 12, 2021

Johnson, Michael
Stephens, Vernon

INTERSTATE COOPERATION

Peeler, Harvey S., Jr., Chairman
Leatherman, Hugh K., Sr.
Setzler, Nikki G.
Alexander, Thomas C.
Jackson, Darrell

JUDICIARY

Rankin, Luke A., Chairman
Hutto, Brad
Malloy, Gerald
Campsen, George E. "Chip", III
Massey, A. Shane
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Matthews, Margie Bright
Climer, David Wesley "Wes"
McLeod, Mia
Rice, Rex
Senn, Sandra J. "Sandy"
Talley, Scott
Cash, Richard J.
Harpootlian, Richard A. "Dick"
Loftis, Dwight A.
Adams, Brian
Garrett, Billy
Gustafson, Penry
Johnson, Michael
Kimbrell, Josh
Stephens, Vernon

TUESDAY, JANUARY 12, 2021

LABOR, COMMERCE AND INDUSTRY

Alexander, Thomas C., Chairman

Setzler, Nikki G.

Leatherman, Hugh K., Sr.

Williams, Kent M.

Massey, A. Shane

Davis, Tom

Scott, John L., Jr.

Bennett, Sean

Corbin, Thomas D. "Tom"

Johnson, Kevin L.

Allen, Karl B.

Sabb, Ronnie A.

Gambrell, Michael W. "Mike"

Climmer, David Wesley "Wes"

Senn, Sandra J. "Sandy"

Shealy, Katrina

Rice, Rex

LEGISLATIVE OVERSIGHT

Peeler, Harvey S., Jr., Chairman

Setzler, Nikki G.

Jackson, Darrell

Hutto, Brad

Malloy, Gerald

Campsen, George E. "Chip", III

Williams, Kent M.

Massey A. Shane

Davis, Tom

Young, Tom, Jr.

Climmer, David Wesley "Wes"

Talley, Scott

Scott, John

MEDICAL AFFAIRS

Verdin, Daniel B. "Danny", III, Chairman

Peeler, Harvey S., Jr.

Hutto, Brad

TUESDAY, JANUARY 12, 2021

Martin, Shane R.
Scott, John L., Jr.
Alexander, Thomas C.
Davis, Tom
Johnson, Kevin L.
Corbin, Thomas D. "Tom"
Kimpson, Marlon
Matthews, Margie Bright
Gambrell, Michael W. "Mike"
Senn, Sandra J. "Sandy"
Cash, Richard J.
McLeod, Mia
Loftis, Dwight
Garrett, Billy

RULES

Massey, A. Shane, Chairman
Cromer, Ronnie W.
Malloy, Gerald
Leatherman, Hugh K., Sr.
Martin, Shane R.
Campsen, George E. "Chip", III
Allen, Karl B.
Corbin, Thomas D. "Tom"
Young, Tom, Jr.
Kimpson, Marlon E.
Sabb, Ronnie A.
Grooms, Lawrence K. "Larry"
Hembree, Greg
McLeod, Mia
Shealy, Katrina
Goldfinch, Stephen
Harpootlian, Dick

TRANSPORTATION

Grooms, Lawrence K. "Larry", Chairman
Leatherman, Hugh K., Sr.
Rankin, Luke A.

TUESDAY, JANUARY 12, 2021

Verdin, Daniel B. “Danny”, III
Malloy, Gerald
Campsen, George E. “Chip”, III
Peeler, Harvey S., Jr.
Bennett, Sean
Hembree, Greg
McElveen, J. Thomas, III
Johnson, Kevin L.
Kimpson, Marlon E.
Sabb, Ronnie A.
Matthews, Margie Bright
Climer, David Wesley “Wes”
Rice, Rex
Senn, Sandra J. “Sandy”

**INDIVIDUAL COMMITTEE ASSIGNMENTS OF THE
SENATE**

ADAMS, BRIAN

Agriculture and Natural Resources
Corrections and Penology
Family and Veterans Services
Fish Game Forestry
Judiciary

ALEXANDER, THOMAS C.

Banking and Insurance
Ethics
Finance
Interstate Cooperation
Labor, Commerce and Industry, Chairman
Medical Affairs

ALLEN, KARL B.

Corrections and Penology
Education
Finance
Labor, Commerce and Industry

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Rules

BENNETT, SEAN

Banking and Insurance

Ethics, Chairman

Finance

Fish, Game and Forestry

Labor, Commerce and Industry

Transportation

CAMPSEN, GEORGE E. "CHIP", III

Fish, Game and Forestry, Chairman

Judiciary

Legislative Oversight

Rules

Transportation

CASH, RICHARD J.

Banking and Insurance

Education

Family and Veterans Services

Judiciary

Medical Affairs

CLIMER, DAVID WESLEY "WES"

Agriculture and Natural Resources, Chairman

Family and Veterans Services

Judiciary

Labor, Commerce and Industry

Legislative Oversight

Transportation

CORBIN, THOMAS D. "TOM"

Finance

Fish, Game and Forestry

Labor, Commerce and Industry

Medical Affairs

Rules

TUESDAY, JANUARY 12, 2021

CROMER, RONNIE W.

Banking and Insurance, Chairman
Family and Veterans Services
Finance
Fish, Game and Forestry
Rules

DAVIS, TOM

Agriculture and Natural Resources
Banking and Insurance
Finance
Labor, Commerce and Industry
Legislative Oversight
Medical Affairs

FANNING, MICHAEL “MIKE”

Agriculture and Natural Resources
Family and Veterans Services
Finance
Fish, Game and Forestry

GAMBRELL, MICHAEL W. “MIKE”

Banking and Insurance
Family and Veterans Services
Finance
Labor, Commerce and Industry
Medical Affairs

GARRETT, BILLY

Agriculture and Natural Resources
Banking and Insurance
Corrections and Penology
Judiciary
Medical Affairs

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GOLDFINCH, STEPHEN L., JR.

Agriculture and Natural Resources

Finance

Fish, Game and Forestry

Rules

GROOMS, LAWRENCE K. "LARRY"

Education

Finance

Rules

Transportation, Chairman

GUSTAFSON, PENRY

Agriculture and Natural Resources

Corrections and Penology

Family and Veterans Services

Fish, Game and Forestry

Judiciary

HARPOOTLIAN, RICHARD A. "DICK"

Agriculture and Natural Resources

Corrections and Penology

Family and Veterans Services

Judiciary

Rules

HEMBREE, GREG

Education, Chairman

Corrections and Penology

Finance

Rules

Transportation

HUTTO, BRAD

Banking and Insurance

Education

Ethics

Fish, Game and Forestry

TUESDAY, JANUARY 12, 2021

Judiciary
Legislative Oversight
Medical Affairs

JACKSON, DARRELL

Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Legislative Oversight

JOHNSON, KEVIN L.

Family and Veterans Services
Finance
Labor, Commerce and Industry
Medical Affairs
Transportation

JOHNSON, MICHAEL

Agriculture and Natural Resources
Corrections and Penology
Family and Veterans Services
Fish, Game and Forestry
Judiciary

KIMBRELL, JOSH

Agriculture and Natural Resources
Banking and Insurance
Corrections and Penology
Family and Veterans' Services
Judiciary

KIMPSON, MARLON E.

Corrections and Penology
Judiciary
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Rules

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Transportation

LEATHERMAN, HUGH K., SR.

Ethics

Finance, Chairman

Interstate Cooperation

Labor, Commerce and Industry

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Transportation

LOFTIS, DWIGHT A.

Agriculture and Natural Resources

Banking and Insurance

Education

Judiciary

Medical Affairs

MALLOY, GERALD

Banking and Insurance

Education

Ethics

Judiciary

Legislative Oversight

Rules

Transportation

MARTIN, SHANE R.

Corrections and Penology, Chairman

Finance

Medical Affairs

Rules

MASSEY, A. SHANE

Education

Judiciary

Labor, Commerce and Industry

Legislative Oversight

Rules, Chairman

TUESDAY, JANUARY 12, 2021

MATTHEWS, MARGIE BRIGHT

Corrections and Penology
Fish, Game and Forestry
Judiciary
Medical Affairs
Transportation

McELVEEN, J. THOMAS, III

Agriculture and Natural Resources
Family and Veterans Services
Finance
Fish, Game and Forestry
Transportation

McLEOD, MIA S.

Corrections and Penology
Family and Veterans Services
Judiciary
Medical Affairs
Rules

PEELER, HARVEY S., JR.

Education
Ethics
Finance
Interstate Cooperation, Chairman
Legislative Oversight, Chairman
Medical Affairs
Transportation

RANKIN, LUKE A.

Banking and Insurance
Education
Ethics
Judiciary, Chairman
Transportation

TUESDAY, JANUARY 12, 2021

RICE, REX

Corrections and Penology
Education
Judiciary
Labor, Commerce and Industry
Transportation

SABB, RONNIE A.

Agriculture and Natural Resources
Judiciary
Labor, Commerce and Industry
Rules
Transportation

SCOTT, JOHN L., JR.

Banking and Insurance
Education
Finance
Labor, Commerce and Industry
Legislative Oversight
Medical Affairs

SENN, SANDRA J. "SANDY"

Corrections and Penology
Judiciary
Labor, Commerce and Industry
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SETZLER, NIKKI G.

Banking and Insurance
Education
Ethics
Finance
Interstate Cooperation
Labor, Commerce and Industry
Legislative Oversight

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SHEALY, KATRINA F.

Corrections and Penology
Family and Veterans Services, Chairman
Finance
Labor, Commerce and Industry
Rules

STEPHENS, VERNON

Agriculture and Natural Resources
Corrections and Penology
Family and Veterans Services
Fish, Game and Forestry
Judiciary

TALLEY, SCOTT

Agriculture and Natural Resources
Education
Family and Veterans Services
Fish, Game and Forestry
Judiciary
Legislative Oversight

TURNER, ROSS

Banking and Insurance
Corrections and Penology
Education
Finance
Fish, Game and Forestry

VERDIN, DANIEL B. "DANNY", III

Agriculture and Natural Resources
Finance
Medical Affairs, Chairman
Transportation

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WILLIAMS, KENT M.

Agriculture and Natural Resources
Banking and Insurance
Ethics
Finance
Fish, Game and Forestry
Labor, Commerce and Industry
Legislative Oversight

YOUNG, TOM, JR.

Education
Family and Veterans Services
Fish, Game and Forestry
Judiciary
Legislative Oversight
Rules

SEATING SELECTIONS

Pursuant to Rule 4, the Senate proceeded to the selection of seats.

The Reading Clerk called the seniority roll for the purpose of seating selections as follows:

Seat 1	Sen. Leatherman
Seat 2	Sen. Alexander
Seat 3	Sen. Peeler
Seat 4	Sen. Rankin
Seat 5	Sen. Grooms
Seat 6	Sen. Massey
Seat 7	Sen. Cromer
Seat 8	Sen. Campsen
Seat 9	Sen. Davis
Seat 10	Sen. Verdin
Seat 11	Sen. Shealy
Seat 12	Sen. Young
Seat 13	Sen. Martin
Seat 14	Sen. Climer
Seat 15	Sen. Goldfinch

TUESDAY, JANUARY 12, 2021

Seat 16 Sen. Gambrell
Seat 17 Sen. Bennett
Seat 18 Sen. Hembree
Seat 19 Sen. Turner
Seat 20 Sen. Senn
Seat 21 Sen. Talley
Seat 22 Sen. Loftis
Seat 23 Sen. Corbin
Seat 24 Sen. Hutto
Seat 25 Sen. Setzler
Seat 26 Sen. Jackson
Seat 27 Sen. Allen
Seat 28 Sen. McElveen
Seat 29 Sen. Scott
Seat 30 Sen. Malloy
Seat 31 Sen. K. Johnson
Seat 32 Sen. Williams
Seat 33 Sen. Kimpson
Seat 34 Sen. Matthews
Seat 35 Sen. Sabb
Seat 36 Sen. McLeod
Seat 37 Sen. Harpootlian
Seat 38 Sen. Kimbrell
Seat 39 Sen. Stephens
Seat 40 Sen. Cash
Seat 41 Sen. Rice
Seat 42 Sen. Adams
Seat 43 Sen. Garrett
Seat 44 Sen. Gustafson
Seat 45 Sen. M. Johnson
Seat 46 Sen. Fanning

The PRESIDENT appointed Senators MASSEY, HUTTO and SENN to inform the House of Representatives and the Governor that the Senate is organized and ready to conduct the business of the Senate.

TUESDAY, JANUARY 12, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams and Hembree: A BILL TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT"; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 2 -- Senators Peeler, Malloy, McElveen and Hembree: A BILL TO AMEND CHAPTER 1, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE

TUESDAY, JANUARY 12, 2021

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; TO

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AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND

TUESDAY, JANUARY 12, 2021

SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30 AND 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS HOMES.

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TUESDAY, JANUARY 12, 2021

Prefiled and referred to the Committee on Medical Affairs.

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

S. 3 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, FEBRUARY 3, 2021, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER OF THE CITADEL BOARD OF VISITORS, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE LANDER UNIVERSITY BOARD OF TRUSTEES TO FILL THE TERM OF THE AT-LARGE SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2022; TO ELECT A MEMBER OF THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES FOR THE AT-LARGE SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2024; AND TO ELECT A MEMBER OF THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES TO FILL THE TERM OF THE MEMBER OF THE FIFTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2022.

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Prefiled and referred to the Committee on Operations and Management.

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

S. 4 -- Senator Setzler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF NINTH STREET AND JARVIS Klapman Boulevard IN THE CITY OF WEST COLUMBIA "DANIEL WAYNE COGBURN INTERCHANGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

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Prefiled and referred to the Committee on Transportation.

TUESDAY, JANUARY 12, 2021

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

S. 5 -- Senators Jackson and Fanning: A BILL TO AMEND SECTION 53-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LEGAL HOLIDAYS, SO AS TO PROVIDE THE NINETEENTH DAY OF JUNE - JUNETEENTH SHALL BE A STATE LEGAL HOLIDAY.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 6 -- Senators Jackson and K. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SMOKE A TOBACCO PRODUCT IN A MOTOR VEHICLE IN WHICH A MINOR IS A PASSENGER AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Transportation.

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

S. 7 -- Senators Jackson and K. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "HEARING IMPAIRED" SPECIAL LICENSE PLATES TO PERSONS WHO ARE HEARING IMPAIRED.

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Prefiled and referred to the Committee on Transportation.

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

TUESDAY, JANUARY 12, 2021

S. 8 -- Senators Jackson and K. Johnson: A BILL TO AMEND SECTION 53-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENUMERATION OF LEGAL HOLIDAYS, SO AS TO ESTABLISH GENERAL ELECTION DAY AS A STATE HOLIDAY.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 9 -- Senators Jackson, K. Johnson and Fanning: A BILL TO AMEND SECTION 7-5-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR MOTOR VEHICLE DRIVER'S LICENSE AND VOTER REGISTRATION, SO AS TO PROVIDE THAT EACH STATE IDENTIFICATION CARD APPLICATION OR MOTOR VEHICLE DRIVER'S LICENSE APPLICATION, INCLUDING RENEWAL APPLICATIONS, SUBMITTED TO THE DEPARTMENT OF MOTOR VEHICLES SHALL SERVE AS AN APPLICATION FOR VOTER REGISTRATION, TO ELIMINATE THE REQUIREMENT THAT THE APPLICANT SIGN A SEPARATE VOTER REGISTRATION PORTION OF THE APPLICATION IN ORDER TO REGISTER, TO PROVIDE THAT THE APPLICANT SHALL CONSENT TO THE USE OF HIS SIGNATURE FROM HIS STATE IDENTIFICATION CARD OR DRIVER'S LICENSE ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES FOR VOTER REGISTRATION PURPOSES, AND TO PROVIDE A PROCEDURE FOR AN INDIVIDUAL TO DECLINE REGISTRATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 10 -- Senators Jackson, K. Johnson and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-375 SO AS TO PROVIDE

TUESDAY, JANUARY 12, 2021

ALL PUBLIC SCHOOLS MUST BE CLOSED ON VETERANS DAY, TO PROVIDE THIS DAY MUST NOT BE CONSIDERED AS ONE OF THE REGULAR SCHOOL DAYS FOR THE YEAR OF PUBLIC SCHOOLS, AND TO EXEMPT STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION FROM THIS REQUIREMENT.

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Prefiled and referred to the Committee on Education.

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

S. 11 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH, ADOPTION, OR FOSTER CARE OF A SON OR DAUGHTER.

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Prefiled and referred to the Committee on Finance.

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

S. 12 -- Senator Jackson: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW AN EXEMPTION FROM ALL PROPERTY TAX EQUAL TO ONE HUNDRED PERCENT OF THE VALUE SUBJECT TO TAX OF AN OWNER-OCCUPIED RESIDENCE IF THE OWNER HAS ATTAINED THE AGE OF SEVENTY YEARS AND HAS MADE THE PROPERTY HIS RESIDENCE FOR THIRTY YEARS.

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Prefiled and referred to the Committee on Finance.

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

S. 13 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3785 SO AS TO ALLOW AN INDIVIDUAL TAXPAYER TO CLAIM AN INCOME TAX CREDIT IF THE INDIVIDUAL

TUESDAY, JANUARY 12, 2021

SERVES AS A CAREGIVER FOR A PERSON WHO IS AT LEAST SEVENTY-FIVE YEARS OF AGE, AND TO SET THE AMOUNT OF THE CREDIT.

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Prefiled and referred to the Committee on Finance.

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

S. 14 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-1-140 SO AS TO PROVIDE FOR AN INCREASE IN THE PENALTY FOR AN UNDERLYING OFFENSE IF THE OFFENDER INTENTIONALLY SELECTED THE PERSON AGAINST WHOM THE CRIME IS COMMITTED OR SELECTED THE PROPERTY THAT IS DAMAGED OR OTHERWISE AFFECTED BY THE CRIME IN WHOLE OR IN PART BECAUSE OF THE OFFENDER'S BELIEF OR PERCEPTION REGARDING THE RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, CULTURAL OR SOCIAL IDENTITY, ANCESTRY, RELIGION, GENDER, POLITICAL AFFILIATION, SEXUAL ORIENTATION, OR DISABILITY OF THAT PERSON OR THE OWNER OR OCCUPANT OF THAT PROPERTY, WHETHER OR NOT THE OFFENDER'S BELIEF OR PERCEPTION WAS CORRECT; AND TO AMEND SECTION 63-19-1410, RELATING TO DISPOSITIONAL POWERS OF THE FAMILY COURT REGARDING CHILDREN ADJUDICATED DELINQUENT, SO AS TO AUTHORIZE THE COURT TO MAKE FINDINGS THAT A CHILD INTENTIONALLY SELECTED THE PERSON AGAINST WHOM AN OFFENSE IS COMMITTED OR SELECTED THE PROPERTY THAT IS DAMAGED OR OTHERWISE AFFECTED BY THE OFFENSE IN WHOLE OR IN PART BECAUSE OF THE CHILD'S BELIEF OR PERCEPTION REGARDING THE RACE, COLOR, ETHNICITY, NATIONAL ORIGIN, CULTURAL OR SOCIAL IDENTITY, ANCESTRY, RELIGION, GENDER, POLITICAL AFFILIATION, SEXUAL ORIENTATION, OR DISABILITY OF THAT PERSON OR THE OWNER OR OCCUPANT OF THAT PROPERTY, WHETHER OR NOT THE CHILD'S

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BELIEF OR PERCEPTION WAS CORRECT AND ORDER A CHILD FOR WHOM SUCH FINDINGS ARE MADE, AS A CONDITION OF PROBATION, COMMITMENT OR OTHERWISE, TO PARTICIPATE IN AN EDUCATIONAL PROGRAM REGARDING CULTURAL DIVERSITY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 15 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2021, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2021, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT

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COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 12, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A

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SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021.

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Prefiled and referred to the Committee on Operations and Management.

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

S. 16 -- Senators Rankin, Hembree, Malloy and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

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Prefiled and referred to the Committee on Education.

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

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S. 17 -- Senator Rankin: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 18 -- Senator Hutto: A BILL TO AMEND SECTION 56-1-146, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRIME OF VIOLENCE IDENTIFYING CODE REQUIRED ON A DRIVER'S LICENSE FOR A PERSON CONVICTED OF CERTAIN CRIMES, SO AS TO DELETE THE TERM "CRIME OF VIOLENCE" AND REPLACE IT WITH THE TERM "VIOLENT CRIME" AND TO PROVIDE THE EFFECTIVE DATE WHEN A CLERK OF COURT MUST BEGIN NOTIFYING THE DEPARTMENT OF MOTOR VEHICLES WHEN A PERSON IS CONVICTED OF A VIOLENT CRIME; AND TO AMEND SECTION 56-1-148, AS AMENDED, RELATING TO IMPLEMENTATION OF THE "CRIME OF VIOLENCE" IDENTIFICATION CODE, SO AS TO DELETE THE TERM "CRIME OF VIOLENCE" AND REPLACE IT WITH THE TERM "VIOLENT CRIME", AND TO PROVIDE THE EFFECTIVE DATE WHEN THE DEPARTMENT OF MOTOR VEHICLES MUST AFFIX AN IDENTIFYING CODE ON A DRIVER'S LICENSE OF A PERSON CONVICTED OF A VIOLENT CRIME.

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Prefiled and referred to the Committee on Transportation.

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

S. 19 -- Senator Hutto: A BILL TO AMEND SECTION 22-5-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE ELIGIBILITY FOR EXPUNGEMENT EVEN WHEN A PERSON HAS HAD A PRIOR OFFENSE EXPUNGED PURSUANT TO SECTION 34-

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11-90; AND TO AMEND SECTION 34-11-90, RELATING TO PENALTIES FOR OFFENSES CONCERNING BANK DEPOSITS, SO AS TO PROVIDE FOR ELIGIBILITY FOR AN EXPUNGEMENT EVEN WHEN A PERSON HAS HAD A PRIOR OFFENSE EXPUNGED PURSUANT TO SECTION 22-5-910.

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Prefiled and referred to the Committee on Judiciary.

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

S. 20 -- Senators Hutto and Stephens: A BILL TO AMEND SECTION 7-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATES' QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-350, RELATING TO CERTIFICATION OF CANDIDATES, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 7-13-351, RELATING TO NOMINEES BY PETITION, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF AND A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT; TO AMEND SECTION 17-5-130, AS AMENDED, RELATING TO CORONER QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE FOR CORONER MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT AND, IN ADDITION, TO SPECIFY THAT A FORENSIC SCIENCE

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DEGREE OR CERTIFICATION PROGRAM TO BE COMPLETED WITHIN ONE YEAR OF BEING ELECTED TO THE OFFICE OF CORONER MUST BE POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE AND, BEFORE ANY CHANGE TO THE APPROVED RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM TAKES PLACE, THE NEWLY RECOGNIZED FORENSIC SCIENCE DEGREE OR CERTIFICATION PROGRAM MUST BE APPROVED BY THE CRIMINAL JUSTICE ACADEMY AND POSTED ON THE SOUTH CAROLINA CORONERS ASSOCIATION WEBSITE; AND TO AMEND SECTION 23-11-110, AS AMENDED, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT A CANDIDATE FOR SHERIFF MAY BE CERTIFIED BY A POLITICAL PARTY OR AUTHORITY TO WHICH A PETITION IS SUBMITTED IF THE CANDIDATE SUBMITS A SWORN FULLY COMPLETED AFFIDAVIT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 21 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-377 SO AS TO PROHIBIT THE POSSESSION OF ONE DOSAGE UNIT OR LESS OF A CONTROLLED SUBSTANCE, AND TO PROVIDE PENALTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 22 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-19-820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PLACING CHILDREN IN AN ADULT JAIL, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR

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COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; TO AMEND SECTION 63-19-1020, RELATING TO THE RIGHT OF CERTAIN PERSONS AND ENTITIES INJURED BY DELINQUENT ACTS OF A CHILD TO INSTITUTE LEGAL PROCEEDINGS AGAINST THE CHILD, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF CERTAIN CHILDREN TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; TO AMEND SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE OF JUVENILES ADJUDICATED DELINQUENT BY THE DEPARTMENT, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-19-2050, AS AMENDED, RELATING TO EXPUNGEMENT OF CERTAIN COURT RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 23 -- Senator Hutto: A BILL TO AMEND SECTION 16-23-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO PROHIBIT THE POSSESSION OR DISCHARGE OF A FIREARM ON OR WITHIN ONE THOUSAND FEET OF ANY PREMISES OR PROPERTY OWNED, OPERATED, OR CONTROLLED BY A PRIVATE OR PUBLIC SCHOOL, COLLEGE, UNIVERSITY, TECHNICAL COLLEGE, OR OTHER POST-SECONDARY INSTITUTION, OR ANY PUBLICLY OWNED BUILDING WITHOUT THE EXPRESS PERMISSION OF THE AUTHORITIES IN CHARGE OF THE PREMISES OR PROPERTY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 24 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-112-45 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER LEARNING AND FOR STATE-SUPPORTED SCHOLARSHIPS AND GRANTS; AND BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

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Prefiled and referred to the Committee on Education.

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

S. 25 -- Senator Hutto: A BILL TO AMEND SECTION 38-77-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF THE MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, SO AS TO ALLOW AN INSURED TO SEEK A COURT ORDER FOR A PRESUIT DEPOSITION WHEN THE INSURED IS UNABLE TO OBTAIN AN AFFIDAVIT FROM A WITNESS TO THE ACCIDENT AND TO ALLOW AN INSURED TO SUBMIT ELECTRONIC OR OTHER RECORDING OF THE ACCIDENT TO MEET THE

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CONDITIONS REQUIRED TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 26 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-7-47 SO AS TO PROHIBIT MINORS FROM USING SOURCES OF NONIONIZED RADIATION WHICH ARE USED IN COMMERCIAL ESTABLISHMENTS FOR THE TANNING OF HUMAN SKIN, TO REQUIRE IDENTIFICATION OF AGE FOR CUSTOMERS WHO UTILIZE TANNING DEVICES, TO REQUIRE POSTING AND WRITTEN STATEMENTS OF WARNING INFORMATION REGARDING THE HEALTH RISKS AND EFFECTS OF TANNING, AND TO ESTABLISH A CIVIL PENALTY FOR REGISTRANTS WHO FAIL TO ADHERE TO THESE PROVISIONS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 27 -- Senators Hutto, Fanning and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 22-3-350 SO AS TO PROVIDE AN ASSESSMENT ON ALL CIVIL FILINGS IN MAGISTRATES COURT AND TO PROVIDE FOR THE COLLECTION AND ALLOCATION OF THE ASSESSMENT; AND TO AMEND SECTION 22-8-40, RELATING TO THE SALARIES OF FULL-TIME AND PART-TIME MAGISTRATES, SO AS TO PROVIDE SPECIFIC SALARIES FOR MAGISTRATES IN COUNTIES WITH CERTAIN POPULATIONS, TO PROVIDE FOR SUPPLEMENTS FOR FULL-TIME ASSOCIATE CHIEF

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MAGISTRATES, AND TO PROVIDE THAT IN CERTAIN CIRCUMSTANCES MAGISTRATES ARE TO BE CONSIDERED STATE EMPLOYEES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 28 -- Senators Hutto, K. Johnson, Climer and McLeod: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE

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PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 30 -- Senator Hutto: A BILL TO AMEND SECTION 1-11-141 OF THE 1976 CODE, RELATING TO INSURANCE ON STATE-OWNED VEHICLES BY AGENCIES, TO PROVIDE THAT STATE EMPLOYEES MAY REQUEST A LIMITED AMOUNT OF UNDERINSURED MOTORIST COVERAGE FOR A LIMITED AMOUNT OF TIME FOR THE PURPOSE OF PAYING BENEFITS IN THE EVENT OF AN ACCIDENT WHILE THE EMPLOYEE IS DRIVING OR OCCUPYING A STATE-OWNED VEHICLE.

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Prefiled and referred to the Committee on Finance.

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

S. 31 -- Senator Hutto: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, BY ADDING SECTION 44-1-225, TO PROVIDE THAT ALL NURSING HOMES AND SKILLED AND INTERMEDIATE CARE NURSING FACILITIES LICENSED BY THE DEPARTMENT ARE REQUIRED TO MAINTAIN A

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GENERAL LIABILITY INSURANCE POLICY OF AT LEAST ONE MILLION DOLLARS, AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 32 -- Senators Grooms, Adams and Rice: A BILL TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320(B) OF THE 1976 CODE, RELATING TO CARRYING OR DISCHARGING A FIREARM ON THE CAPITOL GROUNDS, TO PROVIDE THAT A PERSON MAY POSSESS A FIREARM UPON THE CAPITOL GROUNDS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, TO PROVIDE THAT A PERSON MAY CARRY A HANDGUN IN A VEHICLE IF NOT PROHIBITED BY LAW FROM POSSESSING THE WEAPON AND TO PROVIDE THAT A PERSON WHO IS NOT PROHIBITED FROM POSSESSING FIREARMS UNDER STATE LAW MAY CARRY A HANDGUN; TO AMEND SECTIONS 16-23-420 AND 16-23-430(B) OF THE 1976 CODE, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, TO PROVIDE THAT A PERSON MAY POSSESS A FIREARM ON SCHOOL PROPERTY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-23-460 OF THE 1976 CODE, RELATING TO CARRYING CONCEALABLE WEAPONS, TO PROVIDE THAT A PERSON LAWFULLY CARRYING A CONCEALABLE WEAPON OR A HANDGUN MAY CARRY THE WEAPON CONCEALED ABOUT HIS PERSON; TO AMEND SECTION 16-23-465(B)(1) OF THE 1976 CODE, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, TO PROVIDE AN EXCEPTION FOR A PERSON LAWFULLY CARRYING A CONCEALABLE

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WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE; TO AMEND SECTION 51-3-145(G) OF THE 1976 CODE, RELATING TO CERTAIN ACTS THAT ARE UNLAWFUL IN A STATE PARK, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-31-215(K), (M), (N), AND (O) OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES, AND THE ASSOCIATED PENALTY, TO PROVIDE AN EXCEPTION TO THE PROVISION THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON ONTO CERTAIN PREMISES, TO DELETE THE PROVISION THAT PROVIDES FOR THE REVOCATION OF A PERSON'S PERMIT WHEN HE VIOLATES CERTAIN PROVISIONS, TO PROVIDE THAT VALID OUT-OF-STATE PERMITS TO CARRY CONCEALABLE WEAPONS BY A RESIDENT OF ANOTHER STATE MUST BE HONORED BY THE STATE, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTIONS 23-31-220 AND 23-31-225 OF THE 1976 CODE, BOTH RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPON PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, TO DELETE THE PROVISION THAT REQUIRES THE REVOCATION OF A PERMIT FOR A VIOLATION OF CERTAIN PROVISIONS OF LAW, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 23-31-240 OF THE 1976 CODE, RELATING TO PERSONS WHO ARE

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ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY, TO DELETE THE PROVISION THAT REQUIRES THESE PERSONS TO POSSESS A CONCEALED WEAPON PERMIT; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 33 -- Senators Grooms, Rice and Hembree: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES, TO BE CALLED BY CONGRESS, RESTRICTED TO PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION IN ORDER TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, TO LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND TO LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 34 -- Senator Grooms: A BILL TO AMEND SECTION 56-3-190 OF THE 1976 CODE, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

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Prefiled and referred to the Committee on Transportation.

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

S. 35 -- Senator Grooms: A BILL TO AMEND SECTION 12-6-510 OF THE 1976 CODE, RELATING TO INCOME TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, TO REDUCE EACH TAX RATE BY ONE PERCENT OVER A FIVE-YEAR PERIOD IN CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 12-6-515 OF THE 1976 CODE, RELATING TO THE STATE INDIVIDUAL INCOME TAX BRACKET REDUCTION.

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Prefiled and referred to the Committee on Finance.

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

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 37 -- Senator Grooms: A BILL TO AMEND SECTION 12-37-220(A)(3) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM PROPERTY TAXES, TO PROVIDE THAT VEHICLES LEASED BY CHURCHES ARE EXEMPT FROM PROPERTY TAXES.

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Prefiled and referred to the Committee on Finance.

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

S. 38 -- Senators Grooms, Rice and Hembree: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

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Prefiled and referred to the Committee on Education.

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

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S. 39 -- Senator Grooms: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 16, TO ESTABLISH A SPECIFIED PROCEDURE FOR THE ENACTMENT OR REPEAL OF LAWS AND CONSTITUTIONAL AMENDMENTS BY INITIATIVE PETITION AND REFERENDUM, AND TO PROVIDE EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

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

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REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Transportation.

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

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

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 42 -- Senator Verdin: A BILL TO AMEND ARTICLE 3, CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO REGISTRATION AND LICENSING GENERALLY, BY ADDING SECTION 56-3-116, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY HAVE AN AUTISM SPECTRUM DISORDER, ASPERGER SYNDROME, OR TOURETTE SYNDROME.

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Prefiled and referred to the Committee on Transportation.

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

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S. 43 -- Senator Verdin: A BILL TO AMEND SECTION 1-23-100 OF THE 1976 CODE, RELATING TO EXEMPTIONS FOR EXECUTIVE ORDERS, PROCLAMATIONS, OR DOCUMENTS ISSUED BY THE GOVERNOR'S OFFICE, TO DELETE THE PROVISION THAT SUCH ORDERS ARE NOT SUBJECT TO GENERAL ASSEMBLY APPROVAL; TO AMEND SECTION 1-23-110(A)(3) AND (C)(1) OF THE 1976 CODE, RELATING TO PROCEDURES FOR THE PUBLICATION OF NOTICE OF A PROPOSED PROMULGATION OF REGULATIONS, PUBLIC PARTICIPATION, AND A CONTEST OF REGULATION FOR PROCEDURAL DEFECTS, TO PROVIDE FOR NOTICE AND TO PROVIDE THAT ALL WRITTEN SUBMISSIONS, TRANSCRIPTS, OR RECORDINGS OF ORAL SUBMISSIONS MUST BE PROVIDED TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE; TO AMEND SECTION 1-23-120(I) AND (J) OF THE 1976 CODE, RELATING TO THE APPROVAL OF REGULATIONS, TO PROVIDE FOR METHODS OF REPEAL OR AUTOMATIC APPROVAL OF REGULATIONS; TO AMEND ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE, RELATING TO THE STATE REGISTER AND CODE OF REGULATIONS, BY ADDING SECTION 1-23-121, TO PROVIDE THAT REGULATIONS MAY NOT CONTAIN VERBATIM STATUTORY TEXT, AND TO PROVIDE THAT ANY REGULATIONS IN VIOLATION OF THIS SECTION ARE REPEALED; AND TO AMEND SECTION 1-23-280(B) AND (C) OF THE 1976 CODE, RELATING TO THE SMALL BUSINESS REGULATORY REVIEW COMMITTEE MEMBERSHIP, TO ADD AGRIBUSINESS REPRESENTATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 44 -- Senators Verdin and Rice: A BILL TO ENACT THE "SOUTH CAROLINA CITIZENS' DEFENSE ACT OF 2021"; TO AMEND SECTION 12-36-2120(76) OF THE 1976 CODE,

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RELATING TO EXEMPTIONS FROM SALES TAX, TO ADD HOME PROTECTION WEEKEND TO THE SECOND AMENDMENT WEEKEND, AND TO ADD SALES ITEMS; TO AMEND CHAPTER 1, TITLE 16 OF THE 1976 CODE, RELATING TO FELONIES AND MISDEMEANORS, BY ADDING SECTION 16-1-135, TO PROVIDE A GENERAL PENALTY FOR CRIMES AGAINST LAW ENFORCEMENT; TO AMEND SECTION 23-31-510 OF THE 1976 CODE, RELATING TO THE REGULATION OF OWNERSHIP, TRANSFER, OR POSSESSION OF A FIREARM OR AMMUNITION, TO PROVIDE THAT NO GOVERNING BODY MAY REGULATE THE TRANSFER, OWNERSHIP, POSSESSION, CARRYING, TRANSPORTATION, MANUFACTURE, ASSEMBLY, STORAGE, WAREHOUSING, DISTRIBUTION, OR SALE OF FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS, HOMEMADE FIREARMS CREATED OR ASSEMBLED WITHOUT A SERIAL NUMBER, OR ANY COMBINATION OF THESE THINGS; TO AMEND SECTION 23-31-220 OF THE 1976 CODE, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALABLE WEAPONS UPON A PREMISES, TO PROVIDE THAT ANY OWNER PROHIBITING A CONCEALABLE WEAPON UPON A PREMISES IS STRICTLY LIABLE FOR ANY INJURY SUSTAINED BY A CONCEALED WEAPON PERMIT HOLDER FROM THE PERPETRATOR OF A CRIME WHILE ON THE POSTED PREMISES, AND TO PROVIDE THAT A PREMISES OWNER IS CIVILLY LIABLE TO COMPENSATE THE PERMIT HOLDER FOR DAMAGES FROM INJURIES THAT ARE SUSTAINED AND ALL ATTORNEYS' FEES AND COSTS INCURRED IN ANY ACTION THE PERMIT HOLDER FILES AGAINST THE OWNER OR PERSON IN POSSESSION OF THE POSTED PREMISES; TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO EXCEPTIONS TO THE UNLAWFUL CARRYING OF A HANDGUN, TO PROVIDE THAT IT IS NOT UNLAWFUL FOR A PERSON EVACUATING PURSUANT TO A MANDATORY EVACUATION ORDER IN A STATE OF EMERGENCY TO

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CARRY ABOUT HIS PERSON ANY HANDGUN UNLESS OTHERWISE SPECIFICALLY PROHIBITED BY LAW; TO AMEND SECTION 23-31-215(P) THROUGH (U) OF THE 1976 CODE, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, TO DELETE PROVISIONS RELATED TO PERMIT RENEWALS; TO AMEND SECTION 23-31-216 OF THE 1976 CODE, RELATING TO THE COLLECTION AND RETENTION OF FEES, TO CREATE AND MAKE PROVISIONS FOR A CONFIRMED CARRY STATUS; TO AMEND SECTION 23-31-217 OF THE 1976 CODE, RELATING TO THE EFFECT OF PROVISIONS RELATING TO CONCEALED WEAPON PERMITS ON EXCEPTIONS TO THE UNLAWFUL CARRYING OF A HANDGUN, TO PROVIDE FOR THE COLLECTION OF FEES; TO AMEND SECTION 23-31-215(N) OF THE 1976 CODE, RELATING TO OUT-OF-STATE PERMIT HOLDERS CARRYING CONCEALABLE WEAPONS, TO DELETE RECIPROCITY PROVISIONS; TO AMEND ARTICLE 4, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO CONCEALED WEAPON PERMITS, BY ADDING SECTION 23-31-218, TO CREATE AND PROVIDE FOR INSTITUTIONAL CONCEALED WEAPON PERMITS; AND TO AMEND ARTICLE 3, CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO REGISTRATION AND LICENSING GENERALLY, BY ADDING SECTION 56-3-116, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY HAVE AN AUTISM SPECTRUM DISORDER, ASPERGER SYNDROME, OR TOURETTE SYNDROME.

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Prefiled and referred to the Committee on Judiciary.

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

S. 45 -- Senator Verdin: A BILL TO AMEND ARTICLE 4, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA EMERGENCY MANAGEMENT

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DIVISION, BY ADDING SECTION 25-1-435, TO CREATE, POPULATE, AND PROVIDE TERMS FOR THE BOARD OF EMERGENCY MANAGEMENT; AND TO AMEND SECTION 25-1-440(a)(2), RELATING TO THE ADDITIONAL POWERS AND DUTIES OF THE GOVERNOR DURING A STATE OF EMERGENCY, TO PROVIDE THAT A STATE OF EMERGENCY CANNOT BE EXTENDED BEYOND FIFTEEN DAYS WITHOUT THE AUTHORIZATION OF THE BOARD OF EMERGENCY MANAGEMENT, TO PROVIDE THAT THE BOARD SHALL BE VESTED WITH THE SAME POWERS THAT WERE VESTED IN THE GOVERNOR DURING THE INITIAL FIFTEEN DAY EMERGENCY DECLARATION, AND TO PROVIDE FOR A PROCEDURE TO ALTER THE PROVISIONS OF AN EMERGENCY DECLARATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 46 -- Senator Verdin: A BILL TO AMEND SECTION 47-1-145(C) OF THE 1976 CODE, RELATING TO THE CUSTODY AND CARE OF AN ANIMAL AFTER ARREST AND CUSTODIAL COSTS, TO PROVIDE FOR CIRCUMSTANCES IN WHICH A DEFENDANT IS FOUND GUILTY AND IS ABLE TO RECLAIM THE ANIMAL.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 47 -- Senator Verdin: A BILL TO AMEND ARTICLE 1, CHAPTER 50, TITLE 27 OF THE 1976 CODE, RELATING TO RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENTS, TO REQUIRE WATER QUALITY TESTS FOR WELLS AS A CONDITION OF CLOSING A REAL

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Prefiled and referred to the Committee on Judiciary.

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

S. 48 -- Senator Verdin: A BILL TO AMEND SECTION 12-6-1140(8) OF THE 1976 CODE, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, TO ALLOW FOR A DEDUCTION FROM TAXABLE INCOME FOR DONATING A HUMAN ORGAN FOR TRANSPLANTATION; AND TO AMEND ARTICLE 9, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO TAXABLE INCOME CALCULATION, BY ADDING SECTION 12-6-1230, TO PROVIDE THAT A TAXPAYER MAY DEDUCT UP TO TEN THOUSAND DOLLARS FROM HIS TAXABLE INCOME FOR EXPENSES RELATED TO HIS DONATION OR HIS DEPENDENT'S DONATION OF A HUMAN ORGAN FOR TRANSPLANTATION.

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Prefiled and referred to the Committee on Finance.

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

S. 49 -- Senator Verdin: A BILL TO AMEND SECTION 12-6-5060 OF THE 1976 CODE, RELATING TO VOLUNTARY CONTRIBUTIONS DESIGNATED ON AN INCOME TAX RETURN, TO PROVIDE THAT A TAXPAYER MAY DESIGNATE A CONTRIBUTION TO THE STATE COMMISSION ON HIGHER EDUCATION ON HIS INCOME TAX RETURN.

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Prefiled and referred to the Committee on Finance.

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

S. 50 -- Senator Verdin: A BILL TO AMEND SECTION 11-35-1524 OF THE 1976 CODE, RELATING TO THE RESIDENT VENDOR PREFERENCE, TO PROVIDE THAT NO STATE AGENCY SHALL PURCHASE, FOR RETAIL SALE, A STATE

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FLAG, STATE SEAL, OR OTHER OFFICIAL SYMBOL OF THE STATE; ITEMS INCORPORATING THOSE SYMBOLS; OR ITEMS BEARING THE NAME 'SOUTH CAROLINA' OR 'THE PALMETTO STATE' UNLESS THE SYMBOL OR ITEM IS A SOUTH CAROLINA END PRODUCT, IF POSSIBLE, OR IF NOT, UNLESS IT IS A UNITED STATES END PRODUCT, AND TO PROVIDE THAT A STATE AGENCY SHALL NOT RECEIVE REVENUE THROUGH A CONTRACTUAL ARRANGEMENT WITH A PRIVATE ENTITY FOR ANY ITEMS NOT SOURCED ACCORDING TO THESE SAME STANDARDS.

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Prefiled and referred to the Committee on Finance.

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

S. 51 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO AMEND SECTION 17-25-322, RELATING TO A RESTITUTION HEARING, SO AS TO REQUIRE THAT THE COURT MUST TAKE INTO CONSIDERATION THE FINANCIAL RESOURCES OF THE DEFENDANT AND ABILITY OF DEFENDANT TO PAY, TO REQUIRE IF A COURT FINDS A DEFENDANT FACES FINANCIAL HARDSHIP THAT THAT DEFENDANT MUST PAY NO LESS THAN A SPECIFIED AMOUNT, AND TO REQUIRE A HEARING IF THE DEFENDANT IS SIX MONTHS IN ARREARS; TO AMEND SECTION 24-21-280, RELATING TO DUTIES AND POWERS OF PROBATION AGENTS, SO AS TO REQUIRE PROBATION AGENTS TO TAKE INTO CONSIDERATION AN OFFENDER'S EFFECTIVE USE OF DISCRETIONARY FUNDS, TO PROVIDE FOR SUPERVISION FOR SENTENCES OF THREE HUNDRED SIXTY-FIVE DAYS OR MORE, TO SPECIFY HOW COMPLIANCE CREDITS MAY BE AWARDED AND HOW PROGRAMS MAY BE RECOGNIZED BY REGULATION AS PROPER FOR INCENTIVES, TO INFORM THE SENTENCING REFORM OVERSIGHT COMMITTEE OF THE PROGRAMS DESIGNATED FOR COMPLIANCE CREDITS, AND TO PROVIDE THAT OFFENDER

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ELIGIBILITY FOR COMPLIANCE CREDITS AS PROVIDED IN THIS SECTION BE EXTENDED TO OFFENDERS WHOSE OFFENSES OCCURRED PRIOR TO JANUARY 1, 2011; TO AMEND SECTION 24-21-440, RELATING TO PERIOD OF PROBATION, SO AS TO PROVIDE THAT THE PERIOD BE DEPENDENT UPON THE OFFENSE FOR WHICH THE DEFENDANT HAS BEEN SENTENCED, THAT RESTITUTION PAYMENTS MUST NOT BE REQUIRED FOR THE FIRST THREE MONTHS OF SUPERVISION AND THAT THE PERIOD FOR SUPERVISION OF RESTITUTION PAYMENTS MUST BE DETERMINED BY A JUDGE, THAT THE SUPERVISION OF RESTITUTION PAYMENT MUST NOT EXCEED FIVE YEARS AND IS ONLY REVOCABLE AFTER THE COMPLETION OF PROBATION FOR FAILURE TO MAKE RESTITUTION PAYMENTS; TO AMEND SECTION 24-21-560, RELATING TO THE COMMUNITY SUPERVISION PROGRAM, SO AS TO CLARIFY THAT ONCE COMMUNITY SUPERVISION IS COMPLETED AN OFFENDER IS STILL SUBJECT TO THE OTHER REQUIREMENTS OF SUPERVISION; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 43-5-1191, SO AS TO EXEMPT INDIVIDUALS FROM THE ELIGIBILITY RESTRICTION ON SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAMS AND TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BENEFITS FOR INDIVIDUALS WITH DRUG CONVICTIONS THAT WOULD OTHERWISE BE ELIGIBLE AND TO PROVIDE FOR INELIGIBILITY IN THE EVENT AN INDIVIDUAL VIOLATES PROBATION, COMMUNITY SUPERVISION, OR PAROLE; AND TO PROVIDE THAT THE SENTENCING REFORM OVERSIGHT COMMITTEE STUDY AND MAKE A REPORT TO THE GENERAL ASSEMBLY CONCERNING THE COLLECTION OF RESTITUTION AND THE RISK AND NEEDS TOOL USED TO EVALUATE THE ENTIRE SUPERVISION POPULATION; TO ADD ARTICLE 7, TO CHAPTER 27, TITLE 24 TO PROVIDE THE CIRCUMSTANCES IN WHICH AN INMATE WHO HAS BEEN INCARCERATED AT LEAST FIFTEEN YEARS MAY

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PETITION THE COURT TO HAVE HIS SENTENCE MODIFIED; TO AMEND SECTION 24-13-150, RELATING TO THE EARLY RELEASE OF AN INMATE TO REDUCE THE NUMBER OF YEARS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION, AND TO PROVIDE A PROCEDURE THAT ALLOWS CERTAIN INMATES TO PETITION THE COURT TO MODIFY THEIR SENTENCE; TO AMEND SECTION 24-13-210, RELATING TO CREDIT GIVEN TO AN INMATE FOR GOOD BEHAVIOR TO INCREASE THE NUMBER OF GOOD BEHAVIOR DAYS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MAY RECEIVE; TO AMEND SECTION 24-13-230, RELATING TO CREDIT GIVEN TO AN INMATE FOR WORK AND EDUCATION CREDITS TO INCREASE THE NUMBER OF WORK AND EDUCATION CREDIT DAYS AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MAY RECEIVE; TO AMEND SECTION 24-21-110, RELATING TO ADMINISTRATIVE SANCTIONS TO ALLOW FOR CONFINEMENT PERIODS OF UP TO THIRTEEN DAYS AS A JAIL SANCTION; TO AMEND SECTION 24-21-430, RELATING TO CONDITIONS OF PROBATION TO ALLOW FOR CONFINEMENT PERIODS NOT TO EXCEED THIRTEEN DAYS AS A CONDITION OF PROBATION AND AS AN ADMINISTRATIVE SANCTION; TO AMEND SECTION 24-21-460, RELATING TO ACTIONS OF THE COURT IN CASES OF PROBATION VIOLATIONS TO LIMIT REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-610, RELATING TO ELIGIBILITY FOR PAROLE TO ALLOW FOR PAROLE ELIGIBILITY TO BE COMPUTED USING AN INMATE'S ACTIVE INCARCERATIVE SENTENCE AND AMENDING REQUIREMENTS RELATED TO MEDICAL PAROLE; TO AMEND SECTION 24-21-620, RELATING TO A PAROLE BOARD'S REVIEW TO ALLOW FOR AUTOMATIC RELEASE ON PAROLE OF NON-VIOLENT INMATES WHO HAVE MET CERTAIN CONDITIONS; TO AMEND SECTION

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24-21-645, RELATING TO PAROLE AND PROVISIONAL PAROLE ORDERS TO LIMIT REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-660, RELATING TO THE EFFECT OF PAROLE TO LIMIT PAROLE REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-680, RELATING TO VIOLATION OF PAROLE TO LIMIT PAROLE REVOCATIONS FOR TECHNICAL VIOLATIONS; TO AMEND SECTION 24-21-715, RELATING TO PAROLE FOR TERMINALLY ILL, GERIATRIC, OR PERMANENTLY DISABLED INMATES TO AMEND THE ELIGIBILITY REQUIREMENTS AND EXTEND ELIGIBILITY TO OTHER CATEGORIES OF INMATES AND LIMIT THE REASONS THE PAROLE BOARD CAN DENY THIS TYPE OF PAROLE; AND TO AMEND ARTICLE 7 OF CHAPTER 21 OF TITLE 24, RELATING TO PAROLE AND RELEASE FOR GOOD CONDUCT, SO AS TO ADD SECTION 24-21-720 TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO CREATE AN INTAKE CASE PLAN FOR ALL PAROLE ELIGIBLE INMATES; TO AMEND SECTION 1-7-400, RELATING TO CIRCUIT SOLICITORS DISABLED BY INTOXICATION, TO DELETE THE MINIMUM PENALTY; TO AMEND SECTION 1-11-26, RELATING TO THE RURAL INFRASTRUCTURE AUTHORITY, TO AMEND THE PENALTY FOR A VIOLATION FROM SIX MONTHS TO NOT MORE THAN SIX MONTHS IN PRISON; TO AMEND SECTION 2-17-50, RELATING TO FAILURE TO FILE BY A LOBBYIST, TO AMEND THE PENALTIES FOR A SECOND OFFENSE; TO AMEND SECTION 4-11-60, RELATING TO COUNTY OFFICERS KEEPING RECORDS OF MONEY, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION; TO AMEND SECTION 5-21-130, RELATING TO THE UNLAWFUL USE OF A SPECIALLY LEVIED TAX, BY AMENDING THE PENALTY FOR A VIOLATION TO NOT MORE THAN SIX MONTHS IN PRISON; TO AMEND SECTION 5-21-500, RELATING TO A COUNTY OR MUNICIPAL COUNCIL MEMBER VOTING TO DIVERT FUNDS, TO DELETE THE MINIMUM PENALTY FOR A

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VIOLATION; TO AMEND SECTION 5-25-40, RELATING TO FAILURE TO INSTALL FIRE ALARM BOXES IN HOSPITALS AND SCHOOLS, TO DELETE THE MINIMUM PENALTY OF TEN DAYS IN PRISON FOR A VIOLATION; TO AMEND SECTION 5-31-20, RELATING TO INTERFERENCE WITH SEWERS AND WATERWORKS, TO AMEND THE PENALTY FOR A VIOLATION FROM THIRTY DAYS TO NOT MORE THAN THIRTY DAYS; TO AMEND SECTION 7-13-1910, RELATING TO THE UNLAWFUL POSSESSION OF VOTING MACHINES, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION OF TEN DAYS IN JAIL; TO AMEND SECTION 7-13-1920, RELATING TO THE UNLAWFUL TAMPERING OF VOTING MACHINES, TO DELETE THE MINIMUM PENALTY FOR A VIOLATION OF NOT LESS THAN THREE MONTHS IN PRISON; TO AMEND SECTION 8-1-40, RELATING TO FAILURE OF CLERK, SHERIFF, OR MAGISTRATE TO PAY OVER FINES OR PENALTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 8-3-60, RELATING TO PUBLIC OFFICIALS ASSUMPTION OF OFFICE BEFORE GIVING BOND, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 8-13-1510, RELATING TO ETHICS AND GOVERNMENT ACCOUNTABILITY, LATE FILING OR FAILURE TO FILE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-7-230, RELATING TO PUBLIC OFFICIALS FAILURE TO OBTAIN INSURANCE ON PUBLIC BUILDINGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-9-260, RELATING TO INTERFERING WITH STATE, DEPARTMENT, OR LICENSEES; PHOSPHATE MINING WITHOUT LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 10-11-325, RELATING TO POSSESSING, TRANSPORTING, DETONATING EXPLOSIVE OR INCENDIARY DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 11-15-90, RELATING TO FAILURE OF A

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POLITICAL SUBDIVISION DISBURSEMENT OFFICER TO MAKE PAYMENT OR REMIT FUNDS FOR PAYMENT OF OBLIGATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 11-15-290, RELATING TO FAILURE TO MAKE INVESTMENTS FROM SINKING FUNDS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-2470, RELATING TO OPERATING A PLACE OF AMUSEMENT WITHOUT A LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-2830, RELATING TO RECORD REQUIRED OF GROSS RECEIPTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-21-3080, RELATING TO INTERFERENCE WITH AMUSEMENT TAX ENFORCEMENT OR REFUSAL TO ALLOW INSPECTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-37-1130, RELATING TO PENALTIES FOR FALSE STATEMENTS TO THE DEPARTMENT OF REVENUE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 12-54-44, RELATING TO TAX OR REVENUE LAW PENALTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 14-9-240, RELATING TO JUDGES AND SOLICITORS PROHIBITED FROM PRACTICING LAW IN CERTAIN CAUSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 14-25-65, RELATING TO MAXIMUM PENALTIES THAT MUNICIPAL COURT MAY IMPOSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 15-43-70, RELATING TO VIOLATION OF INJUNCTION AND PUNISHMENT FOR CONTEMPT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-610, RELATING TO CERTAIN OFFENSES COMMITTED WITH A CARRIED OR CONCEALED DEADLY WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO

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AMEND SECTION 16-3-625, RELATING TO RESISTING ARREST WITH DEADLY WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-755, RELATING TO SEXUAL BATTERY WITH A STUDENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1045, RELATING TO USE OR EMPLOYMENT OF PERSON UNDER EIGHTEEN TO COMMIT CERTAIN CRIMES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1280, RELATING TO THE OFFENSE OF FALSE CLAIMS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTIONS 16-3-1710 AND 16-3-1720, RELATING TO THE OFFENSES OF HARASSMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1730, RELATING TO THE OFFENSE OF STALKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-3-1770, RELATING TO RESTRAINING ORDERS, TO AMEND THE SENTENCE; TO AMEND SECTION 16-3-2090, RELATING TO FORFEITURE OF PROPERTY USED IN TRAFFICKING IN PERSONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-9-230, RELATING TO PERSONS HOLDING OFFICE ACCEPTING EXTRA COMPENSATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-9-250, RELATING TO UNLAWFUL ACCEPTANCE OF REMUNERATION BY PEACE OFFICERS FOR PERFORMING OFFICIAL DUTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-130, RELATING TO BURNING PERSONAL PROPERTY TO DEFRAUD AN INSURER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-180, RELATING TO NEGLIGENTLY ALLOWING FIRE TO SPREAD TO PROPERTY OF ANOTHER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND

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SECTION 16-11-350, RELATING TO TRAIN ROBBERY BY STOPPING TRAIN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-360, RELATING TO ROBBERY AFTER ENTRY UPON TRAIN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-510, RELATING TO MALICIOUS INJURY TO ANIMALS AND OTHER PERSONAL PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-520, RELATING TO MALICIOUS INJURY TO TREE, HOUSE, OUTSIDE FENCE, OR FIXTURE; TRESPASS UPON REAL PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-535, RELATING TO MALICIOUS INJURY TO PLACE OF WORSHIP, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-590, RELATING TO DESTRUCTION OF SEA OATS OR VENUS'S FLYTRAP PLANTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-11-650, RELATING TO REMOVING, DESTROYING, OR LEAVING DOWN FENCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-13-10, RELATING TO THE OFFENSE OF FORGERY, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-30, RELATING TO PETIT LARCENY AND GRAND LARCENY, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-40, RELATING TO STEALING OF BONDS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-50, RELATING TO STEALING OF LIVESTOCK, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-66, RELATING TO STEALING OR DAMAGING AQUACULTURE OPERATIONS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-70, RELATING TO STEALING OF VESSELS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-110, RELATING TO THE OFFENSE OF SHOPLIFTING, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-180, RELATING

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TO THE OFFENSE OF RECEIVING STOLEN GOODS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-230, RELATING TO THE OFFENSE OF BREACH OF TRUST WITH FRAUDULENT INTENT, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-240, RELATING TO THE OFFENSE OF OBTAINING SIGNATURE OR PROPERTY BY FALSE PRETENSES, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-260, RELATING TO THE OFFENSE OF OBTAINING PROPERTY UNDER FALSE TOKENS OR LETTERS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-300, RELATING TO FRAUDULENT REMOVAL OR SECRETING OF PERSONAL PROPERTY ATTACHED OR LEVIED UPON, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-420, RELATING TO THE OFFENSE OF FAILURE TO RETURN LEASED OR RENTED PROPERTY, TO AMEND THE PENALTIES; TO AMEND SECTION 16-13-430, RELATING TO FRAUDULENT ACQUISITION OR USE OF FOOD STAMPS, TO AMEND THE PENALTIES; TO AMEND SECTION 16-14-60, RELATING TO FINANCIAL TRANSACTION CARD FRAUD, TO AMEND THE JURISDICTION OF MAGISTRATE'S COURT AND TO AMEND THE PENALTIES; TO AMEND SECTION 16-14-80, RELATING TO RECEIVING STOLEN GOODS, TO AMEND THE JURISDICTION OF THE MAGISTRATE'S COURT AND AMEND THE PENALTIES; TO AMEND SECTION 16-15-10, RELATING TO THE OFFENSE OF BIGAMY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-20, RELATING TO THE OFFENSE OF INCEST, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-60, RELATING TO THE OFFENSE OF ADULTERY OR FORNICATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-110, RELATING TO THE OFFENSE OF PROSTITUTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-15-120, RELATING TO THE ABOMINABLE

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CRIME OF BUGGERY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-310, RELATING TO THE OFFENSE OF IMITATION OF ORGANIZATIONS' NAMES OR EMBLEMS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-520, RELATING TO THE OFFENSE OF DISTURBANCE OF RELIGIOUS WORSHIP, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-570, RELATING TO INTERFERENCE WITH FIRE AND POLICE ALARM BOXES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-580, RELATING TO REMOVING STATE LINE MARKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-600, RELATING TO DESTRUCTION OR DESECRATION OF HUMAN REMAINS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-610, RELATING TO THE OFFENSE OF SOLICITING EMIGRANTS WITHOUT LICENSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-690, RELATING TO THE OFFENSE OF FORTUNE TELLING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-17-735, RELATING TO THE OFFENSE OF IMPERSONATING OFFICIALS OR LAW ENFORCEMENT OFFICERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-19-10, RELATING TO THE UNLAWFUL SETTING UP OF LOTTERIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-19-160, RELATING TO UNLAWFUL PUNCHBOARDS FOR GAMING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-21-80, RELATING TO THE OFFENSE OF RECEIVING, POSSESSING, CONCEALING, SELLING, OR DISPOSING OF STOLEN VEHICLE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO

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AMEND SECTION 16-23-450, RELATING TO THE OFFENSE OF PLACING LOADED TRAP GUN, SPRING GUN, OR LIKE DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-460, RELATING TO THE OFFENSE OF CARRYING A CONCEALED WEAPON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-730, RELATING TO HOAX DEVICE OR REPLICA OF DESTRUCTIVE DEVICE OR DETONATOR, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-740, RELATING TO HINDERING AN EXPLOSIVE ORDINANCE TECHNICIAN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 16-23-750, RELATING TO CONVEYING FALSE INFORMATION REGARDING ATTEMPTED USE OF A DESTRUCTIVE DEVICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTIONS 16-27-30 AND 16-27-40, RELATING TO THE OFFENSE OF ANIMAL FIGHTING OR BAITING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 17-25-20, RELATING TO PUNISHMENT FOR FELONY WHEN A PENALTY IS NOT SPECIALLY PROVIDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION AND TO REMOVE REFERENCE TO WORKHOUSE, HARD LABOR, AND SOLITARY CONFINEMENT; TO AMEND SECTION 20-1-210, RELATING TO LICENSE REQUIRED FOR MARRIAGE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 20-1-220, RELATING TO PROBATE JUDGE MARRIAGE LICENSE VIOLATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 20-3-220, RELATING TO UNLAWFUL ADVERTISING FOR PURPOSE OF PROCURING DIVORCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-1-70, RELATING TO DISPOSITION OF FINES AND PENALTIES IMPOSED AND COLLECTED IN

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CRIMINAL CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-1-140, RELATING TO RETURN OF BOOKS RECEIVED BY MAGISTRATE FROM COURT CLERK AT EXPIRATION OF MAGISTRATE'S TERM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-5-170, RELATING TO DUTY OF SPECIAL OFFICER APPOINTED BY MAGISTRATE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 22-7-40, RELATING TO RECEIPT OF CERTAIN COMPENSATION BY MAGISTRATE IN CRIMINAL CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-1-140, RELATING TO RURAL POLICEMEN SHALL NOT COLLECT FEES IN CERTAIN CASES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-310, RELATING TO IMPROPER RELEASE OF INFORMATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, TO REQUIRE THE COURT TO MAKE A FINDING ON THE RECORD THAT THE OFFENSE INCLUDED A CRIMINAL SEXUAL OFFENSE FOR A PERSON CONVICTED OF KIDNAPPING IN ORDER FOR THE OFFENDER TO BE PLACED ON THE SEX OFFENDER REGISTRY; TO AMEND SECTION 23-3-470, RELATING TO FAILURE TO REGISTER AS A SEX OFFENDER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-3-475, RELATING TO REGISTERING WITH FALSE INFORMATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-15-70, RELATING TO VIOLATION OF THE CALL OUT FOR ASSISTANCE OR POSSE COMITATUS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-35-150, RELATING TO FIREWORKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 23-36-170, RELATING

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TO EXPLOSIVES CONTROL ACT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-410, RELATING TO SALE OF PRISON-MADE PRODUCTS ON OPEN MARKET GENERALLY PROHIBITED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-420, RELATING TO PRISON INDUSTRIES VIOLATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-3-950, RELATING TO PRISON CONTRABAND, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-5-130, RELATING TO LEAVING JAILS UNATTENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-7-155, RELATING TO FURNISHING OR POSSESSING CONTRABAND IN JAIL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-260, RELATING TO FAILURE OF OFFICER HAVING CHARGE OF INMATE TO ALLOW DEDUCTION IN TIME OF SERVING SENTENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-410, RELATING TO UNLAWFUL ESCAPE OR POSSESSING TOOLS OR WEAPONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-430, RELATING TO RIOTING OR INCITING TO RIOT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 24-13-460, RELATING TO FURNISHING PRISONERS ALCOHOLIC BEVERAGES OR NARCOTIC DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 27-23-30, RELATING TO PUNISHMENT OF PARTIES TO FRAUDULENT CONVEYANCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 29-1-30, RELATING TO THE WILFUL SALE OF PROPERTY ON WHICH LIEN EXISTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 29-7-

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20, RELATING TO FAILURE TO PAY LABORERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 33-45-170, RELATING TO MEMBERSHIP IN COTTON COOPERATIVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-3-10, RELATING TO UNLAWFUL USE OF THE WORD "BANK" OR "BANKING", TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-3-80, RELATING TO CRIMINAL LIABILITY OF BANK OFFICIAL FURNISHING FALSE CERTIFICATE TO COMPTROLLER GENERAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-11-30, RELATING TO RECEIPT OF DEPOSITS OR TRUSTS AFTER KNOWLEDGE OF INSOLVENCY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 34-11-90, RELATING TO FRAUDULENT CHECKS, TO AMEND THE JURISDICTION OF MAGISTRATE'S COURT AND TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 36-9-410, RELATING TO UNLAWFUL SALE OR DISPOSAL OF PERSONAL PROPERTY SUBJECT TO SECURITY INTEREST, TO AMEND THE PENALTIES; TO AMEND SECTION 38-2-30, RELATING TO INSURANCE AND ACTING WITHOUT A LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 38-55-170, RELATING TO PRESENTING FALSE CLAIMS FOR PAYMENT, TO AMEND THE PENALTIES; TO AMEND SECTION 39-1-20, RELATING TO MAKING INTENTIONALLY UNTRUE STATEMENTS IN ADVERTISING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-1-80, RELATING TO INDUSTRIAL HYGIENE AND SAFETY PROFESSIONALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-10, RELATING TO MANUFACTURER'S USE OF MARKED BEER, SODA WATER OR, MINERAL WATER CONTAINERS OF OTHERS, TO DELETE THE MINIMUM

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SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-15, RELATING TO REQUIREMENTS FOR LABELING PRODUCT AS "PEAT", TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-480, RELATING TO UNAUTHORIZED POSSESSION OF MARKED OR BRANDED CONTAINERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-15-750, RELATING TO DESTRUCTION OF BRAND OR REMOVAL OR TRANSFER OF TIMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-19-510, RELATING TO FRAUD IN SALE OF LEAF TOBACCO, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-33-1320, RELATING TO BUTTERFAT CONTENT AND WEIGHT OF MILK, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-33-1540, RELATING TO UNAUTHORIZED USE OF STAMPED BOTTLES OF OTHER DEALERS IN MILK IN SAME COUNTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-41-160, RELATING TO FRAUDULENT VIOLATION OF PETROLEUM REQUIREMENTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-41-360, RELATING TO SALE OF LUBRICATING OILS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 39-51-120, RELATING TO ANTIFREEZE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-2-590, RELATING TO REGULATION OF ACCOUNTING PRACTITIONERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-8-190, RELATING TO PERPETUAL CARE CEMETERY ACT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-36-30, RELATING TO OCCUPATIONAL THERAPISTS PRACTICING WHILE LICENSE SUSPENDED OR REVOKED, TO DELETE THE

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MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-41-710, RELATING TO RETAILERS RECORD OF STOLEN PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-51-220, RELATING TO PODIATRY OR CHIROPODY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-56-200, RELATING TO FIRE CODES AND REGULATIONS ADOPTED BY STATE FIRE MARSHAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-59-30, RELATING TO RESIDENTIAL SPECIALTY CONTRACTING LICENSE REQUIREMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-69-200, RELATING TO UNLAWFUL PRACTICE OR FILING FALSE INFORMATION TO OBTAIN VETERINARY LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 40-82-200, RELATING TO OBTAINING LICENSE TO DO BUSINESS IN LIQUID PETROLEUM GAS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-1-20, RELATING TO UNLAWFUL DISCRIMINATION AGAINST UNION MEMBERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-1-60, RELATING TO TRANSACTIONS BETWEEN CARRIERS OR SHIPPERS AND LABOR ORGANIZATIONS PROHIBITED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-3-140, RELATING TO IMPEDING DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN PERFORMANCE OF HIS DUTIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 41-7-80, RELATING TO RIGHT TO WORK, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 42-5-45, RELATING TO PENALTY FOR FAILURE OF EMPLOYER TO SECURE PAYMENT OF COMPENSATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A

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VIOLATION; TO AMEND SECTION 42-5-240, RELATING TO ACTING AS AN INSURANCE AGENT WHILE SUSPENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-1-150, RELATING TO VIOLATION OF RULES OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-1-151, RELATING TO VIOLATIONS INVOLVING SHELLFISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-23-1080, RELATING TO PATIENTS AND PRISONERS DENIED ACCESS TO ALCOHOLIC BEVERAGES, FIREARMS, DANGEROUS WEAPONS, AND CONTROLLED SUBSTANCES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-52-165, RELATING TO PATIENTS RECEIVING ADDICTION SERVICES PROHIBITED FROM POSSESSING ALCOHOL, FIREARMS, WEAPONS, OR DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, TO AMEND THE PENALTIES, WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, TO AMEND THE PENALTIES, WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; TO AMEND SECTION 44-55-700, RELATING TO SEPTIC TANK INSTALLATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 44-61-70, RELATING TO EMERGENCY SERVICES AND HINDERING AN AGENT OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-2-40, RELATING TO VIOLATIONS

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COMMITTED BY PERSON ON PREMISES OR PROPERTY OF LODGING ESTABLISHMENT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-3-20, RELATING TO OBSTRUCTION OF HOTEL AND RESTAURANT INSPECTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 45-9-90, RELATING TO VIOLATION OF RIGHT TO EQUAL ENJOYMENT OF AND PRIVILEGES TO PUBLIC ACCOMMODATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-1-20, RELATING TO STEALING CROPS FROM THE FIELD, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-40, RELATING TO STEALING TOBACCO PLANTS FROM BEDS, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-60, RELATING TO MAKING AWAY WITH OR DISPOSING OF PRODUCE BEFORE PAYING, TO AMEND THE PENALTIES; TO AMEND SECTION 46-1-70, RELATING TO FACTORS OR COMMISSION MERCHANTS FAILING TO ACCOUNT FOR PRODUCE, TO AMEND THE PENALTIES; TO AMEND SECTION 46-9-80, RELATING TO INTERFERING WITH AGRICULTURE COMMISSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-9-90, RELATING TO STATE CROP PEST COMMISSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-17-400, RELATING TO AGRICULTURAL COMMODITIES MARKETING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 46-29-20, RELATING TO FRAUDULENT PACKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-1-40, RELATING TO ILL-TREATMENT OF ANIMALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-1-60, RELATING TO CUTTING MUSCLES OF TAILS OF HORSES, ASSES, AND MULES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-

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530, RELATING TO STEALING OR KILLING IDENTIFIABLE DOG, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-630, RELATING TO TEASING, MALTREATING, AND INJURING POLICE DOGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-3-950, RELATING TO UNAUTHORIZED CONTROL OVER GUIDE DOG OR SERVICE ANIMAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-7-160, RELATING TO UNLAWFUL RESCUING ANIMAL FROM CUSTODY OF PERSON IMPOUNDING IT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-9-410, RELATING TO LIVESTOCK BRANDING OR EARMARKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 47-13-70, RELATING TO SELLING FLESH OF DISEASED OR INJURED ANIMALS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 48-23-265, RELATING TO PAYMENT TO LANDOWNER FOR FOREST PRODUCTS PURCHASED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 48-43-550, RELATING TO REMOVAL OF DISCHARGES OF POLLUTANTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 49-1-50, RELATING TO SALE OR PURCHASE OF DRIFTED LUMBER OR TIMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-85, RELATING TO USE OF FIREARMS OR ARCHERY TACKLE IN CRIMINALLY NEGLIGENT MANNER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-125, RELATING TO TRAFFICKING IN WILDLIFE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-1-130, RELATING TO FISH, GAME, AND WATERCRAFT VIOLATIONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-5-

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730, RELATING TO TRAWLING NEAR PUBLIC FISHING PIER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-5-2535, RELATING TO MARINE RESOURCES ACT, ENGAGING IN PROHIBITED ACTIVITIES WHILE UNDER SUSPENSION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-100, RELATING TO ENCLOSURE IMPEDING FREE RANGE OF DEER BEING HUNTED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-730, RELATING TO UNLAWFUL TO HUNT, SHOOT, OR KILL DEER FROM A WATER CONVEYANCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-810, RELATING TO GAME BIRDS FOR WHICH NO SPECIFIC OPEN SEASON IS DESIGNATED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-852, RELATING TO THE UNLAWFUL MOLESTATION OR KILLING OF BIRDS OF PREY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1105, RELATING TO AUTHORITY OF DEPARTMENT OF NATURAL RESOURCES TO DECLARE CLOSED SEASON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1110, RELATING TO AUTHORITY OF DEPARTMENT TO CLOSE OR SHORTEN OPEN SEASON, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1340, RELATING TO RESPONSIBILITY OF MANAGER, OWNER, OR LICENSEE FOR VIOLATIONS ON PRESERVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-1730, RELATING TO TRANSPORTING OF GAME BIRDS OR ANIMALS OUT OF STATE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-11-2210, RELATING TO ABUSE OF WILDLIFE MANAGEMENT AREA, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND

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SECTION 50-11-2640, RELATING TO IMPORTING FOXES AND COYOTES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1210, RELATING TO PROHIBITION OF THE PERMANENT OBSTRUCTION TO MIGRATION OF FISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1410, RELATING TO POLLUTION OF WATERS INJURING FISH AND SHELLFISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1420, RELATING TO POISONING WATERS OR PRODUCING ELECTRIC CURRENTS TO CATCH FISH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1430, RELATING TO CASTING IMPURITIES IN WATERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-1630, RELATING TO IMPORTING, POSSESSING, OR SELLING CERTAIN FISH UNLAWFUL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-13-2015, RELATING TO FISH SANCTUARY IN ST. STEPHEN REDIVERSION CANAL, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-18-285, RELATING TO TAMPERING, DAMAGING, VANDALIZING, POISONING, OR STEALING OF AQUACULTURE PRODUCTS OR FACILITIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-251, RELATING TO SLADE LAKE FISHING AND RECREATIONAL REQUIREMENTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-590, RELATING TO FISHING NEAR GREENWOOD POWER PLANT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-19-1190, RELATING TO SHELLY LAKE FISH SANCTUARY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-112, RELATING TO BOATING UNDER THE INFLUENCE, TO DELETE THE

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MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-113, RELATING TO BOATING UNDER THE INFLUENCE RESULTING IN PROPERTY DAMAGE, GREAT BODILY INJURY, OR DEATH, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-21-117, RELATING TO OPERATION OF WATER DEVICE WHILE PRIVILEGES SUSPENDED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 50-23-385, RELATING TO HOUSEBOATS WITH WASTE-HOLDING TANKS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-1-40, RELATING TO CIRCUSES, CARNIVALS, AND TRAVELING SHOWS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-13-10, RELATING TO OPERATION OF DANCING HALL ON SUNDAY FORBIDDEN, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 52-13-40, RELATING TO DANCE HALLS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 54-11-50, RELATING TO DESTROYING, DAMAGING, OR OBSTRUCTING MONUMENTS OR BUILDINGS OF UNITED STATES COAST SURVEYS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-1-40, RELATING TO UNLAWFUL ENTRY OF AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-1-100, RELATING TO OPERATING OR ACTING AS FLIGHT CREW MEMBER OF AIRCRAFT WHILE UNDER INFLUENCE OF ALCOHOL OR DRUGS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 55-13-40, RELATING TO TRESPASSING, PARKING, DRIVING, OR DRAG RACING ON AIRPORT PROPERTY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-350, RELATING TO FAILURE TO RETURN CANCELLED OR SUSPENDED DRIVER'S LICENSE, TO DELETE THE

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MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-450, RELATING TO PENALTIES FOR UNLAWFUL OPERATION AFTER CONVICTION FOR WHICH SUSPENSION OR REVOCATION OF LICENSE MANDATORY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-460, RELATING TO PENALTIES FOR DRIVING WHILE LICENSE CANCELLED, SUSPENDED, OR REVOKED FOR DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-1-2070, RELATING TO DRIVING COMMERCIAL MOTOR VEHICLE WITHOUT VALID LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-1910, RELATING TO FORGERY OF LICENSE PLATES FOR HANDICAPPED PERSONS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-1960, RELATING TO TEMPORARY AND PERMANENT PARKING PLACARDS, ILLEGAL DUPLICATION, OR FORGERY, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-3-5400, RELATING TO FRATERNAL ORDER OF POLICE SPECIAL LICENSE PLATES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2930, RELATING TO DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2933, RELATING TO DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-5-2945, RELATING TO FELONY DRIVING UNDER THE INFLUENCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-9-340, RELATING TO FAILURE TO SURRENDER LICENSE AND REGISTRATION,

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TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-240, RELATING TO REQUIREMENT THAT UPON LOSS OF INSURANCE, INSURED OBTAIN NEW INSURANCE OR SURRENDER REGISTRATION AND PLATES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-250, RELATING TO THE UNLAWFUL SELLING OF A VEHICLE WITH SUSPENDED REGISTRATION TO FAMILY MEMBER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-260, RELATING TO FALSE CERTIFICATE OR FALSE EVIDENCE OF INSURANCE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 56-10-520, RELATING TO OPERATING A MOTOR VEHICLE WITHOUT PAYING UNINSURED MOTOR VEHICLE FEE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-7-20, RELATING TO PUTTING FOREIGN SUBSTANCES ON HIGHWAYS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-13-110, RELATING TO INJURY TO OR DESTRUCTION OF BRIDGES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 57-17-110, RELATING TO COUNTY APPORTIONMENT OF ROAD FUNDS THROUGH YEAR, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-15-840, RELATING TO TAKING OR REMOVING BRASSES, BEARINGS, WASTE, OR PACKING FROM RAILROAD CARS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-17-2760, RELATING TO RAILROADS, CONNECTING CARRIERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-17-4090, RELATING TO OBSTRUCTION OF RAILROAD, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-23-80, RELATING TO MOTOR VEHICLE CARRIERS, TO DELETE THE MINIMUM

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SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 58-23-920, RELATING TO INSURANCE REQUIRED OF OWNERS OF MOTOR VEHICLES TRANSPORTING GOODS FOR HIRE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-5-130, RELATING TO STATE BOARD OF EDUCATION, MEMBERS SHALL NOT CONTRACT WITH BOARD, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-19-310, RELATING TO EXERCISING OFFICE OF SCHOOL TRUSTEE AFTER TERMINATION OF OFFICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-25-30, RELATING TO OFFICIALS NOT PERMITTED TO DESIGNATE PLACE FOR TEACHER TO BOARD OR LIVE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-29-560, RELATING TO SCHOOL DISBURSEMENT OF AND ACCOUNTABILITY FOR FUNDS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-31-590, RELATING TO SCHOOL PERSONNEL NOT PERMITTED TO ACT AS AGENTS FOR PUBLISHERS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-120, RELATING TO PROHIBITION OF TAMPERING WITH SCHOOL BUS GOVERNORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-210, RELATING TO UNLAWFUL SCHOOL BUS PASSING ANOTHER SCHOOL BUS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-67-280, RELATING TO TRANSPORTATION OF PUPILS, SCHOOL BUSES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-69-260, RELATING TO OFFICIALS SHALL NOT ACQUIRE INTEREST IN CLAIMS OR CONTRACTS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-111-180, RELATING TO MISREPRESENTATION OF SCHOLARSHIP ELIGIBILITY,

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TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-116-80, RELATING TO IMPERSONATION OF CAMPUS POLICE OFFICER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-150-250, RELATING TO LOTTERY TICKET SALE TO A MINOR OR ACCEPTING LOTTERY PRIZE WHILE INCARCERATED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 59-152-150, RELATING TO DEVELOPMENT AND ADOPTION OF STANDARD FISCAL ACCOUNTABILITY SYSTEM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-2-240, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, INTERFERENCE WITH OFFICER AND ABUSIVE LANGUAGE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-2-250, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-20, RELATING TO SALE OF ALCOHOL WITHOUT TAXES LEVIED, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-160, RELATING TO DISCOUNT PRICING FOR ON-PREMISES ALCOHOL CONSUMPTION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-560, RELATING TO BEER, ALE, PORTER, AND WINE, OPERATION WITHOUT A PERMIT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-600, RELATING TO SURRENDER OF BEER OR WINE SALES LICENSE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-610, RELATING TO UNLAWFUL SALES OF BEER AND WINE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-780, RELATING TO PROVISIONS AFFECTING WINE SALES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-4-910, RELATING TO

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PROVISIONS AFFECTING BEER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4010, RELATING TO UNLAWFUL MANUFACTURE, POSSESSION, OR SALES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4025, RELATING TO POSSESSION OF UNLAWFULLY ACQUIRED OR MANUFACTURED ALCOHOLIC LIQUORS IN VEHICLE, VESSEL, OR AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4030, RELATING TO TRANSPORTATION OF ALCOHOLIC LIQUORS IN A VEHICLE FOR HIRE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4040, RELATING TO RENDERING AID IN UNLAWFUL TRANSPORTATION, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4050, RELATING TO PURCHASE FROM UNLICENSED ALCOHOL RETAIL DEALER, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4060, RELATING TO UNLICENSED STORAGE OF ALCOHOLIC LIQUORS IN PLACE OF BUSINESS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4100, RELATING TO DISTILLERIES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4110, RELATING TO KNOWING PERMISSION TO LOCATE DISTILLERY ON PREMISES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4120, RELATING TO MATERIALS USED IN THE MANUFACTURE OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4130, RELATING TO PRESENCE AT DISTILLERY PRIMA FACIE EVIDENCE OF GUILT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4140, RELATING TO EMPLOYMENT OF PERSONS UNDER

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THE AGE OF TWENTY-ONE YEARS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4150, RELATING TO SALE OF ALCOHOLIC LIQUORS FROM VEHICLE, VESSEL, OR AIRCRAFT, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4160, RELATING TO SUNDAY AND CHRISTMAS DAY SALES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4170, RELATING TO BILLBOARDS ENCOURAGING UNDERAGE DRINKING, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4180, RELATING TO POSSESSION OF FIREARM OR WEAPON BY SELLERS OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4200, RELATING TO DISPOSSESSION OR ATTEMPTED DISPOSSESSION OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4550, RELATING TO DISCOUNTING OF PRICES OF ALCOHOLIC LIQUORS, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-6-4700, RELATING TO CONSUMPTION OF ALCOHOLIC LIQUOR ON PREMISES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 61-8-50, RELATING TO CONTEMPT PROCEEDINGS RELATED TO REGULATION OF ALCOHOL SALES, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 63-19-1670, RELATING TO CONTRABAND IN DEPARTMENT OF JUVENILE JUSTICE, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; TO AMEND SECTION 63-19-2420, RELATING TO JUVENILE LOITERING IN A BILLIARD ROOM, TO DELETE THE MINIMUM SENTENCE REQUIRED FOR A VIOLATION; AND TO AMEND CHAPTER 22, TITLE 17, RELATING TO CRIMINAL INTERVENTION PROGRAMS, BY ADDING ARTICLE 13, TO ENACT THE "DRUG COURT

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PROGRAM ACT"; TO DIRECT EACH CIRCUIT SOLICITOR TO ESTABLISH A DRUG COURT PROGRAM FOR ADULTS AND JUVENILES; TO PROVIDE CRITERIA FOR THE ELIGIBILITY OF PERSONS CHARGED WITH NONVIOLENT OFFENSES; TO ALLOW EACH CIRCUIT SOLICITOR TO ESTABLISH AN OFFICE OF DRUG COURT PROGRAM COORDINATOR; TO DIRECT THE COMMISSION ON PROSECUTION COORDINATION TO ESTABLISH A STATE OFFICE OF DRUG COURT COORDINATION; TO PROVIDE FOR FEES FOR PARTICIPATION IN A DRUG COURT PROGRAM; TO PROVIDE FOR ANNUAL REPORTS DETAILING THE ACTIVITIES OF DRUG COURT PROGRAMS TO THE COMMISSION ON PROSECUTION COORDINATION, WITH A COPY PROVIDED TO THE SENTENCING REFORM OVERSIGHT COMMITTEE; AND TO PROVIDE FOR THE APPOINTMENT OF DRUG COURT JUDGES AND THEIR COMPENSATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 52 -- Senator Malloy: A BILL TO AMEND SECTION 16-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO HOMICIDE, TO REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR A PERSON CONVICTED OF MURDER, TO REMOVE THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE DEATH PENALTY, AND TO MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 16-3-655 TO REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR CRIMINAL SEXUAL CONDUCT WITH A MINOR WHO IS LESS THAN ELEVEN YEARS OF AGE, SECOND OFFENSE, TO REMOVE THE REQUIREMENTS FOR THE IMPLEMENTATION OF THE DEATH PENALTY, AND TO MAKE OTHER CONFORMING CHANGES; TO AMEND SECTION 10-11-325 TO REMOVE THE PENALTY OF DEATH AS A PUNISHMENT FOR THE USE OF AN EXPLOSIVE DEVICE ON THE CAPITOL

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GROUNDS RESULTING IN DEATH; TO AMEND SECTION 16-23-490 TO REMOVE THE REFERENCE TO THE DEATH PENALTY AS AN EXEMPTION TO THE FIVE YEAR CONSECUTIVE PENALTY FOR DISPLAYING A FIREARM IN THE COMMISSION OF A VIOLENT CRIME; TO AMEND SECTION 16-23-715 TO REMOVE THE PENALTY OF DEATH FOR A PERSON CONVICTED OF USE OF A WEAPON OF MASS DESTRUCTION IN FURTHERANCE OF AN ACT OF TERRORISM; TO AMEND SECTION 16-23-720 TO REMOVE THE PENALTY OF DEATH FOR A PERSON CONVICTED OF INTENTIONAL USE OF A DESTRUCTIVE DEVICE; TO AMEND SECTION 1-7-100 TO REMOVE THE OBLIGATION OF THE ATTORNEY GENERAL TO ASSIST SOLICITORS BY ATTENDING THE GRAND JURY IN CAPITAL CASES; TO AMEND SECTION 17-3-330 TO DELETE THE REQUIREMENT THAT THE OFFICE OF INDIGENT DEFENSE ROLL OVER UNEXPENDED FUNDS INTO A FUND FOR THE DEFENSE OF CAPITAL CASES; TO AMEND SECTION 17-3-520 TO REMOVE THE REQUIREMENT THAT A CIRCUIT PUBLIC DEFENDER BE CERTIFIED TO DEFEND CAPITAL CASES AND TO REMOVE THE REQUIREMENT THAT THE CIRCUIT PUBLIC DEFENDER MUST ESTABLISH PROCEDURES FOR ASSIGNING COUNSEL IN CAPITAL CASES; TO AMEND SECTION 17-17-10 TO REMOVE REFERENCES TO SOMEONE CHARGED WITH A FELONY PUNISHABLE BY DEATH RELATING TO THE ENTITLEMENT OF A WRIT OF HABEAS CORPUS; TO AMEND SECTION 17-25-45 TO REMOVE REFERENCES TO CASES INVOLVING THE DEATH PENALTY RELATING TO THE SENTENCING OF SERIOUS AND MOST SERIOUS OFFENSES; TO AMEND SECTION 17-27-130 TO REMOVE THE REQUIREMENT THAT COUNSEL FOR A DEFENDANT SENTENCED TO DEATH MUST MAINTAIN HIS FILES EXCEPT FOR THAT WHICH WAS ADMITTED INTO EVIDENCE AT TRIAL; TO AMEND SECTION 17-27-150 TO REMOVE THE PROVISION THAT A PARTY IN A CAPITAL POST CONVICTION RELIEF PROCEEDING IS ENTITLED TO DISCOVERY; TO AMEND

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SECTION 18-1-90 REMOVE THE REFERENCE TO DEFENDANTS SENTENCED TO DEATH FOR THE EXCLUSION OF THE RIGHT OF A DEFENDANT FOR BAIL; TO AMEND SECTION 22-5-310 TO REMOVE THE REFERENCE TO THE EXCEPTION OF CAPITAL CASES RELATING TO THE JURISDICTION OF MAGISTRATES; TO AMEND SECTION 24-3-40 TO REMOVE THE REFERENCE TO A PRISONER SENTENCED TO DEATH RELATING TO THE RIGHT TO HAVE PRISONER'S ESCROWED WAGES DISTRIBUTED TO THE PERSON OF HIS CHOICE; TO AMEND SECTIONS 24-13-125, 24-13-150, AND 24-21-560 TO REMOVE THE EXCEPTION OF DEATH PENALTY CASES IN REGARDS TO THE ELIGIBILITY OF WORK RELEASE, EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FOR INMATES IN THE DEPARTMENT OF CORRECTIONS; TO AMEND SECTION 25-7-40 TO REMOVE THE PENALTY OF DEATH FOR SOMEONE WHO, DURING TIMES OF WAR, COLLECTS, RECORDS, OR ATTEMPTS TO ELICIT CERTAIN MILITARY INFORMATION OR PLANS WITH THE INTENT TO COMMUNICATE THE INFORMATION TO THE ENEMY; TO REPEAL SECTION 1-7-340 RELATING TO THE ATTENDANCE AT INQUESTS AND PRELIMINARY HEARINGS IN CAPITAL CASES BY SOLICITORS; TO REPEAL SECTION 16-3-21 RELATING TO JURY INSTRUCTIONS IN CAPITAL CASES; TO REPEAL SECTION 16-3-25 RELATING TO THE REVIEW OF DEATH PENALTY CASES BY THE SUPREME COURT; TO REPEAL SECTION 16-3-26 RELATING TO THE APPOINTMENT OF COUNSEL FOR INDIGENT DEFENDANTS IN CASES WHERE THE DEATH PENALTY IS SOUGHT AND THE PAYMENT OF COSTS AND EXPENSES BY THE OFFICE OF INDIGENT DEFENSE; TO REPEAL SECTION 16-3-28 RELATING TO THE RIGHT OF A CAPITAL DEFENDANT TO HAVE LAST ARGUMENT AT TRIAL; TO REPEAL SECTION 17-19-80 RELATING TO THE RIGHT OF A PERSON INDICTED FOR A CAPITAL OFFENSE TO HAVE A COPY OF THE INDICTMENT; TO REPEAL SECTION 17-25-370 RELATING TO THE EXECUTION OF THE DEATH

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SENTENCE UPON AFFIRMANCE OF JUDGEMENT OR DISMISSAL OR ABANDONMENT OF APPEAL; TO REPEAL SECTION 17-25-380 RELATING TO THE NOTICE FOR THE IMPOSITION OF THE SENTENCE OF DEATH SENT TO THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS; TO REPEAL SECTION 17-25-390 RELATING TO THE RECEIPT OF THE NOTICE OF THE IMPOSITION OF THE SENTENCE OF DEATH; TO REPEAL SECTION 17-25-400 RELATING TO THE SERVICE OF NOTICE OF THE IMPOSITION OF THE SENTENCE OF DEATH ON THE DEFENDANT; TO REPEAL SECTION 17-27-160 RELATING TO POST-CONVICTION RELIEF PROCEDURES FOR CAPITAL CASES; TO REPEAL SECTION 18-9-20 RELATING TO REQUIREMENT THAT THE SUPREME COURT REVIEW THE CONVICTION OF EACH CAPITAL CASE; TO REPEAL SECTION 24-21-615 RELATING TO THE REVIEW OF PRISONER BENEFITS FOR PERSONS CONVICTED OF A CAPITAL OFFENSE BY THE PAROLE BOARD; AND TO REPEAL ARTICLE 5, CHAPTER 3, TITLE 24 RELATING TO THE REQUIREMENTS OF THE IMPOSITION OF A DEATH SENTENCE BY THE DEPARTMENT OF CORRECTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 53 -- Senators Malloy and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS, 1976, TO ENACT THE "SOUTH CAROLINA JUVENILE JUSTICE REFORM ACT", TO AMEND SECTION 63-1-20, RELATING TO THE CHILDREN'S POLICY OF SOUTH CAROLINA, TO INCLUDE WITHIN THE STATEMENT A PROVISION TO ESTABLISH A POLICY REGARDING THE CARE AND GUIDANCE OF CHILDREN WITHIN THE JUVENILE JUSTICE SYSTEM; TO AMEND CHAPTER 19, TITLE 63, RELATING TO THE JUVENILE JUSTICE CODE, BY ADDING ARTICLE 6 TO REQUIRE EACH CIRCUIT SOLICITOR TO ESTABLISH A JUVENILE OFFENDER CIVIL CITATION PROGRAM TO PROVIDE A CIVIL DIVERSION PROGRAM FOR CHILDREN

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WHO HAVE COMMITTED ACTS OF DELINQUENCY, AND TO ESTABLISH ELIGIBILITY AND PARTICIPATION REQUIREMENTS; TO AMEND SECTION 16-17-425, RELATING TO UNLAWFUL STUDENT THREATS, TO ESTABLISH THAT IT IS UNLAWFUL FOR A STUDENT TO MAKE A THREAT TO COMMIT AN ACT OF MASS VIOLENCE AT A SCHOOL, COLLEGE, OR UNIVERSITY, OR AT A SCHOOL-, COLLEGE-, OR UNIVERSITY-SPONSORED ACTIVITY, AND TO PROVIDE PENALTIES; TO AMEND SECTION 16-23-430, RELATING TO POSSESSION OF A WEAPON ON SCHOOL GROUNDS, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO CARRY, WHILE ON ELEMENTARY OR SECONDARY SCHOOL PROPERTY, A KNIFE, FIREARM, OR OTHER WEAPON WITH THE INTENT BY THE PERSON TO INFLICT SERIOUS BODILY INJURY OR DEATH, OR TO CARRY UPON HIS PERSON A WEAPON, DEVICE, OR OBJECT WITH THE INTENT TO INFLICT BODILY INJURY AND TO PROVIDE PENALTIES AND EXCEPTIONS; TO AMEND SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY STATUTE, BY REMOVING REFERENCES TO ADJUDICATED DELINQUENCIES; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 23, RELATING TO THE SEX OFFENDER REGISTRY, BY ADDING SECTION 23-3-435 TO REQUIRE THE COURT TO MAKE A FINDING TO DETERMINE IF A CHILD ADJUDICATED DELINQUENT FOR AN ELIGIBLE OFFENSE IS REQUIRED TO REGISTER AS A SEX OFFENDER OR PARTICIPATE IN ELECTRONIC MONITORING AND TO PROVIDE FOR THE CHILD THE ABILITY AT A LATER DATE TO REQUEST A HEARING TO END THE REQUIREMENTS OF REGISTERING AS A SEX OFFENDER OR PARTICIPATING IN ELECTRONIC MONITORING; TO AMEND SECTION 23-3-490, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, TO REQUIRE THAT ACCESS TO INFORMATION REGARDING A CHILD'S ADJUDICATION OF DELINQUENCY FOR A SEX OFFENDER STATUTE BE LIMITED TO VICTIMS, WITNESSES, CHILDCARE

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FACILITIES, OR BUSINESSES THAT PRIMARILY SERVE CHILDREN, WOMEN, OR VULNERABLE ADULTS; TO AMEND SECTION 23-3-540, RELATING TO ELECTRONIC MONITORING, TO CONFORM THE SEX OFFENDER STATUTE TO THE JUVENILE SECTION BY REMOVING REFERENCES TO DELINQUENCY AND THE DEPARTMENT OF JUVENILE JUSTICE; TO AMEND SECTION 63-1-40, RELATING TO THE DEFINITION OF "STATUS OFFENSE", TO REMOVE FROM THE DEFINITION PLAYING OR LOITERING IN A BILLIARD ROOM, PLAYING A PINBALL MACHINE, OR GAINING ADMISSION TO A THEATER BY FALSE IDENTIFICATION; TO AMEND SECTION 63-3-510, RELATING TO THE JURISDICTION OF THE FAMILY COURT, TO INCLUDE WITHIN THE COURT'S JURISDICTION A PETITION FOR REMOVAL FROM THE SEX OFFENDER REGISTRY IF THE ORDER ORIGINATED FROM THE FAMILY COURT; TO AMEND SECTION 63-3-520, RELATING TO THE CONCURRENT JURISDICTION OF FAMILY COURT AND MAGISTRATES COURT, TO INCREASE THE AGE OF CONCURRENT JURISDICTION FROM PERSONS UNDER SEVENTEEN YEARS OF AGE TO PERSONS UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTION 63-7-310, RELATING TO THE MANDATORY REPORTING OF CHILD ABUSE, TO REMOVE THE REQUIREMENT THAT A PERSON EMPLOYED BY A LAWYER MUST REPORT SUSPECTED ABUSE IF THE SUSPICION ARISES IN THE COURSE OF THE LEGAL REPRESENTATION; TO AMEND SECTION 63-19-20, RELATING TO THE DEFINITION OF "STATUS OFFENSE", TO REMOVE FROM THE DEFINITION PLAYING OR LOITERING IN A BILLIARD ROOM, PLAYING A PINBALL MACHINE, OR GAINING ADMISSION TO A THEATER BY FALSE IDENTIFICATION; TO AMEND CHAPTER 19, TITLE 63, BY ADDING ARTICLE 2 TO ESTABLISH THE "CHILDREN'S BILL OF RIGHTS" TO PROVIDE THAT A CHILD HAS THE RIGHT TO BE TREATED WITH BASIC HUMAN DIGNITY, TO BE PROVIDED NECESSARY CARE, MEDICAL TREATMENT,

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FOOD, EDUCATION, ACCESS TO FAMILY, ADVOCATES, AND LAWYERS, AND TO BE FREE FROM ABUSE, NEGLECT, AND HARASSMENT, AND TO PROVIDE FOR THE APPLICATION OF THESE RIGHTS; TO AMEND ARTICLE 1, CHAPTER 19, TITLE 63, BY ADDING SECTION 63-19-210 TO REQUIRE THAT LAW ENFORCEMENT MUST ARRANGE FOR A CHILD FIFTEEN YEARS OF AGE OR YOUNGER TO MEET WITH LEGAL COUNSEL PRIOR TO A CUSTODIAL INTERROGATION UNLESS THE OFFICER BELIEVES THAT THE INFORMATION SOUGHT IS NECESSARY TO PROTECT LIFE OR PROPERTY FROM AN IMMINENT THREAT; TO AMEND SECTION 63-19-340, RELATING TO THE ANNUAL REPORT BY THE DEPARTMENT OF JUVENILE JUSTICE, TO PROVIDE THAT THE REPORT MUST INCLUDE SPECIFIC STATISTICS RELATING TO CHILDREN REFERRED TO THE DEPARTMENT, THEIR RELATED OFFENSES AND SENTENCES; TO AMEND SECTION 63-19-350, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, TO REQUIRE THE DEPARTMENT TO DEVELOP AND UTILIZE STRUCTURED DECISION-MAKING TOOLS FOR ALL KEY POINTS OF THE JUVENILE JUSTICE PROCESS; TO AMEND SECTION 63-19-360 TO REQUIRE THE CHILD EVALUATION TO BE CONDUCTED BY THE DEPARTMENT TO INCLUDE A BIOPSYCHOSOCIAL ASSESSMENT AND A DETERMINATION OF THE CHILD'S MENTAL HEALTH FUNCTIONING; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63, RELATING TO CHILD DELINQUENCY PETITIONS, BY ADDING SECTION 63-19-362 TO REQUIRE THAT BEFORE SUBMITTING A PETITION FOR A CHILD IN ITS CUSTODY FOR A MISDEMEANOR THAT WOULD CARRY A MAXIMUM TERM OF IMPRISONMENT OF FIVE YEARS OR LESS, THE DEPARTMENT OF JUVENILE JUSTICE MUST ATTEMPT TO RESOLVE THE SITUATION THROUGH AVAILABLE ADMINISTRATIVE APPROACHES; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, BY ADDING SECTION 63-19-365

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TO PROHIBIT THE USE OF SOLITARY CONFINEMENT ON A CHILD AND PROVIDE LIMITS FOR THE USE OF CORRECTIVE ROOM RESTRICTIONS UPON CHILDREN WITHIN THE CUSTODY OF THE DEPARTMENT; TO AMEND SECTION 63-19-370, RELATING TO INTERDEPARTMENTAL AGREEMENTS, TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO ESTABLISH AGREEMENTS WITH THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF EDUCATION TO PROVIDE REENTRY SERVICES FOR CHILDREN RETURNING TO SCHOOLS AND COMMUNITIES FROM THE DEPARTMENT'S CUSTODY; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63 BY ADDING SECTION 63-19-500, RELATING TO THE DEPARTMENT OF JUVENILE JUSTICE, TO REQUIRE THAT THE DEPARTMENT ESTABLISH AT LEAST ONE PRE-DETENTION INTERVENTION PROGRAM IN EACH JUDICIAL CIRCUIT AND TO ESTABLISH PROGRAM REQUIREMENTS AND ELIGIBILITY; TO AMEND ARTICLE 3, CHAPTER 19, TITLE 63 BY ADDING SECTION 63-19-520 TO ESTABLISH THE JUVENILE JUSTICE IMPROVEMENT FUND, TO ALLOW THE DEPARTMENT OF JUVENILE JUSTICE TO DIVERT MONEYS SAVED FROM DECREASED RELIANCE ON OUT-OF-HOME PLACEMENT TO FUND COMMUNITY INTERVENTION PROGRAMS INCLUDING EDUCATIONAL, MENTAL HEALTH AND BEHAVIORAL HEALTH SERVICES; TO AMEND SECTION 63-19-810, RELATING TO THE TAKING OF A CHILD INTO CUSTODY BY LAW ENFORCEMENT, TO REMOVE A DUPLICATIVE NOTIFICATION PROVISION BY LAW ENFORCEMENT TO SCHOOL PRINCIPALS AND TO REQUIRE THAT ANY CHILD SEVENTEEN YEARS OF AGE OR OLDER, WHO HAS BEEN TAKEN INTO CUSTODY BUT WHO HAS NOT BEEN RELEASED TO A PARENT OR GUARDIAN, MUST HAVE A BOND HEARING BEFORE A MAGISTRATE; TO AMEND SECTION 63-19-820, RELATING TO THE PRE-TRIAL DETENTION OF CHILDREN, TO LIMIT SECURE PRE-TRIAL DETENTION TO CIRCUMSTANCES WHERE IT IS

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THE LEAST RESTRICTIVE APPROPRIATE OPTION AND IF THE CHILD IS CHARGED WITH A CRIME THAT WOULD BE A FIVE YEAR FELONY OR GREATER, HAS EXHAUSTED COMMUNITY-BASED ALTERNATIVES, OR IS CHARGED WITH UNLAWFUL STUDENT THREATS OR FAILURE TO STOP FOR A BLUE LIGHT, TO REMOVE THE ELIGIBILITY OF JUVENILES CHARGED AS AN ADULT TO BE HOUSED IN ADULT DETENTION FACILITIES, AND TO PROHIBIT THE SECURE DETENTION OF STATUS OFFENDERS; TO AMEND SECTION 63-19-830, RELATING TO JUVENILE DETENTION HEARINGS, TO ALLOW THE COURT TO ORDER A CHILD DETAINED IN AN APPROVED HOME, PROGRAM, OR FACILITY OTHER THAN A SECURE JUVENILE DETENTION FACILITY WHILE AWAITING TRIAL; TO AMEND SECTION 63-19-1010, RELATING TO JUVENILE INTAKE AND PROBATION, TO REQUIRE THAT A CHILD BROUGHT BEFORE THE FAMILY COURT SHALL HAVE A PRESUMPTION FOR DIVERSION IF CERTAIN CONDITIONS ARE MET OR IF THE SOLICITOR HAS GOOD CAUSE TO BELIEVE THAT DIVERSION WOULD BE INSUFFICIENT; TO AMEND SECTION 63-19-1020, RELATING TO THE INSTITUTION OF PROCEEDINGS FOR A JUVENILE, TO REQUIRE SERVICES TO BE OFFERED BEFORE THE DEPARTMENT MAY ACCEPT A REFERRAL FOR A STATUS OFFENSE OR FOR SCHOOL-BASED OFFENSES; TO AMEND SECTION 63-19-1030, RELATING TO JUVENILE PREHEARING INQUIRIES, TO ESTABLISH THAT THE PREHEARING INVESTIGATION IS OPTIONAL AND TO ESTABLISH THE PARENTS' RIGHT TO RECEIVE NOTICE OF THE CHARGES AND THEIR RIGHTS TO AN ATTORNEY IN EVERY CASE UPON SERVICE OF A PETITION; TO AMEND ARTICLE 9, CHAPTER 19, TITLE 63, RELATING TO INTAKE AND INITIATION OF PROCEEDINGS, BY ADDING SECTION 63-19-1050 TO PROHIBIT CHARGING A FEE TO A CHILD AS A CONDITION OF DIVERSION AND TO LIMIT THE AMOUNT OF RESTITUTION REQUIRED OF A CHILD IN DIVERSION TO FIVE HUNDRED DOLLARS; TO AMEND ARTICLE 9,

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CHAPTER 19, TITLE 63, BY ADDING SECTION 63-19-1070 TO ESTABLISH THAT THE FAMILY COURT MAY ADJOURN A CRIMINAL PROCEEDING AGAINST A JUVENILE IN CONTEMPLATION OF DISMISSAL UPON COMPLETION OF CERTAIN CONDITIONS ESTABLISHED BY THE COURT, AND TO ESTABLISH ELIGIBILITY AND PARTICIPATION REQUIREMENTS; TO AMEND SECTION 63-19-1210, RELATING TO THE TRANSFER OF JURISDICTION, TO ELIMINATE THE TRANSFER TO GENERAL SESSIONS FOR A CHILD FOURTEEN OR FIFTEEN YEARS OF AGE, TO ALLOW A CHILD WHO IS TRANSFERRED TO GENERAL SESSIONS WHO HAS BEEN CHARGED WITH MURDER TO BE ELIGIBLE TO RECEIVE A SENTENCE LESS THAN THE MANDATORY MINIMUM, AND TO ALLOW THE DETERMINATION BY THE COURT TO TRANSFER THE CHILD'S CASE TO GENERAL SESSIONS TO BE IMMEDIATELY APPEALABLE TO THE SUPREME COURT; TO AMEND SECTION 63-19-1410, RELATING TO THE ADJUDICATION OF DELINQUENCY, TO REQUIRE THE COURT TO ORDER THE LEAST RESTRICTIVE APPROPRIATE PLACEMENT FOR A CHILD ADJUDICATED DELINQUENT, TO LIMIT THE LENGTH OF PROBATION TO TWO YEARS FOR A FELONY OR ONE YEAR FOR A MISDEMEANOR OR STATUS OFFENSE UNLESS THE CHILD IS IN VIOLATION OF PROBATION, THERE IS AGREEMENT AMONGST THE PARTIES, OR THE CHILD IS PARTICIPATING IN A EVIDENCED-BASED PROGRAM THAT IS LONGER THAN THE ALLOWED TERM, TO LIMIT PROBATION TO NOT EXTEND AFTER A CHILD'S TWENTIETH BIRTHDAY, TO LIMIT THE IMPOSITION OF RESTITUTION FOR A CHILD UNDER THE AGE OF SIXTEEN UNLESS IT IS PROVEN THAT THE CHILD HAS THE ABILITY TO PAY, TO PROHIBIT THE CHILD FROM BEING ORDERED TO PAY FOR DRUG SCREENS UNLESS THE CHILD HAS INSURANCE TO COVER THE COST, AND TO ALLOW FOR THE DEPARTMENT OF JUVENILE JUSTICE TO PLACE THE CHILD ON ADMINISTRATIVE SUPERVISION FOR UP TO

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ONE YEAR TO PAY FOR RESTITUTION OR COMPLETE COMMUNITY SERVICE; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 63, RELATING TO THE DISPOSITIONAL POWERS OF THE FAMILY COURT, BY ADDING SECTION 63-19-1415 TO ALLOW THE CIRCUIT SOLICITORS TO OPERATE ONE OR MORE SPECIALTY TREATMENT COURTS IF ALLOWED BY THE SUPREME COURT; TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF A JUVENILE FOUND DELINQUENT BY THE COURT, TO LIMIT THE PLACEMENT OF A CHILD INTO THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE UNLESS THE CHILD COMMITS CERTAIN FELONIES, THE OFFENSE INVOLVES FIREARMS, THE CHILD HAS A RECORD OF CERTAIN OFFENSES, THE CHILD IS ADJUDICATED FOR A LESSER OFFENSE THAT WOULD HAVE BEEN A FELONY AND THE PARTIES AGREE THAT COMMITMENT IS IN THE BEST INTERESTS OF THE CHILD, TO REQUIRE THE COURT TO ISSUE INDIVIDUALIZED FINDINGS AS TO WHY THE COMMITMENT IS THE LEAST RESTRICTIVE SENTENCING OPTION TO PROTECT THE PUBLIC AND REHABILITATE THE CHILD, TO PROHIBIT THE COMMITMENT OF A CHILD WHO HAS BEEN ADJUDICATED FOR A STATUS OFFENSE OR A PROBATION REVOCATION RELATED TO A STATUS OFFENSE, TO ALLOW THE COURT TO SENTENCE A CHILD WHO HAS COMMITTED AN OFFENSE WHICH CARRIES FIFTEEN YEARS OR MORE TO A DETERMINATE SENTENCE OF UP TO ONE HUNDRED EIGHTY DAYS, AND TO LIMIT THE CONSECUTIVE SENTENCING TO NOT EXCEED THE TIME ELIGIBLE FOR AN INDETERMINATE SENTENCE, TO LIMIT THE ELIGIBILITY FOR RESIDENTIAL EVALUATIONS, AND TO ALLOW FOR THE CHILD TO GET TIME SERVED CREDIT FOR COMMITMENTS TO SHORT-TERM ALTERNATIVE PLACEMENTS; TO AMEND SECTION 63-19-1450 TO CLARIFY THAT A CHILD MAY NOT BE COMMITTED TO THE DEPARTMENT OF JUVENILE JUSTICE WHO IS

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HANDICAPPED BY MENTAL ILLNESS OR A DEVELOPMENTAL DISABILITY AND TO PROVIDE THAT THE COURT MAY ORDER AN EVALUATION AND HOLD A HEARING REGARDING WHETHER THE CHILD MUST BE COMMITTED TO THE SUPERVISION OF THE DEPARTMENT OF MENTAL HEALTH OR THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 63, RELATING TO THE POWERS OF THE FAMILY COURT, BY ADDING SECTION 63-19-1480 TO PROVIDE THAT THE FAMILY COURT MAY CONDUCT POST-DISPOSITIONAL REVIEWS TO DETERMINE IF THE PURPOSES OF THE CRIMINAL SENTENCING HAVE BEEN MET AND THE CHILD'S SENTENCE MAY BE CLOSED, THE HEARING BEING HELD ONLY AFTER ONE YEAR OR IF THE CHILD IS IN THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE, THEN AFTER SIX MONTHS; TO AMEND SECTION 63-19-1810, RELATING TO PAROLE AND AFTERCARE, TO REMOVE THE AUTHORITY OF THE COURT TO COMMIT A CHILD TO SECURE CUSTODY FOR A PROBATION REVOCATION IF THE CHILD IS ON PROBATION FOR A STATUS OFFENSE; TO AMEND SECTION 63-19-1820, RELATING TO THE BOARD OF JUVENILE PAROLE, TO REQUIRE THE RELEASING ENTITY TO DETERMINE THE LENGTH OF STAY GUIDELINES ARE BASED ON EVIDENCE-BASED BEST PRACTICES, THE RISKS OF REOFFENDING AND THE SEVERITY OF THE OFFENSE; TO AMEND 63-19-1835, RELATING TO COMPLIANCE REDUCTIONS FOR PROBATIONERS AND PAROLEES, TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO DEVELOP AND IMPLEMENT ADMINISTRATIVE COMMUNITY-BASED SANCTIONS FOR TECHNICAL VIOLATIONS OF PROBATION OR PAROLE; TO AMEND SECTION 63-19-2020, RELATING TO THE CONFIDENTIALITY OF JUVENILE RECORDS, TO REMOVE A REFERENCE TO A DELETED CRIMINAL OFFENSE, TO REQUIRE THE DEPARTMENT OF JUVENILE JUSTICE TO NOTIFY THE

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ADMINISTRATION OF A COLLEGE OR UNIVERSITY OF AN ENROLLED STUDENT'S CHARGES DELINEATED WITHIN THIS SECTION, AND TO ADD ASSAULT AND BATTERY IN THE FIRST OR SECOND DEGREES TO THE LIST OF CRIMES THAT MUST BE DISCLOSED TO SCHOOL OFFICIALS; TO AMEND SECTION 63-19-2030, RELATING TO THE JUVENILE LAW ENFORCEMENT RECORDS, TO REQUIRE LAW ENFORCEMENT TO PROVIDE CERTAIN INCIDENT REPORTS OF STUDENTS TO APPROPRIATE COLLEGE AND UNIVERSITY ADMINISTRATION, TO REMOVE THE REFERENCE TO ASSAULT AND BATTERY AGAINST SCHOOL PERSONNEL AND ADD THAT REPORTS OF ASSAULT AND BATTERY IN THE FIRST OR SECOND DEGREES MUST BE REPORTED, TO REQUIRE ANY SUCH NOTICE TO INCLUDE LANGUAGE THAT THE CHILD IS INNOCENT UNTIL PROVEN GUILTY, AND TO REQUIRE LAW ENFORCEMENT TO PROVIDE SUBSEQUENT UPDATES OF ANY DISMISSAL OR REDUCTION OF THE CHARGES; TO AMEND SECTION 63-19-2050, RELATING TO THE EXPUNGEMENT OF JUVENILE RECORDS, TO REQUIRE THE EXPUNGEMENT OF ALL OFFICIAL RECORDS RELATED TO THE ADJUDICATION OR DISPOSITION OF A STATUS OFFENSE UPON THE PERSON REACHING EIGHTEEN YEARS OF AGE OR AS SOON THEREAFTER AS HE COMPLETES ANY PENDING FAMILY COURT DISPOSITION AND TO REQUIRE THAT A CHILD SHALL NOT BE CHARGED FOR THE EXPUNGEMENT OF HIS RECORDS ORDERED UNDER THIS SECTION; TO AMEND ARTICLE 19, CHAPTER 18, TITLE 59, BY ADDING SECTION 59-18-1970, TO REQUIRE THAT A SCHOOL DISTRICT FOR A STUDENT WHO HAS TRANSFERRED BECAUSE OF HOMELESSNESS, STATUS AS A VICTIM OF ABUSE OR NEGLECT, ADJUDICATIONS OF DELINQUENCY, OR PLACEMENT IN A FACILITY FOR MENTAL HEALTH OR DEVELOPMENTAL DISABILITIES MUST CONTACT THE STUDENT'S PRIOR SCHOOL WITHIN TWO DAYS OF ENROLLMENT AND TO REQUIRE THE PREVIOUS SCHOOL DISTRICT TO SEND THE

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STUDENT'S RECORDS WITHIN TWO DAYS OF REQUEST TO THE NEW SCHOOL, AND TO REQUIRE THAT THE STUDENT RECEIVE TIMELY ASSISTANCE, EQUAL ACCESS, AND PRIORITY PLACEMENT RELATING TO THE TRANSFER; TO AMEND ARTICLE 19, CHAPTER 18, TITLE 59, BY ADDING SECTION 59-19-1980, TO REQUIRE SCHOOL DISTRICTS TO PROVIDE SCHOOL LIAISONS TO ASSIST STUDENTS TRANSFERRING DUE TO INVOLVEMENT IN THE JUVENILE JUSTICE SYSTEM; TO AMEND SECTION 59-24-60, RELATING TO THE REQUIREMENT OF SCHOOL OFFICIALS TO CONTACT LAW ENFORCEMENT, TO PROVIDE THAT SCHOOL OFFICIALS MUST CONTACT LAW ENFORCEMENT IF A PERSON COMMITS AN ACTION AT A SCHOOL OR SCHOOL SPONSORED EVENT THAT WOULD BE A FELONY OR A CRIME PUNISHABLE BY FIVE YEARS OR MORE, OR IF THE ACTION RESULTS IN SERIOUS INJURY; TO AMEND SECTION 59-63-210, RELATING TO SCHOOL DISCIPLINE, TO LIMIT THE AUTHORITY OF A SCHOOL DISTRICT TO EXPEL, SUSPEND, OR TRANSFER A PUPIL UNLESS HE COMMITS A FELONY, A CRIME THAT WOULD CARRY A MAXIMUM PUNISHMENT OF FIVE YEARS OR MORE IF COMMITTED BY AN ADULT, THERE IS A THREAT OF VIOLENCE, OR IF THERE IS A VICTIM AT THE SCHOOL WHO HAS A REASONABLE FEAR FOR HIS SAFETY, AND TO LIMIT THE AUTHORITY OF THE SCHOOL DISTRICT IF THE CONDUCT COMMITTED BY THE STUDENT OCCURRED OUTSIDE OF SCHOOL, THEN THE ACTION BY THE SCHOOL DISTRICT MUST ONLY OCCUR IF THE STUDENT'S CONDUCT AMOUNTED TO A VIOLENT OFFENSE OR RESULTED IN MODERATE OR GREAT BODILY INJURY; TO AMEND SECTION 59-63-1320, RELATING TO ALTERNATIVE SCHOOLS, TO RESTRICT THE AUTOMATIC PLACEMENT OF A CHILD RETURNING FROM THE CUSTODY OF THE DEPARTMENT OF JUVENILE JUSTICE TO AN ALTERNATIVE SCHOOL UNLESS THE PARENT OR GUARDIAN AND CHILD AGREE THAT SUCH PLACEMENT IS APPROPRIATE, THERE IS AN

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INTERVENTION ASSESSMENT THAT DETERMINES THAT THERE IS AN IMMINENT THREAT OR THE LIKELIHOOD OF SERIOUS MISCONDUCT, OR THERE IS A HEARING BY THE DISTRICT WITHIN TEN DAYS, OR IF THE CHILD HAS A DISABILITY UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT THEN THE DISTRICT MUST HOLD A TEAM MEETING TO DETERMINE THE MOST APPROPRIATE EDUCATIONAL PLACEMENT; AND TO REPEAL SECTIONS 63-19-2420 AND 63-19-2430 RELATING TO THE OFFENSES OF UNLAWFUL LOITERING IN A BILLIARD ROOM AND THE UNLAWFUL PLAYING OF PINBALL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 54 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE THE SALARY OF THE CHIEF JUSTICE AND TO PROVIDE FOR A TWO PERCENT ANNUAL INCREASE IN A FISCAL YEAR IN WHICH COMPENSATION IS INCREASED FOR ALL FULL-TIME STATE-APPROPRIATED EMPLOYEES; TO AMEND SECTION 1-7-325 OF THE 1976 CODE, RELATING TO COMPENSATION FOR SOLICITORS, TO PROVIDE THAT A SOLICITOR'S SALARY IS NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES OF SUPREME COURT JUSTICES OR COURT OF APPEALS, CIRCUIT COURT, OR FAMILY COURT JUDGES; AND TO AMEND SECTION 22-8-40(B)(2) OF THE 1976 CODE, RELATING TO MAGISTRATES' SALARIES, TO PROVIDE THAT MAGISTRATES' SALARIES ARE DETERMINED BY THE ANNUAL GENERAL APPROPRIATIONS ACT AND ARE NOT DIRECTLY TIED TO A PERCENTAGE OF THE SALARIES OF SUPREME COURT JUSTICES OR COURT OF APPEALS, CIRCUIT COURT, OR FAMILY COURT JUDGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 55 -- Senator Malloy: A BILL TO AMEND SECTION 14-1-200 OF THE 1976 CODE, RELATING TO THE SALARIES OF SUPREME COURT JUSTICES AND COURT OF APPEALS, CIRCUIT COURT, AND FAMILY COURT JUDGES, TO PROVIDE A SALARY SCHEDULE FOR THOSE JUDGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 56 -- Senator Malloy: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT CERTAIN STATEMENTS MADE DURING QUESTIONING OR INTERROGATION MUST BE AUDIO OR VIDEO RECORDED, TO PROVIDE THAT A COURT MUST INSTRUCT A JURY THAT IT MAY DRAW AN ADVERSE INFERENCE FOR A LAW ENFORCEMENT OFFICER WHO FAILS TO RECORD A STATEMENT, TO PROVIDE THE CIRCUMSTANCES IN WHICH A PERSON'S STATEMENT MAY BE USED FOR IMPEACHMENT PURPOSES, TO PROVIDE THE CIRCUMSTANCES IN WHICH A STATEMENT OBTAINED IN ANOTHER STATE OR BY THE FEDERAL GOVERNMENT IS ADMISSIBLE IN THIS STATE, TO PROVIDE THAT AN INAUDIBLE PORTION OF A RECORDING DOES NOT RENDER IT INADMISSIBLE, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 57 -- Senator Malloy: A BILL TO REPEAL ACT 140 OF 2016, RELATING TO DELETION OF THE PROHIBITION ON SERVING CONSECUTIVE TERMS BY THE CHAIRMAN OF THE WORKERS' COMPENSATION COMMISSION, THE PROVISION THAT THE GOVERNOR MAY REAPPOINT A CHAIRMAN, AND THE PROVISION THAT MEMBERS APPOINTED TO THE WORKERS' COMPENSATION COMMISSION ARE SUBJECT TO REMOVAL BY THE GOVERNOR IN CERTAIN CIRCUMSTANCES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 58 -- Senator Malloy: A BILL TO AMEND SECTION 34-39-180(E) OF THE 1976 CODE, RELATING TO RESTRICTIONS AND REQUIREMENTS FOR THE DEFERRED PRESENTMENT OR DEPOSIT OF CHECKS, TO PROVIDE THAT THE EFFECTIVE ANNUAL PERCENTAGE RATE CHARGED ON A DEFERRED PRESENTMENT TRANSACTION CANNOT EXCEED THIRTY-SIX PERCENT.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 59 -- Senator Malloy: A BILL TO AMEND SECTION 37-3-501(1) OF THE 1976 CODE, RELATING TO SUPERVISED LOANS, TO PROVIDE THAT SHORT-TERM VEHICLE SECURED LOANS ARE NOT SUPERVISED LOANS; TO AMEND ARTICLE 1, CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING SECTION 39-5-45, TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR SUPERVISED LENDERS TO PROVIDE SHORT-TERM VEHICLE SECURED LOANS; TO AMEND SECOND 37-3-413 OF THE 1976 CODE, RELATING TO SHORT-TERM VEHICLE SECURED LOANS, TO CAP THE LOAN INTEREST RATE FOR SPECIFIC LOAN

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AMOUNTS; TO AMEND CHAPTER 3, TITLE 37 OF THE 1976 CODE, RELATING TO LOANS, BY ADDING SECTIONS 37-3-414 AND 37-3-415, TO PROVIDE FOR A DATABASE TO PREVENT A PERSON FROM HAVING A SHORT-TERM VEHICLE SECURED LOAN THAT EXCEEDS A CERTAIN LIMIT AND TO TRACK LOAN TRANSACTIONS IN GENERAL, AND TO PROVIDE THAT ALL SHORT-TERM VEHICLE SECURED LOANS MAY ONLY BE MADE BY A LICENSEE; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 60 -- Senators Malloy, Fanning and Stephens: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO REQUIRE THE GENERAL ASSEMBLY, IN THE ANNUAL GENERAL APPROPRIATIONS ACT, TO APPROPRIATE FUNDS TO INSTALL, MAINTAIN, AND PROVIDE WIRELESS LOCAL AREA NETWORKS IN EVERY K-12 SCHOOL IN THIS STATE AND THEREAFTER TO APPROPRIATE FUNDS TO INSTALL, MAINTAIN, AND PROVIDE WIRELESS LOCAL AREA NETWORKS IN EVERY SCHOOL BUS IN THIS STATE, TO REQUIRE EACH DISTRICT TO ADOPT A PLAN TO MAKE SCHOOL BUSES AVAILABLE TO STUDENTS ON NON-SCHOOL DAYS, AND TO REQUIRE EACH DISTRICT TO ISSUE A REPORT DETAILING THE USE OF THE FUNDS APPROPRIATED.

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Prefiled and referred to the Committee on Education.

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

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S. 61 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 59 OF THE 1976 CODE, RELATING TO TEACHERS, BY ADDING SECTION 59-25-35, TO PROVIDE THAT SCHOOL DISTRICTS MAY PAY LUMP-SUM BONUSES TO AID IN RETAINING TEACHERS WHO EXCEL IN PROVIDING QUALITY INSTRUCTION, LEADERSHIP, OR BOTH, TO REQUIRE THAT BONUSES MUST BE APPROVED BY THE SCHOOL BOARD, TO CAP BONUSES AT NOT MORE THAN TWENTY PERCENT OF A TEACHER'S BASE SALARY, AND TO PROVIDE THAT THE PAYMENT OF BONUSES IS NOT A PART OF AN EMPLOYEE'S BASE SALARY AND IS NOT EARNABLE COMPENSATION FOR THE PURPOSES OF EMPLOYEE AND EMPLOYER CONTRIBUTIONS TO THE RESPECTIVE RETIREMENT SYSTEMS.

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Prefiled and referred to the Committee on Education.

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

S. 62 -- Senator Malloy: A BILL TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO THE STATUTORY SCHOOL YEAR, TO REMOVE REQUIREMENTS CONCERNING THE SPECIFIC NUMBER OF DAYS THAT MUST BE INCLUDED IN A SCHOOL YEAR, TO PROVIDE THAT A DISTRICT SHALL REPORT THE SCHOOL CALENDAR THAT IT SELECTS TO THE STATE BOARD OF EDUCATION, ALONG WITH A RATIONALE BEHIND THE STRUCTURE OF THE CALENDAR, TO PROVIDE THAT A LOCAL SCHOOL DISTRICT BOARD SHALL FOCUS ON STRUCTURING ITS CALENDAR TO MAXIMIZE THE EDUCATIONAL BENEFIT IN THE UNIQUE CIRCUMSTANCES OF EACH SCHOOL, AND TO SET FORTH REQUIREMENTS FOR A SCHOOL THAT WISHES TO OPERATE ON A MODIFIED YEAR-ROUND CALENDAR.

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Prefiled and referred to the Committee on Education.

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

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S. 63 -- Senators Malloy and Fanning: A BILL TO AMEND SECTION 59-1-425 OF THE 1976 CODE, RELATING TO THE STATUTORY SCHOOL TERM, TO PROVIDE THAT A SCHOOL SEEKING A WAIVER FROM THE STATUTORY SCHOOL TERM TO OPERATE ON A YEAR-ROUND MODIFIED SCHOOL CALENDAR SHALL SUBMIT TO THE STATE BOARD OF EDUCATION A PLAN DETAILING THE GOALS THAT THE SCHOOL CONSEQUENTLY SEEKS TO ACHIEVE, TO REQUIRE THE APPROVAL OF THE PLAN BY THE STATE BOARD OF EDUCATION BEFORE A WAIVER MAY BE GRANTED, TO REQUIRE THAT THE SCHOOL MUST ANNUALLY REPORT ITS PROGRESS TOWARD MEETING THESE GOALS TO THE STATE BOARD, TO REQUIRE THAT THE STATE BOARD MUST REVIEW THE REPORT AND MAKE A DETERMINATION ON WHETHER THE SCHOOL'S PROGRESS IS SATISFACTORY, TO PROVIDE THAT THE STATE BOARD MAY NOT INITIALLY REVOKE A WAIVER OF A SCHOOL FOR UNSATISFACTORY PROGRESS, TO PROVIDE THAT A SCHOOL CONSIDERED BY THE STATE BOARD TO HAVE MADE UNSATISFACTORY PROGRESS MUST BE PLACED ON PROBATION FOR ONE YEAR AND DEVELOP A PROBATION IMPROVEMENT PLAN, TO PROVIDE THAT THE STATE BOARD SHALL REVOKE THE WAIVER OF A SCHOOL THAT FAILS TO MAKE SATISFACTORY PROGRESS ON A PROBATION IMPROVEMENT PLAN AND DIRECT THE TRANSITION OF THE SCHOOL BACK TO THE STATUTORY SCHOOL TERM, AND TO PROVIDE THAT A SCHOOL THAT HAS HAD ITS WAIVER REVOKED MAY SUBSEQUENTLY APPLY FOR A WAIVER.

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Prefiled and referred to the Committee on Education.

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

S. 64 -- Senator Malloy: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 138, TO ESTABLISH THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS AND

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PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE FOR THE SERVICE OF TRUSTEES OR MEMBERS OF THE GOVERNING BODY OF CONSTITUENT INSTITUTIONS, AND TO PROVIDE THAT THE POWERS, DUTIES, AND RESPONSIBILITIES OF THE STATE COMMISSION ON HIGHER EDUCATION AND THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, NOT INCONSISTENT WITH CHAPTER 138, TITLE 59, ARE DEVOLVED UPON THE SOUTH CAROLINA COLLEGE AND UNIVERSITY BOARD OF REGENTS; TO REPEAL SECTION 59-53-10, RELATING TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND SECTION 59-103-10, RELATING TO THE STATE COMMISSION ON HIGHER EDUCATION; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Education.

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

S. 65 -- Senator Malloy: A BILL TO AMEND SECTION 22-3-10 OF THE 1976 CODE, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATE COURT, TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO FIFTEEN THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 66 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTHCARE PROFESSIONALS, BY ADDING SECTION 40-47-39, TO PROVIDE THAT A PHYSICIAN MUST BE A MEMBER OF THE SOUTH CAROLINA MEDICAL ASSOCIATION TO PRACTICE MEDICINE IN THIS STATE.

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TUESDAY, JANUARY 12, 2021

Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 67 -- Senator Malloy: A JOINT RESOLUTION TO CREATE THE "GAMBLING STUDY COMMITTEE" TO EXAMINE ISSUES RELATED TO REGULATING GAMBLING, TO PROVIDE FOR THE MEMBERSHIP, DUTIES, STAFFING, AND RESPONSIBILITIES OF THE STUDY COMMITTEE, AND TO PROVIDE THAT THE COMMITTEE SHALL REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 31, 2022, AT WHICH TIME THE STUDY COMMITTEE IS DISSOLVED.
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Prefiled and referred to the Committee on Judiciary.

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

S. 68 -- Senator Malloy: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT EACH LAW ENFORCEMENT AGENCY SHALL HAVE A WRITTEN POLICY REGARDING THE INVESTIGATION OF OFFICER-INVOLVED DEATHS, TO PROVIDE FOR THE CONTENTS OF THE POLICY, TO PROVIDE FOR INVESTIGATIONS, TO PROVIDE FOR REPORTS, TO PROVIDE FOR THE RELEASE OF A REPORT IF PROSECUTION IS NOT PURSUED, TO PROVIDE FOR NOTICES OF VICTIM'S RIGHTS, AND TO DEFINE NECESSARY TERMS.
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Prefiled and referred to the Committee on Judiciary.

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

S. 69 -- Senator Malloy: A BILL TO AMEND SECTION 24-13-40 OF THE 1976 CODE, RELATING TO THE COMPUTATION OF TIME SERVED BY PRISONERS, TO PROVIDE THAT A PRISONER MUST BE GIVEN TWO DAYS

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OF CREDIT FOR EVERY ONE DAY SERVED IN CUSTODY
PRIOR TO TRIAL AND SENTENCING.

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Prefiled and referred to the Committee on Corrections and
Penology.

Read the first time and referred to the Committee on Corrections
and Penology.

S. 70 -- Senator Malloy: A BILL TO ENACT THE "ASSET
FORFEITURE AND PRIVATE PROPERTY PROTECTION
ACT"; TO AMEND TITLE 17 OF THE 1976 CODE, RELATING
TO CRIMINAL PROCEDURES, BY ADDING CHAPTER 32,
TO PROVIDE FOR ASSET FORFEITURE AND PRIVATE
PROPERTY PROTECTION PROCESSES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 71 -- Senator Malloy: A BILL TO AMEND CHAPTER 23,
TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES
INVOLVING WEAPONS, BY ADDING ARTICLE 9, TO
REQUIRE THAT NO GUN TRANSFER PRECEDED BY A
CRIMINAL BACKGROUND CHECK MAY PROCEED
UNLESS THE CRIMINAL BACKGROUND CHECK HAS
CONCLUDED THAT THE SALE MAY PROCEED, OR UNTIL
AT LEAST TEN BUSINESS DAYS HAVE PASSED FROM
THE INITIATION OF THE BACKGROUND CHECK, A
SECOND APPLICATION HAS BEEN SUBMITTED, AND
ANOTHER TEN BUSINESS DAYS HAVE PASSED, AND TO
PROVIDE FOR CRIMINAL PENALTIES FOR VIOLATIONS
OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 72 -- Senator Malloy: A BILL TO AMEND CHAPTER 23, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES INVOLVING WEAPONS, BY ADDING ARTICLE 2, TO REQUIRE THAT ANY FIREARM TRANSFER MUST BE PRECEDED BY A CRIMINAL BACKGROUND CHECK PERFORMED BY A LICENSED FIREARMS DEALER WITH THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM, AND TO PROVIDE FOR EXCEPTIONS, NOTICE, AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 73 -- Senator Malloy: A BILL TO AMEND SECTION 11-35-1524(A) AND (B) OF THE 1976 CODE, RELATING TO RESIDENT VENDOR PREFERENCES, TO PROVIDE THAT A PROCUREMENT OFFICER SHALL DECREASE THE PRICE OF AN OFFER BY TWO PERCENT FOR AN END PRODUCT IF THE OFFER IS SUBMITTED BY A BUSINESS CERTIFYING THAT THE END PRODUCT WAS PRIMARILY MADE BY FORMER INMATES EMPLOYED BY THE BUSINESS; TO AMEND SECTION 11-35-4810(4) OF THE 1976 CODE, RELATING TO AUTHORIZED COOPERATIVE PURCHASING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 74 -- Senator Malloy: A BILL TO AMEND SECTION 59-117-10 OF THE 1976 CODE, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20 OF THE 1976 CODE, RELATING TO THE TERMS OF THE MEMBERS OF THE BOARD, TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS

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BEGINNING JULY 1, 2022; TO AMEND SECTION 59-117-40(5) OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE BOARD, TO PROVIDE THAT THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THAT THE CHAIRMAN SERVES A TWO-YEAR TERM, AND TO PROVIDE THAT A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN; AND TO AMEND SECTION 59-117-50 OF THE 1976 CODE, RELATING TO MEETINGS OF THE BOARD, TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

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Prefiled and referred to the Committee on Education.

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

S. 75 -- Senator Malloy: A BILL TO AMEND SECTION 15-3-555 OF THE 1976 CODE, RELATING TO THE STATUTE OF LIMITATIONS FOR AN ACTION TO RECOVER DAMAGES FOR AN INJURY ARISING OUT OF AN ACT OF SEXUAL ABUSE OR INCEST, TO RAISE THE AGE LIMITATION AND INCREASE THE TIME PERIOD DURING WHICH A PERSON MAY COMMENCE AN ACTION, TO PROVIDE THAT THIS STATUTE OF LIMITATIONS SHALL CONTROL IF THERE IS A CONFLICT, AND TO PROVIDE THAT AN ACTION THAT WOULD OTHERWISE BE TIME-BARRED MAY BE COMMENCED WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS ACT; AND TO AMEND SECTION 15-78-110 OF THE 1976 CODE, RELATING TO THE STATUTE OF LIMITATIONS FOR THE SOUTH CAROLINA TORT CLAIMS ACT, TO PROVIDE AN EXCEPTION TO THE TWO-YEAR STATUTE OF LIMITATIONS FOR ACTIONS RELATING TO TORT CLAIMS AGAINST THE STATE OR A POLITICAL SUBDIVISION OF THE STATE.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 76 -- Senator Malloy: A BILL TO AMEND SECTION 9-8-40 OF THE 1976 CODE, RELATING TO MEMBERSHIP IN THE RETIREMENT SYSTEM FOR JUDGES, SOLICITORS, AND PUBLIC DEFENDERS, TO REMOVE THE AGE LIMIT OF SEVENTY-TWO FOR THOSE ELIGIBLE TO BECOME MEMBERS OF THE SYSTEM; TO AMEND SECTION 9-8-60 OF THE 1976 CODE, RELATING TO RETIREMENT AND RETIREMENT ALLOWANCES, TO REMOVE THE REQUIREMENT THAT MEMBERS OF THE RETIREMENT SYSTEM FOR JUDGES, SOLICITORS, AND PUBLIC DEFENDERS MUST RETIRE BY THE END OF THE CALENDAR YEAR IN WHICH THEY TURN SEVENTY-TWO; AND TO REPEAL SECTION 22-1-25 OF THE 1976 CODE, RELATING TO THE MANDATORY RETIREMENT AGE FOR MAGISTRATES.

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Prefiled and referred to the Committee on Finance.

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

S. 77 -- Senator Malloy: A BILL TO DELETE SECTION 24-28-20(C) OF THE 1976 CODE, RELATING TO THE TERMINATION OF THE SENTENCING REFORM OVERSIGHT COMMITTEE, TO REESTABLISH THE SENTENCING REFORM OVERSIGHT COMMITTEE; AND TO AMEND SECTION 24-28-30(3)(C) OF THE 1976 CODE, RELATING TO ANNUAL REPORTS, TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 78 -- Senators Malloy and Campsen: A BILL TO AMEND SECTION 14-17-325 OF THE 1976 CODE, RELATING TO THE CLERK OF COURT REPORTING THE DISPOSITION OF EACH CASE IN THE COURT OF GENERAL SESSIONS, TO REQUIRE EVERY CLERK OF COURT TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS

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EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, AN ORDER OF A STATE FIREARMS PROHIBITION, OR ORDERS AS DIRECTED BY A JUDGE; TO AMEND CHAPTER 1, TITLE 22 OF THE 1976 CODE, RELATING TO MAGISTRATES GENERALLY, BY ADDING SECTION 22-1-200, TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, AN ORDER OF PROTECTION, AN ORDER OF A STATE FIREARMS PROHIBITION, OR ORDERS AS DIRECTED BY THE MAGISTRATE; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-250, TO REQUIRE MUNICIPAL JUDGES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, AN ORDER OF PROTECTION, AN ORDER OF A STATE FIREARMS PROHIBITION, OR ORDERS AS DIRECTED BY THE MUNICIPAL JUDGE; TO AMEND ARTICLE 5, CHAPTER 3, TITLE 63 OF THE 1976 CODE, RELATING TO JURISDICTION AND COURT POWERS AND PROCEDURES, BY ADDING SECTION 63-3-545, TO REQUIRE EVERY CLERK OF FAMILY COURT TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, WITHIN FORTY-EIGHT HOURS, THE RECEIPT OF A RESTRAINING ORDER, AN ORDER OF PROTECTION, OR ORDERS AS DIRECTED BY A JUDGE; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO REQUIRE

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EACH LAW ENFORCEMENT AGENCY TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TWENTY-FOUR HOURS THE FILING OF EACH INCIDENT REPORT, ORDER OF PROTECTION, RESTRAINING ORDER, ORDER, OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW; AND TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO THE COURTS, BY ADDING CHAPTER 32, TO CREATE THE JUDICIAL CRIMINAL INFORMATION TECHNOLOGY COMMITTEE AND TO ESTABLISH ITS MEMBERSHIP, DUTIES, AND RESPONSIBILITIES, INCLUDING THE STUDY OF AND RECOMMENDATIONS FOR THE IMPROVEMENT OF JUDICIAL AND LAW ENFORCEMENT INFORMATION TECHNOLOGY AND REPORTING.

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Prefiled and referred to the Committee on Judiciary.

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

S. 79 -- Senator Malloy: A BILL TO AMEND SECTION 44-23-430 OF THE 1976 CODE, RELATING TO HEARINGS CONCERNING A PERSON'S FITNESS TO STAND TRIAL, TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TREATMENT TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 80 -- Senator Malloy: A BILL TO ENACT THE "SOUTH CAROLINA FALSE CLAIMS ACT"; TO AMEND TITLE 15 OF THE 1976 CODE, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING CHAPTER 85, TO PROVIDE LIABILITY FOR FALSE OR FRAUDULENT CLAIMS UNDER CERTAIN CIRCUMSTANCES, PROCEDURES FOR CIVIL ACTIONS FOR FALSE CLAIMS, THE PROCEDURE AND CONTENTS OF CIVIL INVESTIGATIVE DEMANDS, AND CREATING THE STATE FALSE CLAIMS ACT INVESTIGATION AND PROSECUTION FUND, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 81 -- Senators Malloy and Goldfinch: A BILL TO AMEND SECTION 1-11-460 OF THE 1976 CODE, RELATING TO PAYMENTS OF JUDGMENTS AGAINST GOVERNMENTAL EMPLOYEES AND OFFICIALS IN EXCESS OF ONE MILLION DOLLARS, TO RAISE THE LIMIT ON JUDGMENTS FROM ONE MILLION TO TWO MILLION DOLLARS, TO APPLY THE STATUTE TO CHARITABLE HOSPITALS AND GOVERNMENTAL ENTITIES AS WELL, TO ELIMINATE THE LIMITATION THAT THE PAYMENTS ON JUDGMENTS BE LIMITED TO THOSE RENDERED UNDER 42 U.S.C. SECTION 1983, TO PROHIBIT PAYMENT FROM THE FUND FOR PUNITIVE DAMAGES, AND TO REQUIRE THAT ANY AUTHORIZED PAYMENTS COME FROM THE STATE'S CATASTROPHIC FUND; TO AMEND SECTION 15-78-40 OF THE 1976 CODE, RELATING TO THE TORT LIABILITY OF THE STATE, AN AGENCY, A POLITICAL SUBDIVISION, OR A GOVERNMENTAL ENTITY, GENERALLY, TO REQUIRE THAT THE STATE, AN AGENCY, A POLITICAL SUBDIVISION, AND A GOVERNMENTAL ENTITY ARE LIABLE FOR THEIR TORTS IN THE SAME MANNER AND TO THE SAME EXTENT AS A PRIVATE INDIVIDUAL SUBJECT TO THE PROVISION ALLOWING FOR A THIRD PARTY BAD FAITH

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CLAIM AGAINST AN INSURER; TO AMEND SECTION 15-78-60 OF THE 1976 CODE, RELATING TO EXCEPTIONS TO A WAIVER OF IMMUNITY IN THE SOUTH CAROLINA TORT CLAIMS ACT, TO AMEND AND REORGANIZE THE EXISTING EXCEPTIONS AND TO DELETE THE EXCEPTION GIVING IMMUNITY TO GOVERNMENTAL ENTITIES THAT FAIL TO ADOPT, ENFORCE, OR COMPLY WITH ANY LAW; TO AMEND SECTION 15-78-80(g) OF THE 1976 CODE, RELATING TO FILING A VERIFIED CLAIM, THE HANDLING AND DISPOSITION OF CLAIMS, AND THE REQUIREMENT THAT AGENCIES AND POLITICAL SUBDIVISIONS COOPERATE WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY, TO PROHIBIT THE INSURANCE RESERVE FUND FROM CHARGING AN INSURED ADDITIONAL CONTRIBUTIONS WHEN THE FILED CLAIM IS WITHIN THE POLICY LIMITS; TO AMEND SECTION 15-78-120(b) OF THE 1976 CODE, RELATING TO THE LIMITATIONS ON LIABILITY AND THE PROHIBITION AGAINST RECOVERY OF PUNITIVE OR EXEMPLARY DAMAGES OR PREJUDGMENT INTEREST, TO ALLOW FOR COURT COSTS AND INTEREST FROM THE DATE OF THE OFFER OF JUDGMENT OVER AND ABOVE THE LIABILITY LIMITS AS A CONSEQUENCE OF NONACCEPTANCE WHEN AN OFFER OF JUDGMENT HAS BEEN FILED IN A CASE AND TO ALLOW A THIRD PARTY CLAIMANT TO BRING A BAD FAITH ACTION AGAINST AN INSURER AND RECOVER UP TO ONE MILLION DOLLARS; TO AMEND CHAPTER 78, TITLE 15 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT, BY ADDING SECTION 15-78-125, TO PROVIDE PROCESS AND PROCEDURES RELATED TO THE STATE'S CATASTROPHIC INJURY FUND; AND TO CREATE THE TORT REFORM STUDY COMMITTEE TO DEVELOP AND RECOMMEND LEGISLATION TO ASSIST THE GENERAL ASSEMBLY IN ENACTING AND

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IMPLEMENTING THE STATE'S CATASTROPHIC FUND;
AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Judiciary.

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

S. 83 -- Senator Malloy: A JOINT RESOLUTION TO PROVIDE FOR A STATEWIDE ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2022 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF THIS STATE FAVOR MEDICAID EXPANSION.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 84 -- Senator Malloy: A BILL TO AMEND SECTION 7-13-710(D)(1) AND (2) OF THE 1976 CODE, RELATING TO THE PRESENTATION OF IDENTIFICATION WHEN AN ELECTOR PRESENTS HIMSELF TO VOTE, TO PROVIDE THAT AN ELECTOR WHO FAILS TO PRODUCE A VALID AND CURRENT PHOTOGRAPH IDENTIFICATION MAY COMPLETE A WRITTEN STATEMENT AT THE POLLING

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PLACE AND AFFIRM THAT HE MEETS CERTAIN QUALIFICATIONS, TO PROVIDE THAT THE STATEMENT AND THE ELECTOR'S PROVISIONAL BALLOT MUST BE FILED WITH THE COUNTY BOARD OF REGISTRATION AND ELECTIONS, AND TO PROVIDE THAT THE COUNTY BOARD OF REGISTRATION AND ELECTIONS SHALL FIND THAT A PROVISIONAL BALLOT IS VALID, UNLESS THE BOARD HAS GROUNDS TO BELIEVE THE STATEMENT IS FALSE, IF THE BOARD DETERMINES THAT THE VOTER WAS CHALLENGED ONLY FOR THE INABILITY TO PROVIDE PROOF OF IDENTIFICATION AND THE REQUIRED STATEMENT IS SUBMITTED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 85 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO GRANT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY TO CONDUCT AN INVESTIGATION OF ALL OFFICER-INVOLVED SHOOTINGS THAT RESULT, OR COULD HAVE RESULTED, IN BODILY INJURY OR DEATH, TO ALLOW FOR AN INVESTIGATION OF AN OFFICER-INVOLVED SHOOTING TO BE COMPLETED BY A SEPARATE LAW ENFORCEMENT AGENCY IN CERTAIN CIRCUMSTANCES, TO ESTABLISH A PROTOCOL FOR EVIDENCE COLLECTION AND PROCESSING IN CERTAIN CIRCUMSTANCES, TO GRANT AN INVESTIGATING OFFICER THE SAME AUTHORITY AS HE WOULD HAVE IN HIS HOME JURISDICTION FOR THE DURATION OF AN INVESTIGATION, TO ESTABLISH A PROCEDURE FOR THE FORWARDING OF EVIDENCE TO THE CIRCUIT SOLICITOR UPON COMPLETION OF AN INVESTIGATION,

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AND TO ESTABLISH PENALTIES FOR THE FAILURE TO COMPLETE AN INDEPENDENT INVESTIGATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 86 -- Senator Malloy: A BILL TO AMEND SECTION 59-156-120(A) OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO EXPAND THE PROGRAM IN THE 2021-2022 SCHOOL YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON EACH DISTRICT'S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2023-2024 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN WITHIN FIVE YEARS OF THE PROGRAM'S EXPANSION FOR ALL DISTRICTS; TO AMEND SECTION 59-156-130(B)(2) OF THE 1976 CODE, RELATING TO ELIGIBILITY FOR ENROLLMENT IN THE PROGRAM, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-156-140(C) OF THE 1976 CODE, RELATING TO PROVIDER APPLICATIONS, TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-156-220(A) OF THE 1976 CODE, RELATING TO THE FUNDING OF THE PROGRAM, TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2021-2022 SCHOOL YEAR.

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Prefiled and referred to the Committee on Education.

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

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 59-156-120(A) OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF THE SOUTH CAROLINA CHILD EARLY READING DEVELOPMENT AND EDUCATION PROGRAM, TO EXPAND THE PROGRAM IN THE 2021-2022 SCHOOL

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YEAR TO QUALIFIED CHILDREN RESIDING IN OTHER DISTRICTS BASED UPON EACH DISTRICT'S POVERTY INDEX, TO EXPAND THE PROGRAM IN THE 2023-2024 SCHOOL YEAR TO ALL QUALIFIED CHILDREN IN ALL SCHOOL DISTRICTS, AND TO EXPAND THE PROGRAM TO INCLUDE ALL CHILDREN WITHIN FIVE YEARS OF THE PROGRAM'S EXPANSION FOR ALL DISTRICTS; TO AMEND SECTION 59-156-130(B)(2) OF THE 1976 CODE, RELATING TO ELIGIBILITY FOR ENROLLMENT IN THE PROGRAM, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-156-140(C) OF THE 1976 CODE, RELATING TO PROVIDER APPLICATIONS, TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 59-156-220(A) OF THE 1976 CODE, RELATING TO THE FUNDING OF THE PROGRAM, TO REQUIRE THE GENERAL ASSEMBLY TO FUND THE PROGRAM IN THE ANNUAL GENERAL APPROPRIATIONS ACT, AND TO SET THE RATE FOR THE 2021-2022 SCHOOL YEAR.

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Prefiled and referred to the Committee on Education.

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

S. 88 -- Senator Malloy: A BILL TO AMEND SECTION 16-3-20(C)(a) OF THE 1976 CODE, RELATING TO STATUTORY AGGRAVATING CIRCUMSTANCES APPLICABLE TO THE PUNISHMENT FOR MURDER, TO ADD AS A STATUTORY AGGRAVATING CIRCUMSTANCE CASES IN WHICH A MURDER WAS COMMITTED AGAINST A PERSON BECAUSE OF THE PERSON'S ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 89 -- Senator Malloy: A BILL TO AMEND SECTION 16-5-50 OF THE 1976 CODE, RELATING TO THE PENALTY FOR HINDERING A LAW ENFORCEMENT OFFICER OR RESCUING A PRISONER, TO PROVIDE THAT A PERSON WHO HINDERS A LAW ENFORCEMENT OFFICER IS GUILTY OF A MISDEMEANOR, AND TO PROVIDE THAT AN OFFICER SHALL NOT INTERFERE WITH A PERSON PHOTOGRAPHING OR RECORDING AN OFFICER IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 16-9-320 OF THE 1976 CODE, RELATING TO OPPOSING, RESISTING, OR ASSAULTING A LAW ENFORCEMENT OFFICER SERVING PROCESS, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

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Prefiled and referred to the Committee on Judiciary.

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

S. 91 -- Senators Malloy and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 17 OF THE 1976 CODE, RELATING TO CONVICTIONS AND SENTENCES, BY ADDING SECTION 17-25-40, TO PROVIDE THAT A PERSON MUST NOT BE SENTENCED TO DEATH OR A TERM OF IMPRISONMENT FOR LIFE WITHOUT THE POSSIBILITY

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OF PAROLE IF THAT PERSON WAS YOUNGER THAN EIGHTEEN YEARS OF AGE AT THE TIME THE RELEVANT OFFENSE WAS COMMITTED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 92 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF OFFICERS, TO EXEMPT MEMBERS OF COLLEGE OR UNIVERSITY BOARDS OF TRUSTEES FROM THE REQUIREMENT THAT THEY POSSESS THE QUALIFICATIONS OF AN ELECTOR, AND TO REMOVE ARCHAIC REFERENCES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 93 -- Senator Malloy: A BILL TO ENACT THE "DRUG COURT PROGRAM ACT"; TO AMEND CHAPTER 22, TITLE 17 OF THE 1976 CODE, RELATING TO CRIMINAL INTERVENTION PROGRAMS, BY ADDING ARTICLE 13, TO DIRECT EACH CIRCUIT SOLICITOR TO ESTABLISH A DRUG COURT PROGRAM FOR ADULTS AND JUVENILES, TO PROVIDE CRITERIA FOR THE ELIGIBILITY OF PERSONS CHARGED WITH NONVIOLENT OFFENSES, TO ALLOW EACH CIRCUIT SOLICITOR TO ESTABLISH AN OFFICE OF DRUG COURT PROGRAM COORDINATOR, TO DIRECT THE COMMISSION ON PROSECUTION COORDINATION TO ESTABLISH A STATE OFFICE OF DRUG COURT COORDINATION, TO PROVIDE FOR FEES FOR PARTICIPATION IN A DRUG COURT PROGRAM, TO PROVIDE FOR ANNUAL REPORTS DETAILING THE ACTIVITIES OF DRUG COURT PROGRAMS TO THE COMMISSION ON PROSECUTION COORDINATION AND THE SENTENCING REFORM OVERSIGHT COMMITTEE,

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AND TO PROVIDE FOR THE APPOINTMENT OF DRUG COURT JUDGES AND THEIR COMPENSATION.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Judiciary.

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

S. 95 -- Senator Malloy: A CONCURRENT RESOLUTION TO CREATE THE "STUDY COMMITTEE ON RACIAL PROFILING" TO REVIEW LAW ENFORCEMENT POLICIES, PRACTICES, AND PROCEDURES REGARDING RACIAL PROFILING AND MAKE A REPORT OF RECOMMENDATIONS TO THE GENERAL ASSEMBLY REGARDING PROPOSED CHANGES TO THE LAWS REGARDING SUCH POLICIES, PRACTICES, AND PROCEDURES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 96 -- Senator Malloy: A BILL TO AMEND SECTION 40-5-20 OF THE 1976 CODE, RELATING TO THE SUPREME COURT'S AUTHORITY TO PROMULGATE RULES AND REGULATIONS CONCERNING THE PRACTICE OF LAW AND THE ESTABLISHMENT OF THE SOUTH CAROLINA

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BAR, TO PROVIDE THAT THE SUPREME COURT MAY PROMULGATE RULES AND REGULATIONS DEFINING AND REGULATING THE PRACTICE OF LAW SUBJECT TO STATUTORY LAW AND DETERMINING THE QUALIFICATIONS AND REQUIREMENTS FOR ADMISSION TO THE PRACTICE OF LAW AND THE LICENSURE OF ATTORNEYS IN THIS STATE, TO PROVIDE THAT ANY PROVISION OF LAW OR RULE THAT REQUIRES AN ATTORNEY TO BE A MEMBER OF THE SOUTH CAROLINA BAR IS SUPERSEDED AND OF NO FORCE AND EFFECT, AND TO DELETE INCONSISTENT PROVISIONS RELATED TO THE BAR; AND TO AMEND SECTION 40-5-310 OF THE 1976 CODE, RELATING TO PRACTICING LAW OR SOLICITING THE LEGAL CAUSE OF ANOTHER WITHOUT BEING ENROLLED AS A MEMBER OF THE SOUTH CAROLINA BAR, TO PROVIDE THAT NO PERSON MAY PRACTICE LAW UNLESS HE IS LICENSED BY THE SUPREME COURT, AND TO DELETE THE REQUIREMENT THAT A PERSON BE A MEMBER OF THE SOUTH CAROLINA BAR.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 97 -- Senator Malloy: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING SECTION 39-5-45, TO PROVIDE THAT A PERSON WHO ACCEPTS A CHECK FOR A DEFERRED PRESENTMENT TRANSACTION VIOLATES THE SOUTH CAROLINA UNFAIR TRADE PRACTICES ACT; AND TO REPEAL CHAPTER 39, TITLE 34 OF THE 1976 CODE, RELATING TO DEFERRED PRESENTMENT SERVICES.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 98 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO MISCELLANEOUS MATTERS, BY ADDING SECTION 16, TO PROVIDE THAT THE GENERAL ASSEMBLY MAY PROVIDE FOR THE CONDUCT OF GAMBLING AND GAMING ACTIVITIES IN CERTAIN AREAS OF THE STATE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT ANY GAMBLING OR GAMING ACTIVITIES MUST BE STRICTLY REGULATED, TO PROVIDE FOR THE ALLOCATION OF ANY REVENUES; AND PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO OFFICERS GAMBLING AND BETTING, BY DELETING SECTION 8, TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL FOR A PERSON HOLDING AN OFFICE OF HONOR, TRUST, OR PROFIT TO ENGAGE IN GAMBLING OR BETTING ON GAMES OF CHANCE, AND TO REQUIRE AN OFFICER'S REMOVAL FROM OFFICE UPON CONVICTION FOR A GAMBLING OFFENSE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 99 -- Senator Malloy: A BILL TO REPEAL ACT 233 OF 2018, RELATING TO THE PROVISION THAT WORKERS' COMPENSATION COMMISSION HEARINGS CONCERNING COMPENSATION PAYABLE MUST BE HELD IN THE DISTRICTS IN WHICH THE INJURIES OCCURRED INSTEAD OF THE CITIES OR COUNTIES IN WHICH THE INJURIES OCCURRED, PROVIDED THAT THE LOCATION MUST BE NO GREATER THAN SEVENTY-FIVE MILES FROM THE COUNTY SEAT OF THE COUNTY IN WHICH

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THE INJURY OCCURRED, AND TO THE DEFINITION OF NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 100 -- Senator Cromer: A BILL TO AMEND SECTION 58-33-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY" AND TO PROVIDE DEFINITIONS FOR "DOD SITING CLEARINGHOUSE", "NOTICE OF PRESUMED RISK", "ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS", "MAJOR MILITARY BASE", AND "WIND ENERGY FACILITY"; TO AMEND SECTION 58-33-120, RELATING TO APPLICATIONS FOR A CERTIFICATE TO CONSTRUCT A UTILITY FACILITY, SO AS TO PROVIDE THAT CERTAIN INFORMATION REGARDING WIND ENERGY FACILITIES MUST BE INCLUDED ON THE APPLICATION; AND TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES ALSO SHALL INCLUDE THE SOUTH CAROLINA AERONAUTICS COMMISSION AND THE DOD SITING CLEARINGHOUSE FOR PROCEEDINGS RELATED TO WIND ENERGY FACILITIES.

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Prefiled and referred to the Committee on Judiciary.

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

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

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OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 102 -- Senator Cromer: A BILL TO AMEND TITLE 12 OF THE 1976 CODE, RELATING TO TAXATION, BY ADDING CHAPTER 52, TO PROVIDE THAT EACH COUNTY SHALL DESIGNATE A TAX COLLECTOR FOR THE COLLECTION OF PROPERTY TAXES AND PREPARE A TAX COLLECTION NOTICE, TO PROVIDE FOR CERTAIN PENALTIES, TO PROVIDE FOR A DELINQUENT TAX SALE IN CERTAIN INSTANCES, TO PROVIDE THAT A PROPERTY ADVERTISED FOR SALE MUST BE SOLD AT PUBLIC AUCTION, TO PROVIDE FOR AN INITIAL BID TO BE PLACED ON BEHALF OF THE FORFEITED LAND COMMISSION AND PROVIDE A PROCEDURE TO VOID A BID IN THE CASE OF CONTAMINATED PROPERTY, TO PROVIDE FOR THE CANCELLATIONS OF BIDS IF A SUCCESSFUL BIDDER FAILS TO REMIT THE FULL AMOUNT OF THE BID, TO PROVIDE REQUIREMENTS FOR PROVIDING A RECEIPT TO A SUCCESSFUL BIDDER, TO PROVIDE REQUIREMENTS FOR A SUCCESSFUL BIDDER WHO ASSIGNS HIS INTERESTS, TO PROVIDE FOR A NOTICE REQUIREMENT BEFORE THE END OF THE REDEMPTION PERIOD TO THE DEFAULTING TAXPAYER, TO PROVIDE THAT THERE IS NO REDEMPTION PERIOD FOR PERSONAL PROPERTY, TO PROVIDE THAT THE TAX COLLECTOR SHALL CANCEL THE SALE IF A PROPERTY IS REDEEMED, TO PROVIDE FOR THE REDEMPTION OF MOBILE HOMES, TO PROVIDE FOR THE ADOPTION OF CERTAIN PROVISIONS RELATING TO CERTAIN NOTICES TO MORTGAGEES, TO PROVIDE FOR THE VOID OF A TAX SALE IN CERTAIN INSTANCES, TO PROVIDE FOR CERTAIN OVERAGES FROM A TAX SALE AND TO

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PROVIDE NOTICE OF THE OVERAGES, TO PROVIDE THAT A TAX COLLECTOR SHALL MAINTAIN PROOF OF COMPLIANCE WITH THE LAW GOVERNING TAX SALES, TO PROVIDE THAT A MUNICIPALITY MAY CONTRACT WITH A COUNTY FOR THE COLLECTION OF MUNICIPAL TAXES BY THE COUNTY, TO PROVIDE THAT CERTAIN PARTIES MAY BRING AN ACTION TO SET ASIDE A TAX SALE, AND TO PROVIDE THAT THE EXISTENCE AND PRIORITY OF CERTAIN EASEMENTS ARE NOT AFFECTED BY THIS CHAPTER; TO REPEAL CHAPTER 51, TITLE 12 OF THE 1976 CODE, RELATING TO THE PROCEDURE FOR THE COLLECTION OF PROPERTY TAXES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 103 -- Senators Campsen, Malloy, Rice and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 1-3-495 AND 25-1-470 SO AS TO SET FORTH THE CIRCUMSTANCES AND PROCEDURES BY WHICH THE GOVERNOR MAY LAWFULLY DECLARE A STATE OF EMERGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 104 -- Senators Campsen, Malloy, Rice and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "EMERGENCY ORDER BALANCE OF POWERS ACT" BY AMENDING SECTIONS 1-3-420 AND 25-1-440, BOTH RELATING TO A PROCLAMATION OF AN EMERGENCY BY THE GOVERNOR, SO AS TO SET FORTH ACTIONS THAT WOULD MAKE THE PROCLAMATION INEFFECTIVE AND TO ALLOW THE GOVERNOR TO RENEW A STATE OF

TUESDAY, JANUARY 12, 2021

EMERGENCY IN PERIODS OF NO GREATER THAN FIFTEEN DAYS.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 106 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 25 TO TITLE 51 SO AS TO PLACE THE BEACH RESTORATION AND IMPROVEMENT TRUST FUND UNDER THE AUTHORITY OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND TO RENAME THE TRUST FUND, TO REQUIRE THE GENERAL ASSEMBLY TO APPROPRIATE A CERTAIN AMOUNT OF DOLLARS FOR THE FUND ANNUALLY, TO PROVIDE THAT THE FUNDING FOR ANNUAL MONITORING AND EVALUATION OF EROSION RATES AND BEACH PROFILES MUST BE PROVIDED BY THE TRUST FUND, AND TO MAKE CONFORMING CHANGES; AND TO REPEAL CHAPTER 40 OF TITLE 48 RELATING TO THE SOUTH CAROLINA BEACH RESTORATION AND IMPROVEMENT TRUST ACT.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

TUESDAY, JANUARY 12, 2021

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

S. 107 -- Senators Campsen and Climer: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

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

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 109 -- Senator Campsen: A BILL TO AMEND SECTION 5-15-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURES FOR CONTESTING THE RESULTS OF MUNICIPAL ELECTIONS, SO AS TO ALLOW THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO SERVE AS APPROPRIATE ELECTION

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AUTHORITIES FOR PURPOSES OF INITIATING OR HEARING MUNICIPAL ELECTION CONTESTS; AND TO AMEND SECTION 5-15-145, RELATING TO THE TRANSFER OF AUTHORITY TO CONDUCT MUNICIPAL ELECTIONS TO COUNTY ELECTION COMMISSIONS, SO AS TO UPDATE REFERENCES TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 110 -- Senators Campsen and Fanning: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE COMMISSIONER OF AGRICULTURE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMMISSIONER OF AGRICULTURE MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMMISSIONER OF AGRICULTURE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 111 -- Senators Campsen and Fanning: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE

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COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 112 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-5-321 SO AS TO PROVIDE THAT AN ELECTOR REGISTERED TO VOTE OR SUBMITTING AN APPLICATION FOR VOTER REGISTRATION MAY HAVE THE INFORMATION RELATING TO HIS RESIDENCE ADDRESS, TELEPHONE NUMBER, AND EMAIL ADDRESS DECLARED CONFIDENTIAL UPON PRESENTATION OF A CERTIFIED COPY OF AN INJUNCTION OR A RESTRAINING ORDER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 113 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-15-480 SO AS TO PROVIDE THAT A COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, AND ANY EXTENSION OFFICE OF A COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS ESTABLISHED BY A COUNTY'S GOVERNING BODY, MUST NOT START IN-PERSON ABSENTEE VOTING MORE THAN THIRTY DAYS BEFORE THE DAY OF AN ELECTION; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO PROVIDE THAT A QUALIFIED ELECTOR MUST BE PERMITTED TO VOTE BY ABSENTEE BALLOT IN AN ELECTION IF THE QUALIFIED ELECTOR'S PLACE OF RESIDENCE OR

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POLLING PLACE IS LOCATED IN AN AREA SUBJECT TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR AND THERE ARE FEWER THAN FORTY-SIX DAYS REMAINING UNTIL THE DAY OF THE ELECTION; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE PROCEDURAL REQUIREMENTS FOR ABSENTEE BALLOT APPLICATIONS, SO AS TO REVISE THE APPLICABLE PROCEDURES; AND TO AMEND SECTION 7-15-385, RELATING TO THE PROCEDURES FOR MARKING, RETURNING, AND STORING ABSENTEE BALLOTS, SO AS TO REVISE THESE PROCEDURES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 114 -- Senators Campsen and Fanning: A BILL TO AMEND SECTION 22-2-5, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELIGIBILITY EXAMINATION FOR MAGISTRATES, SO AS TO EXTEND THE TIME PERIOD FOR THE VALIDITY OF THE EXAMINATION SCORES FROM SIX MONTHS BEFORE AND SIX MONTHS AFTER THE TIME THE APPOINTMENT IS TO BE MADE TO ONE YEAR BEFORE AND TWO YEARS AFTER THE TIME THE APPOINTMENT IS TO BE MADE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 115 -- Senators Campsen and Fanning: A BILL TO AMEND SECTION 2-20-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC HEARINGS OF NONJUDICIAL CANDIDATE QUALIFICATIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT HEARINGS BE CONDUCTED NO LATER THAN TWO WEEKS PRIOR TO THE DATE SET FOR THE ELECTION, TO PROVIDE THAT CANDIDATES MAY NOT OBTAIN PLEDGES OR COMMITMENTS UNTIL THE TWELFTH DAY AFTER THE NAMES OF THE NOMINEES HAVE BEEN RELEASED, AND TO REQUIRE

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THAT A PERIOD OF TWENTY-TWO DAYS ELAPSE BETWEEN THE DATE THAT THE REPORT OF NOMINATIONS IS RELEASED AND THE TIME SET FOR THE ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 116 -- Senators Campsen, Fanning, Rice and Hembree: A BILL TO AMEND SECTION 2-19-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JUDICIAL CANDIDATES SEEKING PLEDGES FROM MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT PLEDGES FOR JUDICIAL CANDIDATES MAY NOT BE DIRECTLY OR INDIRECTLY SOUGHT OR GIVEN UNTIL TWELVE DAYS AFTER THE INITIAL RELEASE OF THE REPORT CONCERNING NOMINEES TO MEMBERS OF THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT A PERIOD OF AT LEAST TWENTY-TWO DAYS MUST ELAPSE BETWEEN THE DATE OF THE JUDICIAL MERIT SELECTION COMMISSION'S INITIAL REPORT OF NOMINATIONS TO THE GENERAL ASSEMBLY AND THE DATE THE GENERAL ASSEMBLY CONDUCTS THE ELECTION FOR THESE JUDGESHIPS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 117 -- Senators Campsen and Hembree: A BILL TO AMEND SECTION 22-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES COURT, SO AS TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TEN THOUSAND DOLLARS.

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TUESDAY, JANUARY 12, 2021

Prefiled and referred to the Committee on Judiciary.

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

S. 118 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 17-13-20 RELATING TO CITIZENS' ARREST DURING THE NIGHTTIME IN CASES WHERE THE PERSON BEING ARRESTED HAS COMMITTED A FELONY, HAS ENTERED A DWELLING HOUSE WITHOUT PERMISSION, HAS BROKEN INTO OR IS BREAKING INTO AN outhouse WITH A VIEW TO PLUNDER, HAS IN HIS POSSESSION STOLEN PROPERTY, OR FLEES WHILE HE IS HAILED IF HE IS UNDER JUST SUSPICION OF HIS DESIGN TO STEAL OR COMMIT SOME FELONY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 119 -- Senators Campsen, Fanning and Hembree: A BILL TO AMEND ARTICLE 2, CHAPTER 43, TITLE 48 OF THE 1976 CODE, RELATING TO OIL AND GAS EXPLORATION AND PRODUCTION, BY ADDING SECTION 48-43-300, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL IS PROHIBITED FROM APPROVING A PLAN, LICENSE, OR PERMIT APPLICATION FOR INFRASTRUCTURE USED TO FACILITATE THE TRANSPORTATION OF CRUDE OIL OR NATURAL GAS FROM THE ATLANTIC OCEAN INTO THIS STATE, OR FOR THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OFFSHORE CRUDE OIL OR NATURAL GAS; TO AMEND SECTION 48-43-310 OF THE 1976 CODE, RELATING TO THE REQUIREMENT FOR AN EXPLORATION PERMIT AND THE DISPOSITION OF FUNDS COLLECTED, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 48-43-390(H)(a) OF THE 1976 CODE, RELATING TO PERMITS TO CONSTRUCT DEEP WATER PORT FACILITIES, TO MAKE CONFORMING CHANGES; TO AMEND ARTICLE 1, CHAPTER 1, TITLE 6 OF THE 1976

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CODE, RELATING TO PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL SUBDIVISIONS, BY ADDING SECTION 6-1-190, TO PROHIBIT THE APPROVAL OF A PLAN, LICENSE, OR PERMIT APPLICATION BY A CITY, COUNTY, MUNICIPALITY, OR OTHER LOCAL GOVERNMENT OR POLITICAL SUBDIVISION FOR INFRASTRUCTURE USED TO FACILITATE THE TRANSPORTATION OF CRUDE OIL OR NATURAL GAS FROM THE ATLANTIC OCEAN INTO THIS STATE, OR FOR THE EXPLORATION, DEVELOPMENT, OR PRODUCTION OF OFFSHORE CRUDE OIL OR NATURAL GAS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 120 -- Senators Campsen and Rice: A BILL TO AMEND SECTION 11-11-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPROPRIATIONS SUBJECT TO A SPENDING LIMITATION, SO AS TO IMPOSE AN ANNUAL LIMIT ON THE STATE GENERAL FUND REVENUES AVAILABLE FOR APPROPRIATION BY RESTRICTING ANY INCREASE TO A PERCENTAGE THAT IS EQUAL TO THE AVERAGE ANNUAL PERCENTAGE CHANGE FROM THE PREVIOUS TEN COMPLETED STATE FISCAL YEARS, TO CREATE A SEPARATE BUDGET STABILIZATION FUND IN THE STATE TREASURY TO WHICH MUST BE CREDITED ALL GENERAL FUND REVENUES IN EXCESS OF THE ANNUAL LIMIT, TO PROVIDE FOR DISBURSEMENTS FROM THE BUDGET STABILIZATION FUND, TO PROVIDE FOR THE SUSPENSION OF THIS APPROPRIATION LIMIT IN

TUESDAY, JANUARY 12, 2021

EMERGENCIES, TO PROVIDE FOR THE DISBURSEMENT OF SURPLUS FUNDS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 121 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "LONG-TERM CARE TAX CREDIT ACT" BY ADDING SECTION 12-6-3395 SO AS TO ALLOW A STATE INDIVIDUAL INCOME TAX CREDIT OF FIFTEEN PERCENT OF THE TOTAL AMOUNT OF PREMIUMS PAID BY A TAXPAYER PURSUANT TO A LONG-TERM CARE INSURANCE CONTRACT, NOT TO EXCEED TWO THOUSAND DOLLARS IN A TAXABLE YEAR FOR EACH INDIVIDUAL, AND TO PROHIBIT A DOUBLE BENEFIT.

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Prefiled and referred to the Committee on Finance.

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

S. 122 -- Senator Campsen: A BILL TO AMEND SECTION 12-6-3515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE INCOME TAX CREDIT FOR CONSERVATION OR A QUALIFIED CONSERVATION CONTRIBUTION OF REAL PROPERTY, SO AS TO PROVIDE THAT THE CREDIT EQUALS TWENTY-FIVE PERCENT OF THE TOTAL VALUE OF THE GIFT RATHER THAN TWENTY-FIVE PERCENT OF THE CHARITABLE DEDUCTION FOR THE GIFT ALLOWED ON THE TAXPAYER'S FEDERAL INCOME TAX RETURN, TO INCREASE THE MAXIMUM ANNUAL CREDIT ALLOWED A TAXPAYER FROM FIFTY-TWO THOUSAND, FIVE HUNDRED DOLLARS TO ONE HUNDRED FIFTY THOUSAND DOLLARS, TO ADJUST THE MAXIMUM ANNUAL CREDIT FOR INCREASES IN THE CONSUMER

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PRICE INDEX, AND TO DELETE OBSOLETE PROVISIONS.

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Prefiled and referred to the Committee on Finance.

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

S. 123 -- Senators Williams and Gustafson: A BILL TO AMEND SECTION 20-1-220 OF THE 1976 CODE, RELATING TO WRITTEN MARRIAGE LICENSE APPLICATIONS, TO REMOVE THE TWENTY-FOUR HOUR APPLICATION REQUIREMENT BEFORE A MARRIAGE LICENSE MAY BE ISSUED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 124 -- Senators Massey, Hembree, Bennett, Turner, Adams and Rice: A BILL TO ENACT THE "SC LEADS ACT"; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-85, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL SHALL ESTABLISH REQUIRED STANDARDS FOR ALL LAW ENFORCEMENT AGENCIES, TO PROVIDE THAT THE COUNCIL SHALL HAVE THE AUTHORITY TO TAKE PUNITIVE ACTION AGAINST ANY LAW ENFORCEMENT AGENCY THAT REFUSES TO IMPLEMENT AND ENFORCE COMPLIANCE WITH THESE STANDARDS, AND TO PROVIDE A PENALTY FOR SUCH A FAILURE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 125 -- Senators Massey, Hembree, Bennett, Turner, Adams and Rice: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING THE SOUTH CAROLINA LAW

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ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT SLED SHALL HAVE SPECIFIC AND EXCLUSIVE JURISDICTION AND AUTHORITY OVER CERTAIN INVESTIGATIONS AND TO PROVIDE EXCEPTIONS, TO PROVIDE FOR SITUATIONS IN WHICH THE SUBJECT OF AN INVESTIGATION IS A SLED OFFICER, TO PROVIDE FOR JURISDICTION, TO PROVIDE THAT THE ATTORNEY GENERAL HAS THE EXCLUSIVE AUTHORITY TO MAKE PROSECUTORIAL DECISIONS AND MUST DO SO WITHIN NINETY DAYS, TO PROVIDE A PENALTY, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 126 -- Senators Massey, Hembree, Bennett, Turner, Adams and Rice: A BILL TO AMEND SECTION 23-23-40 OF THE 1976 CODE, RELATING TO THE CERTIFICATION REQUIREMENT FOR LAW ENFORCEMENT OFFICERS, TO REQUIRE LAW ENFORCEMENT OFFICERS TO COMPLETE AN APPROVED FIELD TRAINING PROGRAM, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS NOT CERTIFIED SHALL ONLY PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER UNDER CERTAIN CIRCUMSTANCES AND WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS GRANTED AN EXCEPTION FOR FAILING TO SECURE CERTIFICATION WITHIN ONE YEAR OF HIS DATE OF EMPLOYMENT SHALL BE GRANTED THE EXCEPTION FOR A PERIOD NOT LONGER THAN NINETY DAYS AND SHALL ONLY PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 127 -- Senators Massey, Hembree, Bennett, Turner and Rice: A BILL TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-45, TO PROVIDE FOR A MODEL TRAINING PROGRAM FOR NEWLY APPOINTED CHIEFS OF POLICE, REVISIONS TO THE PROGRAM, AND THE TIME PERIOD TO COMPLETE THE PROGRAM, AND TO PROVIDE THAT THE TRAINING PROGRAM DOES NOT APPLY TO DULY ELECTED SHERIFFS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 128 -- Senators Massey, Hembree, Bennett, Turner, Adams and Rice: A BILL TO AMEND SECTION 23-23-150(A) AND (B) OF THE 1976 CODE, RELATING TO ADJUDICATIONS OF ALLEGATIONS OF MISCONDUCT, TO PROVIDE THAT MISCONDUCT ALSO MEANS WILFULLY FAILING TO INTERVENE WHEN OBSERVING ANOTHER LAW ENFORCEMENT OFFICER NOT COMPLYING WITH THE STANDARDS ESTABLISHED BY THE LAW ENFORCEMENT TRAINING COUNCIL, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT HAS MADE A REPORT SHALL FULLY COOPERATE WITH ANY INVESTIGATION BY THE COUNCIL TO INCLUDE MANDATORY ATTENDANCE BY A REPRESENTATIVE OF THE AGENCY KNOWLEDGEABLE OF THE CIRCUMSTANCES SURROUNDING THE ALLEGATION AT ANY SCHEDULED HEARING, AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 129 -- Senator Massey: A BILL TO AMEND CHAPTER 3, TITLE 7 OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO DEVOLVE THE DUTIES OF THE STATE ELECTION COMMISSION AND ITS EXECUTIVE DIRECTOR UPON THE SECRETARY OF STATE, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 130 -- Senators Massey, Martin and Rice: A CONCURRENT RESOLUTION TO DECLARE THAT THE GENERAL ASSEMBLY DECLINES TO CONSENT TO AN EXTENSION OR RENEWAL OF THE CURRENT STATE OF EMERGENCY OR THE ISSUANCE OF ANY NEW COVID-19-RELATED STATE OF EMERGENCY WITHOUT THE EXPRESS CONSENT OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 131 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE

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1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

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Prefiled and referred to the Committee on Finance.

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

S. 132 -- Senator Massey: A BILL TO AMEND ARTICLE 7, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO RATES AND CHARGES BY ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, BY ADDING SECTION 58-27-1025, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS DUE TO A STATE OF EMERGENCY DECLARED BY THE GOVERNOR OR ABANDONMENT OF A PROJECT, AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner and Bennett: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND

TUESDAY, JANUARY 12, 2021

TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 134 -- Senators Massey and Fanning: A BILL TO AMEND SECTION 1-3-240(C)(1)(m) OF THE 1976 CODE, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, TO REMOVE A LIMITATION ON THE GOVERNOR'S ABILITY TO REQUEST A DIRECTOR TO RESIGN FROM THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY WITHOUT CAUSE FOR REMOVAL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 135 -- Senator Massey: A BILL TO AMEND SECTION 56-5-2910 OF THE 1976 CODE, RELATING TO RECKLESS VEHICULAR HOMICIDE, TO PROVIDE PENALTIES FOR RECKLESS VEHICULAR HOMICIDE, AND TO PROVIDE THAT A PERSON MAY PETITION THE CIRCUIT COURT IN THE COUNTY OF THE PERSON'S CONVICTION FOR REINSTATEMENT OF HIS DRIVER'S LICENSE AFTER ONE YEAR FROM THE DATE OF REVOCATION OF HIS LICENSE; TO AMEND ARTICLE 23, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO RECKLESS HOMICIDE, RECKLESS DRIVING, AND DRIVING WHILE UNDER THE INFLUENCE OF INTOXICATING LIQUOR, DRUGS, OR NARCOTICS, BY ADDING SECTION 56-5-2925, TO PROVIDE FOR THE OFFENSE OF FELONY RECKLESS DRIVING, TO PROVIDE PENALTIES, TO PROVIDE A PROCEDURE FOR DRIVER'S LICENSE REINSTATEMENT FOR A PERSON CONVICTED OF FELONY RECKLESS DRIVING, AND TO PROVIDE THAT A SUBSEQUENT MOVING VIOLATION REQUIRES THE AUTOMATIC CANCELLATION OF ANY REINSTATED DRIVER'S

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LICENSE AND IMPOSITION OF THE FULL PERIOD OF REVOCATION FOR THE FELONY RECKLESS DRIVING VIOLATION; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 136 -- Senator Massey: A BILL TO AMEND SECTION 38-75-750 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR THE RENEWAL OF POLICIES OF INSURANCE, TO PROVIDE THAT AN INSURED MUST HAVE NOTICE OF AND GIVE WRITTEN CONSENT TO ANY INCREASE IN THE AMOUNT OF A DEDUCTIBLE PRIOR TO RENEWAL.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 137 -- Senator Massey: A BILL TO AMEND SECTION 56-3-1150 OF THE 1976 CODE, RELATING TO FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, TO PROVIDE THAT THE PROVISION APPLIES TO ALL FORMER PRISONERS OF WAR; AND TO AMEND SECTION 12-37-220(B)(29) OF THE 1976 CODE, RELATING TO GENERAL PROPERTY TAX EXEMPTIONS, TO PROVIDE THAT THE PROPERTY TAX EXEMPTION FOR VEHICLES OWNED OR LEASED BY FORMER PRISONERS OF WAR APPLIES TO ALL FORMER PRISONERS OF WAR.

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Prefiled and referred to the Committee on Transportation.

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

TUESDAY, JANUARY 12, 2021

S. 138 -- Senators Massey and Hembree: A BILL TO AMEND SECTION 56-5-6540 OF THE 1976 CODE, RELATING TO THE ADMISSIBILITY AS EVIDENCE OF NEGLIGENCE IN A CIVIL ACTION REGARDING THE USE OF SAFETY BELTS, TO REMOVE THE PROVISION THAT A VIOLATION OF CERTAIN PROVISIONS RELATING TO SAFETY BELTS IS NOT NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE, AND TO REMOVE THE PROVISION THAT A VIOLATION IS NOT ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 139 -- Senator Massey: A BILL TO AMEND SECTION 38-77-122 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF AUTOMOBILE INSURANCE COVERAGE AND THE AMOUNT OF AUTOMOBILE INSURANCE PREMIUMS, TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING COVERAGE OR THE AMOUNT OF A PREMIUM; AND TO AMEND SECTION 38-77-123(A) OF THE 1976 CODE, RELATING TO RENEWALS OF AUTOMOBILE INSURANCE POLICIES, TO PROVIDE THAT INSURERS MAY NOT USE A NUMERICAL, CREDIT-BASED INSURANCE SCORE OR OTHER CREDIT RATING AS A BASIS FOR DETERMINING THE RENEWAL OF A POLICY FOR AUTOMOBILE INSURANCE.

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Prefiled and referred to the Committee on Banking and Insurance.

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

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S. 140 -- Senator Massey: A BILL TO AMEND SECTION 1-11-10(A) OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF ADMINISTRATION, TO MOVE THE PROCUREMENT SERVICES DIVISION TO THE DEPARTMENT; TO AMEND SECTION 1-11-20 OF THE 1976 CODE, RELATING TO THE TRANSFER OF OFFICES, DIVISIONS, AND OTHER AGENCIES FROM THE STATE BUDGET AND CONTROL BOARD TO APPROPRIATE ENTITIES, TO REMOVE THE PROCUREMENT SERVICES DIVISION FROM THE STATE FISCAL AFFAIRS AUTHORITY; AND TO AMEND SECTION 11-35-310(2) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PROCUREMENT CODE, TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Finance.

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

S. 141 -- Senators Massey, Rice, Hembree and Bennett: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 142 -- Senators Massey and Fanning: A BILL TO AMEND SECTION 59-29-120(B) OF THE 1976 CODE, RELATING TO TOPICS OF STUDY ON VETERANS DAY AND ATTENDANCE AT VETERANS DAY ACTIVITIES, TO REQUIRE PUBLIC SCHOOLS IN THIS STATE TO PROVIDE AT LEAST ONE HOUR OF INSTRUCTION ON NOVEMBER

TUESDAY, JANUARY 12, 2021

**ELEVENTH ON THE HISTORY AND MEANING OF
VETERANS DAY.**

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Prefiled and referred to the Committee on Education.

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

S. 143 -- Senator Massey: A BILL TO AMEND SECTION 15-39-410 OF THE 1976 CODE, RELATING TO PROPERTY THAT MAY BE ORDERED TO BE APPLIED TOWARD THE SATISFACTION OF A JUDGMENT, TO PROVIDE THAT, INSTEAD OF A COMPLETE EXEMPTION OF THE EARNINGS OF A JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES, ONLY SEVENTY-FIVE PERCENT OF THE EARNINGS OF THE DEBTOR FOR HIS PERSONAL SERVICES CANNOT BE APPLIED, AND THAT THE EARNINGS OF THE JUDGMENT DEBTOR FOR HIS PERSONAL SERVICES TO BE WITHHELD MAY NOT EXCEED THE LIMITS SET FORTH BY THE FEDERAL CONSUMER CREDIT PROTECTION ACT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 144 -- Senator Massey: A BILL TO AMEND CHAPTER 1, TITLE 56 OF THE 1976 CODE, RELATING TO DRIVER'S LICENSES, BY ADDING SECTION 56-1-45, TO PROVIDE THAT A PERSON AT LEAST FIFTEEN YEARS OF AGE AND UNDER TWENTY-ONE YEARS OF AGE WHO HAS NEVER HELD A FORM OF LICENSE EVIDENCING PREVIOUS DRIVING EXPERIENCE MUST ENROLL IN AND SUCCESSFULLY COMPLETE A DRIVER TRAINING COURSE, AND TO PROVIDE THAT A PERSON TWENTY-ONE YEARS OF AGE OR OLDER WHO HAS NEVER HELD A FORM OF LICENSE EVIDENCING PREVIOUS DRIVING EXPERIENCE MUST ENROLL IN AND SUCCESSFULLY

TUESDAY, JANUARY 12, 2021

COMPLETE AN EIGHT-HOUR DEFENSIVE DRIVING COURSE.

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Prefiled and referred to the Committee on Transportation.

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

S. 145 -- Senator Massey: A BILL TO AMEND SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50 OF THE 1976 CODE, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 146 -- Senator Massey: A BILL TO AMEND SECTION 14-7-840 OF THE 1976 CODE, RELATING TO THE AGE EXEMPTION FROM JURY SERVICE, TO RAISE THE AGE EXEMPTION FROM SIXTY-FIVE YEARS OF AGE OR OLDER TO SEVENTY-FIVE YEARS OF AGE OR OLDER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 147 -- Senators Massey, Rice, Hembree, Adams and Peeler: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO

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PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 148 -- Senator Massey: A BILL TO AMEND SECTION 56-3-627(A), (B), (C), AND (D) OF THE 1976 CODE, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, TO PROVIDE THAT THE FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE THAT IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER A VEHICLE, THEN THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES UPON TITLING OR REGISTERING THE VEHICLE, TO PROVIDE THAT IF A PERSON PURCHASES A VEHICLE HE ORIGINALLY LEASED, THEN THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE THAT A FEE MUST BE ASSESSED AGAINST AN OWNER WHO FIRST TITLES OR REGISTERS A VEHICLE IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE VEHICLE IN THIS STATE; AND TO AMEND SECTION 56-3-645(C) OF THE 1976 CODE, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, TO PROVIDE THAT THE

TUESDAY, JANUARY 12, 2021

FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

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Prefiled and referred to the Committee on Transportation.

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

S. 149 -- Senator Massey: A BILL TO AMEND SECTION 12-37-220(B)(1)(e)(i) OF THE 1976 CODE, RELATING TO CLASSES OF PROPERTY THAT ARE EXEMPT FROM AD VALOREM TAXATION, TO PROVIDE THAT CURRENT VOLUNTEER FIREFIGHTERS ARE ELIGIBLE FOR THE TAX EXEMPTION ON PROPERTY THEY OWN.

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Prefiled and referred to the Committee on Finance.

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

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Gustafson, Jackson, Leatherman, Grooms, Adams, Stephens and Shealy: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED

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SUBSTANCES THERAPEUTIC RESEARCH; AND TO
DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 151 -- Senator Davis: A BILL TO ENACT THE
PHARMACY ACCESS ACT; TO AMEND TITLE 44 OF THE
1976 CODE, RELATING TO HEALTH, BY ADDING
CHAPTER 138, TO PROVIDE THAT QUALIFIED LICENSED
PHARMACISTS MAY PRESCRIBE AND ADMINISTER
INJECTABLE HORMONAL CONTRACEPTIVES AND
PRESCRIBE AND DISPENSE SELF-ADMINISTERED
HORMONAL CONTRACEPTIVES UNDER A STANDING
PRESCRIPTION DRUG ORDER, TO PROVIDE FOR
WRITTEN JOINT PROTOCOL PROVISIONS, AND TO
DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M.
Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K.
Johnson, Rice and Hembree: A BILL TO ENACT THE
"COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND
CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO
COUNTY LOCAL SALES AND USE TAXES, BY ADDING
ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE
SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE
CONTENTS OF THE BALLOT AND THE PURPOSE FOR
WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR
THE IMPOSITION AND TERMINATION OF THE TAX, TO
PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL
ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR
DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY,

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AND TO PROVIDE FOR UNIDENTIFIED FUNDS,
TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

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Prefiled and referred to the Committee on Finance.

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

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

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Finance.

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

TUESDAY, JANUARY 12, 2021

S. 155 -- Senators Martin, Kimbrell, Verdin, Corbin, Shealy, Adams and Rice: A BILL TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320(B) OF THE 1976 CODE, RELATING TO CARRYING OR DISCHARGING A FIREARM ON THE CAPITOL GROUNDS, TO PROVIDE THAT A PERSON MAY POSSESS A FIREARM UPON THE CAPITOL GROUNDS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, TO PROVIDE THAT IT IS LEGAL TO CARRY A HANDGUN IN THIS STATE AND TO PROVIDE LOCATION EXCEPTIONS WHERE FIREARMS ARE PROHIBITED; TO AMEND SECTION 16-23-50(A)(2) OF THE 1976 CODE, RELATING TO THE FORFEITURE AND DISPOSITION OF HANDGUNS, TO PROVIDE THAT A PERSON WHO ENTERS A PREMISES WITH A SIGN PROHIBITING FIREARMS WHILE POSSESSING A FIREARM MUST BE CHARGED WITH TRESPASSING; TO AMEND SECTIONS 16-23-420 AND 16-23-430(B) OF THE 1976 CODE, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, TO PROVIDE THAT A PERSON MAY POSSESS A FIREARM ON SCHOOL PROPERTY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 16-23-465 OF THE 1976 CODE, RELATING TO PENALTIES FOR UNLAWFULLY CARRYING A FIREARM ONTO THE PREMISES OF A BUSINESS SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, TO PROVIDE AN EXCEPTION FOR A PERSON LAWFULLY CARRYING A WEAPON WHO DOES NOT CONSUME ALCOHOLIC LIQUOR, BEER, OR WINE WHILE CARRYING THE WEAPON ON THE BUSINESS'S PREMISES; TO AMEND SECTION 23-31-215(K) AND (O) OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, THE PROVISION THAT REQUIRES A PERMIT

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HOLDER TO INFORM A LAW ENFORCEMENT OFFICER THAT HE IS A PERMIT HOLDER AND PRESENT THE PERMIT TO THE OFFICER UNDER CERTAIN CIRCUMSTANCES, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 23-31-220 OF THE 1976 CODE, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, TO MAKE TECHNICAL CHANGES AND TO PROVIDE THAT THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALED WEAPONS PERMIT; TO AMEND SECTION 23-31-235 OF THE 1976 CODE, RELATING TO THE POSTING OF SIGNS PROHIBITING "CONCEALABLE WEAPONS", TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 16-23-460, 23-31-225, AND 23-31-230 OF THE 1976 CODE, RELATING TO THE UNLAWFUL CARRYING OF A CONCEALABLE WEAPON, THE UNLAWFUL CARRYING OF A CONCEALABLE WEAPON INTO A RESIDENCE, AND THE CARRYING OF A WEAPON BETWEEN AN AUTOMOBILE AND AN ACCOMMODATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 156 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; TO AMEND SECTION 7-3-20, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; AND TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 157 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-7-25 SO AS TO PROVIDE THAT NO MORE THAN THREE UNRELATED ADULT PERSONS MAY LIVE IN A SINGLE-FAMILY RESIDENCE, TO PROVIDE EXCEPTIONS, TO DEFINE CERTAIN TERMS, AND TO PROVIDE CIVIL PENALTIES FOR VIOLATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 159 -- Senators Scott, McLeod and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA MINIMUM WAGE ACT" BY ADDING ARTICLE 3 TO CHAPTER 10, TITLE 41 SO AS TO PROVIDE FOR A CITATION AND THE PURPOSE OF THE ACT, TO PROVIDE EMPLOYERS SHALL PAY EMPLOYEES A CERTAIN MINIMUM WAGE, TO PROVIDE A MECHANISM FOR THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO ADJUST THIS MINIMUM WAGE BY THE RATE OF INFLATION ANNUALLY, TO PROVIDE IT IS UNLAWFUL FOR AN

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EMPLOYER TO RETALIATE AGAINST AN EMPLOYEE WHO EXERCISES HIS RIGHTS WITH RESPECT TO THIS MINIMUM WAGE, AND TO PROVIDE CERTAIN REMEDIES TO THE EMPLOYEE AND STATE, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE THAT AN ACTION BROUGHT UNDER THE ACT MAY BE BROUGHT AS A CLASS ACTION, AND TO LIMIT AUTHORITY OF THE DEPARTMENT WITH RESPECT TO IMPLEMENTING THE ACT; TO AMEND SECTION 6-1-130, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION OF THE STATE TO SET A MINIMUM WAGE RATE, TO AMEND SECTION 44-22-160, RELATING TO COMPENSATION OF MENTAL HEALTH PATIENTS FOR THERAPEUTIC EMPLOYMENT, TO AMEND SECTION 53-1-100, RELATING TO COMPENSATION FOR SUNDAY WORK BY MACHINE SHOP EMPLOYEES, AND TO AMEND SECTION 53-1-110, RELATING TO COMPENSATION FOR SUNDAY WORK BY A PERSON EMPLOYED IN THE MANUFACTURE OR FINISHING OF TEXTILE PRODUCTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 10, TITLE 41 AS ARTICLE 1 ENTITLED "PAYMENT OF WAGES GENERALLY".

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 160 -- Senator Scott: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL

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COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

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Prefiled and referred to the Committee on Education.

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

S. 161 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-255 SO AS TO REQUIRE EACH HOSPITAL OR HOSPITAL SYSTEM LICENSED OR APPLYING FOR LICENSURE IN THE STATE OF SOUTH CAROLINA TO DEVELOP A STRATEGIC PLAN TO ENSURE THAT UNDERSERVED POPULATIONS HAVE MEANINGFUL ACCESS TO HEALTH CARE IN THE EVENT OF A MERGER, ACQUISITION, OR OTHER REORGANIZATION AND TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY DETAILING THE STRATEGIC PLAN, TO PROHIBIT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FROM ISSUING A LICENSE TO ANY HOSPITAL OR HOSPITAL SYSTEM BEFORE THE ENTITY SUBMITS THE REQUIRED REPORT TO THE GENERAL ASSEMBLY, AND FOR OTHER PURPOSES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 162 -- Senator Scott: A BILL TO AMEND SECTION 44-96-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOLID WASTE POLICY AND MANAGEMENT, SO AS TO PROVIDE THAT POST-USE POLYMERS AND RECOVERABLE FEEDSTOCKS USED IN PYROLYSIS AND GASIFICATION PROCESSES ARE "RECOVERED MATERIALS" AND ARE NOT "SOLID WASTE" FOR THE PURPOSES OF REGULATION BY THE

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**DEPARTMENT OF HEALTH AND ENVIRONMENTAL
CONTROL.**

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 163 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 10-1-165 RELATING TO THE PROHIBITION ON THE RELOCATION, REMOVAL, OR RENAMING OF CERTAIN MONUMENTS AND MEMORIALS ERECTED ON PUBLIC PROPERTY.

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Prefiled and referred to the Committee on Finance.

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

S. 164 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-625 SO AS TO PROVIDE THAT STATE EMPLOYEES EARNING ANNUAL LEAVE AT THE RATE OF THIRTY DAYS A YEAR MUST RECEIVE A LUMP-SUM PAYMENT FOR DAYS OF ANNUAL LEAVE FEWER THAN THIRTY DAYS NOT USED OR DONATED BY THE EMPLOYEE IN A CALENDAR YEAR, TO PROVIDE ELIGIBILITY REQUIREMENTS, AND TO PROVIDE THAT SUCH PAYMENTS ARE NOT CONSIDERED EARNABLE COMPENSATION IN THE CALCULATION OF RETIREMENT BENEFITS.

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Prefiled and referred to the Committee on Finance.

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

S. 165 -- Senator Scott: A BILL TO AMEND SECTION 10-1-165, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALTERATION, RELOCATION, OR REMOVAL OF CERTAIN MONUMENTS OR MEMORIALS ERECTED ON PUBLIC PROPERTY, OR THE RENAMING OR

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REDEDICATION OF STRUCTURES, STREETS, PARKS, OR OTHER PUBLIC AREAS, SO AS TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO SUCH PROPERTY UNDER THE JURISDICTION AND CONTROL OF POLITICAL SUBDIVISIONS OF THIS STATE, INCLUDING SCHOOL DISTRICTS, AND PUBLIC INSTITUTIONS OF HIGHER LEARNING.

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Prefiled and referred to the Committee on Finance.

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

S. 166 -- Senator Scott: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT ALL SALES MADE TO MILITARY VETERANS ON VETERANS DAY.

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Prefiled and referred to the Committee on Finance.

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

S. 167 -- Senator Scott: A BILL TO AMEND SECTION 59-26-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE STATE BOARD OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION, SO AS TO PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL DEVELOP A SCHOLARSHIP PROGRAM FOR CERTAIN RESIDENTS THAT INTEND ON BECOMING CERTIFIED TEACHERS EMPLOYED IN THE STATE IN AREAS OF CRITICAL NEED; TO AMEND SECTION 59-149-10, RELATING TO THE LEGISLATIVE INCENTIVES FOR FUTURE EXCELLENCE (LIFE) SCHOLARSHIPS, SO AS TO PROVIDE FOR THE AMOUNT OF THE SCHOLARSHIP BASED ON THE STUDENT'S HOUSEHOLD INCOME; TO AMEND SECTION 59-150-370, RELATING TO THE SC HOPE SCHOLARSHIPS, SO AS TO INCREASE THE AMOUNT OF THE SCHOLARSHIP TO THREE THOUSAND DOLLARS AND TO PROVIDE THAT A STUDENT IS ELIGIBLE FOR THE HOPE

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SCHOLARSHIP IF HIS ANNUAL HOUSEHOLD INCOME IS LESS THAN SEVENTY-FIVE THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Education.

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

S. 168 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ESTABLISH THE SCHOOL DISTRICT TEACHER RECRUITMENT AND RETENTION PROGRAM UNDER THE STATE DEPARTMENT OF EDUCATION, AND TO PROVIDE THAT CERTAIN TEACHERS QUALIFY FOR CERTAIN MONTHLY STIPENDS, STUDENT LOAN PAYMENTS, AND ONE-TIME PAYMENTS FOR A DOWN PAYMENT ON A HOME.

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Prefiled and referred to the Committee on Education.

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

S. 169 -- Senator Allen: A BILL TO AMEND SECTION 61-6-1610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALCOHOL SALES AT FOOD SERVICE ESTABLISHMENTS OR PLACES OF LODGING, SO AS TO PROVIDE THAT THE DEPARTMENT MAY, AT ITS DISCRETION, REVOKE OR SUSPEND THE LICENSE OF A LICENSEE OR PERMIT HOLDER AFTER A THIRD OR SUBSEQUENT VIOLATION OF THE PROVISIONS OF SECTION 61-6-1610.

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Prefiled and referred to the Committee on Judiciary.

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

S. 170 -- Senator Allen: A BILL TO AMEND SECTIONS 24-13-150, 24-13-210, AND 24-13-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE EARLY RELEASE, DISCHARGE, COMMUNITY SUPERVISION, FORFEITURE OF CREDITS, CREDITS FOR GOOD BEHAVIOR, AND REDUCTION IN A SENTENCE FOR

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CERTAIN INMATES, SO AS TO PROVIDE FOR A REDUCTION IN THE SENTENCE OF AN INMATE CONVICTED OF CERTAIN "NO PAROLE OFFENSES" UPON SATISFYING CERTAIN CONDITIONS.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 171 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE PENALTIES FOR A PERSON CONVICTED OF A CRIME CONTAINED IN THIS CHAPTER WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN A PERSON BECAUSE OF HIS RACE, RELIGION, COLOR, SEX, AGE, NATIONAL ORIGIN, OR SEXUAL ORIENTATION; AND TO AMEND SECTIONS 16-11-510 AND 16-11-520, RELATING TO MALICIOUS INJURY TO PERSONAL AND REAL PROPERTY, SO AS TO REVISE THE PENALTIES FOR MALICIOUS INJURY TO REAL PROPERTY OFFENSES, AND TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO MALICIOUSLY INJURE PERSONAL OR REAL PROPERTY OF ANOTHER PERSON WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN THAT PERSON.

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Prefiled and referred to the Committee on Judiciary.

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

S. 172 -- Senator Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO PROVIDE PENALTIES FOR A PERSON CONVICTED OF A CRIME CONTAINED IN THIS CHAPTER WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN A PERSON BECAUSE OF HIS RACE, RELIGION, COLOR, SEX, AGE,

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NATIONAL ORIGIN, OR SEXUAL ORIENTATION; AND TO AMEND SECTIONS 16-11-510 AND 16-11-520, RELATING TO MALICIOUS INJURY TO PERSONAL AND REAL PROPERTY, RESPECTIVELY, SO AS TO REVISE THE PENALTIES FOR MALICIOUS INJURY TO REAL PROPERTY OFFENSES AND TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO MALICIOUSLY INJURE PERSONAL OR REAL PROPERTY OF ANOTHER PERSON WITH THE INTENT TO ASSAULT, INTIMIDATE, OR THREATEN THAT PERSON.

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Prefiled and referred to the Committee on Judiciary.

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

S. 173 -- Senators Allen and Fanning: A BILL TO AMEND SECTION 59-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEACHER SALARY REQUIREMENTS, SO AS TO REQUIRE EACH TEACHER BE PAID THE NATIONAL AVERAGE TEACHER SALARY INSTEAD OF THE SOUTHEASTERN AVERAGE.

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Prefiled and referred to the Committee on Education.

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

S. 174 -- Senators Bennett, Leatherman and Hembree: A BILL TO AMEND ARTICLE 13, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO CAMPAIGN PRACTICES, BY ADDING SECTION 8-13-1375, TO PROVIDE FOR DISCLOSURES AND DISCLAIMERS BY AN INDEPENDENT EXPENDITURE COMMITTEE RELATED TO THE INDEPENDENT EXPENDITURE COMMITTEE'S ELECTION COMMUNICATIONS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 175 -- Senator Bennett: A BILL TO AMEND SECTION 20-3-120 OF THE 1976 CODE, RELATING TO ALIMONY AND SUIT MONEY, TO PROVIDE FOR SEPARATE MAINTENANCE AND SUPPORT; TO AMEND SECTION 20-3-130 OF THE 1976 CODE, RELATING TO THE AWARD OF ALIMONY AND OTHER ALLOWANCES, TO PROVIDE FOR NEW FORMS OF ALIMONY; TO AMEND SECTION 20-3-150 OF THE 1976 CODE, RELATING TO THE SEGREGATION OF ALLOWANCES BETWEEN A SPOUSE AND CHILDREN AND THE EFFECT OF THE REMARRIAGE OF A SPOUSE, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-160 OF THE 1976 CODE, RELATING TO THE CARE, CUSTODY, AND MAINTENANCE OF CHILDREN, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 20-3-170 OF THE 1976 CODE, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY AND RETIREMENT BY A SUPPORTING SPOUSE, TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING THE EXISTENCE OF CHANGED CIRCUMSTANCES, TO PROVIDE THAT RETIREMENT BY A SUPPORTING SPOUSE IS SUFFICIENT GROUNDS TO WARRANT A HEARING, AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER WHEN DETERMINING WHETHER ALIMONY OR SEPARATE MAINTENANCE AND SUPPORT SHOULD BE MODIFIED, SUSPENDED, OR TERMINATED IN AMOUNT OR TERM; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 176 -- Senators Bennett, Turner, Adams and Hembree: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 9-1-5 TO CLOSE THE SOUTH CAROLINA RETIREMENT SYSTEM; BY ADDING CHAPTER 22 TO TITLE 9 TO ESTABLISH THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED BENEFIT RETIREMENT PLAN AND TO

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PROVIDE DETAILS OF THE PLAN; BY ADDING CHAPTER 24 TO TITLE 9 TO ESTABLISH THE "SOUTH CAROLINA WEALTHBUILDER-PRIMARY RETIREMENT SAVINGS PLAN" TO PROVIDE EMPLOYEES WITH A DEFINED CONTRIBUTION RETIREMENT PLAN AND TO PROVIDE DETAILS OF THE PLAN; TO AMEND SECTION 9-1-310 OF THE 1976 CODE, RELATING TO ADMINISTRATIVE COSTS, TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; TO AMEND SECTION 9-1-1340 OF THE 1976 CODE, RELATING TO CERTAIN CONFLICTS OF INTEREST, TO ADD A REFERENCE TO THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN; TO AMEND SECTION 9-11-40 OF THE 1976 CODE, RELATING TO DEFINITIONS, TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION OF "CORRELATED SYSTEM"; TO AMEND SECTION 9-16-10 OF THE 1976 CODE, RELATING TO DEFINITIONS, TO ADD THE "SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN" TO THE DEFINITION OF "RETIREMENT SYSTEM"; TO AMEND SECTION 9-16-335 OF THE 1976 CODE, RELATING TO THE ASSUMED ANNUAL RATE OF RETURN ON THE INVESTMENTS OF THE SYSTEM, TO PROVIDE THAT THE ASSUMED ANNUAL RATE OF RETURN ON INVESTMENTS OF THE SOUTH CAROLINA SHARED-RISK DEFINED BENEFIT PLAN MAY NOT EXCEED THE LESSER OF SIX PERCENT OR THREE HUNDRED BASIS POINTS ABOVE THE THREE-YEAR AVERAGE OF TWENTY-YEAR TREASURY YIELDS; TO REPEAL CHAPTER 20, TITLE 9 RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CHANGES.

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Prefiled and referred to the Committee on Finance.

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

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

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 178 -- Senator Hembree: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY NAMING A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY NOT NAME A BUILDING, HIGHWAY FACILITY, OR CERTAIN TRACTS OF LAND AFTER CERTAIN ELECTED STATE OR LOCAL OFFICIALS, AND TO PROVIDE THAT WHEN THE GENERAL ASSEMBLY HONORS AN INDIVIDUAL PURSUANT TO THIS PROVISION, IT SHALL BE FOR A PERIOD NOT TO EXCEED TWENTY-FIVE YEARS UNLESS THE PERIOD IS EXTENDED BY THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Transportation.

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

S. 179 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 NORTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE

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NORTH OF THIS INTERSECTION, AND THE PORTION OF UNITED STATES HIGHWAY 701 SOUTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE SOUTH OF THIS INTERSECTION "HENRY L. NICHOLS HIGHWAY", AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG BOTH PORTIONS OF HIGHWAY THAT CONTAIN THESE WORDS.

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Prefiled and referred to the Committee on Transportation.

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

S. 180 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-30-145 SO AS TO REQUIRE A HOMEOWNERS ASSOCIATION TO PROVIDE A STATEMENT OF UNPAID ASSESSMENTS AND OTHER CHARGES AGAINST A UNIT TO A UNIT OWNER UPON REQUEST.

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Prefiled and referred to the Committee on Judiciary.

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

S. 181 -- Senator Hembree: A BILL TO AMEND SECTION 50-15-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ALLIGATOR MANAGEMENT PROGRAM, SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MUST PRIORITIZE THE DISTRIBUTION OF ALLIGATOR PERMITS AND TAGS TO STATE RESIDENTS.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

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S. 182 -- Senator Hembree: A BILL TO AMEND SECTION 50-9-540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECREATIONAL FISHING LICENSES, SO AS TO PROVIDE THAT A NONRESIDENT MUST PURCHASE A PERMIT FOR THE PRIVILEGE OF RECREATIONAL FLOUNDER FISHING.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 183 -- Senators Hembree and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-30-175 SO AS TO PROVIDE THAT THE OWNER AND OPERATOR OF A COMMUNITY POOL IS NOT LIABLE IN AN ACTION SEEKING DAMAGES FOR INJURY OR DEATH RESULTING FROM THE TRANSMISSION OF COVID-19 ALLEGED TO HAVE RESULTED FROM THE REOPENING OF A COMMUNITY POOL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 184 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 7 TO CHAPTER 15, TITLE 50 ENTITLED THE "SEA TURTLE PROTECTION ACT", TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL ESTABLISH DESIGNATED COASTAL AREAS WHICH ARE UTILIZED OR LIKELY TO BE UTILIZED BY SEA TURTLES FOR NESTING, TO DEFINE NECESSARY TERMS, TO PROHIBIT THE USE OF ARTIFICIAL LIGHT TO ILLUMINATE AN AREA OF THE BEACH DESIGNATED BY THE DEPARTMENT, TO ESTABLISH REQUIREMENTS FOR

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CERTAIN TYPES OF LIGHTING, AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 185 -- Senator Hembree: A BILL TO AMEND SECTION 50-15-500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLIGATOR MANAGEMENT PROGRAM, SO AS TO ESTABLISH THAT THE DEPARTMENT OF NATURAL RESOURCES MUST SET CONDITIONS FOR THE HUMANE TAKING AND DISPOSITION OF ALLIGATORS; TO PROHIBIT THE TAKING OF ALLIGATORS FROM A SANCTUARY UNLESS THE ALLIGATOR HAS BEEN DETERMINED TO BE A NUISANCE; TO REQUIRE THE DEPARTMENT TO ESTABLISH SPECIFIC METHODS OF HUMANE CAPTURE, REMOVAL, AND DISPOSAL OF ALLIGATOR PARTS; AND TO EXPAND THE SCOPE OF ACTIONS VIOLATING THE PROVISIONS OF THIS SECTION TO INCLUDE THE INHUMANE TAKING, REMOVING, AND DISPOSITION OF AN ALLIGATOR OR ALLIGATOR PARTS, AND TO PROVIDE THAT THE OFFICIAL CITATION ISSUED BY ENFORCEMENT OFFICERS MAY BE USED TO CITE VIOLATIONS OF THIS SECTION.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 186 -- Senator Hembree: A BILL TO AMEND SECTION 47-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ILL-TREATMENT OF ANIMALS, SO AS TO REMOVE THE EXCEPTION FOR THE TRAINING OF HUNTING DOGS AND TO ALLOW FOR THE USE OF

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RECOGNIZED AND RESPONSIBLE TRAINING TECHNIQUES; AND TO AMEND SECTION 47-1-70, RELATING TO THE ABANDONMENT OF ANIMALS, SO AS TO REMOVE THE EXCEPTION FOR HUNTING DOGS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 187 -- Senator Hembree: A BILL TO AMEND SECTION 8-13-1312, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CAMPAIGN BANK ACCOUNTS, SO AS TO DEFINE RELEVANT TERMS APPLICABLE TO THIS ACT, TO PROVIDE THAT ALL CONTRIBUTIONS RECEIVED BY CANDIDATES SHALL BE DEPOSITED INTO AN INTEREST ON CAMPAIGN ACCOUNT KNOWN AS AN "IOCA", TO PROVIDE THAT IOCAS SHALL BENEFIT THE STATE ETHICS COMMISSION, TO PROVIDE THAT IOCAS MUST BE ESTABLISHED WITH ELIGIBLE INSTITUTIONS THAT VOLUNTARILY CHOOSE TO PARTICIPATE, TO PROVIDE FOR THE RATE OF INTEREST OR DIVIDENDS PAYABLE ON AN IOCA, TO PROVIDE THAT ONE PERCENT OF ALL CONTRIBUTIONS DEPOSITED INTO AN IOCA MUST BE REMITTED TO BENEFIT THE COMMISSION, AND TO PROVIDE THAT THE FUNDS REMITTED TO THE COMMISSION PURSUANT TO THIS ACT MUST BE USED BY THE COMMISSION TO CREATE A POSITION OR POSITIONS WITHIN ITS EMPLOY TO CHECK AND CONFIRM THE COMPLETENESS OF CANDIDATE FILINGS; TO AMEND SECTION 8-13-320, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO PROVIDE THAT THOSE DUTIES AND RESPONSIBILITIES INCLUDE RECEIVING, ADMINISTERING, INVESTING, DISBURSING, AND SEPARATELY ACCOUNTING FOR FUNDS REMITTED TO IT PURSUANT TO SECTION 8-13-1312; AND TO AMEND SECTION 8-13-340, RELATING TO THE ANNUAL REPORT

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OF THE STATE ETHICS COMMISSION, SO AS TO PROVIDE THAT THE STATE ETHICS COMMISSION ALSO SHALL INCLUDE IN ITS ANNUAL REPORT TO THE GENERAL ASSEMBLY AND TO THE GOVERNOR THE AMOUNT OF FUNDS IT HAS RECEIVED FROM IOCAS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 188 -- Senators Hembree and Gustafson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1530 SO AS TO PROHIBIT A PERSON FROM FILING A STATEMENT OF INTENTION OF CANDIDACY IF THE PERSON HAS AN OUTSTANDING DEBT TO THE STATE ETHICS COMMISSION, THE HOUSE OF REPRESENTATIVES ETHICS COMMITTEE, OR THE SENATE ETHICS COMMITTEE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 189 -- Senator Hembree: A BILL TO AMEND SECTION 8-13-1308, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE CANDIDATES AND COMMITTEES TO CONTEMPORANEOUSLY FILE CAMPAIGN BANK ACCOUNT STATEMENTS FOR THE PREVIOUS QUARTER'S CAMPAIGN REPORT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 190 -- Senator Hembree: A BILL TO AMEND SECTION 16-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE CHAPTER REGARDING OFFENSES INVOLVING WEAPONS, SO AS TO ADD NECESSARY TERMS; BY

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ADDING SECTION 16-23-25 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, OR TRANSPORT FOR SALE IN THIS STATE ANY HANDGUN TO A PERSON WHO IS UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNDER THE AGE OF EIGHTEEN TO POSSESS OR ATTEMPT TO POSSESS A HANDGUN WITHIN THIS STATE, AND TO PROVIDE FOR EXCEPTIONS; TO AMEND SECTION 16-23-30, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM" AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, OFFER TO SELL, DELIVER, LEASE, RENT, BARTER, EXCHANGE, TRANSPORT FOR SALE INTO THIS STATE, OR OTHERWISE DISPOSE OF ANY FIREARM TO A PERSON KNOWING OR HAVING REASONABLE CAUSE TO BELIEVE THAT THE PERSON MEETS A CERTAIN CATEGORY; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES, DISPOSITION OF FINES, AND THE FORFEITURE AND DISPOSITIONS OF HANDGUNS, SO AS TO REDUCE THE PENALTY FOR A FIRST OFFENSE FIREARM VIOLATION, TO PROVIDE FOR ENHANCED PENALTIES FOR SUBSEQUENT VIOLATIONS, TO DELETE THE USE OF THE TERM "HANDGUN" AND REPLACE IT WITH "FIREARM", AND TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT RECEIVES A FIREARM PURSUANT TO THIS SECTION SHALL ADMINISTRATIVELY RELEASE THE FIREARM TO AN INNOCENT OWNER UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTIONS 16-23-500 AND 23-31-1040 RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM BY A PERSON CONVICTED OF A VIOLENT OFFENSE OR ADJUDICATED AS A MENTAL DEFECTIVE, RESPECTIVELY.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 191 -- Senator Hembree: A BILL TO AMEND SECTION 14-17-325, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLERKS OF COURT, SO AS TO REQUIRE THAT EVERY CLERK OF COURT SHALL REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CASE IN GENERAL SESSIONS COURT, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; BY ADDING SECTION 22-1-200 SO AS TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; BY ADDING SECTION 14-25-250 SO AS TO REQUIRE MAGISTRATES TO REPORT TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION WITHIN TEN DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE, AND TO REPORT WITHIN FORTY-EIGHT HOURS THE ISSUANCE OF A RESTRAINING ORDER, ORDER OF PROTECTION, ORDER FOR THE PREVENTION OF POSSESSION OF A FIREARM, CONVICTIONS OR ORDERS RELATED TO DOMESTIC VIOLENCE, AND CONVICTIONS OR ORDERS RELATED TO STALKING, INTIMIDATION, OR HARASSMENT; AND BY ADDING SECTION 23-1-250 TO REQUIRE EACH LAW ENFORCEMENT AGENCY TO

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REPORT TO SLED WITHIN TWENTY-FOUR HOURS, THE FILING OF EACH ORDER OF PROTECTION, RESTRAINING ORDER, ANY ORDER OR REPORT RELATING TO AN INCIDENT OF DOMESTIC VIOLENCE, OR ANY INCIDENT IN WHICH A PERSON MAY BE PROHIBITED FROM OBTAINING OR POSSESSING A FIREARM BY STATE OR FEDERAL LAW.

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Prefiled and referred to the Committee on Judiciary.

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

S. 192 -- Senators Hembree and Rice: A BILL TO AMEND SECTION 2-19-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION AND THE COMMISSION'S APPOINTMENT, QUALIFICATIONS, AND TERM, SO AS TO REVISE THE MEMBERSHIP AND TERMS OF THE COMMISSION; TO AMEND SECTION 2-19-80, RELATING TO THE NOMINATION OF QUALIFIED CANDIDATES BY THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-19-90, RELATING TO THE ELECTION OF JUDGES BY THE GENERAL ASSEMBLY, SO AS TO REQUIRE A MAJORITY VOTE FROM EACH HOUSE OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 193 -- Senator Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-48 SO AS TO PROVIDE DEFINITIONS, TO REQUIRE ALL HEALTH INSURANCE AND GROUP HEALTH BENEFIT PLANS TO COVER HEARING AIDS AND

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REPLACEMENT HEARING AIDS FOR INSURED WITH IMPAIRED HEARING, AND TO PROVIDE FOR THE SCOPE OF COVERAGE, AMONG OTHER THINGS.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 194 -- Senators Hembree and Adams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-1172 SO AS TO ALLOW A SOUTH CAROLINA INCOME TAX DEDUCTION OF ALL MILITARY RETIREMENT INCOME AND FIRST RESPONDER RETIREMENT INCOME; AND TO AMEND SECTION 12-6-1170, RELATING TO THE RETIREMENT INCOME DEDUCTION, SO AS TO MAKE A CONFORMING CHANGE.

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Prefiled and referred to the Committee on Finance.

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

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

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Prefiled and referred to the Committee on Finance.

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

S. 196 -- Senator Hembree: A BILL TO AMEND SECTION 23-35-175(A)(2), CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCHARGE OF FIREWORKS AND CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "FIREWORKS PROHIBITED ZONE" TO INCLUDE ANY PUBLIC BEACH

TUESDAY, JANUARY 12, 2021

OR PUBLIC BEACH ACCESS DESIGNATED AND POSTED BY A LOCAL GOVERNING BODY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 197 -- Senator Hembree: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDES, BY ADDING SECTION 16-3-65, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 198 -- Senator Hembree: A BILL TO AMEND SECTION 16-5-10 OF THE 1976 CODE, RELATING TO CONSPIRACY AGAINST CIVIL RIGHTS, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON, REGARDLESS OF HIS RACE, COLOR, RELIGION, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR NATIONAL ORIGIN, TO CONSPIRE AGAINST CIVIL RIGHTS; TO AMEND CHAPTER 5, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST CIVIL RIGHTS, BY ADDING SECTIONS 16-5-15 AND 16-5-18, TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, REGARDLESS OF HIS RACE, COLOR, RELIGION, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR NATIONAL ORIGIN, TO VIOLENTLY INTERFERE WITH A STATE-PROTECTED RIGHT, AND TO PROVIDE PENALTIES FOR VIOLATIONS AND FALSE REPORTING; TO AMEND SECTION 16-5-20 OF THE 1976 CODE, RELATING TO PUNISHMENT FOR THE COMMISSION OF ADDITIONAL CRIMES, TO PROVIDE THAT A PERSON WHO COMMITS A

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CRIME IN ADDITION TO INTERFERING WITH A STATE-PROTECTED RIGHT SHALL BE SUBJECTED TO PUNISHMENT FOR THE ADDITIONAL CRIME; TO AMEND SECTION 16-5-60 OF THE 1976 CODE, RELATING TO SUITS AGAINST A COUNTY FOR DAMAGES TO A PERSON OR PROPERTY RESULTING FROM THE VIOLATION OF A PERSON'S CIVIL RIGHTS, TO PROVIDE THAT ANY CITIZEN HINDERED, PREVENTED, OR OBSTRUCTED BY A COUNTY MAY CLAIM AND PROSECUTE THE COUNTY FOR DAMAGES; AND TO AMEND CHAPTER 5, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST CIVIL RIGHTS, BY ADDING SECTION 16-5-95, TO PRESERVE AN INDIVIDUAL'S RIGHT OF ACTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 199 -- Senator Hembree: A BILL TO AMEND SECTION 22-3-10 OF THE 1976 CODE, RELATING TO THE CIVIL JURISDICTION OF THE MAGISTRATES' COURT, TO INCREASE THE CIVIL JURISDICTION FROM SEVEN THOUSAND FIVE HUNDRED DOLLARS TO TEN THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 200 -- Senators Hembree, Martin and Kimbrell: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY

TUESDAY, JANUARY 12, 2021

ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

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Prefiled and referred to the Committee on Education.

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

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

TUESDAY, JANUARY 12, 2021

INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 203 -- Senator Hembree: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Education.

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

S. 204 -- Senator Hembree: A BILL TO AMEND ARTICLE 13, CHAPTER 6, TITLE 61, OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-6-4725, RELATING TO THE ALCOHOLIC BEVERAGE CONTROL ACT, SO AS TO PERMIT CONDITIONAL DISCHARGE OF FIRST-TIME OFFENDERS UNDER SECTION 61-6-4720 AND TO PERMIT COUNTY AND MUNICIPAL PROSECUTORS TO CONDITIONALLY DISCHARGE FIRST-TIME OFFENDERS OF COUNTY OR MUNICIPAL OPEN CONTAINER OFFENSES, AND TO PERMIT EXPUNGEMENT OF SUCH OFFENSES.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 205 -- Senator Hembree: A BILL TO AMEND SECTION 17-22-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELIGIBLE OFFENSES FOR ADMISSION INTO A PRE-TRIAL INTERVENTION PROGRAM, TO ALLOW A DEFENDANT TO BE ADMITTED FOR A PRE-TRIAL INTERVENTION PROGRAM IF HE IS CHARGED WITH THE OFFENSE OF DRIVING UNDER THE INFLUENCE OR DRIVING WITH AN UNLAWFUL ALCOHOL CONCENTRATION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 206 -- Senators Hembree and Rice: A BILL TO AMEND CHAPTER 3, TITLE 16, OF THE 1976 CODE, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING ARTICLE 21 TO PROVIDE FOR ENHANCED PENALTIES IF AN OFFENSE IS COMMITTED AGAINST A LAW ENFORCEMENT OFFICER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 207 -- Senator Hembree: A BILL TO AMEND SECTION 44-53-370, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRUG OFFENSES, SO AS TO CONFORM THE LANGUAGE OF TRAFFICKING IN ILLEGAL DRUGS, INCLUDING OPIATES AND HEROIN, TO THE LANGUAGE OF THE PROVISIONS CONCERNING POSSESSION AND DISTRIBUTION OF CERTAIN ILLEGAL DRUGS, WHICH WOULD INCLUDE SYNTHETIC OPIATES, AMONG OTHER DRUGS.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

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

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Prefiled and referred to the Committee on Education.

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

S. 209 -- Senator Hembree: A BILL TO AMEND SECTION 44-53-520(a) OF THE 1976 CODE, RELATING TO FORFEITURES, TO DELETE PROVISIONS SUBJECT TO FORFEITURE, TO PROVIDE THE TERMS FOR MOTOR VEHICLE FORFEITURE, TO DELETE SPECIFIC REFERENCES TO ILLEGAL SUBSTANCES AND ADD REFERENCES TO ILLEGAL SUBSTANCES GENERALLY, AND TO PROVIDE FOR PROBABLE CAUSE FOR MONIES SEIZED; AND TO AMEND SECTION 44-53-530 OF THE 1976 CODE, RELATING TO FORFEITURE PROCEDURES, THE DISPOSITION OF FORFEITED ITEMS, AND THE DISPOSITION OF THE PROCEEDS OF SALES, TO PROVIDE FOR COURT HEARINGS AND PROCEDURES FOR FORFEITED ITEMS, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 210 -- Senators K. Johnson and McLeod: A BILL TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-42, TO REQUIRE THE STATE PLAN PREPARED AND SUBMITTED BY THE SOUTH CAROLINA DEPARTMENT

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OF HEALTH AND HUMAN SERVICES FOR FEDERAL APPROVAL PURSUANT TO SUBCHAPTER XIX, CHAPTER 7, TITLE 42 OF THE UNITED STATES CODE TO PROVIDE THAT HEALTH INSURANCE PLANS OFFERED BEGINNING JANUARY 1, 2021, BE AVAILABLE TO ADULTS UNDER SIXTY-FIVE YEARS OF AGE WHOSE INCOME DOES NOT EXCEED ONE HUNDRED THIRTY-THREE PERCENT OF THE FEDERAL POVERTY LEVEL, WITH A FIVE PERCENT INCOME DISREGARD.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 211 -- Senator McElveen: A BILL TO ENACT THE SOUTH CAROLINA EDUCATION BANK ACT; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 58, TO CREATE THE SOUTH CAROLINA EDUCATION BANK, TO ESTABLISH A GOVERNING BOARD, TO PROVIDE FOR THE POWERS OF THE BANK, TO FUND THE BANK, TO PROVIDE LIABILITY PROTECTIONS, TO PROVIDE FOR DEPOSITS, TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS, TO PROVIDE FOR LOCAL SCHOOL BOARD FUNDING REQUEST REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 212 -- Senators McElveen, Shealy, K. Johnson and Hembree: A BILL TO AMEND CHAPTER 1, TITLE 16 OF THE 1976 CODE, RELATING TO FELONIES AND MISDEMEANORS, BY ADDING SECTION 16-1-140, TO ENHANCE THE POSSIBLE SENTENCE FOR INDIVIDUALS CONVICTED OF A SERIOUS OR MOST SERIOUS OFFENSE OR A VIOLENT CRIME OR LESSER INCLUDED OFFENSE THAT WAS COMMITTED WHILE THE INDIVIDUAL WAS RELEASED ON BOND FOR A SEPARATE, PREVIOUS SERIOUS OR

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MOST SERIOUS OFFENSE OR A VIOLENT CRIME OR LESSER INCLUDED OFFENSE FOR WHICH HE WAS ALSO CONVICTED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 213 -- Senators McElveen, Shealy, Matthews, Senn and McLeod: A BILL TO AMEND SECTION 16-17-470 OF THE 1976 CODE, RELATING TO EAVESDROPPING, PEEPING, AND VOYEURISM, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN VOYEURISM, TO PROVIDE PENALTIES, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 214 -- Senators McElveen, Massey and Hembree: A BILL TO AMEND SECTION 8-13-1312 OF THE 1976 CODE, RELATING TO CAMPAIGN BANK ACCOUNTS, TO PROVIDE THAT ALL CONTRIBUTIONS RECEIVED BY CANDIDATES SHALL BE DEPOSITED INTO AN INTEREST ON CAMPAIGN ACCOUNT KNOWN AS AN "IOCA", TO PROVIDE THAT AN IOCA BENEFITS THE STATE ETHICS COMMISSION, TO PROVIDE THAT AN IOCA SHALL BE ESTABLISHED WITH AN ELIGIBLE INSTITUTION THAT VOLUNTARILY CHOOSES TO PARTICIPATE, TO PROVIDE FOR THE RATE OF INTEREST OR DIVIDENDS PAYABLE ON ANY IOCA, TO PROVIDE THAT ONE PERCENT OF ALL CONTRIBUTIONS DEPOSITED INTO AN IOCA SHALL BE REMITTED TO BENEFIT THE STATE ETHICS COMMISSION, AND TO PROVIDE THAT THE FUNDS REMITTED TO THE STATE ETHICS COMMISSION SHALL BE USED BY THE STATE ETHICS COMMISSION TO CREATE A POSITION OR POSITIONS WITHIN ITS EMPLOY TO CHECK AND CONFIRM THE COMPLETENESS OF CANDIDATE FILINGS; TO AMEND SECTION 8-13-320 OF THE 1976 CODE, RELATING TO THE DUTIES AND

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POWERS OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THOSE DUTIES AND RESPONSIBILITIES INCLUDE RECEIVING, ADMINISTERING, INVESTING, DISBURSING, AND SEPARATELY ACCOUNTING FOR FUNDS REMITTED TO IT; TO AMEND SECTION 8-13-340 OF THE 1976 CODE, RELATING TO THE ANNUAL REPORT OF THE STATE ETHICS COMMISSION, TO PROVIDE THAT THE STATE ETHICS COMMISSION SHALL INCLUDE IN ITS REPORT TO THE GENERAL ASSEMBLY AND THE GOVERNOR THE AMOUNT OF FUNDS IT HAS RECEIVED FROM IOCAS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 215 -- Senator McElveen: A BILL TO AMEND SECTION 9-8-40 OF THE 1976 CODE, RELATING TO MEMBERSHIP IN THE RETIREMENT SYSTEM, TO PROVIDE THAT JUDGES, SOLICITORS, AND CIRCUIT PUBLIC DEFENDERS BECOME MEMBERS OF THE SYSTEM UPON TAKING OFFICE BEFORE ATTAINING AGE SEVENTY-SEVEN; TO AMEND SECTION 9-8-60 OF THE 1976 CODE, RELATING TO RETIREMENT ALLOWANCES AND RELATED PROVISIONS, TO PROVIDE THAT A MEMBER MAY RETIRE UPON WRITTEN APPLICATION TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY NO LATER THAN THE END OF THE CALENDAR YEAR IN WHICH HE ATTAINS AGE SEVENTY-SEVEN; TO AMEND SECTION 9-8-260(A) AND (B) OF THE 1976 CODE, RELATING TO COMPLIANCE WITH SECTION 401(a)(9) OF THE INTERNAL REVENUE CODE, TO PROVIDE THAT PAYMENT OF RETIREMENT BENEFITS SHALL COMMENCE ON THE EFFECTIVE DATE OF RETIREMENT FOR A MEMBER WHO IS ELIGIBLE TO RECEIVE RETIREMENT BENEFITS, HAS NOT APPLIED FOR SUCH BENEFITS, AND CONTINUES MEMBERSHIP AFTER ATTAINING SEVENTY-FIVE AND ONE-HALF YEARS OF AGE; TO AMEND SECTION 22-1-25 OF THE 1976

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CODE, RELATING TO THE MANDATORY RETIREMENT AGE OF A MAGISTRATE, TO INCREASE THE MANDATORY AGE OF RETIREMENT FROM SEVENTY-TWO TO SEVENTY-SEVEN YEARS OF AGE; TO AMEND ARTICLE 1, CHAPTER 25, TITLE 14 OF THE 1976 CODE, RELATING TO MUNICIPAL COURTS, BY ADDING SECTION 14-25-30, TO PROVIDE THAT IT SHALL BE MANDATORY FOR A MUNICIPAL COURT JUDGE TO RETIRE NO LATER THAN THE END OF THE FISCAL YEAR IN WHICH HE REACHES HIS SEVENTY-SEVENTH BIRTHDAY; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 216 -- Senator McElveen: A BILL TO AMEND SECTION 48-23-10 OF THE 1976 CODE, RELATING TO THE STATE COMMISSION OF FORESTRY, TO PROVIDE THAT MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FROM THE PUBLIC AT LARGE MUST RESIDE IN A COUNTY WITH A FOREST IN EXCESS OF TWENTY-EIGHT THOUSAND ACRES.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 217 -- Senator McElveen: A BILL TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171(A) OF THE 1976 CODE, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS

TUESDAY, JANUARY 12, 2021

ATTRIBUTABLE TO SERVICE ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES.

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Prefiled and referred to the Committee on Finance.

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

S. 218 -- Senators McElveen and Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS FOR ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, BY ADDING SECTION 58-27-260, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL CHARGE A SURCHARGE OF THIRTY DOLLARS PER TON ON ANY COAL COMBUSTION RESIDUALS TRANSFERRED TO A LANDFILL IN A COUNTY WITH A POPULATION OF FEWER THAN NINETEEN THOUSAND FIVE HUNDRED, AND TO PROVIDE FOR THE COLLECTION, RETENTION, AND EXPENDITURE OF THIS SURCHARGE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 219 -- Senators McElveen and Shealy: A JOINT RESOLUTION TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS TO ESTABLISH MAXIMUM CONTAMINANT LEVELS FOR CERTAIN POLLUTANTS IN PUBLIC WATER SYSTEMS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 220 -- Senators McElveen and Shealy: A BILL TO ENACT THE "SOUTH CAROLINA THIRTY-BY-THIRTY CONSERVATION ACT"; TO AMEND TITLE 48 OF THE 1976 CODE, RELATING TO ENVIRONMENTAL PROTECTION

TUESDAY, JANUARY 12, 2021

AND CONSERVATION, BY ADDING CHAPTER 61, TO ESTABLISH THE GOAL OF PROTECTING THIRTY PERCENT OF THE STATE OF SOUTH CAROLINA BY NOT LATER THAN 2030, TO ESTABLISH THE THIRTY-BY-THIRTY INTERAGENCY TASKFORCE, TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF PLANS BY STATE AGENCIES TO ACHIEVE THIS GOAL, AND TO PROVIDE REPORTING REQUIREMENTS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 221 -- Senators Shealy, Alexander, Hutto and Jackson: A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

TUESDAY, JANUARY 12, 2021

S. 222 -- Senators Shealy, McLeod, Hutto, Jackson and Matthews: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 223 -- Senators Shealy, McLeod, McElveen, Matthews and Adams: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 16 OF THE 1976 CODE, RELATING TO CRIMINAL DOMESTIC VIOLENCE, BY ADDING SECTION 16-25-130, TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WHEREBY A VICTIM OF DOMESTIC VIOLENCE, HUMAN TRAFFICKING, STALKING, OR SEXUAL OFFENSES MAY USE A DESIGNATED ADDRESS RATHER THAN HIS RESIDENCE ADDRESS TO CONCEAL HIS PLACE OF RESIDENCE FROM HIS ASSAILANTS OR PROBABLE ASSAILANTS, TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE PROCESS THROUGH WHICH A PERSON MAY PARTICIPATE IN THE PROGRAM, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 224 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Adams: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION, TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING, AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION IF THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 OF THE 1976 CODE, RELATING TO PROSTITUTION VIOLATIONS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 225 -- Senators Shealy, McLeod, Hutto, Jackson and Matthews: A BILL TO AMEND SECTION 23-3-430 OF THE 1976 CODE, RELATING TO THE SEX OFFENDER REGISTRY, TO GIVE FAMILY COURTS THE DISCRETION TO DETERMINE WHETHER A JUVENILE FOURTEEN YEARS OF AGE OR OLDER IS PLACED ON THE REGISTRY AND TO PROHIBIT FAMILY COURTS FROM PLACING A JUVENILE UNDER FOURTEEN YEARS OF AGE ON THE REGISTRY; AND TO AMEND SECTION 23-3-490(D) OF THE 1976 CODE, RELATING TO THE PUBLIC INSPECTION OF SEX OFFENDER REGISTRY RECORDS, TO LIMIT PUBLIC ACCESS TO VICTIMS, WITNESSES, SCHOOLS, CHILDCARE FACILITIES, AND OTHER BUSINESSES THAT PRIMARILY SERVE CHILDREN, WOMEN, OR VULNERABLE ADULTS.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 226 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO AMEND SECTION 63-1-50(F) OF THE 1976 CODE, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY

TUESDAY, JANUARY 12, 2021

LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY

TUESDAY, JANUARY 12, 2021

THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 228 -- Senators Shealy, McElveen and Matthews: A BILL TO AMEND SECTION 16-15-305 OF THE 1976 CODE, RELATING TO THE UNLAWFUL DISSEMINATION, PROCUREMENT, OR PROMOTION OF OBSCENITY, TO PROVIDE THAT IT IS UNLAWFUL TO BUY, SELL, DELIVER, RENT, DISTRIBUTE, OR OTHERWISE PROVIDE ANY FIGURINE FOR THE REPRESENTATION,

TUESDAY, JANUARY 12, 2021

DESCRIPTION, OR USE OF THE OBSCENE; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 230 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE

TUESDAY, JANUARY 12, 2021

VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 231 -- Senators Shealy, McLeod and Matthews: A BILL TO ENACT THE "STUDENT IDENTIFICATION CARD SUICIDE PREVENTION ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS PROVISIONS FOR EDUCATION, BY ADDING SECTION 59-1-375, TO PROVIDE THAT PUBLIC SCHOOLS AND PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING SHALL ADD THE TELEPHONE NUMBER FOR THE NATIONAL SUICIDE PREVENTION LIFELINE TO STUDENT IDENTIFICATION CARDS AND MAY ADD TELEPHONE AND TEXT NUMBERS FOR CERTAIN OTHER HOTLINES TO STUDENT IDENTIFICATION CARDS, AND TO PROVIDE FOR THE USE OF STUDENT IDENTIFICATION CARDS IN EXISTENCE BEFORE THE IMPLEMENTATION OF THIS REQUIREMENT.

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Prefiled and referred to the Committee on Education.

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

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO

TUESDAY, JANUARY 12, 2021

LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, AND TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

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Prefiled and referred to the Committee on Finance.

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

S. 234 -- Senator Turner: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225 OF THE 1976 CODE, RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

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Prefiled and referred to the Committee on Finance.

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

S. 235 -- Senator Turner: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO REVISE

TUESDAY, JANUARY 12, 2021

THE MEMBERSHIP OF ITS GOVERNING COMMISSION BY REMOVING ONE MEMBER FROM SPARTANBURG COUNTY AND ADDING ONE MEMBER FROM GREENVILLE COUNTY, AND TO AMEND REWA'S SERVICE AREA.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Judiciary.

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

S. 237 -- Senator Young: A BILL TO AMEND SECTION 12-10-80(C)(3) OF THE 1976 CODE, RELATING TO QUALIFIED EXPENDITURES FOR JOB DEVELOPMENT CREDITS, TO PROVIDE THAT SECURITY CLEARANCE COSTS ARE QUALIFIED EXPENDITURES.

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Prefiled and referred to the Committee on Finance.

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

TUESDAY, JANUARY 12, 2021

S. 238 -- Senator Young: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3785, TO PROVIDE LIMITATIONS ON THE AMOUNT AN INDIVIDUAL OR CORPORATION CAN CLAIM AS TAX CREDITS, TO PROVIDE FOR THE AWARD OF CERTAIN TAX CREDITS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 239 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

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Prefiled and referred to the Committee on Judiciary.

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

S. 240 -- Senator Young: A BILL TO AMEND CHAPTER 7, TITLE 58 OF THE 1976 CODE, RELATING TO SPECIAL PROVISIONS AFFECTING GAS, WATER, OR PIPELINE COMPANIES, BY ADDING ARTICLE 3, TO ESTABLISH PROVISIONS RELATING TO PETROLEUM PIPELINES, TO PROVIDE FOR APPLICATIONS, PERMITTING, AND HEARINGS, TO SET REQUIREMENTS FOR RENDERING FINAL ORDERS, TO PROVIDE FOR REHEARINGS, TO PROMULGATE REGULATIONS, TO ALLOW THE OFFICE OF REGULATORY STAFF TO REQUIRE RECORDS PRODUCTION, TO PROVIDE FOR DISCOVERY, AND TO EMPLOY EXPERT WITNESSES, TO PROVIDE THAT A PETROLEUM PIPELINE COMPANY MAY REQUEST REASONABLE ACCESS TO PROPERTY ON A PROPOSED SITE FOR SURVEY PURPOSES, TO PROVIDE REPORTING

TUESDAY, JANUARY 12, 2021

REQUIREMENTS FOR A SPILL OR AN ACCIDENTAL RELEASE, TO PROVIDE FOR EMINENT DOMAIN AND HEARINGS BEFORE THE ADMINISTRATIVE LAW COURT; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Education.

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

S. 242 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

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Prefiled and referred to the Committee on Transportation.

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

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

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FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 244 -- Senator Young: A BILL TO AMEND SECTION 58-5-410 OF THE 1976 CODE, RELATING TO ELECTION TO COME UNDER THE NATURAL GAS RATE STABILIZATION ACT, TO REMOVE THE PROVISION THAT AN ELECTION SHALL REMAIN IN EFFECT UNTIL THE NEXT GENERAL RATE PROCEEDING; TO AMEND SECTION 58-5-415 OF THE 1976 CODE, RELATING TO THE DURATION OF AN ELECTION AND THE WITHDRAWAL OF A REQUEST TO COME UNDER THE NATURAL GAS RATE STABILIZATION ACT, TO PROVIDE THAT ELECTION BY A UTILITY UNDER THE NATURAL GAS RATE STABILIZATION ACT SHALL REMAIN IN EFFECT FOR FIVE YEARS AND THAT THE UTILITY MAY OPT OUT; TO AMEND SECTION 58-5-420(2) OF THE 1976 CODE, RELATING TO THE CONTENTS OF AN ORDER, TO REMOVE CERTAIN REQUIREMENTS FOR FIGURES; TO AMEND SECTION 58-5-450 OF THE 1976 CODE, RELATING TO THE REVIEW OF REPORTS AND PROPOSED TARIFF RATE ADJUSTMENTS, TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF SHALL PROPOSE CHANGES TO RATE DESIGN; TO AMEND SECTION 58-5-470 OF THE 1976 CODE, RELATING TO THE REVIEW OF INITIAL ORDERS, SCOPE, AND RULE TO SHOW CAUSE FOR WHY A FULL RATE PROCEEDING SHOULD NOT BE INITIATED, TO PROVIDE THAT THE RIGHT OF REGULATORY STAFF TO FILE CERTAIN ACTIONS IS NOT LIMITED; AND TO AMEND ARTICLE 4,

TUESDAY, JANUARY 12, 2021

CHAPTER 5, TITLE 58 OF THE 1976 CODE, RELATING TO THE NATURAL GAS RATE STABILIZATION ACT, BY ADDING SECTION 58-5-416, TO PROVIDE A LIMITATION ON THE DURATION OF ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Transportation.

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

S. 246 -- Senator Young: A BILL TO AMEND SECTION 22-1-10(A) OF THE 1976 CODE, RELATING TO THE APPOINTMENT OF MAGISTRATES, TO PROVIDE THAT A MAGISTRATE MAY SERVE IN HOLDOVER STATUS FOR NO MORE THAN FOURTEEN DAYS AT THE END OF HIS TERM, TO PROVIDE THAT THE GOVERNOR MAY APPOINT A TEMPORARY MAGISTRATE UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT ANY MAGISTRATE OR MAGISTRATE CANDIDATE WHO HAS BEEN REPRIMANDED BY THE SUPREME COURT OR ANY OTHER DISCIPLINARY AUTHORITY MAY NOT BE APPOINTED OR REAPPOINTED UNLESS APPROVED BY A MAJORITY OF THE SENATE AFTER THE SENATE IS INFORMED OF THE REPRIMAND OR DISCIPLINARY ACTION.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 247 -- Senator Young: A BILL TO AMEND CHAPTER 1, TITLE 58 OF THE 1976 CODE, RELATING TO PUBLIC UTILITIES, SERVICES, AND CARRIERS, BY ADDING SECTION 58-1-70, TO PROHIBIT NATURAL GAS OR ELECTRIC PUBLIC UTILITIES FROM DISCLOSING CUSTOMER INFORMATION TO A THIRD PARTY WITHOUT THE EXPRESS CONSENT OF THE CUSTOMER.

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Prefiled and referred to the Committee on Judiciary.

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

S. 248 -- Senators Young and Hembree: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Transportation.

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

TUESDAY, JANUARY 12, 2021

S. 249 -- Senator Young: A BILL TO AMEND SECTION 12-10-80(C)(3) OF THE 1976 CODE, RELATING TO QUALIFIED EXPENDITURES FOR JOB DEVELOPMENT CREDITS, TO PROVIDE THAT SECURITY CLEARANCE COSTS ARE QUALIFIED EXPENDITURES.

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Prefiled and referred to the Committee on Finance.

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

S. 250 -- Senators Young and Hembree: A BILL TO AMEND SECTION 8-13-1308 OF THE 1976 CODE, RELATING TO THE FILING OF CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, TO REQUIRE CANDIDATES AND COMMITTEES TO FILE CAMPAIGN BANK ACCOUNT STATEMENTS FOR THE PREVIOUS QUARTER'S CAMPAIGN REPORT CONTEMPORANEOUSLY WITH THEIR CAMPAIGN DISCLOSURES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 251 -- Senator Young: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 11 OF THE 1976 CODE, RELATING TO THE STATE BUDGET SYSTEM, BY ADDING SECTION 11-11-135, TO PROVIDE THAT THE EXECUTIVE BUDGET OFFICE MUST COMPILE INFORMATION FROM EACH STATE AGENCY AND INSTITUTION DETAILING THE CATEGORIES AND AMOUNTS OF "OTHER FUNDS" BALANCES CARRIED FORWARD FROM THE MOST RECENTLY COMPLETED FISCAL YEAR INTO THE CURRENT FISCAL YEAR AND THOSE USES TO WHICH THESE BALANCES WILL BE APPLIED, TO REQUIRE THE EXECUTIVE BUDGET OFFICE TO REPORT ITS COMPILATION TO THE GENERAL ASSEMBLY NO LATER

TUESDAY, JANUARY 12, 2021

THAN NOVEMBER FIRST OF EACH YEAR, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Finance.

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

S. 252 -- Senator Young: A BILL TO AMEND SECTION 19-1-180(G) OF THE 1976 CODE, RELATING TO THE ADMISSIBILITY OF OUT-OF-COURT STATEMENTS MADE BY CHILDREN, TO ADD AN EXCEPTION FOR STATEMENTS MADE TO EMPLOYEES OR AGENTS OF CHILDREN'S ADVOCACY CENTERS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 253 -- Senator Young: A BILL TO AMEND SECTION 13-7-810 OF THE 1976 CODE, RELATING TO THE NUCLEAR ADVISORY COUNCIL, TO RENAME THE COUNCIL; AND TO AMEND SECTION 1-5-40(A)(70) AND SECTION 1-11-10(A)(15) OF THE 1976 CODE, RELATING TO THE SECRETARY OF STATE'S MONITORING OF STATE BOARDS AND COMMISSIONS AND TO OFFICES, DIVISIONS, AND OTHER AGENCIES WITHIN THE DEPARTMENT OF ADMINISTRATION, RESPECTIVELY, TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 254 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 7 OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, BY ADDING SECTION 7-3-80, TO PROVIDE THE AUTHORITY FOR THE STATE ELECTION COMMISSION TO ESTABLISH REGULATIONS RELATED TO THE CONDUCT OF POST-ELECTION AUDITS PRIOR TO THE CERTIFICATION OF ELECTIONS, AND TO REQUIRE THAT AUDIT DATA BE MADE PUBLIC;

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AND TO AMEND ARTICLE 11, CHAPTER 13, TITLE 7 OF THE 1976 CODE, RELATING TO THE CANVASSING AND COUNTING OF BALLOTS, BY ADDING SECTION 7-13-1155, TO REQUIRE COUNTY ELECTION COMMISSIONS OR COUNTY BOARDS OF REGISTRATION AND ELECTIONS TO PERFORM A POST-ELECTION AUDIT BEFORE THE CERTIFICATION OF AN ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 255 -- Senator Kimpson: A BILL TO ENACT THE "SOUTH CAROLINA HARM REDUCTION ACT"; TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139, TO CREATE A SYRINGE SERVICE PROGRAM; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 256 -- Senator Kimpson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO PROVIDE THAT A STUDENT ATHLETE MAY RECEIVE COMPENSATION FOR THE USE OF HIS NAME, IMAGE, OR LIKENESS, AND TO PROVIDE FOR LIMITATIONS AND DISCLOSURE REQUIREMENTS; TO AMEND CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO COLLEGES AND INSTITUTIONS OF HIGHER LEARNING, GENERALLY, BY ADDING ARTICLES 9 AND 10, TO PROVIDE THAT PARTICIPATING INSTITUTIONS IN THIS STATE SHALL ANNUALLY AWARD STIPENDS TO A STUDENT ATHLETE WHO PARTICIPATES IN AN INTERCOLLEGIATE SPORT AND MAINTAINS GOOD ACADEMIC STANDING DURING THE PREVIOUS YEAR, TO PROVIDE CONDITIONS FOR THE RECEIPT OF STIPENDS, TO PROVIDE THAT PARTICIPATING INSTITUTIONS SHALL CREATE A

TUESDAY, JANUARY 12, 2021

STUDENT ATHLETE TRUST FUND AND FUND THE TRUST WITH A PERCENTAGE OF THE INTERCOLLEGIATE SPORT GROSS REVENUE, TO PROVIDE THAT FIVE THOUSAND DOLLARS WILL BE DEPOSITED INTO THE FUND ON A STUDENT ATHLETE'S BEHALF FOR EACH YEAR THAT HE MAINTAINS GOOD ACADEMIC STANDING, TO PROVIDE THAT THE TOTAL TRUST FUND AMOUNT MAY NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS PER STUDENT ATHLETE, TO PROVIDE THAT A PARTICIPATING INSTITUTION SHALL PROVIDE A ONE-TIME PAYMENT TO EACH STUDENT ATHLETE AFTER THE FULFILLMENT OF CERTAIN REQUIREMENTS, AND TO PROVIDE CONDITIONS FOR THE RECEIPT OF A TRUST FUND PAYMENT; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Education.

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

S. 257 -- Senator Kimpson: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-242, TO PROHIBIT THE DELETION OR DESTRUCTION OF DATA FROM A BODY-WORN CAMERA WITH THE INTENT TO ALTER OR INFLUENCE A CRIMINAL ACTION, CRIMINAL INVESTIGATION, INTERNAL POLICE INVESTIGATION, CIVIL ACTION, OR POTENTIAL CIVIL ACTION IF NOTICE IS PROVIDED BY THE ADVERSE PARTY, OR IF LITIGATION IS REASONABLY ANTICIPATED, TO PROVIDE PENALTIES, AND TO PROVIDE EXEMPTIONS; AND TO AMEND SECTION 23-1-240(D) AND (G)(2) OF THE 1976 CODE, RELATING TO POLICIES AND PROCEDURES FOR THE USE OF BODY-WORN CAMERAS, TO PROVIDE FOR THE CIRCUMSTANCES IN WHICH POLICIES AND PROCEDURES ESTABLISHED BY AGENCIES MUST INCLUDE FOR THE ACTIVATION OF RECORDINGS, AND TO PROVIDE THAT A TRIAL JUDGE MAY INSTRUCT A JURY THAT IT MAY INFER NEGLIGENCE IF AN OFFICER

TUESDAY, JANUARY 12, 2021

WEARING A BODY-WORN CAMERA FAILED TO PRODUCE VIDEO.

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Prefiled and referred to the Committee on Judiciary.

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

S. 258 -- Senator Kimpson: A BILL TO ENACT THE "SOUTH CAROLINA INCLUSIONARY ZONING ACT"; TO AMEND CHAPTER 7, TITLE 6 OF THE 1976 CODE, RELATING TO PLANNING BY LOCAL GOVERNMENTS, BY ADDING ARTICLE 5, TO PROVIDE THAT COUNTIES AND MUNICIPALITIES ARE AUTHORIZED TO USE INCLUSIONARY ZONING STRATEGIES TO INCREASE THE AVAILABILITY OF AFFORDABLE HOUSING.

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Prefiled and referred to the Committee on Judiciary.

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

S. 259 -- Senator Kimpson: A BILL TO AMEND SECTION 44-17-410(2) OF THE 1976 CODE, RELATING TO CIRCUMSTANCES UNDER WHICH A PERSON MAY BE ADMITTED TO A PUBLIC OR PRIVATE HOSPITAL, MENTAL HEALTH CLINIC, OR MENTAL HEALTH FACILITY FOR EMERGENCY ADMISSION, TO PROVIDE FOR THE EXTENSION OF A CERTIFICATION BY A PHYSICIAN DURING A NATURAL DISASTER OR LIFE-THREATENING CONDITIONS; AND TO AMEND SECTION 44-17-440 OF THE 1976 CODE, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON WHO IS BELIEVED TO HAVE A MENTAL ILLNESS AND IS REQUIRING IMMEDIATE CARE, TO PROVIDE THAT A STATE OR LOCAL LAW ENFORCEMENT OFFICER RESPONSIBLE FOR TRANSPORTING THE PATIENT MUST BE A PART OF A THERAPEUTIC TRANSPORT UNIT AND HAVE UNDERGONE MENTAL HEALTH AND CRISIS INTERVENTION TRAINING, AND TO PROVIDE THAT A PHYSICIAN RESPONSIBLE FOR THE PATIENT'S CARE MUST NOTIFY A FRIEND OR RELATIVE THAT THE

TUESDAY, JANUARY 12, 2021

FRIEND OR RELATIVE MAY TRANSPORT THE PATIENT TO THE MENTAL HEALTH FACILITY AND THAT THE FRIEND OR RELATIVE FREELY CHOOSES TO ASSUME RESPONSIBILITY AND LIABILITY FOR THE TRANSPORT.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 260 -- Senators Kimpson and Stephens: A BILL TO AMEND CHAPTER 20, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION FINANCE ACT OF 1977, BY ADDING SECTION 59-20-45, TO PROVIDE FOR THE ESTABLISHMENT OF A FUND TO BE USED TO INCREASE TEACHER SALARIES, AND TO PROVIDE FOR THE REVENUE CREDITED TO THE FUND.

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Prefiled and referred to the Committee on Education.

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

S. 261 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29 TO CHAPTER 53, TITLE 59 ENTITLED "SOUTH CAROLINA TECHNICAL EDUCATION TRANSITION PROGRAM" SO AS TO PROVIDE TUITION ASSISTANCE TO QUALIFIED EX-FELONS, TO DEFINE NECESSARY TERMS, TO ESTABLISH CERTAIN REQUIREMENTS FOR A MEMBER OF THE PROGRAM, AND TO PROVIDE THAT A MEMBER OF THE PROGRAM MUST REIMBURSE THE BOARD IF HE FAILS TO MEET THE REQUIREMENTS OF THE PROGRAM.

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Prefiled and referred to the Committee on Education.

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

TUESDAY, JANUARY 12, 2021

S. 262 -- Senator Matthews: A JOINT RESOLUTION TO RATIFY A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA PROVIDING THAT EQUALITY OF RIGHTS UNDER THE LAW MUST NOT BE DENIED OR ABRIDGED ON ACCOUNT OF SEX.

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Prefiled and referred to the Committee on Judiciary.

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

S. 263 -- Senators Matthews and K. Johnson: A JOINT RESOLUTION TO ESTABLISH THE WORK OPPORTUNITY INCOME TAX CREDIT STUDY COMMITTEE TO STUDY THE POTENTIAL BENEFITS OF GRANTING INCOME TAX CREDITS TO EMPLOYERS WHO HIRE QUALIFIED EX-FELONS; TO PROVIDE FOR THE MEMBERSHIP OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

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Prefiled and referred to the Committee on Finance.

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

S. 264 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO

TUESDAY, JANUARY 12, 2021

TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 265 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-400 SO AS TO PROHIBIT HOSPITALS FROM UTILIZING TELEMEDICINE TO DELIVER INTENSIVE OR CRITICAL CARE SERVICES AND TO REQUIRE SUCH SERVICES BE PROVIDED OR SUPERVISED BY A PHYSICIAN WHO IS BOARD-CERTIFIED IN CRITICAL CARE MEDICINE.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 266 -- Senators Jackson, K. Johnson and Stephens: A BILL TO AMEND SECTION 63-5-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHILD SUPPORT OBLIGATIONS, SO AS TO PROVIDE THAT AN OFFENDER SENTENCED TO NINETY OR FEWER DAYS IMPRISONMENT WHO IS EMPLOYED AT THE TIME OF SENTENCING AND IS ABLE TO MAINTAIN EMPLOYMENT MAY SERVE HIS SENTENCE AT A TIME WHEN HE IS NOT WORKING AND THE SENTENCE DOES NOT INTERFERE WITH HIS EMPLOYMENT, AND TO PROVIDE FOR WAGE GARNISHMENT TO SATISFY CHILD SUPPORT PAYMENTS.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 267 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-81-80 SO AS TO PROHIBIT THE USE OF ARBITRATION AGREEMENTS BY LONG-TERM CARE FACILITIES TO RESOLVE CLAIMS OF RESIDENTS FOR INJURY OR OTHER DAMAGES OCCURRING AT THE LONG-TERM CARE FACILITY.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 268 -- Senator Matthews: A JOINT RESOLUTION TO PROVIDE FOR A STATEWIDE ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2022 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF THIS STATE FAVOR LEGALIZATION OF MARIJUANA FOR RECREATIONAL USE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 269 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-395 SO AS TO REQUIRE ANY HOSPITAL PROVIDING INTENSIVE OR CRITICAL CARE SERVICES TO HAVE A BOARD-CERTIFIED CRITICAL CARE DOCTOR ON DUTY OR ON CALL AT ALL TIMES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 270 -- Senator Matthews: A BILL TO AMEND SECTIONS 6-1-530 AND 6-1-730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF REVENUE FROM THE LOCAL ACCOMMODATIONS TAX AND HOSPITALITY TAX, RESPECTIVELY, SO AS TO

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REDUCE A THRESHOLD FROM NINE HUNDRED THOUSAND DOLLARS IN ACCOMMODATIONS TAXES COLLECTED TO SEVEN HUNDRED FIFTY THOUSAND DOLLARS.

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Prefiled and referred to the Committee on Finance.

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

S. 271 -- Senators Talley, Turner, Rice and Adams: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

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Prefiled and referred to the Committee on Finance.

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

S. 272 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, AS AMENDED, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A

TUESDAY, JANUARY 12, 2021

PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.

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Prefiled and referred to the Committee on Finance.

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

S. 273 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SAVANNAH RIVER PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, AS AMENDED, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND

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SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT LEAST TWENTY MILLION DOLLARS IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A SAVANNAH RIVER PORT ENHANCEMENT ZONE.

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Prefiled and referred to the Committee on Finance.

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

S. 274 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 10-1-165 RELATING TO THE PROTECTION OF CERTAIN MONUMENTS AND MEMORIALS.

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Prefiled and referred to the Committee on Finance.

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

S. 275 -- Senators Matthews and Adams: A BILL TO AMEND SECTION 23-23-60(B)(5) OF THE 1976 CODE, RELATING TO EVIDENCE OF GOOD CHARACTER CONCERNING CERTIFICATION AS A LAW ENFORCEMENT OFFICER, TO PROVIDE THAT FAVORABLE RESULTS RESULTING FROM A REVIEW OF THE CENTRAL REGISTRY OF

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POLICE MISCONDUCT ARE REQUIRED TO MAKE A DETERMINATION OF GOOD CHARACTER; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-160, TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL SHALL OPERATE AND MAINTAIN THE CENTRAL REGISTRY OF POLICE MISCONDUCT, TO PROVIDE FOR THE INFORMATION THAT MUST BE MAINTAINED ON THE REGISTRY, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH INFORMATION MUST BE INCLUDED ON THE REGISTRY, TO PROVIDE THAT THE STATE'S LAW ENFORCEMENT AGENCIES SHALL HAVE ACCESS TO THE INFORMATION ON THE REGISTRY, AND TO PROVIDE WHICH INFORMATION IS CONFIDENTIAL AND WHICH INFORMATION IS SUBJECT TO PUBLIC DISCLOSURE; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 276 -- Senator Matthews: A BILL TO AMEND ARTICLE 3, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION'S CRIMINAL INFORMATION AND COMMUNICATION SYSTEM, BY ADDING SECTION 23-3-155, TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO PROVIDE AN INFORMATION SYSTEM ACCESSIBLE TO STATE AND LOCAL LAW ENFORCEMENT AGENCIES FOR THE PURPOSE OF PERFORMING DISCIPLINARY HISTORY BACKGROUND CHECKS ON PROSPECTIVE EMPLOYEES, TO REQUIRE STATE AND LOCAL LAW ENFORCEMENT AGENCIES TO REPORT DISCIPLINARY ACTIONS TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION'S CENTRAL RECORD REPOSITORY, AND TO PROVIDE THAT THE SOUTH

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CAROLINA LAW ENFORCEMENT DIVISION MAY NOT IMPOSE A FEE FOR A RECORDS SEARCH.

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Prefiled and referred to the Committee on Judiciary.

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

S. 277 -- Senators Matthews and Adams: A BILL TO AMEND SECTION 23-3-65 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT ASSISTANCE PROGRAM'S PROVISION OF COUNSELING SERVICES AND OTHER SUPPORT SERVICES, TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO DISCLOSE TO AN OFFICER'S EMPLOYING AGENCY INFORMATION THAT IDENTIFIES WHETHER COUNSELING SERVICES HAVE BEEN PROVIDED, WHETHER FUTURE COUNSELING IS RECOMMENDED, AND ANY ADDITIONAL RELEVANT INFORMATION THAT WOULD BE NECESSARY FOR THE OFFICER'S EMPLOYING AGENCY TO MAKE A REASONABLE DETERMINATION ABOUT THE OFFICER'S ABILITY TO HANDLE FUTURE POTENTIALLY TRAUMATIC EXPERIENCES, AND TO PROVIDE THAT A LAW ENFORCEMENT OFFICER UTILIZING THE SC LEAP PROGRAM MUST DISCLOSE THIS FACT TO HIS EMPLOYING AGENCY, WHICH MUST REMOVE HIM FROM POTENTIALLY TRAUMATIZING SITUATIONS FOR THE PENDENCY OF HIS PARTICIPATION IN THE PROGRAM.

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Prefiled and referred to the Committee on Judiciary.

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

S. 278 -- Senator Matthews: A BILL TO AMEND SECTION 23-3-65 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT ASSISTANCE PROGRAM'S PROVISION OF COUNSELING SERVICES AND OTHER SUPPORT SERVICES, TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION TO

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DISCLOSE TO AN OFFICER'S EMPLOYING AGENCY INFORMATION THAT IDENTIFIES WHETHER COUNSELING SERVICES HAVE BEEN PROVIDED, WHETHER FUTURE COUNSELING IS RECOMMENDED, AND ANY ADDITIONAL RELEVANT INFORMATION THAT WOULD BE NECESSARY FOR THE OFFICER'S EMPLOYING AGENCY TO MAKE A REASONABLE DETERMINATION ABOUT THE OFFICER'S ABILITY TO HANDLE FUTURE POTENTIALLY TRAUMATIC EXPERIENCES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 279 -- Senator Matthews: A BILL TO AMEND SECTION 23-23-60(C)(3) OF THE 1976 CODE, RELATING TO THE RENEWAL OF A LAW ENFORCEMENT OFFICER'S CERTIFICATE, TO REQUIRE THE COMPLETION OF AN EIGHT-HOUR GENERAL TRAINING CONTINUING LAW ENFORCEMENT EDUCATION PROGRAM AS A CONDITION FOR RENEWAL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 280 -- Senator Matthews: A BILL TO AMEND SECTION 23-23-150(K) OF THE 1976 CODE, RELATING TO EXTENSIONS FOR POLICE MISCONDUCT INVESTIGATIONS, TO PROVIDE THAT PARTIES MAY AGREE TO AN EXTENSION, TO PROVIDE THAT THE DIRECTOR OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY GRANT AN EXTENSION, AND TO PROVIDE THAT AN EXTENSION MUST BE FOR A SPECIFIED TIME PERIOD; TO AMEND SECTION 23-23-150(L) OF THE 1976 CODE, RELATING TO REPORTING FINDINGS OF ALLEGATIONS OF EXCESSIVE FORCE TO THE SOUTH CAROLINA CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT A FINDING OF EXCESSIVE FORCE, OR

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OF PHYSICAL OR PSYCHOLOGICAL ABUSE, MUST BE REPORTED WITHIN TEN DAYS OF THE FINDING; AND TO AMEND SECTION 23-23-150 OF THE 1976 CODE, RELATING TO THE ADJUDICATION OF ALLEGATIONS OF POLICE MISCONDUCT, TO PROVIDE THAT THE FINAL DISPOSITION OF ALLEGATIONS OF MISCONDUCT MUST BE REPORTED TO THE GOVERNING BODY OF THE COUNTY OR MUNICIPALITY IN WHICH THE AGENCY EMPLOYING THE SUBJECT OF THE ALLEGATION IS LOCATED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 281 -- Senator Matthews: A BILL TO AMEND SECTION 23-23-150(A)(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF MISCONDUCT, TO PROVIDE THAT IT IS MISCONDUCT FOR AN OFFICER TO WILLFULLY PROVIDE A FALSE, MISLEADING, INCOMPLETE, DECEITFUL, OR INCORRECT STATEMENT ON AN AFFIDAVIT FOR THE PURPOSE OF PROCURING A WARRANT, FOR AN OFFICER TO FAIL TO REPORT WITNESSING OR HAVING KNOWLEDGE OF ANOTHER OFFICER WHO WILLFULLY PROVIDED A FALSE, MISLEADING, INCOMPLETE, DECEITFUL, OR INCORRECT STATEMENT ON AN AFFIDAVIT FOR THE PURPOSE OF PROCURING A WARRANT, OR FOR AN OFFICER TO FAIL TO REPORT OTHER MISCONDUCT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 282 -- Senator Matthews: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST

TUESDAY, JANUARY 12, 2021

RESPONDER DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 283 -- Senator Matthews: A BILL TO AMEND SECTION 44-53-530(b) AND (c) OF THE 1976 CODE, RELATING TO THE SALE OF PROPERTY SEIZED BY LAW ENFORCEMENT AGENCIES, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT SEIZED PROPERTY AND LAW ENFORCEMENT OFFICERS THAT WORK FOR THE LAW ENFORCEMENT AGENCY MAY NOT PURCHASE ANY OF THE PROPERTY AT A SALE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 284 -- Senator Matthews: A BILL TO AMEND THE FIRST PARAGRAPH OF SECTION 44-53-530(a) OF THE 1976 CODE, RELATING TO CIVIL ASSET FORFEITURE PROCEDURES, TO PROVIDE THAT MONIES SEIZED MUST BE RETURNED TO THE PERSON FROM WHOM THE MONIES WERE SEIZED IF FORFEITURE PROCEEDINGS ARE NOT COMMENCED WITHIN NINETY DAYS OF THE SEIZURE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 285 -- Senator Matthews: A BILL TO AMEND SECTION 23-1-240(G)(1) OF THE 1976 CODE, RELATING TO DATA RECORDED ON A BODY-WORN CAMERA BEING EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THAT RECORDINGS OF AN INCIDENT INVOLVING A LOSS OF LIFE ARE SUBJECT

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TO THE FREEDOM OF INFORMATION ACT BEGINNING
THIRTY DAYS AFTER THE INCIDENT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 286 -- Senator Gambrell: A BILL TO AMEND THE CODE
OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING
SECTION 56-5-2774 SO AS TO ALLOW THE DEPARTMENT
OF PUBLIC SAFETY TO ISSUE A CIVIL PENALTY
CITATION AGAINST THE REGISTERED OWNER OF A
VEHICLE THAT UNLAWFULLY PASSES A SCHOOL BUS,
TO PROVIDE A METHOD TO APPEAL THE CITATION, AND
TO PROVIDE FOR THE REPEAL OF THIS SECTION.

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Prefiled and referred to the Committee on Transportation.

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

S. 287 -- Senator Gambrell: A BILL TO AMEND SECTION
40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976,
RELATING TO QUALIFICATIONS FOR LICENSURE BY
THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND
SECTION 40-45-240, RELATING TO APPLICANTS FOR
LICENSURE BY ENDORSEMENT FOR LICENSEES FROM
OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE
CERTAIN FINGERPRINT-SUPPORTED STATE AND
NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL
LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF
THESE RECORDS CHECKS MUST BE PROVIDED TO THE
DEPARTMENT OF LABOR, LICENSING AND
REGULATION, TO AUTHORIZE THE STATE LAW
ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS
FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS
MUST BARE RELATED COSTS, AND TO PROVIDE THE
DEPARTMENT SHALL KEEP INFORMATION RECEIVED

TUESDAY, JANUARY 12, 2021

PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 288 -- Senators Climer and Hembree: A BILL TO AMEND SECTION 63-7-20(6) OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

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Prefiled and referred to the Committee on Judiciary.

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

S. 289 -- Senator Climer: A BILL TO AMEND CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, BY ADDING ARTICLE 16, TO PROVIDE THAT ALL HEALTH INSURANCE CARRIERS SHALL OFFER SHARED SAVINGS INCENTIVE PROGRAMS AS A COMPONENT OF ALL HEALTH INSURANCE PLANS, SUBJECT TO CERTAIN EXCEPTIONS, TO PROVIDE REQUIREMENTS CONCERNING THE ESTABLISHMENT OF THESE PROGRAMS, TO PROVIDE FOR THE OFFERING OF INCENTIVES TO HEALTH PLAN ENROLLEES CONCERNING CERTAIN COVERED SHOPPABLE HEALTH CARE SERVICES, TO PROVIDE THAT SHARED SAVINGS INCENTIVE PAYMENTS ARE NOT ADMINISTRATIVE EXPENSES FOR THE CARRIER THAT PAID THEM FOR RATE DEVELOPMENT OR RATE FILING PURPOSES, TO PROVIDE REPORTING

TUESDAY, JANUARY 12, 2021

REQUIREMENTS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 290 -- Senator Climer: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 291 -- Senator Climer: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 58 OF THE 1976 CODE, RELATING TO THE REGULATION OF WATER AND SEWER UTILITIES' ADEQUACY OF SERVICE, BY ADDING SECTION 58-5-760, TO PROVIDE THAT A CLASS A WATER OR SEWER UTILITY MUST SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION, AND TO PROVIDE FOR THE CONTENTS OF AN INTEGRATED

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RESOURCE PLAN AND CERTAIN REPORTING REQUIREMENTS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 292 -- Senators Climer and Rice: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO SECTION 3, ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION OF MEMBERS OF THE SUPREME COURT, SECTION 8, ARTICLE V, RELATING TO THE ELECTION OF MEMBERS OF THE COURT OF APPEALS, SECTION 13, ARTICLE V, RELATING TO JUDICIAL CIRCUITS AND CIRCUIT JUDGES, SECTION 18, ARTICLE V, RELATING TO VACANCIES IN THESE JUDICIAL OFFICES, AND SECTION 27, ARTICLE V, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE THAT MEMBERS OF THE SUPREME COURT, MEMBERS OF THE COURT OF APPEALS, AND CIRCUIT JUDGES SHALL BE APPOINTED BY THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 293 -- Senator Climer: A BILL TO AMEND SECTION 58-5-710 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF AN ORDER TO PROVIDE ADEQUATE AND PROPER SERVICE, TO PROVIDE THAT A WATER OR SEWER UTILITY SYSTEM THAT FAILED TO PROVIDE SERVICE BECAUSE OF A FAILURE TO PLAN FOR REASONABLY FORESEEABLE CIRCUMSTANCES MUST NOT RECEIVE A RATE OF RETURN FOR THE PERIOD IN WHICH THE UTILITY DID NOT PROVIDE SERVICE, TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MAY REVIEW AND MODIFY A UTILITY'S RATE OF RETURN UPON A FINDING

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OF EGREGIOUS CIRCUMSTANCES CAUSED BY THE UTILITY FOR FAILURE TO PROVIDE SERVICES, AND TO PROVIDE THAT THE PUBLIC SERVICE COMMISSION MUST CONSIDER A UTILITY'S HISTORY OF FAILURE TO PROVIDE SERVICE IN DETERMINING THE UTILITY'S RATE OF RETURN.

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Prefiled and referred to the Committee on Judiciary.

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

S. 294 -- Senators Climer and Fanning: A BILL TO AMEND ARTICLE 7, CHAPTER 27, TITLE 58 OF THE 1976 CODE, RELATING TO RATES AND CHARGES FOR ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES, BY ADDING SECTION 58-27-1060, TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION TO RESELL ELECTRICITY IS NOT AN ELECTRICAL UTILITY, AND TO PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 295 -- Senators Climer and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND

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COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 296 -- Senators Climer, Fanning and M. Johnson: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY OF A CERTAIN SIZE AND POPULATION MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION DURING NON-DAYLIGHT HOURS OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS.

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Prefiled and referred to the Committee on Transportation.

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

S. 297 -- Senator Climer: A BILL TO AMEND SECTION 23-31-600 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF IDENTIFICATION CARDS TO QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS, THE CIRCUMSTANCES

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IN WHICH A QUALIFIED LAW ENFORCEMENT OFFICER MAY CARRY A CONCEALED WEAPON, AND OPPORTUNITIES FOR TRAINING TO QUALIFY TO CARRY A FIREARM THAT MUST BE OFFERED TO A QUALIFIED RETIRED LAW ENFORCEMENT OFFICER, TO DELETE THE PROVISION THAT RESTRICTS THE CARRYING OF A CONCEALED WEAPON ONTO CERTAIN PREMISES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 298 -- Senators Climer and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, BY ADDING SECTION 38-71-42, TO REQUIRE HEALTH MAINTENANCE ORGANIZATIONS, INDIVIDUAL OR GROUP HEALTH INSURANCE POLICIES, AND INSURANCE CONTRACTS TO PROVIDE COVERAGE FOR CERTAIN TESTS FOR THE EARLY DETECTION OF CARDIOVASCULAR DISEASE; AND TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC EMPLOYEE BENEFIT AUTHORITY'S DUTY TO MAKE CERTAIN INSURANCE PLANS AVAILABLE, TO REQUIRE A GROUP HEALTH PLAN TO COVER CERTAIN TESTS FOR THE EARLY DETECTION OF CARDIOVASCULAR DISEASE.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 299 -- Senators Climer, Fanning and Hembree: A BILL TO AMEND SECTION 8-13-1140 OF THE 1976 CODE, RELATING TO FILING AN UPDATED STATEMENT OF ECONOMIC INTERESTS, TO REQUIRE EACH STATEWIDE CONSTITUTIONAL OFFICER AND MEMBER OF THE GENERAL ASSEMBLY TO PROVIDE A COPY OF HIS

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PERSONAL FEDERAL AND STATE INCOME TAX RETURNS, TO PROVIDE A DEADLINE, TO PROVIDE THAT A FILER'S IMMEDIATE FAMILY MEMBER MUST SUBMIT A COPY OF HIS INCOME TAX RETURN IF THE FILER'S INCOME TAX RETURN DOES NOT INDICATE THE IMMEDIATE FAMILY MEMBER'S SOURCE OF INCOME, TO PROVIDE THAT THE SUBMITTED TAX RETURNS ARE NOT SUBJECT TO PUBLIC DISCLOSURE AND MUST BE DESTROYED AFTER THE TIME PERIOD FOR AUDIT OR INCOME VERIFICATION, AND TO PROVIDE THAT THE STATE ETHICS COMMISSION, SENATE ETHICS COMMITTEE, AND HOUSE OF REPRESENTATIVES ETHICS COMMITTEE MUST CONDUCT RANDOM AUDITS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 300 -- Senators Climer and Fanning: A BILL TO AMEND SECTION 2-19-70 OF THE 1976 CODE, RELATING TO THE PROHIBITION AGAINST DUAL OFFICE HOLDING, TO EXTEND THE PROHIBITION TO THE IMMEDIATE FAMILY MEMBER OF A MEMBER OF THE GENERAL ASSEMBLY, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 301 -- Senators Climer and Fanning: A BILL TO AMEND CHAPTER 1, TITLE 58 OF THE 1976 CODE, RELATING TO PUBLIC UTILITIES, SERVICES, AND CARRIERS, BY ADDING SECTION 58-1-60, TO PROHIBIT A PUBLIC UTILITY FROM INCLUDING IN ITS RATE BASE OR OTHERWISE RECOVER FROM ITS CUSTOMERS ANY LEGAL FEES PAID BY THE PUBLIC UTILITY FOR A MATTER IN WHICH THE PUBLIC UTILITY WAS FOUND

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TO HAVE VIOLATED A FEDERAL, STATE, OR LOCAL STATUTE, REGULATION, OR ORDINANCE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 302 -- Senators Climer, Fanning and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, TO LIMIT SENATORS TO SERVING NO MORE THAN THREE TERMS IN OFFICE AND TO LIMIT MEMBERS OF THE HOUSE OF REPRESENTATIVES TO SERVING NO MORE THAN SIX TERMS IN OFFICE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 303 -- Senators Climer and Fanning: A BILL TO REPEAL CHAPTER 55, TITLE 46 OF THE 1976 CODE, RELATING TO THE HEMP FARMING ACT, UPON THE UNITED STATES DEPARTMENT OF AGRICULTURE'S APPROVAL OF THE STATE DEPARTMENT OF AGRICULTURE'S INDUSTRIAL HEMP PLAN.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

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

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

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Prefiled and referred to the Committee on Judiciary.

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

S. 305 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-14-45 SO AS TO ESTABLISH CERTAIN STORMWATER AND SEDIMENT REDUCTION PERMIT REQUIREMENTS FOR AN ALL-TERRAIN VEHICLE PARK, TO DEFINE THE TERM ALL-TERRAIN VEHICLE PARK, AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 306 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1345 SO AS TO PROHIBIT A PERSON WHO HAS MADE A CAMPAIGN CONTRIBUTION TO A POPULARLY ELECTED PUBLIC OFFICIAL WITHIN THE PREVIOUS FOUR YEARS FROM BEING APPOINTED TO A PUBLIC OFFICE BY THAT PUBLIC OFFICIAL WHO IS THE APPOINTING OR SELECTING AUTHORITY FOR THE POSITION, AND TO PROVIDE FOR RELATED APPLICATIONS OF THE SECTION AND FOR EXCEPTIONS.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 307 -- Senator Fanning: A BILL TO AMEND SECTION 47-17-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM MEAT AND MEAT FOOD INSPECTION REQUIREMENTS, SO AS TO EXEMPT MEAT AND MEAT FOODS PROCESSED AT A CUSTOM SLAUGHTER FACILITY WHICH MEETS CERTAIN CRITERIA FROM STATE-REQUIRED INSPECTIONS; AND TO AMEND SECTION 47-19-80, RELATING TO POULTRY PROCESSING COMPLIANCE REQUIREMENTS, SO AS TO EXEMPT A CUSTOM POULTRY PROCESSING FACILITY WHICH MEETS CERTAIN CRITERIA FROM STATE-REQUIRED INSPECTIONS.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

S. 308 -- Senator Fanning: A BILL TO AMEND SECTION 44-1-143, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO ALLOW A HOME-BASED FOOD PRODUCTION OPERATION TO SELL FOOD TO AN INFORMED PERSON AND TO REQUIRE A DISCLOSURE ON CERTAIN FOOD PRODUCTS.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 309 -- Senator Fanning: A BILL TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ELECTRONIC FILING SYSTEM FOR DISCLOSURES AND REPORTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO ESTABLISH A NEW ONLINE CAMPAIGN ACCOUNT MONITORING AND AUDITING DEPARTMENT, TO DELINEATE THE DEPARTMENT'S DUTIES AND RESPONSIBILITIES, AND

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TO REQUIRE THE STATE ETHICS COMMISSION TO ENSURE THE DEPARTMENT IS STAFFED SUFFICIENTLY WITH ADEQUATELY TRAINED LEGAL AND ACCOUNTING PERSONNEL; AND TO AMEND SECTION 8-13-1312, RELATING TO CAMPAIGN BANK ACCOUNTS, SO AS TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS WHO ARE REQUIRED TO FILE CERTIFIED CAMPAIGN REPORTS PURSUANT TO ARTICLE 13, CHAPTER 13, TITLE 8 TO LOCATE, HOST, OR MAINTAIN THEIR CAMPAIGN ACCOUNTS IN A FINANCIAL INSTITUTION THAT SATISFIES THE REQUIREMENTS OF THIS ACT AND OFFERS REAL-TIME ONLINE BANKING OR ACCESS TO A CUSTOMER'S ACCOUNT INFORMATION THROUGH THE INSTITUTION'S INTERNET WEBSITE, TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS TO PROVIDE THE STATE ETHICS COMMISSION ACCESS TO THEIR CAMPAIGN ACCOUNT ONLINE BANKING INFORMATION, AND TO REQUIRE ALL CANDIDATES AND ELECTED PUBLIC OFFICIALS TO PAY, TRANSFER, OR REMIT TO THE STATE ETHICS COMMISSION AN AMOUNT EQUAL TO FIVE PERCENT OF THE TOTAL CONTRIBUTIONS RECEIVED BY THE CANDIDATE OR ELECTED PUBLIC OFFICIAL DURING THE REPORTING PERIOD.

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Prefiled and referred to the Committee on Judiciary.

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

S. 310 -- Senators Fanning and K. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-5-145 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO IS QUALIFIED TO REGISTER TO VOTE MAY REGISTER IN PERSON AND THEN IMMEDIATELY VOTE AT AN IN-PERSON ABSENTEE VOTING LOCATION IN THE PERSON'S COUNTY OF RESIDENCE DURING THE PERIOD FOR IN-PERSON ABSENTEE VOTING ESTABLISHED PURSUANT TO THIS

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ACT, AND TO ESTABLISH PROCEDURES FOR SAME DAY REGISTRATION AND VOTING AT IN-PERSON ABSENTEE VOTING LOCATIONS; AND BY ADDING SECTION 7-15-325 SO AS TO ESTABLISH A THIRTY-DAY PERIOD DURING WHICH ALL QUALIFIED ELECTORS OF THIS STATE MUST BE ALLOWED TO CAST AN IN-PERSON ABSENTEE BALLOT WITHOUT BEING REQUIRED TO ASSERT, STATE, OFFER, OR PROVIDE AN EXCUSE, JUSTIFICATION, OR REASON, AND TO SPECIFY THE DAYS AND HOURS THAT THE IN-PERSON ABSENTEE VOTING LOCATIONS ESTABLISHED PURSUANT TO THIS ACT MUST BE OPEN.

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Prefiled and referred to the Committee on Judiciary.

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

S. 311 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-1-200 SO AS TO PROVIDE THAT AN ELECTED LOCAL, STATE, OR FEDERAL PUBLIC OFFICIAL WHOSE OFFICE IS DECLARED VACANT DUE TO A CRIMINAL CONVICTION DURING THE OFFICIAL'S TERM OF OFFICE SHALL REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION NECESSITATED BY THE OFFICIAL'S REMOVAL FROM OFFICE PRIOR TO THE EXPIRATION OF HIS TERM; TO AUTHORIZE THE PRESIDING JUDGE BEFORE WHOM AN INCUMBENT ELECTED LOCAL, STATE, OR FEDERAL PUBLIC OFFICIAL WAS CONVICTED TO ORDER THE OFFICIAL TO PAY, COMPENSATE, OR REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION; AND TO REQUIRE THE ATTORNEY GENERAL OR THE CIRCUIT SOLICITOR TO ASK THE PRESIDING JUDGE TO INCLUDE AN ORDER REQUIRING THE ELECTED LOCAL, STATE, OR

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FEDERAL PUBLIC OFFICIAL TO PAY, COMPENSATE, OR REIMBURSE THE APPROPRIATE STATE OR LOCAL ELECTIONS AUTHORITY FOR THE ACTUAL COSTS OF HOLDING THE ENSUING PRIMARY, RUNOFF PRIMARY, OR SPECIAL ELECTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 312 -- Senator Fanning: A BILL TO AMEND SECTION 8-13-1332, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL CONTRIBUTIONS AND EXPENDITURES, SO AS TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY OR CANDIDATES FOR THE GENERAL ASSEMBLY FROM SOLICITING OR ACCEPTING CAMPAIGN CONTRIBUTIONS FROM A UTILITY, COMPANY, CORPORATION, ENTITY, JOINT VENTURE, OR "PERSON", AS DEFINED IN SECTION 8-13-1300, WHO POSSESSES OR MAINTAINS AN EXCLUSIVE RIGHT TO CONDUCT ITS BUSINESS, ENTERPRISE, OPERATIONS, OR ACTIVITIES STATEWIDE OR WITHIN A GEOGRAPHICALLY DEFINED AREA OR TERRITORY PURSUANT TO AN ACT OF THE GENERAL ASSEMBLY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 313 -- Senator Fanning: A BILL TO AMEND SECTION 58-27-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO INCLUDE ELECTRIC COOPERATIVES AND CONSOLIDATED POLITICAL SUBDIVISIONS IN THE DEFINITION OF ELECTRICAL UTILITY; TO AMEND SECTION 58-27-40, RELATING TO COMPLIANCE WITH ORDERS, DECISIONS, DIRECTIONS, RULES, AND REGULATIONS, SO AS TO REQUIRE ELECTRIC COOPERATIVES AND CONSOLIDATED POLITICAL SUBDIVISIONS TO COMPLY WITH THIS SECTION; TO AMEND SECTION 58-27-820,

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RELATED TO THE SCHEDULE OF RATES, SERVICES, RULES AND REGULATIONS AND SERVICE CONTRACT REQUIRED TO BE FILED WITH THE COMMISSION SO AS TO REQUIRE ELECTRIC COOPERATIVES AND CONSOLIDATED POLITICAL SUBDIVISIONS TO COMPLY WITH THIS SECTION; TO AMEND SECTION 58-27-840, AS AMENDED, RELATING TO PREFERENCES AND UNREASONABLE DIFFERENCES IN RATES, SO AS TO REQUIRE ELECTRIC COOPERATIVES AND CONSOLIDATED POLITICAL SUBDIVISIONS TO COMPLY WITH THIS SECTION; TO REPEAL SECTION 58-27-20 RELATING TO THE INAPPLICABILITY OF THE CHAPTER; AND TO REPEAL SECTION 58-27-1010 RELATING TO THE PROHIBITION OF THE COMMISSION TO REGULATE CONTRACTS MADE BY MUNICIPALITIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 314 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-292 SO AS TO PROHIBIT INSURERS AND HEALTH CARE PROVIDERS FROM ENGAGING IN SURPRISE BILLING; AND BY ADDING SECTION 39-5-45 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR AN INSURER OR HEALTH CARE PROVIDER TO ENGAGE IN THE PRACTICE OF SURPRISE BILLING.

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Prefiled and referred to the Committee on Banking and Insurance.

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

S. 315 -- Senator Fanning: A BILL TO ENACT THE "STANDARDIZED TESTING OVERBURDENS PUPILS (STOP) ACT" BY PROVIDING THAT BEGINNING WITH FISCAL YEAR 2021-2022, NO STATE FUNDS MAY BE PROVIDED, UTILIZED, OR APPROPRIATED FOR ANY

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EDUCATIONAL ASSESSMENTS REQUIRED BY STATE LAW, EXCEPT FOR SPECIFIED ASSESSMENTS, TO ESTABLISH A NEW STATE GOAL OF MOVING THE AVERAGE TEACHER SALARY IN SOUTH CAROLINA TO THE NATIONAL AVERAGE BY THE BEGINNING OF FISCAL YEAR 2029, TO REQUIRE THE USE OF THE ADDITIONAL MONETARY SAVINGS REALIZED BY THE ELIMINATION OF CERTAIN MANDATED EDUCATIONAL ASSESSMENTS TO BE USED FOR THE PURPOSE OF INCREASING TEACHER SALARIES AND FOR A ONE-TIME BONUS IN THE MANNER REQUIRED BY THIS ACT, AND TO ALSO PROVIDE THAT ANY INCREASES IN REVENUE DERIVED FROM THE SALES AND USE TAXES IMPOSED UNDER THE EDUCATION IMPROVEMENT ACT, BEGINNING WITH FISCAL YEAR 2020-2021, MUST BE USED FOR THE SIMILAR PURPOSE OF INCREASING TEACHER SALARIES; TO AMEND SECTION 59-18-310, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM, SO AS TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENTS AND TO DELETE THE FORMATIVE ASSESSMENT REQUIREMENTS; TO AMEND SECTION 59-18-320, RELATING TO THE ADMINISTRATION OF ASSESSMENT TESTING, SO AS TO REMOVE THE SOCIAL STUDIES TESTING REQUIREMENT; TO AMEND SECTION 59-18-325, RELATING TO COLLEGE AND CAREER READINESS ASSESSMENTS, SO AS TO REMOVE THE REQUIREMENT THAT CAREER READINESS ASSESSMENTS ARE ADMINISTERED, TO PROVIDE THAT A STUDENT WHOSE PARENT OR GUARDIAN COMPLETES A FORM DEVELOPED BY THE DEPARTMENT AND APPROVED BY THE DISTRICT MAY OPT THE STUDENT OUT OF EITHER THE COLLEGE ENTRANCE ASSESSMENT OR CAREER READINESS ASSESSMENT, TO REQUIRE SUMMATIVE ASSESSMENTS TO MEET MINIMAL FEDERAL REQUIREMENTS AND INCLUDE SCIENCE, TO REQUIRE A STANDARDS-BASED ASSESSMENT IN SCIENCE BE ADMINISTERED IN GRADES FOUR AND SEVEN, AND TO

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REMOVE FORMATIVE ASSESSMENT REQUIREMENTS, THE CHANGES TO THE IDENTIFIED CODE SECTIONS ABOVE DONE FOR THE PURPOSE OF CONFORMING THEM TO THE PROVISIONS OF THIS ACT; AND TO REPEAL SECTION 59-10-50 RELATING TO THE ADMINISTRATION OF THE SOUTH CAROLINA PHYSICAL EDUCATION ASSESSMENTS.

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Prefiled and referred to the Committee on Education.

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

S. 316 -- Senator Fanning: A BILL TO AMEND SECTION 58-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO INCLUDE MUNICIPALITIES AND COUNTIES WITHIN THE TERM "PUBLIC UTILITY"; TO AMEND SECTION 58-5-390, RELATING TO TAP FEES FOR INSTALLATION AND MAINTENANCE OF THE FIRE SPRINKLER SYSTEM, SO AS TO REMOVE THE EXCEPTION FOR A PUBLIC UTILITY OWNED OR OPERATED BY OR ON BEHALF OF ANY MUNICIPALITY, COUNTY OR REGIONAL TRANSPORTATION AUTHORITY; AND TO REPEAL SECTION 58-5-30, RELATING TO THE EXEMPTION OF PUBLIC UTILITIES OWNED OR OPERATED BY MUNICIPALITIES OR REGIONAL TRANSPORTATION AUTHORITIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 317 -- Senators Fanning and Stephens: A BILL TO AMEND SECTION 59-20-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE MINIMUM SALARY SCHEDULE FOR TEACHERS, SO AS TO EXTEND THE SCHEDULE FIVE YEARS SO THAT EACH CERTIFIED TEACHER IS ELIGIBLE TO RECEIVE A PAY RAISE FOR

TUESDAY, JANUARY 12, 2021

EACH OF THEIR FIRST TWENTY-EIGHT YEARS OF TEACHING.

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Prefiled and referred to the Committee on Education.

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

S. 318 -- Senators Fanning and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "TEACHERS' FREEDOM OF SPEECH ACT" SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY NOT RETALIATE AGAINST TEACHERS FOR MAKING PUBLIC POLICY EXPRESSIONS, TO PROVIDE A RELATED CAUSE OF ACTION AND REMEDIES, AND TO CLARIFY THE APPLICABILITY OF THIS ACT TO TEACHERS UNDER NONRENEWABLE INDUCTION CONTRACTS AND TEACHERS UNDER CONTINUING CONTRACTS.

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Prefiled and referred to the Committee on Education.

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

S. 319 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-60 SO AS TO PROVIDE NO STUDENT-TEACHER CLASSROOM RATIO CREATED BY STATUTE, RESOLUTION, OR REGULATION MAY BE WAIVED OR OTHERWISE CHANGED TEMPORARILY OR PERMANENTLY BY ANY LEGISLATIVE MEASURE ABSENT A TWO-THIRDS VOTE OF APPROVAL BY THE MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES AND A TWO-THIRDS VOTE OF APPROVAL BY THE MEMBERSHIP OF THE SENATE.

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Prefiled and referred to the Committee on Education.

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

TUESDAY, JANUARY 12, 2021

S. 320 -- Senator Fanning: A JOINT RESOLUTION TO PROHIBIT ANY CHANGES TO PUBLIC EDUCATION ACADEMIC STANDARDS, ASSESSMENTS, CUT SCORES, AND RATINGS CURRENTLY USED IN THIS STATE UNTIL JULY 1, 2026, AT WHICH TIME THE DEPARTMENT OF EDUCATION SHALL EXAMINE THE ACHIEVEMENT OF STUDENTS BASED ON THE STANDARDS APPLICABLE FROM JULY 1, 2021, TO JUNE 30, 2026, AND MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY ABOUT ANY APPROPRIATE CHANGES TO THESE ACADEMIC STANDARDS, ASSESSMENTS, CUT SCORES, AND RATINGS BASED ON THE FINDINGS OF ITS EXAMINATION.

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Prefiled and referred to the Committee on Education.

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

S. 321 -- Senator Fanning: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO FREE PUBLIC SCHOOLS, SO AS TO REQUIRE THE GENERAL ASSEMBLY TO PROVIDE FOR A HIGH-QUALITY EDUCATION FOR ALL CHILDREN OF THE STATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 322 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 25, TITLE 59 SO AS TO ENACT THE "TEACHER BILL OF RIGHTS" AND TO ENUMERATE THE BASIC RIGHTS TO WHICH ALL CERTIFIED PUBLIC SCHOOL TEACHERS IN THIS STATE ARE ENTITLED.

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Prefiled and referred to the Committee on Education.

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

TUESDAY, JANUARY 12, 2021

S. 323 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-237 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY DIRECT AUTHORIZERS OF CHARTER SCHOOLS TO WITHHOLD STATE FUNDING FROM CHARTER SCHOOLS THAT FAIL TO COMPLY WITH ANY PROVISIONS OF THE SOUTH CAROLINA CHARTER SCHOOLS ACT, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL WITHHOLD ALL FUTURE REVENUES FROM CHARTER SCHOOL AUTHORIZERS WHO FAIL TO COMPLY WITH THESE WITHHOLDING DIRECTIVES.

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Prefiled and referred to the Committee on Education.

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

S. 324 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-52 SO AS TO ESTABLISH THE GOAL OF PROVIDING THE STATE MINIMUM SALARY SCHEDULE FROM FISCAL YEAR 2029-2030 FORWARD IS AT LEAST EQUAL TO THE NATIONAL AVERAGE OF TEACHER SALARIES, AND TO PROVIDE THE METHOD FOR DETERMINING THIS AVERAGE.

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Prefiled and referred to the Committee on Education.

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

S. 325 -- Senator Fanning: A BILL TO AMEND SECTION 59-6-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, COMPOSITION, POWERS, AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO ABOLISH THE COMMITTEE AND DEVOLVE ITS FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES, AND AUTHORITY UPON THE STATE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION BASED ON RECOMMENDATIONS REPORTED BY A JOINT

TUESDAY, JANUARY 12, 2021

COMMITTEE OF THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE COMPOSITION, FUNCTIONS, AND DUTIES OF THE JOINT COMMITTEE.

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Prefiled and referred to the Committee on Education.

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

S. 326 -- Senators Fanning, K. Johnson and Stephens: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM START DATE FOR PUBLIC SCHOOLS, SO AS TO ELIMINATE THE REQUIREMENT AND VEST SOLE AUTHORITY FOR SETTING THE START DATE OF A DISTRICT IN THE SCHOOL BOARD OF THE DISTRICT.

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Prefiled and referred to the Committee on Education.

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

S. 327 -- Senator Fanning: A BILL TO AMEND SECTION 59-63-910 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED PUBLIC SCHOOL DRILLS, SO AS TO PROVIDE EACH SEMESTER ALL PUBLIC SCHOOLS, INCLUDING CHARTER SCHOOLS WHOSE INSTRUCTION IS NOT PRIMARILY DELIVERED ONLINE, SHALL CONDUCT ONE FIRE DRILL, ONE ACTIVE SHOOTER/INTRUDER DRILL, AND ONE SEVERE WEATHER/EARTHQUAKE DRILL.

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Prefiled and referred to the Committee on Education.

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

S. 328 -- Senator Fanning: A BILL TO AMEND SECTION 9-1-1790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO EXEMPT CERTIFIED EDUCATORS FROM THE EARNINGS LIMITATION; AND

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TO AMEND SECTION 9-11-90, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO DELETE THE EARNINGS LIMITATION.

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Prefiled and referred to the Committee on Finance.

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

S. 329 -- Senator Fanning: A BILL TO AMEND SECTION 9-1-1795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT OF CERTAIN RETIRED TEACHERS WITHOUT THE LOSS OF RETIREMENT BENEFITS, SO AS TO ALLOW CERTAIN CERTIFIED EMPLOYEES TO BE HIRED WITHOUT A LOSS OF RETIREMENT BENEFITS AND TO PROVIDE THAT THE MEMBER SELECTED FOR EMPLOYMENT MEETS THE UNIQUE QUALIFICATIONS REQUIRED BY THE HIRING SCHOOL DISTRICT.

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Prefiled and referred to the Committee on Finance.

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

S. 330 -- Senator Fanning: A BILL TO AMEND SECTION 9-1-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN EMPLOYEES BEING ABLE TO EXERCISE THE OPTION OF NOT BECOMING MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO ADD PART-TIME SCHOOL CAFETERIA WORKERS.

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Prefiled and referred to the Committee on Finance.

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

S. 331 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-42 SO AS TO PROVIDE THAT EACH SCHOOL DISTRICT MUST ATTAIN CERTAIN AVERAGE PUPIL-TEACHER RATIOS AND MAY NOT ALLOW A

TUESDAY, JANUARY 12, 2021

TEACHER TO TEACH MORE THAN ONE HUNDRED FIFTY STUDENTS IN ONE SEMESTER TO QUALIFY FOR FUNDING.

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Prefiled and referred to the Committee on Education.

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

S. 332 -- Senator Fanning: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMIT ON ANNUAL PROPERTY TAX MILLAGE INCREASES IMPOSED BY POLITICAL SUBDIVISIONS, SO AS TO RESTORE THE FORMER METHOD OF OVERRIDING THE ANNUAL CAP BY A POSITIVE MAJORITY OF THE APPROPRIATE GOVERNING BODY AND DELETING THE SUPER MAJORITY REQUIREMENT FOR OVERRIDING THE CAP FOR SPECIFIC CIRCUMSTANCES; TO AMEND SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO RESTORE FUNDING FOR THE RESIDENTIAL PROPERTY TAX EXEMPTION AND FULL FUNDING FOR THE SCHOOL OPERATING MILLAGE PORTION OF THE REIMBURSEMENT PAID LOCAL GOVERNMENTS FOR THE HOMESTEAD PROPERTY TAX EXEMPTION FOR THE ELDERLY OR DISABLED; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO DELETE THE EXEMPTION REIMBURSED FROM THE HOMESTEAD EXEMPTION FUND FROM ALL SCHOOL OPERATING MILLAGE ALLOWED ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO AMEND SECTION 12-37-270, RELATING TO THE REIMBURSEMENTS PAID LOCAL GOVERNMENTS FOR PROPERTY TAX NOT COLLECTED AS A RESULT OF THE HOMESTEAD EXEMPTION FOR THE ELDERLY OR DISABLED AND, AMONG OTHER THINGS, THE APPLICATION OF PROPERTY TAX CREDITS IN COUNTIES WHERE THE USE OF LOCAL OPTION SALES TAX REVENUES GIVE RISE TO A CREDIT AGAINST SCHOOL OPERATING PROPERTY TAX MILLAGE, SO AS

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TO MAKE CONFORMING AMENDMENTS; TO AMEND SECTION 12-37-251, RELATING TO THE CALCULATION OF "ROLLBACK TAX MILLAGE" APPLICABLE FOR REASSESSMENT YEARS, SO AS TO RESTORE THE FORMER EXEMPTION ALLOWED FROM A PORTION OF SCHOOL OPERATING MILLAGE FOR ALL OWNER-OCCUPIED RESIDENTIAL PROPERTY; TO REPEAL ARTICLE 7, CHAPTER 10, TITLE 4 RELATING TO THE LOCAL OPTION SALES AND USE TAX FOR LOCAL PROPERTY TAX CREDITS; TO REPEAL SECTIONS 11-11-157, 11-11-155, AND 11-11-156 RELATING TO THE HOMESTEAD EXEMPTION TRUST FUND; TO REPEAL ARTICLE 11, CHAPTER 36, TITLE 12 RELATING TO THE STATEWIDE ADDITIONAL ONE PERCENT SALES AND USE TAX THE REVENUES OF WHICH REIMBURSE SCHOOL DISTRICTS FOR THE HOMESTEAD EXEMPTION FROM ALL PROPERTY TAX MILLAGE IMPOSED FOR SCHOOL OPERATIONS; TO AMEND SECTIONS 12-37-3130, 12-37-3140, AND 12-37-3150, RELATING TO DEFINITIONS, VALUATION, AND ASSESSABLE TRANSFERS OF INTEREST, FOR PURPOSES OF THE "SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT", SO AS TO ELIMINATE THE "POINT OF SALE" VALUATION OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND RETURN TO THE FORMER VALUATION SYSTEM IN WHICH REAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY ARE APPRAISED BY THE ASSESSOR AND PERIODICALLY ADJUSTED IN COUNTYWIDE REAPPRAISALS, TO PROVIDE THAT WHEN THE FIFTEEN PERCENT CAP OVER FIVE YEARS ON INCREASES IN FAIR MARKET VALUE OF REAL PROPERTY RESULTS IN A VALUE THAT IS LOWER THAN THE FAIR MARKET VALUE OF THE PROPERTY AS DETERMINED BY THE ASSESSOR THAT THE LOWER VALUE BECOMES THE PROPERTY TAX VALUE OF THE REAL PROPERTY AND IS DEEMED ITS FAIR MARKET VALUE FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, TO PROVIDE THAT AN ASSESSABLE TRANSFER OF

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INTEREST IS A TRANSFER OF OWNERSHIP OR OTHER INSTANCE CAUSING A "STEPUP" IN THE PROPERTY TAX VALUE OF REAL PROPERTY TO ITS FAIR MARKET VALUE AS DETERMINED BY THE ASSESSOR, TO REQUIRE THE CAP ON INCREASES IN VALUE TO BE APPLIED SEPARATELY TO REAL PROPERTY AND THE IMPROVEMENTS THEREON, AND TO PROVIDE WHEN THE STEPUP VALUE FIRST APPLIES; TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO THE DEFINITION OF "PROPERTY TAX ASSESSMENT" FOR PURPOSES OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO REQUIRE THE NOTICES TO INCLUDE PROPERTY TAX VALUE AND PROVIDE THAT THE APPLICABLE ASSESSMENT RATIO APPLIES TO THE LOWER OF FAIR MARKET VALUE, PROPERTY TAX VALUE, OR SPECIAL USE VALUE; TO AMEND SECTION 12-60-2510, RELATING TO THE FORM OF ASSESSMENT NOTICES ISSUED BY THE COUNTY ASSESSOR, SO AS TO PROVIDE THAT THESE NOTICES MUST CONTAIN THE PROPERTY TAX VALUE OF REAL PROPERTY AND IMPROVEMENTS IN ADDITION TO FAIR MARKET VALUE AND SPECIAL USE VALUE; TO REPEAL ARTICLE 25, CHAPTER 37, TITLE 12 RELATING TO THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, IF CERTAIN CONSTITUTIONAL AMENDMENTS ARE RATIFIED; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS AND SECTIONS 12-60-30, AS AMENDED, AND 12-60-2510, RELATING TO TAX PROCEDURES, ALL SO AS TO MAKE CONFORMING AMENDMENTS, AND MAKE THESE REPEALS AND AMENDMENTS CONTINGENT UPON RATIFICATION OF AN AMENDMENT TO SECTION 6, ARTICLE X OF THE CONSTITUTION OF THIS STATE ELIMINATING THE FIFTEEN PERCENT CAP OVER FIVE YEARS IN INCREASES IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX AND ELIMINATING AN ASSESSABLE TRANSFER OF INTEREST AS AN EVENT THAT MAY

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RESULT IN A CHANGE IN THE VALUE OF REAL PROPERTY FOR PURPOSES OF THE IMPOSITION OF THE PROPERTY TAX.

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Prefiled and referred to the Committee on Finance.

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

S. 333 -- Senator Goldfinch: A BILL TO AMEND SECTION 16-23-470 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE UNLAWFUL POSSESSION OF TEAR GAS, TO PROVIDE THAT THE PROHIBITION AGAINST THE POSSESSION OF TEAR GAS DOES NOT APPLY TO THE POSSESSION OF A PERSONAL PEPPER SPRAY DEVICE FOR THE PURPOSE OF SELF DEFENSE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 334 -- Senator McLeod: A BILL TO ENACT THE "TRANSPARENCY IN JUSTICE ACT"; TO AMEND SECTION 63-19-2040 OF THE 1976 CODE, RELATING TO THE RELEASE OF THE NAME, IDENTITY, OR PICTURE OF A CHILD UNDER THE JURISDICTION OF THE FAMILY COURT, TO PERMIT THE RELEASE OF THE IDENTITY OF A CHILD UNDER THE JURISDICTION OF THE COURT TO A NEWSPAPER, RADIO, OR TELEVISION STATION IF THE CHILD IS ALLEGED TO HAVE COMMUNICATED A THREAT OF MASS VIOLENCE BY MEANS OF A VIDEO, AUDIO, OR INTERNET-BASED SOCIAL MEDIA COMMUNICATION TO TWO OR MORE PERSONS AND THE CHILD HAS PERSONALLY IDENTIFIED HIMSELF IN THE COMMUNICATION; TO AMEND SECTION 59-24-60 OF THE 1976 CODE, RELATING TO SCHOOL ADMINISTRATORS, TO REQUIRE THAT SCHOOL ADMINISTRATORS MAKE A REASONABLE EFFORT TO CONTACT ALL PARENTS OF STUDENTS WITHIN A REASONABLE TIME PERIOD BUT NOT LATER THAN TWENTY-FOUR HOURS UPON RECEIVING CREDIBLE

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INFORMATION THAT A PERSON HAS MADE A THREAT OF SERIOUS INJURY TO A PERSON OR PERSONS ON SCHOOL PROPERTY OR AT A SCHOOL-SPONSORED ACTIVITY, OR A THREAT TO SERIOUSLY DAMAGE OR DESTROY SCHOOL PROPERTY; TO AMEND ARTICLE 7, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO ASSAULTS, BY ADDING SECTION 16-3-605, TO PROVIDE THAT IT IS UNLAWFUL TO WILLFULLY CAUSE BODILY INJURY OR DEATH TO A PERSON OR ATTEMPT OR THREATEN TO CAUSE BODILY INJURY OR DEATH THROUGH THE USE OF A FIRE, A FIREARM, A DANGEROUS WEAPON, OR A DESTRUCTIVE DEVICE, BECAUSE OF THE ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, OR NATIONAL ORIGIN OF ANY PERSON AND TO PROVIDE PENALTIES AND DEFINITIONS; TO AMEND SECTION 17-13-20 OF THE 1976 CODE, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST, TO PROVIDE THAT A CITIZEN MAY ONLY ARREST A PERSON IN THE NIGHTTIME AS NECESSARY IF THE PERSON HAS ENTERED A DWELLING HOUSE WITHOUT EXPRESS OR IMPLIED PERMISSION; TO REPEAL SECTION 17-13-10, RELATING TO CIRCUMSTANCES IN WHICH A CITIZEN MAY CONDUCT A CITIZEN'S ARREST; TO AMEND CHAPTER 13, TITLE 17 OF THE 1976 CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-42, TO PROVIDE THAT IT IS UNLAWFUL FOR A LAW ENFORCEMENT OFFICER TO USE A CHOKEHOLD OR CAROTID HOLD; TO AMEND CHAPTER 13, TITLE 17 OF THE 1976 CODE, RELATING TO ARREST, PROCESS, SEARCHES, AND SEIZURES, BY ADDING SECTION 13-17-155, TO PROVIDE THAT A LAW ENFORCEMENT OFFICER SHALL NOT SEEK OR EXECUTE A NO-KNOCK WARRANT; TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-45, TO PROVIDE

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THAT THE CRIMINAL JUSTICE ACADEMY MUST REQUIRE DE-ESCALATION TRAINING AND CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN DE-ESCALATION TRAINING; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING SECTION 23-1-250, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT RECEIVE CERTAIN PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM AND MAY ONLY PURCHASE PROPERTY FROM A MILITARY EQUIPMENT SURPLUS PROGRAM USING STATE OR LOCAL FUNDS AND TO ESTABLISH REPORTING REQUIREMENTS; TO AMEND SECTION 23-23-60 OF THE 1976 CODE, RELATING TO CERTIFICATES OF COMPLIANCE FOR LAW ENFORCEMENT OFFICER CANDIDATES, TO PROVIDE THAT LAW ENFORCEMENT AGENCIES SHALL REPORT INFORMATION RELATING TO CANDIDATE INVOLVEMENT WITH WHITE SUPREMACIST GROUPS; TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, TO PROVIDE FOR CIVIL LIABILITY FOR A DEPRIVATION OF RIGHTS BY A LAW ENFORCEMENT OFFICER, AND TO ELIMINATE QUALIFIED IMMUNITY FOR LAW ENFORCEMENT OFFICERS FOR ACTIONS BROUGHT RESULTING FROM A DEPRIVATION OF RIGHTS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 335 -- Senator McLeod: A BILL TO DECRIMINALIZE MARIJUANA AND TO PROVIDE FOR THE REGULATION OF MARIJUANA; TO AMEND SECTION 44-53-190(D)(11) OF THE 1976 CODE, RELATING TO SCHEDULE I CONTROLLED SUBSTANCES, TO REMOVE MARIJUANA FROM SCHEDULE 1; TO AMEND SECTION 44-53-370(D)(4) OF THE 1976 CODE, RELATING TO PENALTIES FOR

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POSSESSION OF SMALL AMOUNTS OF CERTAIN SCHEDULE I CONTROLLED SUBSTANCES, TO PROVIDE THAT THE PENALTIES DO APPLY TO THE POSSESSION OF MARIJUANA; TO AMEND SECTION 44-53-370(E)(1) OF THE 1976 CODE, RELATING TO PENALTIES FOR THE POSSESSION OF LARGE AMOUNTS OF MARIJUANA, TO PROVIDE THAT THE PENALTIES DO NOT APPLY TO LICENSED MARIJUANA ESTABLISHMENTS; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING THE MARIJUANA CONTROL ACT AS CHAPTER 15; TO PROVIDE FOR THE PERSONAL USE OF MARIJUANA, THE AMOUNTS THAT A PERSON AT LEAST TWENTY-ONE YEARS OF AGE MAY LEGALLY POSSESS, TO PROVIDE THAT MARIJUANA MAY NOT BE CONSUMED IN ANY LOCATION THAT PROHIBITS SMOKING TOBACCO; TO PROVIDE FOR LICENSING OF MARIJUANA CULTIVATORS, MARIJUANA PRODUCT MANUFACTURERS, AND MARIJUANA RETAILERS; TO PROVIDE THE REGULATORY FRAMEWORK FOR THE OPERATION OF MARIJUANA CULTIVATORS, MARIJUANA PRODUCT MANUFACTURERS, AND MARIJUANA RETAILERS; TO PROVIDE THAT COUNTIES AND MUNICIPALITIES MAY PROHIBIT WITHIN THEIR JURISDICTION THE OPERATION OF MARIJUANA CULTIVATORS, MARIJUANA PRODUCT MANUFACTURERS, AND MARIJUANA RETAILERS; TO PROVIDE FOR RESTRICTIONS ON PRODUCT LABELING AND ADVERTISING; TO PROVIDE PENALTIES FOR VIOLATIONS; TO PARDON CONVICTIONS OF CRIMES DECRIMINALIZED BY THE PROVISIONS IN THIS ACT; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 336 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-727 SO AS TO ENACT THE "CAUTION AGAINST RACIALLY EXPLOITATIVE NON-EMERGENCIES (CAREN) ACT" BY PROVIDING A PERSON MAY BRING A CIVIL ACTION AGAINST AN INDIVIDUAL WHO USES A "911" CALL TO INTENTIONALLY INFLICT HARM UPON THE PERSON AND TO PROVIDE A PENALTY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 337 -- Senators McLeod and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-105 SO AS TO PROVIDE AFTER JULY 1, 2021, A PERSON MAY NOT BE ELECTED OR APPOINTED TO AN OFFICE THAT IS FILLED BY ELECTION OR APPOINTMENT OF THE GENERAL ASSEMBLY IF THAT PERSON IS AN IMMEDIATE FAMILY MEMBER OF A SITTING MEMBER OF THE GENERAL ASSEMBLY, OR A FORMER MEMBER OF THE GENERAL ASSEMBLY WHOSE MOST RECENT TERM OF LEGISLATIVE SERVICE ENDED LESS THAN ONE YEAR PRIOR TO THE GENERAL ASSEMBLY'S ELECTION OR APPOINTMENT OF THE OFFICE IN QUESTION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 338 -- Senators McLeod and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-60 SO AS TO PROVIDE THAT NO PERSON IS ELIGIBLE FOR ELECTION TO THE HOUSE OF REPRESENTATIVES IF THAT PERSON HAS SERVED SIX TERMS IN THE SAME BODY, THAT NO PERSON IS ELIGIBLE FOR ELECTION TO THE SENATE IF THAT PERSON HAS SERVED THREE TERMS IN THE SAME BODY, AND TO PROVIDE THAT ANY TERM SERVED, FOR

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WHICH THE ELECTION WAS HELD PRIOR TO JANUARY 1, 2021, MUST NOT BE COUNTED AS A TERM SERVED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 339 -- Senators McLeod and Fanning: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF SENATORS AND MEMBERS OF THE HOUSE OF REPRESENTATIVES, SO AS TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT TERM LIMITATIONS FOR ITS MEMBERS BY LAW.

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Prefiled and referred to the Committee on Judiciary.

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

S. 340 -- Senators McLeod, Matthews, Shealy, Senn and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-1656 SO AS TO REQUIRE NONPROFIT VICTIM ASSISTANCE ORGANIZATIONS THAT SERVE VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT TO PROTECT THE CONFIDENTIALITY AND PRIVACY OF CLIENTS, WITH EXCEPTIONS; AND BY ADDING SECTION 19-11-110 SO AS TO PROHIBIT EMPLOYEES, AGENTS, AND VOLUNTEERS OF SUCH ORGANIZATIONS FROM TESTIFYING IN ACTIONS OR PROCEEDINGS ABOUT COMMUNICATIONS MADE BY A CLIENT OR RECORDS KEPT DURING THE COURSE OF PROVIDING SERVICES TO THE CLIENT, WITH EXCEPTIONS, AND FOR OTHER PURPOSES.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 341 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PRO BIRTH ACCOUNTABILITY ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE COMPENSATION OF CERTAIN WOMEN GIVING BIRTH TO A CHILD WHO BUT FOR A FETAL HEARTBEAT LAW COULD CHOOSE TO TERMINATE THE PREGNANCY, AND FOR OTHER PURPOSES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 342 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-23-45 SO AS TO PROVIDE THAT ALL LAW ENFORCEMENT OFFICERS MUST UNDERGO A MENTAL HEALTH EVALUATION THAT MUST INCLUDE AN ASSESSMENT OF IMPLICIT BIAS BEFORE THEY CAN BECOME CERTIFIED AND PERIODICALLY AFTER THEY BECOME CERTIFIED AND TO PROVIDE THE EVALUATION MUST BE CONDUCTED UNDER THE DIRECTION OF THE LAW ENFORCEMENT TRAINING COUNCIL.

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Prefiled and referred to the Committee on Judiciary.

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

S. 343 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MINIMUM WAGE ACT"; BY ADDING ARTICLE 3 TO CHAPTER 10, TITLE 41 SO AS TO PROVIDE FOR A CITATION, TO PROVIDE EMPLOYERS SHALL PAY EMPLOYEES A CERTAIN MINIMUM WAGE, TO PROVIDE A MECHANISM FOR THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO ADJUST THE MINIMUM WAGE BY THE RATE OF INFLATION ANNUALLY, TO PROVIDE IT IS UNLAWFUL FOR AN

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EMPLOYER TO RETALIATE AGAINST AN EMPLOYEE WHO EXERCISES HIS RIGHTS WITH RESPECT TO THE MINIMUM WAGE, TO PROVIDE CERTAIN REMEDIES TO THE EMPLOYEE AND STATE, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE THAT AN ACTION BROUGHT UNDER THE ACT MAY BE BROUGHT AS A CLASS ACTION, AND TO LIMIT AUTHORITY OF THE DEPARTMENT WITH RESPECT TO IMPLEMENTING THE ACT; TO AMEND SECTION 6-1-130, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION OF THE STATE TO SET A MINIMUM WAGE RATE, TO AMEND SECTION 44-22-160, RELATING TO COMPENSATION OF MENTAL HEALTH PATIENTS FOR THERAPEUTIC EMPLOYMENT, TO AMEND SECTION 53-1-100, RELATING TO COMPENSATION FOR SUNDAY WORK BY MACHINE SHOP EMPLOYEES, AND TO AMEND SECTION 53-1-110, RELATING TO COMPENSATION FOR SUNDAY WORK BY A PERSON EMPLOYED IN THE MANUFACTURE OR FINISHING OF TEXTILE PRODUCTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 10, TITLE 41 AS ARTICLE 1 ENTITLED "PAYMENT OF WAGES GENERALLY".

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 344 -- Senators McLeod, Shealy, Matthews, Fanning, Jackson, Senn, Harpootlian and Stephens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "RATEPAYER PROTECTION ACT"; TO AMEND SECTION 58-5-240, RELATING TO FILING SCHEDULES OF PROPOSED RATES AND THE LIKE FOR GAS, HEAT, WATER, SEWAGE COLLECTION AND DISPOSAL, AND STREET RAILWAY COMPANIES, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO

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SUSPEND THE PROCESS BY WHICH A PUBLIC UTILITY SEEKS A CHANGE IN RATE, TOLL, RENTAL, CHARGE, OR CLASSIFICATION DURING A DECLARED STATE OF EMERGENCY; AND TO AMEND SECTION 58-27-870, RELATING TO FILING SCHEDULES OF PROPOSED RATES AND THE LIKE FOR ELECTRIC UTILITIES, SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO SUSPEND THE PROCESS BY WHICH A PUBLIC UTILITY SEEKS A CHANGE IN RATE, TOLL, RENTAL, CHARGE, OR CLASSIFICATION DURING A DECLARED STATE OF EMERGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 345 -- Senators McLeod and Matthews: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO PROMULGATE CERTAIN EMERGENCY REGULATIONS TO ESTABLISH A MANDATORY, TEMPORARY STANDARD FOR EMPLOYERS TO CONTROL, PREVENT, AND MITIGATE THE SPREAD OF COVID-19 TO AND AMONG EMPLOYEES AND EMPLOYERS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 346 -- Senators McLeod, Matthews and Fanning: A JOINT RESOLUTION TO DIRECT THE STATE BOARD OF EDUCATION TO ESTABLISH A MANDATORY, TEMPORARY STANDARD FOR USE BY PUBLIC SCHOOL DISTRICTS TO CONTROL, PREVENT, AND MITIGATE THE SPREAD OF COVID-19 AMONG DISTRICT EMPLOYEES, AND TO REQUIRE PUBLIC SCHOOL DISTRICTS TO

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ADOPT AND COMPLY WITH THIS STANDARD FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

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Prefiled and referred to the Committee on Education.

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

S. 347 -- Senator McLeod: A BILL TO AMEND SECTION 41-35-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WEEKLY UNEMPLOYMENT BENEFITS, SO AS TO MODIFY THE WEEKLY BENEFIT AMOUNT; AND TO REPEAL SECTION 41-35-50 RELATING TO MAXIMUM POTENTIAL ANNUAL EMPLOYMENT BENEFITS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 348 -- Senator McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO PROVIDE TEACHER EMPLOYMENT CONTRACTS MAY NOT IMPOSE ANY RESTRAINTS ON TEACHERS WHO TERMINATE SUCH CONTRACTS FOR EMPLOYMENT IN OTHER DISTRICTS; TO PROHIBIT DISTRICTS FROM DIVULGING OR ASKING ABOUT SUCH TERMINATIONS OR CONSIDERING SUCH TERMINATIONS IN TEACHER EVALUATIONS OR HIRING DECISIONS, AMONG OTHER THINGS; TO EXEMPT RELATED INFORMATION IN EMPLOYMENT RECORDS FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT; AND TO PROVIDE MEANS OF REDRESS FOR VIOLATIONS.

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Prefiled and referred to the Committee on Education.

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

TUESDAY, JANUARY 12, 2021

S. 349 -- Senators McLeod, Jackson, Shealy, Matthews and Senn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-790 SO AS TO REQUIRE THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TO CONSULT WITH TREATING PHYSICIANS AND MEDICAL PROFESSIONALS WHEN PROPOSING CHANGES TO A CURRENT STATE HEALTH CARE PLAN; AND TO AMEND SECTION 9-4-10, AS AMENDED, RELATING TO THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY BOARD, SO AS TO CHANGE CERTAIN QUALIFICATIONS, AND TO PROVIDE THAT AT LEAST FOUR MEMBERS APPOINTED TO THE BOARD MUST BE LICENSED PHYSICIANS AND AT LEAST THREE MEMBERS APPOINTED TO THE BOARD MUST BE FEMALE.

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Prefiled and referred to the Committee on Finance.

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

S. 350 -- Senators McLeod and Fanning: A BILL TO AMEND SECTION 59-26-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN INCREASE IN PAY FOR TEACHERS CERTIFIED BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS, SO AS TO PROVIDE THAT A TEACHER WITH AN ACTIVE TEACHING CERTIFICATE WHO MEETS CERTAIN NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS RENEWAL REQUIREMENTS SHALL RECEIVE AN ANNUAL INCREASE IN PAY.

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Prefiled and referred to the Committee on Education.

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

S. 351 -- Senator McLeod: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE

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

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Prefiled and referred to the Committee on Corrections and Penology.

Read the first time and referred to the Committee on Corrections and Penology.

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S. 352 -- Senator McLeod: A JOINT RESOLUTION TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES SHALL EXEMPT INDIVIDUALS FROM THE ELIGIBILITY RESTRICTIONS OF 21 U.S.C. 862a(a)(1) AND (2), TO ENSURE ELIGIBILITY FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BENEFITS AND FEDERAL FOOD ASSISTANCE UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES MAY SEEK, APPLY FOR, ACCEPT, OR RENEW A WAIVER OF THE MANDATORY WORK REQUIREMENTS FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM; AND TO PROVIDE A SUNSET PROVISION.

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Prefiled and referred to the Committee on Family and Veterans' Services.

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

S. 353 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-190 SO AS TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION (SLED) TO CREATE, PREPARE, MAINTAIN, AND CERTIFY A REPORT LISTING BY NAME EACH SOUTH CAROLINA POLITICAL SUBDIVISION IT HAS DETERMINED TO BE IN COMPLIANCE WITH SECTIONS 17-13-170 AND 23-3-1100; TO DESIGNATE THIS REPORT THE "IMMIGRATION COMPLIANCE REPORT" (ICR); TO DELINEATE SPECIFIC DUTIES AND RESPONSIBILITIES RELATING TO THE SUBMISSION OF DOCUMENTATION NECESSARY TO PREPARE THE ICR; TO REQUIRE SLED ANNUALLY TO PROVIDE COPIES TO THE GOVERNOR, GENERAL ASSEMBLY, AND STATE TREASURER, TO PROHIBIT THE STATE TREASURER FROM DISBURSING CERTAIN FUNDS TO POLITICAL SUBDIVISIONS THAT HAVE NOT BEEN CERTIFIED AS COMPLIANT IN THE ICR, TO AUTHORIZE SLED TO CONDUCT CRIMINAL INVESTIGATIONS RELATING TO

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ICR CERTIFICATIONS; TO PROVIDE SANCTIONS FOR POLITICAL SUBDIVISIONS THAT HAVE BEEN FOUND TO HAVE SUBMITTED FALSIFIED COMPLIANCE DOCUMENTATION TO SLED; TO DEFINE "POLITICAL SUBDIVISION", AND TO PROVIDE THAT THE SANCTIONS AND REMEDIES DELINEATED IN THIS ACT ARE IN ADDITION TO OTHER SANCTIONS AND REMEDIES PROVIDED BY LAW.

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Prefiled and referred to the Committee on Judiciary.

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

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

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Prefiled and referred to the Committee on Transportation.

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

S. 355 -- Senator Rice: A BILL TO AMEND SECTION 56-5-750, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF FAILURE TO STOP A MOTOR VEHICLE WHEN SIGNED BY A LAW ENFORCEMENT VEHICLE, SO AS TO PROVIDE A PENALTY WHEN A VEHICLE LEADS AN OFFICER ON A HIGH-SPEED PURSUIT WHICH HAS BEEN VIDEO RECORDED.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 356 -- Senator Rice: A BILL TO AMEND SECTION 17-15-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BAIL AND RECOGNIZANCES AND FACTORS TO CONSIDER WHEN DETERMINING BOND, SO AS TO REQUIRE THE COURT TO SET A CASH OR SURETY BOND FOR ANY PERSON CHARGED WITH AN OFFENSE WHO THE COURT FINDS IS AN ALIEN UNLAWFULLY PRESENT IN THE UNITED STATES; AND TO AMEND SECTION 17-15-260, RELATING TO THE DISTRIBUTION OF FORFEITED BONDS, SO AS TO REQUIRE IN A CASE WHEN THE BOND IS ORDERED FORFEITED AND THE DEFENDANT IS AN ALIEN UNLAWFULLY PRESENT IN THE UNITED STATES, TWENTY-FIVE PERCENT OF THE FORFEITED FUNDS BE DISTRIBUTED TO THE ARRESTING LAW ENFORCEMENT AGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 357 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 81 TO TITLE 2 SO AS TO CREATE THE JOINT COMMITTEE ON FEDERALISM TO EVALUATE CERTAIN FEDERAL LAWS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO SPECIFY THE PROCESS OF EVALUATION, AND TO SET FORTH OTHER DUTIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 358 -- Senator Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-250 SO AS TO REQUIRE PROVISIONS IN THE ANNUAL GENERAL APPROPRIATIONS BILL THAT DIRECT THE MANNER IN WHICH FUNDS ARE TO BE EXPENDED TO SPECIFICALLY STATE THE SOURCE OF FUNDS, THE AUTHORIZED EXPENDITURES, AND ANY

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PROGRAM WHICH FUNDS WILL BE REDUCED AS A RESULT OF THE PROVISION.

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Prefiled and referred to the Committee on Finance.

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

S. 359 -- Senator Rice: A BILL TO AMEND SECTION 6-1-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON THE IMPOSITION OF LOCAL FEES, SO AS TO LIMIT THE AMOUNT OF A STORMWATER FEE TO FIFTEEN PERCENT OF THE AMOUNT OF AD VALOREM TAXES LEVIED ON THE PROPERTY BY THE LOCAL GOVERNING BODY IMPOSING THE FEE.

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Prefiled and referred to the Committee on Finance.

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

S. 360 -- Senator Rice: A BILL TO AMEND SECTION 12-37-2460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CREDITING PROPERTY TAXES ON AIRLINES, SO AS TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; AND TO AMEND SECTION 55-5-280, RELATING TO THE STATE AVIATION FUND, SO AS TO PHASE-IN THE CREDITING OF THE PROCEEDS.

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Prefiled and referred to the Committee on Finance.

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

S. 361 -- Senators Rice and Adams: A BILL TO AMEND SECTIONS 9-1-1790 AND 9-11-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AMOUNT OF COMPENSATION THAT MAY BE EARNED UPON RETURNING TO COVERED EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO CHANGE THE AMOUNT THAT

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MAY BE EARNED FROM TEN THOUSAND DOLLARS TO AN AMOUNT NOT TO EXCEED THE RETIREMENT EARNINGS TEST EXEMPT LOWER AMOUNT FOR INDIVIDUALS BELOW NORMAL RETIREMENT AGE.

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Prefiled and referred to the Committee on Finance.

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

S. 362 -- Senator Rice: A CONCURRENT RESOLUTION TO CALL UPON THE NATIONAL CONFERENCE OF STATE LEGISLATURES, THE COUNCIL OF STATE GOVERNMENTS, AND THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL TO COORDINATE IN THE CREATION OF A NATIONAL FEDERALISM TASK FORCE FOR THE PURPOSE OF CONVENING A SERIES OF FEDERALISM SUMMITS FOCUSED ON RESTORING AND MAINTAINING CLEARLY DISCERNIBLE DIVISIONS IN THE ROLES AND RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AND THE STATES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 363 -- Senator Rice: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO SET A LIMIT ON THE NUMBER OF TERMS THAT A PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES AND TO SET A LIMIT ON THE NUMBER OF TERMS THAT A

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PERSON MAY BE ELECTED AS A MEMBER OF THE UNITED STATES SENATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 364 -- Senator Rice: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 365 -- Senators Senn and Rice: A BILL TO AMEND SECTION 7-5-160 OF THE 1976 CODE, RELATING TO VOTER REGISTRATION, TO PROVIDE THAT A PERSON REGISTERED TO VOTE MUST VERIFY HIS QUALIFICATIONS FOR REGISTRATION AT LEAST ONCE EVERY THREE YEARS WITH THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS IN THE COUNTY IN WHICH HE IS AN ELECTOR, AND TO PROVIDE THAT A PERSON WHO FAILS TO TIMELY VERIFY HIS REGISTRATION SHALL BE REMOVED FROM THE REGISTRATION LIST UNTIL HE COMPLETES HIS VERIFICATION.

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Prefiled and referred to the Committee on Judiciary.

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

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S. 366 -- Senators Talley and Hutto: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 367 -- Senators Talley, Climer, Turner, Bennett, Kimpson, Fanning, Adams and M. Johnson: A BILL TO AMEND SECTION 61-2-170 OF THE 1976 CODE, RELATING TO THE DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, TO PROVIDE THAT THE DEPARTMENT OF REVENUE MAY NOT GENERATE LICENSE FEES TO BE DEPOSITED IN THE GENERAL FUND OF THE STATE THROUGH THE ISSUANCE OF LICENSES OR PERMITS FOR ON-PREMISES OR OFF-PREMISES CONSUMPTION THAT AUTHORIZE ALCOHOLIC LIQUORS TO BE SOLD ON A CURB-SERVICE BASIS, AND TO PROHIBIT ANY DRIVE-THROUGH PICKUP OF BEER OR WINE; AND TO AMEND ARTICLE 1, CHAPTER 4, TITLE 61 OF THE 1976 CODE, RELATING TO BEER, ALE, PORTER, AND WINE, BY ADDING SECTION 61-4-45, TO PROVIDE REQUIREMENTS FOR THE CURBSIDE DELIVERY, OR PICKUP THROUGH A CURBSIDE SERVICE, OF BEER OR WINE, AND TO

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PROHIBIT CURBSIDE DELIVERY AND PICKUP OF ALCOHOLIC LIQUORS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 368 -- Senators Talley and Gustafson: A BILL TO AMEND SECTION 17-5-130(A)(2)(e) OF THE 1976 CODE, RELATING TO COUNTY CORONER QUALIFICATIONS, TO REVISE FORENSIC SCIENCE TRAINING REQUIREMENTS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 369 -- Senators Talley and Rice: A BILL TO ENACT THE "SECOND AMENDMENT PROTECTION ACT"; TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 9, TO EXCLUDE FROM FEDERAL REGULATION ANY PERSONAL FIREARM, FIREARMS ACCESSORY, OR AMMUNITION MANUFACTURED COMMERCIALY OR PRIVATELY AND OWNED IN THIS STATE, TO PROVIDE THAT ANY PERSONAL FIREARM, FIREARMS ACCESSORY, OR AMMUNITION IS NOT SUBJECT TO ANY FEDERAL LAW, REGULATION, OR AUTHORITY AS LONG AS IT REMAINS WITHIN THE BORDERS OF THIS STATE, TO PREVENT ANY FEDERAL AGENT OR CONTRACTED EMPLOYEE, ANY STATE EMPLOYEE, OR ANY LOCAL AUTHORITY FROM ENFORCING ANY FEDERAL REGULATION OR LAW GOVERNING ANY PERSONAL FIREARM, FIREARMS ACCESSORY, OR AMMUNITION MANUFACTURED COMMERCIALY OR PRIVATELY AND OWNED IN THIS STATE AS LONG AS IT REMAINS WITHIN THIS STATE, TO PROHIBIT ARREST OR DETENTION PRIOR TO A TRIAL FOR VIOLATIONS, TO PROVIDE THAT THE ATTORNEY GENERAL MAY SEEK INJUNCTIVE RELIEF IN COURT TO ENJOIN CERTAIN FEDERAL OFFICIALS FROM ENFORCING FEDERAL LAW REGARDING A FIREARM, A

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FIREARMS ACCESSORY, OR AMMUNITION THAT IS MANUFACTURED COMMERCIALY OR PRIVATELY AND OWNED IN THIS STATE AND REMAINS WITHIN THE BORDERS OF THIS STATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 370 -- Senator Talley: A BILL TO AMEND SECTION 44-7-160 OF THE 1976 CODE, RELATING TO CIRCUMSTANCES REQUIRING A CERTIFICATE OF NEED, TO PROVIDE THAT THE ADDITION OF BEDS IN CERTAIN SITUATIONS IS EXEMPT FROM CERTIFICATE OF NEED REQUIREMENTS, TO INCREASE THE DOLLAR THRESHOLD FOR CAPITAL EXPENDITURES AND MEDICAL EQUIPMENT, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST DETERMINE THE INCREASE OR DECREASE IN THE RATIO OF THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS, MEDICAL CARE COMMODITIES IN THE U.S. CITY AVERAGE, FOR THE PRIOR FIVE-YEAR PERIOD AND ADJUST EXPENDITURES AND COSTS ACCORDINGLY; TO AMEND SECTION 44-7-170(A) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED EXEMPTIONS, TO EXEMPT CERTAIN MEDICAL EQUIPMENT AND TO PROVIDE CERTAIN THRESHOLD CRITERIA TO EXEMPT THE ADDITION OF BEDS; TO AMEND SECTION 44-7-210(G) OF THE 1976 CODE, RELATING TO CERTIFICATE OF NEED CONTESTED CASES IN THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT THERE SHALL BE NO JUDICIAL REVIEW BEYOND THE ADMINISTRATIVE LAW COURT; TO AMEND SECTION 1-23-380 OF THE 1976 CODE, RELATING TO THE APPEAL OF A FINAL AGENCY DECISION UNDER THE ADMINISTRATIVE PROCEDURES ACT, TO REMOVE THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS INVOLVING CERTAIN CERTIFICATE OF NEED CONTESTED CASES; AND TO REPEAL SECTION

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44-7-220 OF THE 1976 CODE, RELATING TO THE JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT DECISIONS IN CERTIFICATE OF NEED CONTESTED CASES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 371 -- Senator Talley: A BILL TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, BY ADDING ARTICLE 14, TO PROVIDE FOR THE PERMITTING OF REGULATED SHOOTING AREAS FOR MALLARDS, TO PROVIDE THAT CAPTIVE-RAISED MALLARDS THAT ARE REARED AND RELEASED ON A REGULATED SHOOTING AREA FOR MALLARDS MAY ONLY BE HUNTED DURING THE OPEN SEASON FOR MALLARDS, TO PROVIDE MARKING REQUIREMENTS FOR CAPTIVE-RAISED MALLARDS, TO PROVIDE THAT CAPTIVE-RAISED MALLARDS MAY BE TAKEN BY SHOOTING ON A REGULATED SHOOTING AREA FOR MALLARDS WITHOUT REGARD FOR BAG OR POSSESSION LIMITS AND TO PROVIDE EXCEPTIONS, TO REQUIRE CERTAIN LICENSES FOR HUNTING ON A REGULATED SHOOTING AREA FOR MALLARDS, TO PROVIDE THAT A PERMITTEE SHALL MAKE AN ANNUAL REPORT OF OPERATIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF PERMITTING AND MARKING REQUIREMENTS.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 372 -- Senator Talley: A BILL TO AMEND CHAPTER 1, TITLE 6 OF THE 1976 CODE, RELATING TO LOCAL GOVERNMENT PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS AND OTHER POLITICAL

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SUBDIVISIONS, BY ADDING ARTICLE 21, TO PROVIDE THAT A COUNTY, MUNICIPALITY, OR SCHOOL DISTRICT SHALL POST CERTAIN INFORMATION ON ITS WEBSITE AND DEVELOP, MAINTAIN, AND MAKE PUBLIC A CERTAIN WEBSITE DATABASE, AND TO REQUIRE THAT THE INFORMATION AVAILABLE ON THE WEBSITE BE EASILY ACCESSIBLE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 373 -- Senators Talley and Rice: A BILL TO ENACT THE "TAXPAYER TRANSPARENCY ACT"; TO AMEND CHAPTER 11, TITLE 11 OF THE 1976 CODE, RELATING TO THE STATE BUDGET SYSTEM, BY ADDING ARTICLE 7, TO REQUIRE THE EXECUTIVE BUDGET OFFICE TO DEVELOP AND MAKE PUBLICLY AVAILABLE A SINGLE, SEARCHABLE BUDGET DATABASE WEBSITE FOR THE MOST RECENT FISCAL YEAR.

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Prefiled and referred to the Committee on Finance.

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

S. 374 -- Senators Talley, Kimbrell and Rice: A JOINT RESOLUTION TO AMEND SECTION 3, ARTICLE V OF THE CONSTITUTION OF THIS STATE, RELATING TO THE ELECTION OF MEMBERS OF THE SUPREME COURT, SECTION 8, ARTICLE V, RELATING TO THE ELECTION OF JUDGES OF THE COURT OF APPEALS, SECTION 13, ARTICLE V, RELATING TO JUDICIAL CIRCUITS AND CIRCUIT COURT JUDGES, SECTION 18, ARTICLE V, RELATING TO VACANCIES IN THESE JUDICIAL OFFICES, AND SECTION 27, ARTICLE V, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE THAT SUPREME COURT JUSTICES, JUDGES OF THE COURT OF APPEALS, AND CIRCUIT COURT JUDGES SHALL BE APPOINTED BY THE GOVERNOR, SUBJECT TO THE ADVICE AND CONSENT OF THE SENATE, AND TO

TUESDAY, JANUARY 12, 2021

PROVIDE FOR THE COMPOSITION OF THE JUDICIAL MERIT SELECTION COMMISSION.

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Prefiled and referred to the Committee on Judiciary.

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

S. 375 -- Senator Talley: A BILL TO AMEND SECTION 8-13-540(D) OF THE 1976 CODE, RELATING TO ETHICS INVESTIGATIONS AND HEARINGS, TO REVISE THE ETHICS COMMITTEE'S POSSIBLE ACTIONS AFTER REVIEWING THE STATE ETHICS COMMISSION'S RECOMMENDATIONS AND RELEVANT EVIDENCE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 376 -- Senators Talley and Hembree: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES

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ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Education.

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

S. 377 -- Senators Talley and Rice: A BILL TO AMEND SECTION 2-1-180 OF THE 1976 CODE, RELATING TO THE MANDATORY SINE DIE ADJOURNMENT DATE OF THE GENERAL ASSEMBLY, TO PROVIDE FOR A BIENNIAL STATE GENERAL APPROPRIATIONS ACT AND TO PROVIDE THAT, IN EVEN-NUMBERED YEARS, THE REGULAR ANNUAL SESSION OF THE GENERAL ASSEMBLY CAN BE EXTENDED IF A CONCURRENT RESOLUTION IS ADOPTED BY A TWO-THIRDS VOTE OF BOTH THE SENATE AND HOUSE OF REPRESENTATIVES NOT LATER THAN FIVE O'CLOCK P.M. ON THE SECOND THURSDAY IN APRIL; AND TO AMEND SECTION 2-7-60 OF THE 1976 CODE, RELATING TO THE GENERAL APPROPRIATIONS ACT, TO PROVIDE THAT, BEGINNING WITH THE 2023 SESSION, THE GENERAL ASSEMBLY SHALL ENACT A BIENNIAL STATE GENERAL APPROPRIATIONS ACT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 378 -- Senator Cash: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES,

TUESDAY, JANUARY 12, 2021

RESTITUTION, AND COMMUNITY SERVICE.

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Prefiled and referred to the Committee on Agriculture and Natural Resources.

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

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

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 380 -- Senator Cash: A BILL TO AMEND SECTION 15-39-30 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF EXECUTIONS AND THE EFFECTIVE PERIOD FOR ISSUANCE, TO PROVIDE THAT EXECUTIONS MAY ISSUE UPON FINAL JUDGMENTS WITHIN TEN YEARS FROM THE DATE OF THE ORIGINAL ENTRY THEREOF OR, IF A PARTY HAS TAKEN STEPS WITHIN THIS TEN-YEAR PERIOD TO ENFORCE A JUDGMENT, UNTIL FINAL ADJUDICATION IS REACHED.

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Prefiled and referred to the Committee on Judiciary.

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

S. 381 -- Senators Cash and Rice: A BILL TO ENACT THE PERSONHOOD ACT OF SOUTH CAROLINA; TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO THE ADMINISTRATION OF THE GOVERNMENT

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GENERALLY, BY ADDING ARTICLE 5, TO ESTABLISH THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.

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Prefiled and referred to the Committee on Judiciary.

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

S. 382 -- Senators Cash, Massey and Rice: A BILL TO AMEND SECTION 1-3-420 OF THE 1976 CODE, RELATING TO A PROCLAMATION OF EMERGENCY BY THE GOVERNOR, TO PROVIDE THAT A STATE OF EMERGENCY DECLARED BY THE GOVERNOR MAY NOT LAST MORE THAN FIFTEEN DAYS UNLESS THE GENERAL ASSEMBLY ADOPTS A CONCURRENT RESOLUTION AUTHORIZING THE STATE OF EMERGENCY TO REMAIN IN PLACE FOR A LONGER PERIOD OF TIME, TO PROVIDE THAT INACTION BY THE GENERAL ASSEMBLY DOES NOT CONSTITUTE CONSENT, TO PROVIDE THAT THE GOVERNOR CANNOT DECLARE A NEW STATE OF EMERGENCY FOR CIRCUMSTANCES ARISING FROM THE SAME OR A SIMILAR OR RELATED IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT, AND TO PROVIDE THAT A CHANGE IN THE DEGREE OF IMPACT OF AN UNDERLYING IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT DOES NOT CONSTITUTE GROUNDS FOR A NEW DECLARATION OF A STATE OF EMERGENCY; AND TO AMEND SECTION 25-1-440(a)(1) AND (2) OF THE 1976 CODE, RELATING TO THE GOVERNOR'S ADDITIONAL POWERS AND DUTIES DURING A DECLARED EMERGENCY, TO PROVIDE THAT THE GENERAL ASSEMBLY MUST ADOPT A CONCURRENT RESOLUTION AUTHORIZING A DECLARED STATE OF EMERGENCY IF IT IS TO REMAIN

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IN PLACE FOR LONGER THAN FIFTEEN DAYS, TO PROVIDE THAT INACTION BY THE GENERAL ASSEMBLY DOES NOT CONSTITUTE CONSENT, TO PROVIDE THAT THE GOVERNOR CANNOT DECLARE A NEW STATE OF EMERGENCY FOR CIRCUMSTANCES ARISING FROM THE SAME OR A SIMILAR OR RELATED IMMINENT THREAT, EVENT, OCCURRENCE, OR INCIDENT, AND TO PROVIDE THAT A CHANGE IN THE DEGREE OF IMPACT OF AN UNDERLYING IMMINENT THREAT, EVENT, OCCURRENCE, OR SIMILAR INCIDENT DOES NOT CONSTITUTE GROUNDS FOR A NEW DECLARATION OF A STATE OF EMERGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

S. 383 -- Senator Cash: A BILL TO AMEND SECTION 59-19-90(5) OF THE 1976 CODE, RELATING TO THE GENERAL POWERS AND DUTIES OF SCHOOL TRUSTEES, TO PROVIDE THAT A BOARD OF TRUSTEES HAS THE POWER TO OBTAIN A PROPRIETARY SECURITY BUSINESS LICENSE; TO AMEND SECTION 40-18-60(A) OF THE 1976 CODE, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSES, APPLICATIONS, AND RELATED PROVISIONS, TO PROVIDE THAT A MEMBER OF A SCHOOL DISTRICT'S BOARD OF TRUSTEES MUST BE THE APPLICANT IF A SCHOOL DISTRICT APPLIES FOR A LICENSE; TO AMEND SECTION 40-18-140 OF THE 1976 CODE, RELATING TO EXCEPTIONS FROM THE APPLICATION OF PROVISIONS RELATED TO PRIVATE SECURITY AND INVESTIGATION AGENCIES, TO PROVIDE THAT A SCHOOL DISTRICT IS NOT EXCLUDED FROM SUCH APPLICATION.

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Prefiled and referred to the Committee on Education.

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

TUESDAY, JANUARY 12, 2021

S. 384 -- Senators Cash, Fanning and Rice: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE QUALIFICATIONS OF MEMBERS OF THE SENATE AND HOUSE OF REPRESENTATIVES, TO AUTHORIZE THE GENERAL ASSEMBLY TO ENACT TERM LIMITATIONS FOR ITS MEMBERS BY LAW.

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Prefiled and referred to the Committee on Judiciary.

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

S. 385 -- Senators Cash and Rice: A BILL TO AMEND ARTICLE 1, CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-65, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO SELL, PURCHASE, DONATE, ACCEPT, OR EXPERIMENT UPON THE REMAINS OF A CHILD OR AN UNBORN CHILD RESULTING FROM AN ABORTION, OR TO PERFORM OR OFFER TO PERFORM AN ABORTION FOR THE PURPOSE OF RESEARCH, AND TO PROVIDE PENALTIES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 386 -- Senators Cash, Adams and Rice: A BILL TO AMEND ARTICLE 4, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO CONCEALED WEAPON PERMITS, BY ADDING SECTION 23-31-232, TO PROVIDE THAT A CONCEALED WEAPON PERMIT HOLDER MAY CARRY A CONCEALABLE WEAPON ON SCHOOL PROPERTY LEASED BY A CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES IF THE CHURCH OR ITS GOVERNING BODY PROVIDES EXPRESS PERMISSION TO THE PERMIT HOLDER, AND TO PROVIDE THAT THIS PROVISION ONLY APPLIES DURING THE TIME THAT THE

TUESDAY, JANUARY 12, 2021

CHURCH HAS ACCESS TO THE PROPERTY FOR ITS SERVICES OR ACTIVITIES.

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Prefiled and referred to the Committee on Judiciary.

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

S. 387 -- Senators Harpootlian, Rice and Hembree: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

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Prefiled and referred to the Committee on Fish, Game and Forestry.

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

S. 388 -- Senator Harpootlian: A BILL TO AMEND SECTIONS 61-2-10 THROUGH 61-2-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE ENFORCEMENT OF LAWS AND REGULATIONS GOVERNING ALCOHOLIC LIQUORS, BEER, AND WINE, SO AS TO ESTABLISH THE DEPARTMENT OF ALCOHOL LICENSING AND ENFORCEMENT AND TO MAKE CONFORMING CHANGES TO TRANSFER THE POWERS GRANTED TO THE DEPARTMENT OF REVENUE TO THE DEPARTMENT OF ALCOHOL LICENSING AND ENFORCEMENT; TO AMEND SECTION 61-2-105, RELATING TO FEES FOR ALCOHOLIC LIQUOR AND BEER AND WINE LICENSE APPLICATION FEES, SO AS TO PROVIDE THAT THE FUNDS MUST BE COLLECTED BY THE DEPARTMENT OF ALCOHOL LICENSING AND ENFORCEMENT; TO AMEND SECTION 12-4-10, RELATING TO THE CREATION OF THE DEPARTMENT OF REVENUE,

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SO AS TO MAKE A CONFORMING CHANGE; AND TO AMEND SECTION 23-3-15, RELATING TO THE AUTHORITY OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, SO AS TO REMOVE SLED'S JURISDICTION RELATED TO THE ENFORCEMENT OF THE ALCOHOLIC BEVERAGE CONTROL ACT.

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Prefiled and referred to the Committee on Judiciary.

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

S. 389 -- Senator Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO AUTHORIZE MUNICIPAL POLICE OFFICERS AND A COUNTY SHERIFF TO ENFORCE THE PROVISIONS OF CHAPTER 4, TITLE 61 RELATING TO BEER AND WINE; AND TO AMEND SECTION 61-6-4510, RELATING TO MUNICIPAL POLICE OFFICERS, SO AS TO AUTHORIZE A COUNTY SHERIFF TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61 RELATING TO ALCOHOLIC LIQUORS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 390 -- Senators Harpootlian, Fanning and Rice: A BILL TO AMEND SECTION 58-3-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF A FORMER PUBLIC SERVICE COMMISSIONER FROM BEING EMPLOYED OR RETAINED FOR A PERIOD OF ONE YEAR FOLLOWING HIS SERVICE AS A COMMISSIONER, SO AS TO EXTEND THAT PROHIBITION TO A FOUR-YEAR PERIOD.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 391 -- Senators Harpootlian, Fanning, Rice and Hembree: A BILL TO AMEND SECTION 8-13-700, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST THE USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THE PROHIBITION, AND TO PRECLUDE VIOLATORS FROM SERVING AS A PUBLIC OFFICIAL OR PUBLIC MEMBER OR BEING EMPLOYED AS A PUBLIC EMPLOYEE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 392 -- Senators Harpootlian and Fanning: A BILL TO AMEND SECTION 58-9-285, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF BUNDLED OFFERINGS FOR LOCAL EXCHANGE COMPANIES, SO AS TO PROVIDE THAT BUNDLED OFFERINGS AND BUNDLED OFFERING BILLING STATEMENTS MUST INCLUDE PROMINENTLY WRITTEN, ITEMIZED DISCLOSURES OF APPLICABLE TAXES, FEES, AND VARIABLE RATES; AND BY ADDING SECTION 58-12-365 SO AS TO PROVIDE THAT A HOLDER OF A STATE-ISSUED CERTIFICATE OF FRANCHISE AUTHORITY SELLING BUNDLED OFFERINGS MUST INCLUDE PROMINENTLY WRITTEN, ITEMIZED DISCLOSURES OF APPLICABLE TAXES, FEES, AND VARIABLE RATES ON BUNDLED OFFERINGS AND BUNDLED OFFERING BILLING STATEMENTS, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 393 -- Senator Harpootlian: A BILL TO AMEND SECTION 33-41-1110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR LIMITED LIABILITY PARTNERSHIPS, SO AS TO APPOINT THE

TUESDAY, JANUARY 12, 2021

SECRETARY OF STATE AS AGENT FOR SERVICE OF PROCESS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 394 -- Senator Harpootlian: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-15-130 SO AS TO GRANT SUBPOENA POWERS TO THE LEGISLATIVE AUDIT COUNCIL; TO AMEND SECTION 2-15-40, RELATING TO THE QUALIFICATIONS FOR THE DIRECTOR OF THE LEGISLATIVE AUDIT COUNCIL, SO AS TO EXPAND THE PREREQUISITES FOR HOLDING THE POSITION OF DIRECTOR, AMONG OTHER CHANGES; TO AMEND SECTION 2-15-61, RELATING TO ACCESS TO AGENCY RECORDS, SO AS TO EXPAND THE LEGISLATIVE AUDIT COUNCIL'S ACCESS TO RECORDS AND FACILITIES UPON REQUEST AND TO PROVIDE PENALTIES FOR FAILING TO COMPLY; AND TO AMEND SECTION 2-15-120, RELATING TO THE CONFIDENTIALITY OF RECORDS, SO AS TO FURTHER DEFINE WHAT IS CONSIDERED CONFIDENTIAL AND TO REVISE THE DEFINITION OF "RECORDS".

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Prefiled and referred to the Committee on Judiciary.

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

S. 395 -- Senators Harpootlian and Rice: A BILL TO AMEND SECTION 2-7-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL GENERAL APPROPRIATIONS ACT, SO AS TO PROVIDE THAT LINE ITEM APPROPRIATIONS TO BE EXPENDED FOR MULTIPLE PURPOSES OR ACTIVITIES ALSO MUST CONTAIN A PROVISIO OUTLINING SPECIFIC INDIVIDUAL EXPENDITURES IN ORDER TO RECEIVE FUNDING; AND TO AMEND SECTION 11-9-10, RELATING TO MONEY TO

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BE SPENT ONLY FOR THE PURPOSE OR ACTIVITY SPECIFICALLY APPROPRIATED, SO AS TO MAKE CONFORMING CHANGES.

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Prefiled and referred to the Committee on Finance.

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

S. 396 -- Senator Harpootlian: A BILL TO AMEND SECTION 30-4-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATTERS EXEMPT FROM THE FREEDOM OF INFORMATION ACT, SO AS TO DELETE THE EXEMPTION FOR DOCUMENTS RELATING TO GOVERNMENTAL EFFORTS TO ATTRACT BUSINESSES TO THIS STATE.

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Prefiled and referred to the Committee on Judiciary.

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

S. 397 -- Senator Harpootlian: A BILL TO AMEND SECTION 12-23-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MUNICIPAL PRIVILEGE OR LICENSE TAX ON RAILROADS AND MAXIMUM ALLOWABLE AMOUNTS, SO AS TO REMOVE MAXIMUM ALLOWABLE AMOUNTS.

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Prefiled and referred to the Committee on Finance.

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

S. 398 -- Senator Harpootlian: A BILL TO AMEND ARTICLE 11, CHAPTER 1, TITLE 13 OF THE 1976 CODE, RELATING TO THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, BY ADDING SUBARTICLE 2, TO PROVIDE FOR ECONOMIC DEVELOPMENT ACCOUNTABILITY BY SETTING FORTH JOB CREATION, WAGE, AND HEALTH CARE OBLIGATIONS FOR A RECIPIENT CORPORATION TO RECEIVE A DEVELOPMENT SUBSIDY, TO PROVIDE FOR CERTAIN CROSS-CHECKING REQUIREMENTS FOR GRANTING

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BODIES AWARDED SUBSIDIES, TO PROVIDE FOR A REDUCTION IN THE VALUE OF THE SUBSIDY IF A RECIPIENT CORPORATION FALLS SHORT OF ITS OBLIGATIONS, TO PROVIDE FOR THE DISCLOSURE OF PERFORMANCE REPORTS BY RECIPIENT CORPORATIONS, TO PROVIDE THAT A GRANTING BODY SHALL PUBLISH PERFORMANCE REPORTS ON ITS WEBSITE, TO PROVIDE THAT CERTAIN REPORTS MUST BE SUBMITTED TO THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT; TO AMEND SECTION 13-1-1730 OF THE 1976 CODE, RELATING TO REPORTS BY THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, TO PROVIDE THAT THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT SHALL INCLUDE IN ITS REPORT TO THE GENERAL ASSEMBLY AN ANNUAL UNIFIED ECONOMIC DEVELOPMENT BUDGET; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 399 -- Senators Garrett, Adams, Rice and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA STANDS FOR LIFE ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMEN AND TO PROHIBIT THE PERFORMANCE OF AN ABORTION WHEN A FETAL HEARTBEAT IS DETECTED, BOTH WITH MEDICAL EMERGENCY EXCEPTIONS, TO DEFINE CERTAIN TERMS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM

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AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460, RELATING TO REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; TO AMEND SECTION 44-41-330, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN PREGNANCY INFORMATION, SO AS TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT; BY ADDING ARTICLE 8 TO CHAPTER 41, TITLE 44 SO AS TO PROHIBIT DISMEMBERMENT ABORTIONS, WITH EXCEPTIONS, TO DEFINE CERTAIN TERMS, TO PROVIDE FOR INJUNCTIVE RELIEF AND CIVIL AND CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; BY ADDING ARTICLE 10 TO CHAPTER 41, TITLE 44 SO AS TO ESTABLISH CERTAIN NOTICE REQUIREMENTS ADDRESSING THE POSSIBILITY OF REVERSING THE EFFECTS OF CERTAIN CHEMICAL ABORTIONS APPLICABLE TO PRIVATE OFFICES AND FACILITIES IN WHICH ABORTIONS ARE PERFORMED AND TO PHYSICIANS OF PATIENTS CONSIDERING A CHEMICAL ABORTION, TO DEFINE CERTAIN TERMS, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PUBLISH PRINTED MATERIALS ABOUT THE POSSIBILITY OF REVERSING CERTAIN CHEMICAL ABORTIONS AND TO MAKE THE INFORMATION AVAILABLE ON THE DEPARTMENT'S WEBSITE, TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO PHYSICIANS WHO PRESCRIBE A CHEMICAL ABORTION PILL; TO CREATE CIVIL AND CRIMINAL PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE, TO CREATE A PRIVATE RIGHT OF ACTION FOR A WOMAN UPON WHOM A CHEMICAL ABORTION IS PERFORMED IN VIOLATION OF THE PROVISIONS OF THE ARTICLE, WITH EXCEPTIONS, AND FOR OTHER PURPOSES; AND BY ADDING SECTION 44-41-95 SO AS TO PROVIDE THAT IF

TUESDAY, JANUARY 12, 2021

ROE V. WADE IS OVERTURNED, ABORTION SHALL BECOME ILLEGAL IN SOUTH CAROLINA, AND FOR OTHER PURPOSES.

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Prefiled and referred to the Committee on Medical Affairs.

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

S. 400 -- Senators Garrett, Adams and Rice: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-525 SO AS TO ALLOW MARRIED TAXPAYERS THAT FILE A JOINT FEDERAL RETURN TO CALCULATE THEIR AMOUNT OF SOUTH CAROLINA INCOME TAX OWED FOR THE TAX YEAR AS THOUGH EACH TAXPAYER FILED A RETURN AS A SINGLE TAXPAYER IF THE TAXPAYERS' CUMULATIVE TAX OWED WOULD BE LESS THAN THE AMOUNT THEY WOULD OWE HAD THEY FILED A JOINT RETURN.

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Prefiled and referred to the Committee on Finance.

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

S. 401 -- Senators Gustafson and Hembree: A BILL TO AMEND SECTION 6-1-320 OF THE 1976 CODE, RELATING TO THE LIMITATION ON MILLAGE INCREASES, TO ALLOW THE GOVERNING BODY OF A COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.

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Prefiled and referred to the Committee on Finance.

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

S. 402 -- Senator Gustafson: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST

TUESDAY, JANUARY 12, 2021

RESPONDER DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER, AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Judiciary.

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

S. 403 -- Senator Gustafson: A BILL TO AMEND SECTION 41-18-30(D) OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, TO DIFFERENTIATE BETWEEN AMUSEMENT-STYLE AND COMPETITION-STYLE CONCESSION GO-KARTS; AND TO DEFINE NECESSARY TERMS.

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Prefiled and referred to the Committee on Labor, Commerce and Industry.

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

S. 404 -- Senators Kimbrell and Hembree: A BILL TO AMEND SECTION 1-23-600 OF THE 1976 CODE, RELATING TO HEARINGS AND PROCEEDINGS IN FRONT OF THE ADMINISTRATIVE LAW COURT, TO PROVIDE THAT AGENCY INTERPRETATIONS OF RELEVANT STATUTES AND REGULATIONS ARE NOT ENTITLED TO DEFERENCE FROM THE PRESIDING ADMINISTRATIVE LAW JUDGE, TO PROVIDE THAT REVIEW OF THOSE INTERPRETATIONS SHALL BE DE NOVO, AND TO PROVIDE THAT ANY DOUBT SHALL BE EXERCISED IN FAVOR OF THE INDIVIDUAL RATHER THAN THE AGENCY.

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Prefiled and referred to the Committee on Judiciary.

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

TUESDAY, JANUARY 12, 2021

S. 405 -- Senators Kimbrell and Rice: A BILL TO AMEND ARTICLE 1, CHAPTER 29, TITLE 59 OF THE 1976 CODE, RELATING TO SUBJECTS OF INSTRUCTION, BY ADDING SECTION 59-29-17, TO REQUIRE EACH HIGH SCHOOL TO OFFER A ONE-HALF CREDIT COURSE OF STUDY IN PERSONAL FINANCE AS AN ELECTIVE OR MATHEMATICS CREDIT BEGINNING WITH THE 2021-2022 SCHOOL YEAR.

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Prefiled and referred to the Committee on Education.

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

S. 406 -- Senators Massey, Climer and Young: A SENATE RESOLUTION TO ADOPT THE RULES OF PROCEDURE FOR THE SENATE AS PROVIDED IN ARTICLE III, SECTION 12 OF THE CONSTITUTION OF SOUTH CAROLINA, 1895.

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The Senate Resolution was adopted.

S. 407 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE SHERIFF JOHN EDWARD "ED" DARNELL UPON THE OCCASION OF HIS RETIREMENT AS SHERIFF, TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DISTINGUISHED PUBLIC SERVICE TO BAMBERG COUNTY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 408 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. WILLIAM B. JAMES, JR., UPON THE OCCASION OF HIS RETIREMENT AS SUPERINTENDENT OF LEXINGTON SCHOOL DISTRICT TWO, TO COMMEND HIM FOR HIS OUTSTANDING CAREER IN EDUCATION, AND TO WISH HIM MUCH HAPPINESS AND

TUESDAY, JANUARY 12, 2021

FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 409 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GERALDINE "GERI" JONES MCILWAIN AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 410 -- Senator Setzler: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF WILBUR LEE JEFFCOAT OF LEXINGTON COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 411 -- Senators Jackson, Setzler, Hutto, Malloy, Williams, Scott, Allen, K. Johnson, McElveen, Kimpson, Sabb, Matthews, Fanning, McLeod, Harpootlian and Stephens: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DONALD L. FOWLER OF COLUMBIA, FORMER CHAIRMAN OF THE DEMOCRATIC NATIONAL COMMITTEE, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 412 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE REVEREND ISAIAH ODOM UPON THE OCCASION OF HIS RETIREMENT AS COUNTY COUNCILMAN, TO COMMEND HIM FOR HIS FORTY-TWO

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YEARS OF DISTINGUISHED PUBLIC SERVICE TO BAMBERG COUNTY AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 413 -- Senator Hutto: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MR. CHARLES JAMISON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 414 -- Senators Setzler, Cromer, Massey, Shealy and Harpootlian: A SENATE RESOLUTION TO CONGRATULATE LEXINGTON MEDICAL CENTER UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE CENTER FOR ITS MANY YEARS OF SERVICE TO THE LEXINGTON COMMUNITY AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 415 -- Senator Goldfinch: A SENATE RESOLUTION TO CONGRATULATE THE GEORGETOWN LIONS CLUB UPON THE OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY AND TO COMMEND THE CLUB FOR ITS MANY YEARS OF SERVICE TO GEORGETOWN COUNTY AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 416 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE SIDNEY L. GAULDEN UPON THE OCCASION OF HIS RETIREMENT AS LEGISLATIVE LIAISON FOR THE SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, TO COMMEND HIM FOR HIS MANY

TUESDAY, JANUARY 12, 2021

YEARS OF DISTINGUISHED PUBLIC SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 417 -- Senators Gambrell and Garrett: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE BART S. MCGUIRE, FORMER CHIEF MAGISTRATE OF GREENWOOD COUNTY MAGISTRATE COURT, UPON THE OCCASION OF HIS RETIREMENT FROM THE BENCH AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 418 -- Senator Gambrell: A JOINT RESOLUTION TO ADDRESS THE LOW RATE OF COVID-19 VACCINATIONS IN SOUTH CAROLINA BY TEMPORARILY AUTHORIZING CERTAIN QUALIFIED HEALTH CARE WORKERS TO ADMINISTER COVID-19 VACCINATIONS APPROVED BY THE FOOD AND DRUG ADMINISTRATION, REGARDLESS OF WHETHER THE HEALTH CARE WORKERS ARE OTHERWISE PROHIBITED FROM DOING SO UNDER ANY PROFESSIONAL SCOPE OF PRACTICE OR UNAUTHORIZED PRACTICE PROVISION OF LAW IN THIS STATE.

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

S. 419 -- Senator Gambrell: A JOINT RESOLUTION TO ADDRESS THE LOW RATE OF ADMINISTRATION OF COVID-19 VACCINATIONS IN SOUTH CAROLINA BY DIRECTING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TEMPORARILY AUTHORIZE CERTAIN QUALIFIED HEALTH CARE

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WORKERS TO ADMINISTER CERTAIN APPROVED COVID-19 VACCINATIONS REGARDLESS OF WHETHER THE HEALTH CARE WORKERS ARE OTHERWISE PROHIBITED FROM DOING SO UNDER ANY PROFESSIONAL SCOPE OF PRACTICE OR UNAUTHORIZED PRACTICE PROVISION OF LAW IN THIS STATE.

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

S. 420 -- Senator Alexander: A BILL TO AMEND SECTION 27-50-40(A) OF THE 1976 CODE, RELATING TO DISCLOSURE STATEMENTS REQUIRED FOR REAL PROPERTY TRANSACTIONS, TO REQUIRE THE DISCLOSURE OF ADJACENT PROPERTY UTILIZED FOR AGRICULTURAL PURPOSES.

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

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

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

S. 422 -- Senator Alexander: A BILL TO AMEND SECTION 32-2-10 OF THE 1976 CODE, RELATING TO HOLD HARMLESS CLAUSES IN CONSTRUCTION CONTRACTS, TO PROVIDE THAT CERTAIN INDEMNIFICATION PROVISIONS IN CONSTRUCTION AGREEMENTS AND DESIGN PROFESSIONAL AGREEMENTS ARE AGAINST

TUESDAY, JANUARY 12, 2021

PUBLIC POLICY AND UNENFORCEABLE IN SOUTH CAROLINA, AND TO DEFINE NECESSARY TERMS.

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

S. 423 -- Senator Alexander: A BILL TO AMEND SECTION 4-9-30 OF THE 1976 CODE, RELATING TO THE POWERS OF A COUNTY GOVERNMENT, TO AUTHORIZE THE GOVERNING BODY OF A COUNTY TO ADOPT BY ORDINANCE A REQUIREMENT THAT A RESIDENTIAL OR COMMERCIAL PROPERTY OWNER SHALL KEEP A LOT OR OTHER PROPERTY CLEAN AND FREE OF RUBBISH, TO PROVIDE A PROCEDURE FOR THE ENFORCEMENT OF THE ORDINANCE, AND TO PROVIDE EXEMPTIONS.

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

S. 424 -- Senator Alexander: A BILL TO AMEND SECTION 56-3-4310(B) OF THE 1976 CODE, RELATING TO THE FEE FOR THE ISSUANCE OF A SPECIAL LICENSE PLATE FOR A RETIRED MEMBER OF THE UNITED STATES ARMED FORCES, TO ELIMINATE THE FEE.

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

S. 425 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

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

TUESDAY, JANUARY 12, 2021

S. 426 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75, TO PROVIDE THAT TEMPORARY LICENSES ISSUED DURING A STATE OF EMERGENCY EXPIRE THIRTY DAYS AFTER THE EXPIRATION OF THE STATE OF EMERGENCY OR, IF THE GOVERNOR ISSUES A SERIES OF STATES OF EMERGENCY, THIRTY DAYS AFTER THE EXPIRATION OF THE LAST STATE OF EMERGENCY, AND TO ALLOW THE GOVERNOR TO EXTEND THE TIME PERIOD FOR THE EXPIRATION OF A TEMPORARY LICENSE FOR AN ADDITIONAL THIRTY DAYS IF THE CIRCUMSTANCES WARRANT AN EXTENSION.

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

S. 427 -- Senators Alexander and Hutto: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

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

S. 428 -- Senator Alexander: A BILL TO AMEND SECTION 16-3-600 OF THE 1976 CODE, RELATING TO VARIOUS ASSAULT AND BATTERY OFFENSES, TO PROVIDE THAT A PERSON WHO UNLAWFULLY INJURES A HEALTH CARE PROFESSIONAL DURING THE COURSE OF HIS DUTIES OR INJURES A PERSON IN A HEALTH CARE FACILITY COMMITS THE OFFENSE OF ASSAULT AND

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BATTERY OF A HIGH AND AGGRAVATED NATURE, AND TO PROVIDE PENALTIES.

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

S. 429 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO HOMICIDE, BY ADDING SECTION 16-3-80, TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE, TO PROVIDE A PENALTY FOR A VIOLATION, AND TO PROHIBIT AN AFFIRMATIVE DEFENSE; AND TO AMEND SECTION 16-1-10(D) OF THE 1976 CODE, RELATING TO A LIST OF EXCEPTIONS FOR FELONIES AND MISDEMEANORS, TO ADD DRUG-INDUCED HOMICIDE.

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

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

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

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

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

TUESDAY, JANUARY 12, 2021

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

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

S. 433 -- Senator Alexander: A BILL TO AMEND TITLE 15 OF THE 1976 CODE, RELATING TO CIVIL REMEDIES AND PROCEDURES, BY ADDING CHAPTER 76, TO LIMIT THE LIABILITY OF A CERTAIN INDIVIDUAL WHO PROVIDES VOLUNTEER TRANSPORTATION TO A SENIOR CITIZEN FOR INJURIES OR LOSSES TO THE SENIOR CITIZEN AND TO THE SENIOR CITIZEN'S SPOUSE, FAMILY MEMBERS, OR HEIRS AND ASSIGNS, TO PROVIDE EXCEPTIONS TO LIABILITY LIMITS IF THE INJURIES OR LOSSES ARE THE RESULT OF THE VOLUNTEER'S GROSS NEGLIGENCE OR OTHER MISCONDUCT, AND FOR OTHER PURPOSES.

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

S. 434 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN IT IS LAWFUL TO DRIVE A VEHICLE IN THE LEFT LANE OF AN INTERSTATE HIGHWAY, AND TO PROVIDE THE CIRCUMSTANCES UNDER WHICH A TRAFFIC TICKET MAY BE ISSUED FOR THE VIOLATION OF THIS PROVISION.

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

TUESDAY, JANUARY 12, 2021

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

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

S. 436 -- Senator Cromer: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN

TUESDAY, JANUARY 12, 2021

AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

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

S. 437 -- Senator Scott: A BILL TO AMEND SECTION 4-37-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES AND USE TAXES OR TOLLS AS REVENUE FOR TRANSPORTATION SYSTEMS, SO AS TO DEFINE THE TERM "MASS TRANSIT SYSTEM".

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

S. 438 -- Senator Scott: A BILL TO AMEND SECTION 57-25-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS BY A REGIONAL TRANSIT AUTHORITY OR PUBLIC TRANSIT OPERATOR TO INSTALL COMMERCIAL ADVERTISEMENT BENCHES, SO AS TO ALLOW A POLITICAL SUBDIVISION TO INSTALL AND MAINTAIN COMMERCIAL ADVERTISEMENT BENCHES, DELETE THE PROVISION THAT REQUIRES A BENCH TO BE LOCATED AT A BUS STOP, DELETE THE EXPIRATION DATE OF PERMITS ISSUED PURSUANT TO THIS SECTION, AND CREATE THE MASS TRANSIT FEASIBILITY STUDY COMMITTEE TO EXAMINE THE FEASIBILITY OF CONNECTING WITH THE MASS TRANSIT SYSTEM IN CHARLOTTE, NORTH CAROLINA, AND PROVIDING MASS TRANSIT THROUGHOUT SOUTH CAROLINA.

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

S. 439 -- Senator Davis: A BILL TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY MUST DIVEST ITSELF OF ALL ELECTRIC GENERATION ASSETS BY JANUARY 1, 2025, AND TRANSFER OPERATIONAL CONTROL OF ALL

TUESDAY, JANUARY 12, 2021

TRANSMISSION ASSETS TO A REGIONAL TRANSMISSION ORGANIZATION, TO PROVIDE FOR AN EXTENSION, IF NECESSARY, AND TO PROVIDE THAT THE DEPARTMENT OF ADMINISTRATION IS RESPONSIBLE FOR ADMINISTERING THE DIVESTMENT PROCESS; TO AMEND CHAPTER 31, TITLE 58 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE AUTHORITY, BY ADDING ARTICLE 7, TO PROVIDE FOR RENEWABLE ENERGY; AND TO AMEND ARTICLE 3, CHAPTER 31, TITLE 58 OF THE 1976 CODE, BY ADDING SECTION 58-31-470, TO PROVIDE THAT EACH RETAIL CUSTOMER OF THE PUBLIC SERVICE AUTHORITY SHALL HAVE THE CHOICE TO PURCHASE POWER FROM THE PUBLIC SERVICE AUTHORITY.

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

S. 440 -- Senator Shealy: A BILL TO AMEND SECTION 30-9-30(B)(2) OF THE 1976 CODE, RELATING TO THE REMOVAL OF FALSE OR FRAUDULENT DOCUMENTS, TO PROVIDE THAT A PERSON PROVIDED WITH A NOTICE OF DOCUMENT REMOVAL MAY COMMENCE A SUIT TO PREVENT THE REMOVAL OF THE DOCUMENT.

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

S. 441 -- Senator Shealy: A BILL TO AMEND 63-7-1210(A) OF THE 1976 CODE, RELATING TO DEPARTMENT OF SOCIAL SERVICES INVESTIGATIONS OF INSTITUTIONAL ABUSE, TO PROVIDE FOR INVESTIGATIONS OF ABUSE IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-2350(A) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO PROVIDE CIRCUMSTANCES UNDER WHICH A CHILD MAY NOT BE PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO

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JUDICIAL PROCEEDINGS, BY ADDING SECTION 63-7-1730 AND SECTION 63-7-1740, TO PROVIDE ASSESSMENT, CASE PLANNING, AND DOCUMENTATION REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, AND TO PROVIDE JUDICIAL REVIEW REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-1700(B) OF THE 1976 CODE, RELATING TO THE CONTENTS OF A SUPPLEMENTAL REPORT FOR PERMANENCY PLANNING, TO INCLUDE JUDICIAL REVIEW REQUIREMENTS IN THE REPORT; AND TO AMEND SECTION 63-7-1700 OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO PROVIDE FOR JUDICIAL REVIEW OF THE PLACEMENT OF A CHILD IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; AND TO DEFINE NECESSARY TERMS.

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

S. 442 -- Senator Grooms: A BILL TO AMEND SECTION 56-3-376(A)(1) OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF A SYSTEM OF REGISTRATION OF MOTOR VEHICLES ON A MONTHLY BASIS, TO PROVIDE WEIGHT LIMITATIONS FOR VEHICLES FOR WHICH THE BIENNIAL REGISTRATION FEE IS ONE HUNDRED SIXTY DOLLARS OR MORE; TO AMEND SECTION 56-3-660(E) OF THE 1976 CODE, RELATING TO THE REGISTRATION OF LARGE COMMERCIAL MOTOR VEHICLES, TO ALLOW INSTALLMENT PAYMENTS TO BE MADE; TO AMEND SECTION 56-3-190 OF THE 1976 CODE, RELATING TO VEHICLES THAT THE DEPARTMENT OF MOTOR VEHICLES MAY REGISTER, TO ALLOW THE DEPARTMENT OF MOTOR VEHICLES TO REGISTER CERTAIN COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 56-3-195(A) OF THE 1976 CODE, RELATING TO COUNTIES PROCESSING VEHICLE REGISTRATION AND

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LICENSING, TO PROVIDE THAT THE OWNER OF A LARGE COMMERCIAL MOTOR VEHICLE MUST ESTABLISH AN ACCOUNT AND REMIT PAYMENT OF FEES TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 12-37-2650 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND TO THE DELEGATION OF TAX COLLECTION, TO PROVIDE THAT THE COUNTY SHALL PREPARE A TAX NOTICE OF CERTAIN VEHICLES THAT ARE OWNED BY THE SAME PERSON AND LICENSED AT THE SAME TIME FOR EACH TAX YEAR WITHIN A TWO-YEAR LICENSING PERIOD; TO AMEND SECTION 12-37-2840 OF THE 1976 CODE, RELATING TO ROAD USE FEES DUE AT THE SAME TIME AS REGISTRATION FEES, TO PROVIDE THAT A MOTOR CARRIER REGISTERING A LARGE COMMERCIAL MOTOR VEHICLE OR BUS MUST PAY THE ROAD USE FEE DUE ON THE VEHICLE TO THE DEPARTMENT OF MOTOR VEHICLES AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST MAKE INSTALLMENT PAYMENTS AVAILABLE TO A CUSTOMER UPON THE CUSTOMER'S REQUEST; TO AMEND SECTION 12-37-2850 OF THE 1976 CODE, RELATING TO THE ASSESSMENT OF ROAD USE FEES, TO DELETE AN OBSOLETE PROVISION; TO AMEND SECTION 12-37-2860(F) OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS AND ONE-TIME FEES, TO PROVIDE THAT FEES MAY BE PAID IN INSTALLMENTS; TO AMEND SECTION 12-37-2880 OF THE 1976 CODE, RELATING TO THE FAIR MARKET VALUE OF LARGE COMMERCIAL MOTOR VEHICLES SUBJECT TO A ROAD USE FEE AND TO CERTAIN VEHICLES AND BUSES EXEMPT FROM CERTAIN TAXES, TO REMOVE REFERENCES TO THE INTERNATIONAL REGISTRATION PLAN; AND TO DEFINE NECESSARY TERMS.

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

TUESDAY, JANUARY 12, 2021

S. 443 -- Senators Leatherman and Alexander: A BILL TO AMEND SECTION 11-41-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GENERAL OBLIGATION ECONOMIC DEVELOPMENT BOND ACT, SO AS TO ALLOW FOR THE ISSUANCE OF BONDS TO DEFRAY THE COST OF INFRASTRUCTURE FOR CERTAIN ECONOMIC DEVELOPMENT PROJECTS; TO AMEND SECTION 11-41-30, RELATING TO DEFINITIONS FOR SUCH BONDS, SO AS TO INCLUDE GOVERNMENT-OWNED PROJECTS AND UNDERTAKINGS THAT SUPPORT OR PROMOTE A FOUNDATION FOR ECONOMIC GROWTH AND INDUSTRIAL DEVELOPMENT, AND TO EXPAND THE DEFINITION OF "INFRASTRUCTURE"; TO AMEND SECTIONS 11-41-50 AND 11-41-60, RELATING TO SUCH BONDS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 11-41-70, RELATING TO BOND NOTIFICATION REQUIREMENTS, SO AS TO SPECIFY REQUIREMENTS FOR THE ISSUANCE OF BONDS FOR SUCH GOVERNMENT-OWNED PROJECTS; TO AMEND SECTION 11-41-80, RELATING TO THE RESOLUTION EFFECTING THE ISSUANCE OF SUCH BONDS, SO AS TO SPECIFY THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL ADOPT THE RESOLUTION, AND TO AMEND SECTION 11-41-90, RELATING TO THE AUTHORIZING RESOLUTION, SO AS TO MAKE A CONFORMING CHANGE.

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

S. 444 -- Senator Leatherman: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE

TUESDAY, JANUARY 12, 2021

RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT.

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

S. 445 -- Senator K. Johnson: A JOINT RESOLUTION TO REQUIRE CERTAIN INDIVIDUALS IN THE STATE OF SOUTH CAROLINA TO WEAR FACE COVERINGS IN PUBLIC TO PREVENT THE SPREAD OF COVID-19.

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

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

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

S. 447 -- Senator Malloy: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF

TUESDAY, JANUARY 12, 2021

APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

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

S. 448 -- Senator Fanning: A BILL TO AMEND ACT 379 OF 1959, AS AMENDED, RELATING TO THE CHESTER METROPOLITAN DISTRICT, SO AS TO ADD FOUR MEMBERS TO THE CHESTER COUNTY BOARD OF DIRECTORS APPOINTED BY THE CHESTER COUNTY LEGISLATIVE DELEGATION.

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

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NON-VOTING MEMBERS.

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

S. 450 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN CHARLESTON COUNTY FROM A POINT ONE AND ONE-QUARTER MILES EAST OF OLD JACKSONBORO ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 7 "CURTIS B. INABINETT,

TUESDAY, JANUARY 12, 2021

SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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

S. 451 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2021, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2021, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH

TUESDAY, JANUARY 12, 2021

WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 12, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30,

TUESDAY, JANUARY 12, 2021

2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021.

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

S. 452 -- Senator Hembree: A CONCURRENT RESOLUTION TO HONOR JULIE HUSSEY ON THE OCCASION OF HER RETIREMENT FROM THE SOUTH CAROLINA FIRST STEPS BOARD OF TRUSTEES, TO EXPRESS DEEP APPRECIATION FOR HER TEN YEARS OF DISTINGUISHED SERVICE TO THE CHILDREN OF SOUTH CAROLINA, AND TO OFFER BEST WISHES FOR MUCH SUCCESS AND FULFILLMENT IN THE YEARS AHEAD.

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

S. 453 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR W. PAUL PRINCE, MEMBER OF THE HORRY COUNTY COUNCIL, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of all who have lost their lives to COVID-19.

and

MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Geraldine M. Malloy of Chesterfield, S.C. Ms. Malloy was the mother of our beloved Senator Gerald Malloy. Ms. Malloy had an unwavering faith and was a fourth generation member of St. James AME Zion Church where she served in many capacities. She was an avid reader and an excellent cook who enjoyed gardening, sewing and gospel music. Ms. Malloy was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 2:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 13, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Romans 12:6a

In Romans Paul reminds us that:

“We have gifts that differ according to the grace given to us...”

Join me, friends, as we bow in prayer. Indeed, O Lord, we all have particular gifts. We praise You for the richness of those gifts, dear God -- gifts reflected among all the citizens of this grand State, gifts even demonstrated in such a wide variety of ways by each woman and man serving You here in the Senate of South Carolina. How those many, many gifts enrich us. Such a blessing they are, indeed.

This afternoon I find myself thinking mostly of the gifts shared for us all by those who -- in these perilous days through which we are living -- make up the ranks of medical workers, first responders, medical researchers, medical support personnel -- all of those women and men who assist us and our fellow citizens in our times of need. How wondrous are those gifts they possess. And how thankful, dear Lord, are we for them. So we offer this prayer of thanksgiving, loving Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Local Appointment

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

J. Darrell Green, Jr., 103 Lusk Street, Honea Path, SC 29654-1317
VICE Hon. William Gilmer

WEDNESDAY, JANUARY 13, 2021

CO-SPONSORS ADDED

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

S. 1 Sen. Gambrell
S. 33 Sen. M. Johnson
S. 133 Sens. Climer, Garrett, Cash, Adams and Verdin
S. 399 Sen. Gambrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 454 -- Senators Martin, Bennett, Massey and Jackson: A BILL TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

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

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

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

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY

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AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

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

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

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

S. 458 -- Senator Adams: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

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

S. 459 -- Senator Alexander: A BILL TO ENACT THE "MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT"; TO AMEND ARTICLE 1, CHAPTER 63, TITLE 59 OF THE 1976 CODE, RELATING TO PUPILS GENERALLY, BY ADDING SECTION 59-63-33, TO PROVIDE THAT A PUPIL COMPLIES WITH SCHOOL ENROLLMENT REQUIREMENTS IF HIS PARENT IS TRANSFERRED TO OR IS PENDING TRANSFER TO A MILITARY

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INSTALLATION IN THIS STATE WHILE ON ACTIVE MILITARY DUTY, TO PROVIDE THAT A SCHOOL DISTRICT SHALL ACCEPT APPLICATIONS FOR ENROLLMENT AND COURSE REGISTRATION FROM SUCH A PUPIL BY ELECTRONIC MEANS, TO PROVIDE THAT A PARENT OF SUCH A PUPIL SHALL PROVIDE CERTAIN PROOF OF RESIDENCE WITHIN TEN DAYS AFTER THEIR ARRIVAL DATE, TO PROVIDE THAT AMBIGUITIES MUST BE RESOLVED IN FAVOR OF ENROLLMENT, AND TO DEFINE NECESSARY TERMS.

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

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23-9-10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY'S PROGRAM AREAS; TO AMEND SECTION 23-9-20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23-9-25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23-9-30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL'S TRAINING AND CERTIFICATION; TO AMEND SECTION 23-9-45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23-9-50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO

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AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23-9-125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40-80-30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

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

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

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

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S. 462 -- Senator Alexander: A BILL TO AMEND TITLE 23 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT AND PUBLIC SAFETY, BY ADDING CHAPTER 8, TO PROVIDE FOR ADVANCED STATE CONSTABLES, THEIR DUTIES, AND RELATED PROVISIONS.

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

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

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

S. 464 -- Senator Rankin: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

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

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S. 465 -- Senator Alexander: A BILL TO AMEND SECTION 56-19-480(A), (B), (E), AND (G) AND SECTION 56-19-485 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", TO PROVIDE FOR TITLE BRAND DESIGNATIONS; TO AMEND ARTICLE 39, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ABANDONED MOTOR VEHICLES ON HIGHWAYS, BY ADDING SECTION 56-5-5710, TO ESTABLISH PROVISIONS FOR SALVAGE POOL OPERATORS; AND TO DEFINE NECESSARY TERMS.

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

S. 466 -- Senator Rankin: A BILL TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

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

S. 467 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE

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COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE

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BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL

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SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

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

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

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

S. 469 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE PRESIDENT-ELECT JOSEPH R. BIDEN AND VICE PRESIDENT-ELECT KAMALA D. HARRIS ON THEIR HISTORY-MAKING VICTORY IN THE 2020 UNITED STATES PRESIDENTIAL ELECTION AND TO WISH THEM WELL AS THEY BEGIN THEIR TERM OF OFFICE.

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The Senate Resolution was adopted.

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H. 3580 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 13, 2021, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

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

RECESS

At 1:11 P.M., on motion of Senator MASSEY, the Senate recessed from business until 6:45 P.M.

NIGHT SESSION

The Senate reassembled at 6:45 P.M. and was called to order by the PRESIDENT.

Committee to Escort

The PRESIDENT appointed Senators MASSEY, CROMER, HEMBREE, SHEALY and FANNING to escort the Honorable Henry D. McMaster, Governor of South Carolina, and members of his party to the House Chamber for the Joint Assembly.

At 6:55 P.M., the Senate recessed for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Address by the Governor

At 7:00 o'clock P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 3580 -- Rep. Lucas: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 13, 2021, IN THE

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CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

The Honorable Henry D. McMaster, and members of his party, were escorted to the rostrum by Senators MASSEY, CROMER, HEMBREE, SHEALY and FANNING and Representatives McGinnis, Thayer, Moss, Tedder and Williams.

The PRESIDENT of the Senate introduced the Honorable Henry D. McMaster, Governor of the State of South Carolina.

The Governor addressed the Joint Assembly as follows:

State of the State Address.....	395

Mr. Speaker, Mr. PRESIDENT, ladies and gentlemen of the General Assembly, my fellow South Carolinians: We are here tonight to address challenges and opportunities.

But first, as in prior years, I'd like to recognize those in uniform whom we lost in the line of duty.

Corporal Andrew J. Gillette of the Sumter County Sheriff's Office, Deputy Jeremy C. LaDue of the Charleston County Sheriff's Office, Captain John Durham, Jr. of the Winnsboro Department of Public Safety, Private First Class Jacob William Hancher of the Myrtle Beach Police Department, Sergeant William Conley Jumper, Jr. of the Greenville County Sheriff's Office, Sergeant Gordon W. Best of the North Myrtle Beach Department of Public Safety, Army First Lieutenant Trevarius Ravon Bowman of the South Carolina National Guard, Deputy Jonathan David Price of the Marion County Sheriff's Office. To the families and loved ones of these eight men, with all our hearts, we offer our condolences. We are eternally grateful for their service.

I am delighted to have with us once again tonight our First Lady, my bride Peggy, who is working to bring attention and energy to the areas of human trafficking, domestic violence, veterans' health and animal care and adoption. Thank you, Peggy. Please stand and be recognized.

Also, our Lieutenant Governor, Pamela Evette, who is meeting with businesses across the State to identify workforce and regulatory relief. She has focused on transportation, early childhood education and the census and has encouraged us all to "Grab a Bag" and eliminate litter. Thank you, Lieutenant Governor. Please stand and be recognized.

And we have another special guest tonight, a man whose leadership of the United Nations World Food Program was recently recognized by award of the 2020 Nobel Peace Prize. Please join me in welcoming back to the State House, former Governor David Beasley and his bride Mary Wood.

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Ladies and gentlemen, since we met last year, we have faced unprecedented challenges, from a disease we did not know, the course of which has not run. We have experienced loss. We have suffered. But we are strong. We are resilient. And we have the commitment, capacity and courage to thrive and prosper once again -- like never before. In honor and memory of those South Carolinians who will no longer brighten our hearts with their smiles, their love, and their friendship. I invite you to join me in prayer.

This time last year, South Carolina was roaring into 2020 with a vibrant economy, innovation and a growing population. Our unemployment rate was 2.4%.

More people were working than ever before. Personal income growth was at an all-time high. We had added over one million residents in twenty years. National rankings consistently listed us as one of the best states in which to do business, raise a family or visit.

And then came the virus, with disruptions and dislocations which tested us all. But we paused, took stock and persevered. I've never been prouder of our people than right now. From clerks, cashiers and grocery store workers to police officers, doctors and nurses; from linemen, farmers, and truck drivers to day-care workers, preachers, plumbers and carpenters; and to all those who went the extra mile to help total strangers who could not help themselves, thank you. Thank you for your strength. In years past I have heard some say, "South Carolina is a small, poor State and we cannot accomplish much." I hope I never hear those words again -- because they are not true. Our remarkable growth and progress in years before the pandemic -- and our determined response to it -- have demonstrated to the world our strength and courage. And now it's time to act boldly.

South Carolina has excellent leadership -- public and private -- because we have great people. We have not succumbed to the controversies and spectacles of other states because we know better. We all want the same thing. We want a happy, healthy and prosperous State. And we are working together in good faith to get there.

Since the pandemic began, we have stood up a public health effort unequaled in modern history. Earlier this year, I asked leaders to join the accelerateSC task force to quickly coordinate our state's response to the COVID-19 pandemic and to make recommendations on how to keep our businesses open and our people safe in the workplace and the classroom. They also provided recommendations on how best to employ federal CARES Act funds to accelerate our economy out of the pandemic.

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Leaders from the manufacturing, tourism, hospitality and service sectors, professional associations, public health experts, local governments, K-12 and higher education institutions, hospitals, medical providers, legislators and state agencies worked tirelessly -- and literally around the clock -- to quickly create and deliver a set of recommendations that -- to this day -- serve as our blueprint for confronting this crisis -- safely. Working together, by collaborating, communicating and cooperating -- the General Assembly adopted virtually every recommendation of the accelerateSC task force.

Among other things, we planned and invested in building out our state's broadband infrastructure, distributing 92,542 wi-fi hot spots so students without internet access could receive instruction at home. We provided financial relief through grants for small businesses, especially those in the hospitality and service industry, devastated by the loss of customers and revenue. We replenished the state's Unemployment Trust Fund with close to one billion dollars from the CARES Act -- thereby saving employers and small businesses from a crippling tax increase to replenish the fund. While they could not be here with us tonight, I ask you to join me in thanking the members of accelerateSC for their volunteer service, sacrifice, vision and leadership. Their contributions have accelerated South Carolina through the pandemic stronger and laid the groundwork for a more prosperous future.

During the peak of the pandemic, the unemployment crisis was severe. During the worst week of the Great Recession in 2008 and 2009, we saw nearly 14,000 initial jobless claims filed. During the worst week of the COVID-19 pandemic, we saw more than 87,000. In April, our unemployment rate was 12.4%. But, today, it is 4.4% -- the lowest in the southeast and the 7th lowest in the nation. After losing nearly 300,000 jobs through April, South Carolina has regained a total of 220,000 jobs - - an 81.3% gain, vastly exceeding the country's job gains of 55%. Our people are getting back to work, thanks to the General Assembly and accelerateSC, and thanks to the strength of all South Carolinians.

Political leaders in many states have gone too far. They have infringed on the Constitution and trampled personal freedoms. In Los Angeles, they set up a hotline to inform on neighbors for gathering together. In Chicago, they told people to cancel Thanksgiving. In New York, they tried to ban citizens from attending church. In San Francisco police were forced to stop a wedding before the couple could say, "I do." We took a road less traveled -- a better road. We slowed down, but safely remained open. We never closed. Our reasonable steps of limited, measured and

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temporary actions allowed us to combat the virus without crippling our economy.

By freezing new spending and holding state government steady at last year's spending levels, we have been able to avoid cutting services, raising taxes, or borrowing money.

Today, South Carolina is in a stronger financial position than virtually every other state in the country. That's because we were thinking ahead. Now, we must continue to think ahead.

In reviewing the fiscal health of state governments during the pandemic, one national news source said, and I quote, "South Carolina's exceptionally strong economy over the last two fiscal years has allowed the State to weather the pandemic with little budget disruptions to date."

Many other states are in deep trouble. New Jersey has taken on \$4.3 billion in debt to balance its budget. Massachusetts took on an additional \$1.4 billion, adding to an \$80.9 billion budget shortfall. In Georgia, they cut education funding by \$1 billion dollars. In the last three years, the Palmetto State added \$10 billion in new capital investments bringing -- 35,000 new jobs. Over the course of a decade, our economy has grown faster than all but seven other states.

In 2020, the pandemic may have slowed us down, but not by much. This year, we have announced some of the most transformative and important economic development projects, investments and expansions in the nation. For example:

Boeing announced that it would consolidate all 787 Dreamliner production to its North Charleston facility and bring hundreds of millions of dollars of investment and capital from Seattle.

Walmart announced plans to build a three million square foot distribution center in Ridgeville, creating 1,000 jobs and investing \$220 million.

A state-of-the-art \$314 million Agriculture Technology Campus will create more than 1,500 new jobs in Hampton County, an investment that will transform the rural southern lowcountry forever.

Mark Anthony Brewing will build a new state-of-the-art brewery and production facility in Richland County. This \$400 million investment will create 300 jobs and will be one of the largest breweries built in the country in over 25 years.

Darlington Raceway was awarded a second NASCAR race to be held on Mother's Day bringing an additional \$64 million in economic impact to the Pee Dee and to the State.

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Leisure Pools and Spas North America, a leading fiberglass in-ground pool manufacturer, announced plans to make a \$6.1 million investment that will create 200 jobs in Marion County.

The Port of Charleston has long been a powerful growing economic engine for South Carolina and is the nation's ninth busiest container port. It will soon be the deepest on the Atlantic coast. Construction will soon be completed on its world-class Intermodal Container Transfer facility in North Charleston. Once completed, cargo business will skyrocket with new and expanded rail access, traffic congestion will be eased in the low country and new jobs and investment will flow across the State.

Nephron Pharmaceuticals Corporation announced hundreds of millions of dollars in new investments in pharmaceutical and medical supply manufacturing as a global leader in the fight against COVID-19. That is just the beginning. South Carolina is truly open for business.

Last week I released my Executive Budget, which will provide South Carolina with the skilled workforce needed to compete for future jobs and investment. I am proposing that the General Assembly allocate \$500 million -- 38 cents of every new dollar -- into our state's "rainy day" reserve fund. We must be prepared for any future economic uncertainties, should they arise. If approved, the balance of South Carolina's "rainy day" accounts will be almost twice what they were last year, going from \$616 million to \$1.142 billion.

By saving this money instead of spending it, something that has served our State well this year, South Carolina will be prepared for any eventuality and a whole lot of rain. We are also setting aside the \$525 million recently received from the Savannah River Site settlement with the federal government. These funds should be handled in a stand-alone Bill which will allow for thoughtful consideration and appropriate public scrutiny. This will ensure that the residents of Aiken, Barnwell and the surrounding counties are given priority in how the funds are spent.

Our small businesses, especially those in the hospitality and service industry, have borne the brunt of the pandemic's financial impact. We have already directed over \$40 million in CARES Act funds to provide relief to more than 2,000 small businesses. But the requests for relief greatly exceeded the available CARES Act funds. So, we must do more.

According to recent data, one-in-four small business owners report that they will have to close their doors in the next six months if the current economic conditions don't improve. Accordingly, to provide our small businesses with additional relief, my Executive Budget allocates an additional \$123 million in state funds for small business grants, administered by the Department of Commerce in the same

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manner as the CARES Act funds. Our Department of Commerce has demonstrated through this pandemic that they are a forceful advocate and resource for small businesses. And as we know, small business owners and entrepreneurs are the state's top job creators. We should enhance the department's mission to help our small businesses grow, expand and flourish.

Another way we can also help our small businesses is by providing them common sense protection from unfounded pandemic related liability. Currently, 32 states have adopted some degree of COVID-19 liability protections. The pandemic and the various governmental and private sector responses to it are likely to present novel questions of law and fact. Our businesses, our healthcare providers, and educational institutions should not be put at risk or competitive disadvantage through no fault of their own, particularly after following safety protocols. We should be careful not to let litigation kill what the pandemic could not.

Reducing the tax burden on people and businesses continues to be one of the most important ways South Carolina can lay a foundation for future growth. South Carolina's marginal tax rate of 7% is the highest in the southeast and the 11th highest in the nation. We must take steps to make our State more competitive. I propose that we cut our state's personal income taxes through a phased-in five-year 15% across-the-board tax reduction for all personal income brackets, keeping us competitive with our neighboring states. This cut was not included in this Executive Budget because of its contingency, it pauses if -- in any year --- our state's General Fund Revenue growth is less than 5%. However, we should not pause in enacting it.

The next generation's workforce must possess the education and skills necessary for South Carolina to compete for jobs and capital in the world's economy. Today marks the beginning of a rare opportunity for transformation. We know to change the path of a child's future, to enhance the prosperity of our economy, to maximize the success of our State, we must make sure that every student is ready to learn when he or she enters the classroom.

In 2006, the General Assembly funded full-day, four-year-old kindergarten programs for Medicaid-eligible children in public schools and private childcare centers. Currently 61 school districts are eligible to participate, and 18 districts are not. This leaves 13,000 lower income "at risk" children in 18 urban and suburban school districts without the option to attend full-day, four-year-old kindergarten. Recently I directed \$7 million in CARES Act funds for expanding public and private day or summer programs for children eligible for the full day 4K program.

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Once again, I am proposing that we unleash the free market and invest \$48 million to expand access to full-day kindergarten for every lower income, four-year-old child in the State. This expansion will allow parents to choose the public, private or for-profit childcare provider that best suits their child's educational needs.

Also, I am setting aside \$13 million in lottery proceeds for the General Assembly to establish Education Scholarship Accounts. These accounts provide the opportunity for working or low-income parents to choose the type of educational environment and instruction that best suits their child's unique needs.

In last year's state budget, I proposed a \$3,000 across-the-board pay raise for each of our public school teachers, a raise that would have catapulted the Palmetto State into a "top 25" ranking of states for average teacher pay -- for the first time ever. COVID-19 has delayed that raise, but not my commitment.

So, in the meantime, I am proposing an appropriation of \$35 million to maintain the state's financial commitment to funding our classrooms and I am lifting the current suspension of teacher step salary increases. This will allow school districts to resume all scheduled step salary increases for our teachers. Our public charter schools have seen an unprecedented 25% increase in student enrollment as parents seek in-person, five-day-a-week instruction for their children. This is parents and the free market at work. State dollars must follow these students to their new public schools, and my budget sends \$25 million to do just that. We know that parents in South Carolina must be confident that their children are safe and secure when they are at school. Our concerns are highlighted due to months of unpredictable instruction, isolation and disruption of normal routines.

This year, my budget provides the necessary funding to put a certified law enforcement school resource officer in every school, in every county, all day, every day. It also provides a school nurse in every school in the State, as well as gives every student access to a mental health counselor.

Did you know that we still have a multitude of outdated "Common Core" textbooks being used in our classrooms -- years after the General Assembly mandated their removal? This year -- like year's past -- I am proposing the funding necessary for the Department of Education to once and for all replace these books.

This pandemic has demonstrated that broadband connectivity is a necessity for health care, education, and remote access to the workplace. I am proposing that \$30 million be provided to the Office of Regulatory

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Staff to continue critical expansion of broadband through public and private matches for shovel-ready infrastructure projects.

In the early days of COVID-19, we lost contact with more than 10,000 students when schools closed. The Department of Social Services launched a massive effort and was able to identify and locate almost all of them. Reports of child abuse and neglect dropped nearly 50% from the previous year, but we know the abuse didn't stop; it just went unreported because the children were not in the classroom.

Recently, I directed almost \$5 million in CARES Act funds to provide instructional materials, tutoring and technology enhancements for approximately 600 foster care children and disabled youth in our 74 group homes.

Such data and needs vividly illustrate our challenges. But the fact remains that a generation of students have lost significant learning progress due to simply being out of the classroom. Working parents should not have to choose between their jobs and their children -- they must have the option of having their children in school five days a week if they so choose. This is why they pay taxes.

This year school districts in our State have received over \$1.2 billion in COVID-19 relief from the federal government. The Department of Administration has distributed \$10 million dollars in masks and PPE to 70 public school districts around the State. DHEC has provided every public school district access to rapid antigen tests for use by students and school staff. These tests will give students, teachers, and faculty members another layer of defense against the virus. Along with state funds, school districts have been provided the resources necessary to operate full-time, and teach in-person, five days a week. I ask the General Assembly to quickly send to my desk legislation for my signature that will require unwilling school districts to re-open their classrooms.

Access and affordability to higher education for every South Carolinian are essential to ensuring that we have the trained and skilled workforce necessary to compete for jobs and investment in the future. That means we must invest to make all of higher education -- our colleges, universities and technical colleges -- accessible and affordable for the sons and daughters of South Carolina.

Therefore, I propose providing \$60 million so that every South Carolinian who qualifies for federal needs-based financial aid -- as measured by federal Pell Grants -- has additional state financial assistance to attend any in-state public college, university or technical college. Students at private, independent and historically black colleges

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and universities will receive an additional \$20 million for tuition grants and assistance. Our technical colleges can provide retraining programs for South Carolinians negatively impacted by the virus which prepare them for employment in high-demand fields. Recently, I directed \$8 million in CARES Act funds to provide job training programs for 3,100 adults who have lost their jobs due to the virus.

To build on that, I propose an additional \$60 million for high-demand jobs skills training to help prospective manufacturers locating in our State. And an additional \$37 million for workforce scholarships and grants -- so that more South Carolinians can receive skills-based certificates and accreditation at our state's technical colleges.

This year I am proposing that we invest lottery proceeds to create scholarships for students with intellectual disabilities as they transition from high school into college and eventually into the workforce. These academic programs at Clemson, Coastal Carolina, College of Charleston, USC and Winthrop teach students how to learn independently, how to maintain employment and how to live self-sufficiently.

For the second year in a row, I ask that the State pay 100% of college tuition for every active duty member of the South Carolina Army or Air National Guard. These citizen soldiers and airmen put their careers and families on hold to confront threats to us, both here and abroad. Such remarkable service must be recognized and encouraged.

Older buildings on our college, university and technical college campuses are in dire need of repair, replacement and renovation. We must pay down the state's deferred maintenance liability on them by utilizing the Capital Reserve Fund -- with the funds being distributed pro-rata to each institution based on their Fall 2020 in-state enrollment. Let's act now, while we can, rather than borrowing money and creating debt through a Bond Bill.

Finally, I believe events and trends of the last year, indicate that many in our nation may need a remedial course in history, properly and accurately contextualized for modern understanding, and not revised, erased or fictionalized. State law requires students to be taught the U.S. Constitution, the Declaration of Independence and the Federalist Papers prior to graduation from our colleges and universities. A few schools offer the class, but most don't. College students need this class now more than ever.

Ladies and gentlemen, the right to life is the most precious of rights--and the most fragile. We must never let it be taken for granted. For the fourth year in a row, my budget includes a proviso preventing the funneling of taxpayer dollars to abortion providers like Planned

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Parenthood. And let this be the year that we further protect the sanctity of life -- with the Heartbeat Bill. It's time to vote. Send me the Heartbeat Bill and I will immediately sign it into law.

To keep all South Carolinians safe, we must maintain a robust, highly trained, law enforcement presence -- and properly "fund the police." Our state law enforcement agencies continue to lose valuable and experienced personnel -- officers who willingly put their lives in danger every day -- because of non-competitive pay and benefits. And the lack of funding for continued and routine education and training jeopardizes not only their safety, but also the lives of the citizens they serve.

This budget dedicates over \$13 million in new dollars to law enforcement, public safety and first response agencies for recruitment and retention. This includes pay raises for troopers, state law enforcement division agents, wildlife officers, probation agents and corrections officers. It also eliminates the income cap for our police officer retirement system, so that retired law enforcement officers can return to duty. And we are providing funds for valuable post-traumatic stress disorder treatment for officers, firefighters and their families.

In addition, once again, I call on the General Assembly to eliminate all state income taxes on the retirement pay of career military veterans and first responders, as well as retired state and federal law enforcement officers, firefighters and peace officers. Many states have already done this. The decision-makers at the Department of Defense take note of such actions or lack of them as they weigh decisions on base closures, realignment and new missions for America's military. Our state's military installations are at risk, like all others. It is past time for the General Assembly to act on this issue.

The Department of Corrections has been unable to carry out the death penalty by lethal injection since 2015 because the companies which make the drugs will not sell them unless their identities are shielded by state law from anti-death penalty activists. We have no means to carry out a death sentence in South Carolina -- and the murderers know it. Fourteen states have enacted such a shield law. Director Bryan Stirling and I have been asking the General Assembly to fix this for years. Legislation was almost approved on the final day last year. I ask the General Assembly: fix this. Give these grieving families and loved ones the justice and closure they are owed by law.

This year -- 2021 -- is a good year for reform in state government. We must always look for ways to be more efficient, transparent and accountable for how business is conducted and how taxpayer dollars are spent. Maintaining the public's confidence depends on it. We've heard

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the alarm bell for years. Now the deadline is closing in for reform of our state pension system. The best answer is a date-certain transition away from “defined benefit” pension plans to “defined contribution” plans for new state employees. Of course, we must maintain our commitment to the 11.5% of South Carolinians who rely on the state retirement systems. Accordingly, my budget reinstates and funds the annual 1% employer contribution increase.

So, once again, I am asking that we -- at the end of this year -- close enrollment in the current “defined-benefit” plan. Putting money into an open system is like trying to fill a bathtub with the drain open. We must close enrollment first.

There is no state agency in more need of reform or dissolution than Santee Cooper. This rogue agency and its leadership have displayed arrogance and contempt for state law and the truth. Their incompetence helped create the largest nuclear power fiasco in modern times. They have saddled their customers with billions of dollars in debt and have ignored the authority of our constitutional officers and this General Assembly, creating a toxic environment inside this State House. Errant board members are shielded by laws governing appointment and removal so cumbersome, onerous, litigious -- and politically designed years ago to discourage and prevent a Governor from acting -- that they are immune from discipline or accountability. The time has long passed for the resolution of Santee Cooper’s fate.

The Department of Health and Environmental Control needs attention. It is a massive agency with thousands of talented, experienced employees but two different and equally complex missions -- health and the environment. A jack of all trades is the master of none. The pandemic -- against the backdrop of our expanding economy -- has highlighted the agency’s need to move and act in a more nimble and responsive fashion. I believe it should be split. I ask the General Assembly to consider such restructuring after conducting a vigorous analysis. But at a minimum, the department should be made directly accountable to the Governor and the governor directly accountable to the people for the agency’s performance -- as a cabinet agency.

This year I was honored to sign legislation creating a third Governor’s School, the Governor’s School for Agriculture at John de la Howe. To provide additional transparency and financial accountability, my Executive Budget restructures how the General Assembly funds the Governor’s School for Science and Mathematics and the Governor’s School for Arts and Humanities -- in the same manner as John de la Howe.

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South Carolina has over 300 magistrate judges who hear thousands of cases each year. A South Carolinian is more likely to see a magistrate judge than any other type of judge in our judicial system. As has been detailed in the media, these judges receive little public scrutiny before they are confirmed, receive limited legal training and are not required to be lawyers in good standing with the Bar. The first step in reform is transparency and accountability. Magistrate judges must be required to be attorneys in good standing and certified by the Bar to practice law. Second, they should be publicly screened in hearings similar to those used for circuit and family court judges. And each member of the Senate should vote on the record on each magistrate's confirmation.

For further accountability, we must strengthen the statutory definition on what constitutes "lobbying" when it comes to influencing or communicating with state agencies on decisions, procurement or actions taken by the agency or its employees.

Also, we must have stronger and expanded authority for the State Ethics Commission on the local level. Anyone who is paid to influence decisions made by county, municipal, or school board officials must be required to publicly register with the State Ethics Commission as a lobbyist, just like persons who lobby the legislature.

This year, I am again encouraging the General Assembly to end the practice of appropriating undisclosed "pork-barrel" earmarks in the budget, which are shielded from public view and scrutiny. There is a better way for the taxpayers. It is time that such appropriations be publicly disclosed, debated and allowed to stand on their own merits.

My Executive Budget creates a public competitive grants process. Funds will only be made available to entities with demonstrated community support and missions which advance the agencies' underlying objectives. Further, all applications and awards will be placed online, allowing for public scrutiny and total transparency.

In addition, I suggest that it's time for members of the General Assembly who are attorneys -- to stop suing the bodies in which they serve, stop suing state agencies in plaintiff actions, and stop suing elected officials. It diminishes the public's confidence in their elected representatives and their state government.

Some have expressed legal concerns about successive states of emergency during the COVID-19 crisis. It was likely never contemplated in the past that our State and the whole country would find itself in need of a long-term state of emergency like this pandemic required. It was also likely never contemplated that a future General Assembly would be unable to meet and conduct business for such a long

WEDNESDAY, JANUARY 13, 2021

period of time. I believe that the legislation being offered by Senators CHIP CAMPSER and TOM DAVIS in the Senate and Speaker Jay Lucas and Representatives Jay Jordan and Jeff Johnson in the House strike the right checks and balances for both the Executive and Legislative branches. I offer my support for their proposals.

Finally, we all know this has been a tumultuous year, with shocking and disturbing displays of violence, lawlessness, anger and rage all across the country. We recently witnessed the shocking and sad desecration in our beloved Capitol in Washington. The voices and volume have become so loud that many Americans are not listening to each other. But this too shall pass. It will.

I'm reminded of a thought that I shared with you at the inauguration two years ago. I think it's more appropriate now than it was then. We are not competitors; we are all on the same team. A team with different jerseys representing different ideas, philosophies, perspectives and experiences -- but a team none the less -- committed to doing what we think is best for the future prosperity, success, health and happiness of over five million South Carolinians.

South Carolina is not a building, not a monument, not a flag or words on paper -- South Carolina is her people -- and it's been that way for over 300 years.

As most of you know, I love South Carolina. I always like to urge people, especially the young people, to be proud of their State. And through our deeds, our actions and our words, we should strive to make them proud of us, too. I see before us the brightest of futures. We must think big. With good conscience our only reward and knowing that even small deeds are better than the greatest unfulfilled intentions, we must have confidence and be bold. We will do things we have not done before. And we will succeed. May God bless you, the great State of South Carolina and the United States of America.

The purpose of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

LOCAL APPOINTMENT

Confirmation

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

WEDNESDAY, JANUARY 13, 2021

Initial Appointment, Anderson County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

J. Darrell Green, Jr., 103 Lusk Street, Honea Path, SC 29654-1317
VICE Hon. William Gilmer

Motion Adopted

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

MOTION ADOPTED

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sergeant Gordon William Best of North Myrtle Beach, S.C. Sergeant Best joined the North Myrtle Beach police department in October 2013 and was promoted to sergeant in February 2019. He was well liked by everyone and served his community with pride. Gordon was a loving husband, devoted father and son who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Dennis Alton Owens of Walhalla, S.C. Dennis was a member of the Walhalla City Council and Chairman of the Fire, Street and Sanitation Committees. He was the current President for the Rosa Clark Clinic, member of the Rotary Club, the Blue Ridge Masonic Lodge 92 and attended Salem Baptist Church. Dennis was a loving husband and community member who will be missed.

ADJOURNMENT

At 7:52 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 14, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Micah 6:8

The prophet Micah writes:

“He has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?”

Let us pray. O Holy and blessed God, as organization for this legislative year continues to unfold this week for the Senate of South Carolina, we find ourselves focused on the task before this Body and the challenges that will inevitably ensue. So Lord, we call upon You to summon the very best from each one of these faithful and determined servants. Guide them in their research, preparations and debates. Give each Senator and his or her aides the grace to work collegially with their colleagues and to labor diligently for the common good, achieving positive ends for all South Carolinians. May it be so to Your glory, O Lord. In Your loving name we pray, Amen.

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

CO-SPONSORS ADDED

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

S. 360 Sen. Kimbrell

S. 457 Sen. Rice

Expression of Personal Interest

Senator SABB rose for an Expression of Personal Interest.

RECALLED AND ADOPTED

S. 179 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 NORTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE

THURSDAY, JANUARY 14, 2021

CITY OF LORIS TO A POINT ONE MILE NORTH OF THIS INTERSECTION, AND THE PORTION OF UNITED STATES HIGHWAY 701 SOUTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE SOUTH OF THIS INTERSECTION "HENRY L. NICHOLS HIGHWAY", AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG BOTH PORTIONS OF HIGHWAY THAT CONTAIN THESE WORDS.

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

The Resolution was recalled from the Committee on Transportation.

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

There was no objection.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 470 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEGENDS OF CAROLINA MARTIAL ARTS, THE ORGANIZATION'S INDUCTEES, ITS BOARD OF DIRECTORS, AND BRIAN AND ALLISON PENA FOR THEIR INCREDIBLE DEDICATION, HARD WORK, AND ACHIEVEMENTS IN THE FIELD OF MARTIAL ARTS.

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

S. 471 -- Senator Rankin: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE

THURSDAY, JANUARY 14, 2021

DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

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

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

THURSDAY, JANUARY 14, 2021

**SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES
FOR VIOLATIONS OF CERTAIN PROVISIONS.**

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

S. 473 -- Senator Rankin: A BILL TO AMEND SECTION 15-39-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF JUDGMENT EXECUTIONS, SO AS TO PROVIDE FOR A NEW PROCEDURE; AND TO AMEND SECTION 15-39-30, RELATING TO ISSUANCE OF EXECUTIONS, SO AS TO PROVIDE THE CIRCUMSTANCES IN WHICH A FINAL JUDGMENT SHALL HAVE ACTIVE ENERGY BEYOND THE TEN-YEAR PERIOD.

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

S. 474 -- Senators Setzler and Young: A BILL TO AMEND ACT 247 OF 1987, RELATING TO THE AIKEN COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS.

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

H. 3648 -- Reps. Bernstein, Finlay, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore,

THURSDAY, JANUARY 14, 2021

Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO HONOR THE A.C. FLORA HIGH SCHOOL FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2020 CLASS AAAA STATE CHAMPIONSHIP TITLE AND TO SALUTE THEM ON A FABULOUS UNDEFEATED SEASON.

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

H. 3655 -- Reps. G. M. Smith, Murphy and Rutherford: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2021, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2021, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR

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TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 12, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021.

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

THURSDAY, JANUARY 14, 2021

HOUSE CONCURRENCE

S. 451 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2021, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2021, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 3, WHOSE

THURSDAY, JANUARY 14, 2021

TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 12, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021.

Returned with concurrence.

Received as information.

S. 452 -- Senator Hembree: A CONCURRENT RESOLUTION TO HONOR JULIE HUSSEY ON THE OCCASION OF HER RETIREMENT FROM THE SOUTH CAROLINA FIRST STEPS BOARD OF TRUSTEES, TO EXPRESS DEEP APPRECIATION FOR HER TEN YEARS OF DISTINGUISHED SERVICE TO THE CHILDREN OF SOUTH CAROLINA, AND TO OFFER BEST

THURSDAY, JANUARY 14, 2021

WISHES FOR MUCH SUCCESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet next Tuesday, January 19, 2021, and Wednesday, January 20, 2021, under the provisions of Rule 1B.

REPORT RECEIVED

**Judicial Merit Selection Commission
Report of Candidate Qualifications
Fall 2020**

Date Draft Report Issued: Thursday, January 14, 2021

Date and Time: Final Report Issued: Noon, Tuesday, January 19, 2021

Judicial candidates are not free to seek or accept commitments until Tuesday, January 19, 2021, at Noon.

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Counsel

Erin B. Crawford, Chief

Rep. G. Murrell Smith Jr., Vice-Chairman
Sen. Ronnie A. Sabb

Emma Dean, Counsel

Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Chris Murphy
Hope Blackley-Logan.
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.



Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

THURSDAY, JANUARY 14, 2021

January 14, 2021

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, January 19, 2021.** Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate **until 12:00 Noon on Tuesday, January 19, 2021.** In summary, no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after the release of the Judicial Merit Selection Commission's **Report of Candidate Qualifications**. If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Thank you for your attention to this matter.

Sincerely,
Senator Luke A. Rankin

Judicial Merit Selection Commission

Sen. Luke A. Rankin, Chairman
Counsel

Rep. G. Murrell Smith Jr., Vice-Chairman
Sen. Ronnie A. Sabb

Erin B. Crawford, Chief

Emma Dean, Counsel

THURSDAY, JANUARY 14, 2021

Sen. Scott Talley
Rep. J. Todd Rutherford
Rep. Chris Murphy
Hope Blackley-Logan
Lucy Grey McIver
Andrew N. Safran
J.P. "Pete" Strom Jr.



Post Office Box 142
Columbia, South Carolina 29202
(803) 212-6623

January 14, 2021

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003, Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the current screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section is to ensure that members of the General Assembly have full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report.*** The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General

THURSDAY, JANUARY 14, 2021

Assembly, *only candidates, and not members of the General Assembly*, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that *a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness* for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Erin B. Crawford, Chief Counsel to the Commission, at (803) 212-6689.

Sincerely,
Senator Luke A. Rankin
Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, as amended, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is

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seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, experience, and judicial temperament. The Commission's investigation includes the following:

- (1) survey of the bench and bar through BallotBox online;
- (2) SLED and FBI investigation;
- (3) credit investigation;
- (4) grievance investigation;
- (5) study of application materials;
- (6) verification of ethics compliance;
- (7) search of newspaper articles;

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- (8) conflict of interest investigation;
- (9) court schedule study;
- (10) study of appellate record;
- (11) court observation; and
- (12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision.

Please note that the candidates' responses included herein are restated verbatim from the documents that the candidates

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submitted as part of their application to the Judicial Merit Selection Commission. All candidates were informed that the Commission does not revise or alter the candidates' submissions, and thus, any errors or omissions in the information contained in this draft report existed in the original documents that the candidate submitted to the Commission.

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Court of Appeals, Circuit Court, Family Court, and Administrative Law Court.

**COURT OF APPEALS
QUALIFIED AND NOMINATED**

**The Honorable James E. Lockemy
Court of Appeals, Seat 5, Chief Judge**

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to S.C. Code Ann. §2-19-40, the chairman of the Commission waived the public hearing for Judge Lockemy upon recommendation of the Commission members, since his candidacy for re-election was uncontested, and there was no substantial reason for having a public hearing regarding his candidacy.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Lockemy meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Lockemy was born in 1949. He is 71 years old and a resident of Dillon, South Carolina. Judge Lockemy provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1974.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Lockemy.

Judge Lockemy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations

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important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Lockemy reported that he has not made any campaign expenditures.

Judge Lockemy testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Lockemy testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Lockemy to be intelligent and knowledgeable.

Judge Lockemy reported that he has taught the following law-related courses:

- (a) Adjunct Professor American Legal History, University of South Carolina, 2018-Present
- (b) Presenter and Moderator, Appellate Judges Education Institute, Duke University and National Judicial College, Reel Appeal I & II, Washington, DC, 2015 and 2019
- (c) "The Interactive Constitution"; Moderator, Philadelphia, Pa; 2016
- (d) "United States vs. William Calley, AJEI, Atlanta, Georgia; 2019
- (e) "The Elements of an Effective Reply, AJEI, Atlanta, Georgia; 2019
- (f) "Masters of the House: A History of the Master's Court", South Carolina Judicial Conference; 2018
- (g) "Appellate Practice Project", South Carolina Bar, Columbia, SC; 2019

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- (h) “Review South Carolina Court of Appeals’ Decisions”, South Carolina Bar, Kiawah Island, SC, 2017
- (i) Commencement Address, University of North Carolina-Pembroke, 2017
- (j) Commencement Address, Northeastern Technical College, 2020
- (k) South Carolina Family Court Judges Conference, 2017-2019

Judge Lockemy reported that he has published the following:

- (a) “Judging in Kosovo: When Duty Calls”, The Judges Journal, Summer 2006
- (b) “Marbury v. Madison: A Great Bumper Sticket”, The Judges Journal, Vol. 51, No. 3, Nov. 2012
- (c) Peter M. Koelling, editor, The Improvement of the Administration of Justice, Eighth Edition, Author of Chapter 31, “Looking to the Future of the Appellate Process”, American Bar Association Press, 2016.
- (d) “Serving Our Veterans”, The Judges Journal, Vol, 56, No. 1, Jan. 2017 – Also serve as Editor of this Publication
- (e) “A Standing Menace to Republican Institutions: A Brief Overview of the Chinese Exclusion Act of 1882 and America’s First Attempt to Ban a ‘Defined’ Group From Entry into Our Nation”, The Judges Journal, Vol. 56, No.3, July 2017

(4) Character:

The Commission’s investigation of Judge Lockemy did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Lockemy did not indicate any evidence of a troubled financial status. Judge Lockemy has handled his financial affairs responsibly.

The Commission also noted that Judge Lockemy was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

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(5) Reputation:

Judge Lockemy reported that he is not rated by any legal rating organization.

- Judge Lockemy reported the following military service:
- (a) Nov., 1974-OCT., 1977---United States Army, XVIII Airborne Corps, Fort Bragg, North Carolina, Duty: JAGC, Rank: Captain;
 - (b) Feb., 1978-March, 2003---South Carolina Army National Guard, Various Commands throughout the State, Duty: JAGC Commander; Highest Rank: Colonel
 - (c) 2003-2004---United States Army, Attached to the 28th Infantry Division, The "Bloody Bucket Division", Serving in Kosovo as a NATO element, Duty: Command Staff Judge Advocate and Advisor to the Commanding General; Rank: Colonel
 - (d) April, 2004-Active Retirement---South Carolina Army National Guard, Joint Force Headquarters, Duty: HQs JAGC; Retirement Rank: Colonel
 - (e) Aug., 2005-December 2012---South Carolina Military Department, Joint Services Detachment, Duty: Chief Government Directorate and Deputy Commander; Rank: Brigadier General
 - (f) Dec., 2012- Retirement in October 2016---South Carolina Military Department, Joint Services Command, Duty: Commander, Retirement Rank: Major General
 - (g) Character of all services periods: Honorable

Judge Lockemy reported that he has held the following public office:

South Carolina House of Representatives, 1982-1989.
Yes, I filed as required and never was subject to penalty.

(6) Physical Health:

Judge Lockemy appears to be physically capable of performing the duties of the office he seeks.

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- (7) Mental Stability:
Judge Lockemy appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Judge Lockemy was admitted to the South Carolina Bar in 1974.

He gave the following account of his legal experience since graduation from law school:

- (a) 1974-1977 United States Army JAG Corps, Prosecutor, defense attorney, administrative law, Advisor to Commanders and Law of War Instructor;
- (b) 1978-1979, Minority Counsel the United States Senate Judiciary Committee, advised Senators on proposed legislation, drafted legislation, arranged Committee Hearings;
- (c) 1979-1989, Private Practice, Greene, Lockemy and Bailey, general practice in all aspects of the law;
- (d) 1989-1989-South Carolina House of Representatives, Drafted, Proposed, Supported and Passed Legislation;
- (e) 1989-2008, South Carolina Circuit Judge; Trials and Non-Jury matters in General Sessions and Common Pleas Court;
- (f) 2009-2016, Judge, South Carolina Court of Appeals, hearing appeals from all courts;
- (g) 2016-present, Chief Judge, South Carolina Court of Appeals, Hearing Appeals from all courts, performing administrative and leadership duties at the Court and performing my statutory duties.

Judge Lockemy provided that during the past five years prior to his service on the bench he most often served as co-counsel.

Judge Lockemy reported he has not personally handled any civil or criminal appeals.

Judge Lockemy reported that he has held the following judicial office(s):

South Carolina Circuit Court, General Jurisdiction, 1989-2008; South Carolina Court of Appeals, 2009-2016, handling appeals from all trial courts, administrative courts with

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the exception of matters within the exclusive jurisdiction of the South Carolina Supreme Court. 2016-present, Chief Judge, South Carolina Court of Appeals, the same duties as a Judge on the Court with added administrative and statutory duties.

Judge Lockemy provided the following list of his most significant orders or opinions:

- (a) *Pruitt v. S.C. Medical Malpractice Liability JUA*, 540 S.E.2d 843, 343 S.C. 335 (2001)-The case involved whether a structured settlement in a malpractice case was altered when the JUA purchased an annuity. The Court of Appeals reversed my decision as a circuit judge but the Supreme Court reversed the Court of Appeals and reinstated my decision.
- (b) *State v. Hinson* – A case out of Darlington County I tried as a circuit judge in 2007. The defendant was charged with holding two young girls for days in an underground dungeon and repeatedly raping them. The case received extensive regional, state and national attention. It was a feature on the O'Reilly Show on Fox News one night with the Attorney General of South Carolina, Henry McMaster, as the guest. When the case came to trial the actual case turned out to be totally different than the advance information and news reports had broadcast. The jury found that the State had not proven guilt beyond a reasonable doubt and acquitted the defendant.
- (c) *Singh v. Singh*, 429 S.C. 10, 837 S.E. 2d. 651 (Ct. App. 2019) – This case established that issues involving the well-being of children, especially custody, could not be delegated by the Family Court to an arbitrator. The case reviewed the history of *parens patriae* in the law of South Carolina and clearly announced that even if the parents agreed the rights of the child were paramount and only the state through the Family Court could ultimately decide what is best for the minor. The case is certainly pending certiorari at the Supreme Court.
- (d) *Winrose Homeowners Association, Inc. v. Hale*, 423 S.C. 220, 813 S.E.2d 894 (Ct. App. 2018), *rev'd* 428 S.C. 563, 837 S.E. 2d. 47 (2019)- I dissented in this case at the Court of Appeals level. In this case, appellants lost their home at a foreclosure sale to a bidder for an amazingly low bid. The question was whether you

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considered the amount of the remaining mortgage in determining if the bid shocked the conscience of the court. The majority determined it did not and I dissented. The Supreme Court reversed and adopted the approach in my dissent as the standard for our state in determining bids are so low they shock the conscience of the court.

- (e) *State v. Louis Michael Winkler*, 388 S.C. 574, 698 S.E. 2d 596 (2010) – A capital case I handled as a circuit judge. The trial itself was affirmed in the listed cite. PCR on the penalty phase was granted holding that a charge I made in the penalty phase was incorrect and should have been objected to by trial counsel. The Supreme Court reversed the PCR court in 2016 but remanded to review other issues that had been denied by the trial court. The case contained numerous interesting and challenging legal issues. The conviction went up to the United States Supreme Court where certiorari was denied.

Judge Lockemy reported the following regarding his employment while serving as a judge:

- (a) Adjunct Professor, Horry Georgetown Technical College, History and American Government, 2012-2015
- (b) Adjunct Professor, University of South Carolina School of Law, American Legal History, 2017-present.
- (c) South Carolina Army National Guard, 1978-2004, JAG Officer, The Adjutant General of South Carolina
- (d) South Carolina Military Department Volunteer, 2005-2016, Commander, JSD. Answered to the Adjutant General

(9) Judicial Temperament:

The Commission believes that Judge Lockemy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Lockemy to be "Qualified" in the evaluative criteria of constitutional qualifications, physical

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health, and mental stability; and “Well Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Pee Dee Citizens Committee noted, “Judge Lockemy has been a favorite of this committee for years and we’ll miss seeing him in the future.”

Judge Lockemy is not married. He has two children.

Judge Lockemy reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, Delegate to the American Bar Association House of Delegates
- (b) American Bar Association: Executive Committee Member, State Trial Judges Conference; Chair, Appellate Judges Conference, Chair, Appellate Judges Education Institute; CO-Chair, Editorial Board, *Judges Journal*; Member, ABA House of Delegates.
- (c) Three Inns of Court; John Belton O’Neill, Columbia, South Carolina; Coastal Inn of Court, Myrtle Beach, South Carolina and the Pee Dee Inn of Court, Florence, South Carolina. In the last two I am the Historian of the Inn.

Judge Lockemy provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Inns of Court listed above--Historian
- (b) Dillon County Veterans of the Year Organization-Commander, The American Legion and Veterans of Foreign Wars.
- (c) Kiwanis Club of Dillon-Past President.

Judge Lockemy further reported:

I have served my state, its citizens and the interest of justice to the best of my ability since taking judicial office in 1989. I appeared before this Commission the first year it was created to seek re-election and have appeared at each re-election and upon seeking a new judicial position then. This will be my last appearance before this important body. I applaud the work you have done for the last thirty years to better our judiciary, to better establish justice in our courts and to provide a method of review of all those who serve the people.

My life experiences as a boy growing up in the country grocery store business, meeting and serving people, to serving

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my country in uniform and then serving the people of my country and state in General Assembly, prepared me well for service on the bench as a judge. That word service is so simple to say but means much more than what 7 letters indicate. It is a dedication to others and, in the judiciary, it is a dedication to ensure justice is rendered to all.

I have been honored to wear a robe for over 30 years. With this honor, I have tried to make a difference for the good. I have tried to provide a forum for litigants who win and those who lose to leave knowing that they received a fair opportunity for redress. I hope to continue that honor, knowing the responsibility that comes with it, for the rest of my lawful opportunity to do so.

Thank you for all the considerations you have given me over the years.

(11) Commission Members' Comments:

The Commission commented that Judge Lockemy has an outstanding reputation as a jurist. They noted on his intellect and temperament which have ably served him in discharging his responsibilities on the Court of Appeals.

(12) Conclusion:

The Commission found Judge Lockemy qualified and nominated him for re-election to Court of Appeals, Seat 5.

The Honorable Aphrodite Konduros Court of Appeals, Seat 6

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Konduros meets the qualifications prescribed by the Constitution for service as a Court of Appeals judge.

Judge Konduros was born in 1959. She is 61 years old and a resident of Simpsonville, South Carolina. Judge Konduros provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Konduros.

Judge Konduros demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to her, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Konduros reported that she has not made any campaign expenditures.

Judge Konduros testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Konduros testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Konduros to be intelligent and knowledgeable.

Judge Konduros reported that she has taught the following law-related courses:

- (a) Guest professor at the Charleston School of Law for a number of years, lecturing on practice in the area of family court and appellate practice. The courses were designed as a practicum for third year students to actually learn how to hire a secretary, open a trust account, behave in the courtroom setting, and prosper in the practice of law
- (b) Speaker at the American Legion's Palmetto Girls' State for many years on a possible career in law and government, and to regional events throughout the state
- (c) Speaker for many years to the American Board of Trial Advocates youth program, the James Otis Lecture Series

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- (d) SCTLA Conference on ethical considerations in family court
- (e) Numerous Omnibus Adult Protection Act presentations at the Criminal Justice Academy
- (f) DSS-sponsored CLE seminars on Termination of Parental Rights, Adult issues and Adoptions
- (g) Abuse and Neglect to Greenville School District teachers
- (h) “Grand Rounds” training to interns at Greenville Hospital on recognizing abuse
- (i) Annual training to Greenville Chamber of Commerce young members on the court system and moderated a law enforcement panel
- (j) Annual training to “Leadership Greenville” on recognizing abuse, and question and answers at the Court of Appeals on the appellate process
- (k) Lecturer at the Summer School on Gerontology at Winthrop University
- (l) Panelists on various panels at the SC Bar Family Law Section
- (m) Panelist on the Chief Justice’s Mini-summit on Children
- (n) Speaker many times on appellate issues for SCDTAA
- (o) Speaker many times on appellate issues for SC Access to Justice
- (p) Speaker to the inaugural class of the USC Legal Writing Academy
- (q) Addressed the Biannual National Court Technology Conference in Baltimore. Maryland on the use of the iPad for the appellate review of cases.
- (r) Taught a “Maymester” class at the Charleston School of Law on abuse and neglect law.
- (s) Addressed the National Governors’ Conference in Washington, D.C. on sentencing considerations
- (t) Speaker many times at the Greenville Bar Year-End CLE on family law, appellate issues, and mentoring lawyers with substance abuse issues
- (u) Speaker at the annual SC Magistrates and Municipal Court Judge Konduros s Annual Conference twice
- (v) Speaker to the annual conference of the SC Clerks of Court on docketing issues in family court
- (w) Spoken to the Greenville Kiwanis on Adoption issues

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- (x) Spoken at the Greenville Bar Law Day Luncheon and Summer Associate Luncheon many times
- (y) Presented to the Greenville Tech Paralegal Program on ethical responsibilities and was their graduation speaker
- (z) Twice addressed the SC Probate Judges Conference
- (aa) Speaker at the Furman Foundation Annual Meeting
- (bb) Numerous training sessions to the Upstate Fatherhood Coalition on the logic of child support
- (cc) “Welcome the Judge” at Welcome Elementary and Sara Collins Elementary Schools
- (dd) Commencement Speaker for Charleston School of Law graduation
- (ee) Commencement speaker at Colleton Academy, Walterboro, SC
- (ff) Commencement speaker at Wilson Hall, Sumter, SC
- (gg) Judged USC’s Kate Bockman Moot Court numerous times

Judge Konduros reported that she has published the following:

- (a) “Chief of the Catawbas”, Sandlapper Magazine, Summer Issue. 1999
- (b) “An Unlikely Mentor”, SCWLA Briefcase, Spring Issue, 2007
- (c) SC Adoption Law and Practice (SC Bar 2010), Editorial Board
- (d) Marital Litigation in SC, Professor Emeritus Roy T. Stuckey (SC Bar 2010), Third and Fourth Editions Editorial Board

(4) Character:

The Commission’s investigation of Judge Konduros did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Konduros did not indicate any evidence of a troubled financial status. Judge Konduros has handled her financial affairs responsibly.

The Commission also noted that Judge Konduros was punctual and attentive in her dealings with the Commission, and

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the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Konduros reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Konduros reported that she has not served in the military.

Judge Konduros reported that she has never held public office other than judicial office.

(6) Physical Health:

Judge Konduros appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Konduros appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Konduros was admitted to the South Carolina Bar in 1985.

She gave the following account of her legal experience since graduation from law school:

1984-85 Weinberg, Brown & McDougall- Associate.
General practice, civil, criminal, appellate, Armed Services
Board of Contract Appeals- no financial involvement

1985-87 Law Clerk to the Honorable David F. McInnis,
Circuit Judge, Thirteenth Judicial Circuit – Accompanied judge
to 33 counties assisting him in criminal and civil trials-no
financial involvement

1987-89 Todd & Barber Law Firm, Columbia, SC-
Associate. General practice including residential and
commercial real estate and development, domestic, probate,

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appellate practice, criminal, civil, outdoor advertising licensure, and collection. - no financial involvement

1989-94 SC Department of Disabilities and Special Needs, Columbia, SC - Assistant General Counsel. Practice included juvenile hearings, unemployment, workers compensation, civil, criminal, probate commitments, Medicaid and Social Security benefits practice. - no financial involvement

1994-97 SC Department of Social Services, Greenville, SC-County attorney. Prosecuted abuse and neglect cases, child support, appellate practice, unemployment and probate. -no financial involvement

1/1997-12/1997 The Code Law Firm, Greenville, SC-Associate. Private practice including divorce, child support, representing DSS, DJJ, DDSN, City of Greenville, City of Greer Police Department, Department of Corrections through the Insurance Reserve Fund, magistrate court- no financial involvement, other than setting some of my fees.

1997-2000 SC Department of Social Services, Columbia, SC- Assistant General Counsel. Adoptions, DSS prosecution, appellate practice, state procurement, day care licensure appeals, state employee grievances. -no financial involvement

2000-2008 SC Department of Social Services, Greenville, SC- County Director and Attorney- Managed 314 state employees and multi-million-dollar budget, administering Medicaid and Medicare, food stamps, child and adult protective services, foster care licensing, and over 400 foster children. Supervised five attorneys and continued to try cases myself in child abuse, elder abuse, adoptions, termination of parental rights. Handled unemployment cases myself. - no financial involvement. All finances handled through the Columbia office and local business manager.

2002-2008 SC Family Court Judge, Thirteenth Circuit, Seat 3.

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2008- present SC Court of Appeals Judge- no financial involvement

Judge Konduros reported that she has previously held the following judicial office(s):

SC Family Court Judge in the Thirteenth Judicial Circuit. First elected February 6, 2002, and reelected February 4, 2004, serving until February 6, 2008. Jurisdiction is set forth in SC Code Section 63-3-510, et seq. Elected by the SC Legislature.

SC Court of Appeals Judge since February 6, 2008 to present. Jurisdiction is set forth in SC Code Ann. Section 14-8-200. Elected by the SC Legislature.

Judge Konduros reported the following regarding her employment while serving as a judge:

I served as a guest lecturer at Charleston School of Law from 2013-2019 for a month every summer. Arrangements for my lecturing were handled through Dean Andy Abrams.

Judge Konduros further reported the following regarding unsuccessful candidacies:

I ran unsuccessfully for the SC Court of Appeals, Seat 3 to which the Hon. Paula Thomas was elected on February 7, 2007, for the SC Court of Appeals, Seat 7 to which the Hon. Danny Pieper was elected on May 23, 2007, and the SC Supreme Court, Seat 2 to which the Hon. John Few was elected in February 3, 2016.

(9) Judicial Temperament:

The Commission believes that Judge Konduros's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Konduros to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial

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temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Konduros is married to Samuel James Konduros. She does not have any children.

Judge Konduros reported that she was a member of the following Bar and professional associations:

- (a) SC Women’s Law Association, member
- (b) Greenville County Bar, member since 1994
- (c) SC Bar member since 1985
- (d) Richland County Young Lawyers Association in the 1990’s
- (e) Family Court Judges Association, member 2002-2008
- (f) Haynsworth-Perry Inn of Court, 2013 to present

Judge Konduros provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

I have been a member of University Associates for two years. I have held no office in the group. Four times a year, there is a lunch at Capstone House with a guest speaker from the University of South Carolina’s administration, faculty or coaching staff.

Judge Konduros further reported the following:

- (a) Co-recipient of the Claude N. Sapp Award for Outstanding Law Graduate (with David Dukes, Esq. of Columbia).
- (b) Served as Acting Associate Justice of the South Carolina Supreme Court on a number of occasions since 2004.
- (c) 2007-2008 Vocational Service Award from the Greenville East Rotary.
- (d) Recipient of the Statewide Fatherhood Advocate Award, 2005.
- (e) Recipient of the Award of Excellence from the SC Coalition Against Domestic Violence and Sexual Assault, 2005.

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- (f) Recipient of the SC chapter of the American Board of Trial Advocates (ABOTA)
 - (g) Jurist of the Year, 2013.
 - (h) Chairman of the Family Court Docketing section of the Supreme Court Docketing Commission.
 - (i) Vice-chairman of the Chief Justice's Commission on the Profession.
 - (j) Past chairman of the Magistrates and Municipal Court Judges Mentoring Program.
 - (k) Board member, SC Bar Lawyers Helping Lawyers Program.
 - (l) Awarded an Honorary Doctorate from the Charleston School of Law.
- (11) Commission Members' Comments:
The Commission noted that Judge Konduros has an excellent reputation as a Court of Appeals judge and noted that she was uniformly praised for her intellect and her wonderful judicial temperament.
- (12) Conclusion:
The Commission found Judge Konduros qualified, and nominated her for re-election to Court of Appeals, Seat 6.

**The Honorable DeAndrea Gist Benjamin
Court of Appeals, Seat 8**

Commission's Findings: QUALIFIED AND NOMINATED

- (1) Constitutional Qualifications:
Based on the Commission's investigation Judge Benjamin meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.
- Judge Benjamin was born in 1972. She is 48 years old and a resident of Columbia, South Carolina. Judge Benjamin provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1997.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Benjamin.

Judge Benjamin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Benjamin reported that she has made \$499.79 in campaign expenditures for printing, mailing, and postage.

Judge Benjamin testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Benjamin testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Benjamin to be intelligent and knowledgeable.

Judge Benjamin reported that she has taught and lectured at the following Bar association conferences, educational institutions, or continuing legal or judicial education programs.

- (a) Speaker, SC Black Lawyers Retreat in September 2013, 2014, 2015 on various topics to include being elected to a Judgeships and tips from the bench.
- (b) Panel Member, 23rd Annual Criminal Practice in SC, tips from the bench – February 28, 2014.
- (c) Speaker, Lawyer Mentoring Program – May 15, 2014
- (d) Speaker, Criminal Defense Practice Essentials – May 30, 2014

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- (e) Speaker, SC Women Lawyers Association Pathway to Judgeship in SC – June 9, 2016
- (f) Panel Speaker, Association of Corporate Counsel, "What corporate and in/house counsel should know when appearing in court – August 30, 2017.
- (g) Speaker, South Carolina Bar, Taking the Terror of out of Trial – September 27, 2019.

Judge Benjamin reported that she has published the following:

“Why Doesn’t She Leave? The Psychology of a Domestic Violence Victim.” The American Bar Association Affiliate Newsletter, Volume 26, Number 2, Nov/Dec 2000.

(4) Character:

The Commission’s investigation of Judge Benjamin did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Benjamin did not indicate any evidence of a troubled financial status. Judge Benjamin has handled her financial affairs responsibly.

The Commission also noted that Judge Benjamin was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Benjamin reported that she is not rated by any legal rating organization.

Judge Benjamin reported that she has not served in the military.

Judge Benjamin reported that she has held the following public office:

I served on the Juvenile Parole Board from July 2001 – June 2004. I was appointed by Governor James H. Hodges, Jr. I timely complied with State Ethics reports.

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- (6) Physical Health:
Judge Benjamin appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Judge Benjamin appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Judge Benjamin was admitted to the South Carolina Bar in 1997.

Judge Benjamin gave the following account of her legal experience since graduation from law school:

- (a) South Carolina Judicial Department, Judicial Law Clerk, The Honorable L. Casey Manning. (August 1997 – August 1998)
- (b) Fifth Judicial Circuit Solicitor's Office, Assistant Solicitor, Juvenile/Family Court Division. (August 1998 – November 1999) – I prosecuted felonies and misdemeanors involving juvenile offenders. I also served on the local Juvenile Drug Court.
- (c) South Carolina Attorney General's Office, Assistant Attorney General (November 1999- July 2001). I was assigned to the prosecution division where I prosecuted cases involving violent acts against women and children, sexual assault offenses, elder abuse cases, and civil commitments under the Sexually Violent Predator (SVP) law.
- (d) South Carolina Juvenile Parole Board, Member and Vice Chair (July 2001 – June 2004). I was a member of a ten-member board that presided over the retention and release of juveniles from the South Carolina Department of Juvenile Justice. I served as Vice-Chair from July 2002-June 2003
- (e) Gist Law Firm, Partner (July 2001 – April 2011). I was a partner in my family law firm. I handled all of the family court cases in our office. My family law practice included marital litigation, child custody disputes, child support cases, DSS abuse and neglect cases, adoptions, and representation of juveniles in family court. My

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practice also included Employment Law, Criminal law, and some Personal Injury work. I have also been appointed in the past to serve as a Guardian ad Litem in DSS cases and in child custody disputes.

- (f) City of Columbia Municipal Court, Municipal Judge (July 2004 – May 2011). Presides over the municipal courts for the City of Columbia. I handled misdemeanor criminal and traffic offenses, specialized Criminal Domestic Violence court and Quality of Life court. I presided over a term of Jury Trials every six weeks.
- (g) Circuit Court Judge, Fifth Judicial Circuit (May 2011 – present)

Judge Benjamin reported the frequency of her court appearances as follows:

- (a) Federal: 50%;
- (b) State: 50%.

Judge Benjamin reported the percentage of her practice involving civil, criminal, domestic and other matters as follows:

- (a) Civil: 40%;
- (b) Criminal: 10% of my private practice was in General Sessions court; 100% of my work on the municipal bench was criminal.
- (c) Domestic: 40% of my private practice was domestic;
- (d) Other: 10% of my work was appearing before Federal Administrative agencies and before the SC Worker's Compensation Commission.

Judge Benjamin reported the percentage of her practice in trial court as follows:

- (a) Jury: 40%;
- (b) Non-jury: 60%.

Judge Benjamin provided that during the past five years she most often served as co-counsel.

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My law partner and I handled Federal Civil Matters as Co-counsel. I solely handled the family and state civil matters in the office.

The following is Judge Benjamin's account of her five most significant litigated matters:

- (a) *McKinney vs. Richland County Sheriff's Department* (431 F.3d 415, 4th Cir. 2005) – This was a civil action in the Federal District Court of South Carolina. My client was successful at the District level and the Defendant appealed the case to the Fourth Circuit Court of Appeals. Although the case was not decided in my clients favor, it afforded me the opportunity to appear and argue before the Fourth Circuit Court of Appeals in Richmond, Virginia. The issue in the case was regarding probable cause as it related to the arrest of a school safety administrator.
- (b) *Weston v. Margaret J. Weston Medical Center*, Court of Appeals , Unpublished Opinion 2008-UP-240 – This was a contract dispute between my client and his former employer. It was significant because my client was a trailblazing doctor who was wronged by his former employer. The jury returned a verdict in my client's favor. The case was appealed to the S.C. Court of Appeals and the S.C. Supreme Court where both courts upheld the jury's verdict.
- (c) In the Matter of the care and Treatment of Billy Ray Tucker, - I tried this case in Aiken County not long after the Sexually Violent Predator Law was enacted. This case was one of the first cases that was tried and won under the then new SC Sexually Violent Predator Law. The case was appealed to the SC Supreme Court, Opinion No. 25608 and affirmed.
- (d) *Staley vs. Brown* – This was a family court child support/child custody case that was tried in Richland County. The issues in the case dealt with child support outside the guidelines and custody of an incorrigible child. My client ultimately prevailed in the case. The court denied an increase in child support and attorney's fees to opposing counsel. The case was not appealed.

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- (e) *James Mackey vs. City of Charleston and SC Department of Public Safety* - This was an employment matter involving the termination of the Plaintiff from the City of Columbia Police Department and his subsequent decertification by the Department of Public Safety. This matter was tried in Charleston County. The jury returned a verdict for the Plaintiff (my client) against the SC Department of Public Safety as to the certification claim and a verdict in favor of the Defendant City of Charleston as to all other claims. The case was not appealed.

The following is Judge Benjamin's account of two civil appeals that she has personally handled:

- (a) *McKinney vs. Richland County Sheriff's Department*, 431 F.3d 415 (4th Cir. 2005)
- (b) *Weston v. Margaret J. Weston Medical Center*, SC Court of Appeals, Unpublished Opinion 2008-UP-240

Judge Benjamin reported she has not personally handled any criminal appeals.

Judge Benjamin reported that she has held the following judicial offices:

City of Columbia Municipal Court – July 2004 – May 2011
Circuit Court, Fifth Judicial Circuit, Seat 1, - May 2011
- present

Judge Benjamin provided the following list of her most significant orders or opinions:

- (a) *State vs. Conrad Lamont Slocumb*, 412 S.C. 88 (Ct. App. 2015)
- (b) *State vs. Hank Eric Hawes*, 813 S.E. 2d 513, (Ct. App. 2018)
- (c) *Trumaine Moorner vs. Norfolk Southern Railway*, 2014 WL 2581554
- (d) *Edwin Smith vs. David Fedor*, 809 S.E.2d 612 (Ct. App. 2017)
- (e) *State vs. Brett Parker*, 2015 WL 9594410

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Judge Benjamin has reported no other employment while serving as a judge:

Judge Benjamin further reported the following regarding an unsuccessful candidacy:

I had an unsuccessful bid for Family Court (Fifth Judicial Circuit Family Court Seat 1) in February 2010.

(9) Judicial Temperament:

The Commission believes that Judge Benjamin's temperament has been, and would continue to be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Benjamin to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Midlands Citizens Committee further commented as follows: "presented herself in all respects being fully qualified for the appellate bench."

Judge Benjamin is married to Stephen K. Benjamin. She has two children.

Judge Benjamin reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Board of Governors - 2007 - 2009
- (b) South Carolina Bar, Chair, Young Lawyers Division – 2006 –2007
- (c) South Carolina Bar, House of Delegates – 2002-2009
- (d) South Carolina Bar, Young Lawyers Division, Fifth Circuit Representative 2001- 2003
- (e) American Bar Association, Young Lawyers Division, District Representative – 2003 – 2005
- (f) American Bar Association, Minorities in the Profession Scholar – 1998-1999.
- (g) Women Lawyers Association
- (h) South Carolina Black Lawyers Association
- (i) Columbia Lawyers Association

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- (j) Appleseed Legal Justice Center, Former Board Member
- (k) Richland County Bar Association

Judge Benjamin provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Edventure Children's Museum Board
- (b) St. John Preparatory School Board
- (c) Columbia Alumnae Chapter of Delta Sigma Theta
- (d) USC Community Advisory Board
- (e) Columbia Chapter of the Links, Inc., President (2018-present)
- (f) Columbia Chapter of Jack and Jill, Parliamentarian (2014-present)

Judge Benjamin further reported:

My experience as a prosecutor, defense attorney, private attorney, parole board member and Municipal Judge has afforded me the opportunity to practice in many areas of the law and before different courts. My experience as a judge, mother, daughter, wife and unfortunately as a victim of crime in my family has afforded me the opportunity to view the judicial system from all angles. I have always treated people with dignity and respect regardless if they were before me for a traffic ticket or murder. I have always treated litigants and attorneys the way I would have wanted to be treated. I believe in treating everyone fair and impartial, with dignity and respect while upholding the law.

I love the law and the profession of law. I believe that while not perfect, that our judicial system is the best system devised by man. It has been an honor and privilege to serve the citizens of this state as a Circuit Court Judge for the last nine (9) years. I look forward to continuing to serve the State of South Carolina.

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(11) Commission Members' Comments:

The Commission commented that with her almost ten years on the bench, Judge Benjamin has broad experience and enjoys a reputation of being fair, thoughtful, and diligent.

(12) Conclusion:

The Commission found Judge Benjamin qualified and nominated her for election to Court of Appeals, Seat 8.

**The Honorable Deborah Brooks Durden
Court of Appeals, Seat 8**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Durden meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Durden was born in 1961. She is 59 years old and a resident of Columbia, South Carolina. Judge Durden provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992. She was also admitted to the Alaska Bar in 1993.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Durden.

Judge Durden demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Durden reported that she has not made any campaign expenditures.

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Judge Durden testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Durden testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Durden to be intelligent and knowledgeable.

Judge Durden reported that she has taught the following law-related courses:

- (a) I lectured at the SC Bar "Bridge the Gap" programs for new lawyers giving an overview of practice before the Administrative Law Court from 2011-2016.
- (b) I made presentations on the topics of accommodation taxes and bankruptcy sales in property valuation to judges attending the 2012 National Conference of State Tax Judges.
- (c) I made a presentation on the topic of personal property valuation litigation to the 2010 Academy for County Auditors, Treasurers and Tax Collectors.
- (d) I taught training sessions for SCDOT staff on the effect of S.C. Act 114 of 2007 which restructured the agency.
- (e) I lectured at a SC Bar Government Law Section CLE concerning state legislative action related to eminent domain law.
- (f) I lectured at a CLE hosted by the International Eminent Domain Institute on the topic of relocation assistance benefits, and how newly promulgated federal regulations would affect those benefits in the future.
- (g) I taught a segment of a CLE for attorneys who handle condemnation cases for SCDOT explaining relocation assistance benefits available for landowners and displacees and the interplay between those benefits and

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just compensation payments made in condemnation litigation.

- (h) I taught a segment of a CLE for attorneys who handle SCDOT condemnation cases for SCDOT on the subject of FOIA and Discovery Requests and strategies for avoiding surprise at trial.
- (i) I appear as a guest lecturer annually for the Administrative Law course at USC Law School.
- (j) I participate as a mentor in the USC Law School 1L Mentoring program.
- (k) I have hosted an extern from the USC School of Law during the Fall semester in 2018, 2019, and 2020.

Judge Durden reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Durden did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Durden did not indicate any evidence of a troubled financial status. Judge Durden has handled her financial affairs responsibly.

The Commission also noted that Judge Durden was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Durden reported that she is not rated by any legal rating organization.

Judge Durden reported that she has not served in the military.

Judge Durden reported that she has not held public office other than judicial office.

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- (6) Physical Health:
Judge Durden appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Judge Durden appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Judge Durden was admitted to the South Carolina Bar in 1992.

She gave the following account of her legal experience since graduation from law school:

- (a) 1991-1992 -- Judicial Law Clerk
After graduation from USC law school and sitting for the South Carolina bar exam, I moved to Anchorage, Alaska where I served as law clerk to Alaska Superior Court Judge Karen Hunt from August 1991 to September 1992. Judge Hunt handled complex civil litigation and I performed legal research related to those cases and wrote memoranda of law and proposed orders on all motions to dismiss and motions for summary judgment. I also evaluated motions for injunctive relief filed with the court.

I served as law clerk to Alaska Superior Court Judge John Reese from December 1992 to April 1993 handling family court matters. I reviewed motions filed with the court and recommended action on those motions. During this time I studied for the Alaska Bar exam and took that exam in January, 1993.

- (b) 1993-1997 -- Private Practice
In April 1993 I became an associate at Faulkner, Banfield, Doogan and Holmes' Anchorage office. Faulkner Banfield was a large firm with offices in Juneau, Fairbanks and Anchorage, Alaska representing primarily business clients. During my association with the firm I worked on Workers Compensation matters, professional liability cases, and tort cases.

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Approximately 50% of the cases I worked on were in the Federal District Court. I also successfully argued an appeal of a constitutional issue before the Alaska Supreme Court.

In 1994 my husband's service commitment to the U.S. Air Force ended and I left Faulkner Banfield so that he and I could return to South Carolina. I became an Associate at Gergel, Nickles & Grant. During my association with the firm from 1994 to 1997, I represented teachers and other employees in employment matters and worked on motions and discovery in tort claims cases, Fair Labor Standards Act cases, and other civil litigation.

- (c) 1997-2009 -- Government Service
In August, 1997 I accepted a position as Assistant Chief Counsel at the South Carolina Department of Transportation. While at SCDOT I handled a wide variety of legal matters including condemnation cases, contract matters, legislative issues, environmental matters, and administrative law. I handled contested cases at the Administrative Law Court for the department concerning environmental permits, the payment of relocation assistance benefits, and the certification of Disadvantaged Business Enterprises. I drafted and promulgated agency regulations. I counseled agency staff and associate counsel on condemnation and real estate law. My responsibilities at SCDOT also involved reviewing and analyzing legislation pending at the state legislature, drafting proposed legislation and amendments, and providing testimony before legislative subcommittees.
- (d) 2009-Present -- Administrative Law Judge
Since February 2009 I have served as a judge on the South Carolina Administrative Law Court.

Judge Durden provided that during the past five years prior to her service on the bench she most often served as sole counsel.

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Judge Durden reported the frequency of her court appearances as follows:

- (a) Federal: once a year
- (b) State: once a month

Judge Durden reported the percentage of her practice involving civil, criminal, domestic and other matters as follows:

- (a) Civil: 100%
- (b) Criminal:
- (c) Domestic:
- (d) Other:

Judge Durden reported the percentage of her practice in trial court as follows:

- (a) Jury: 5%
- (b) Non-Jury: 95%

Judge Durden provided that during the past five years she most often served as sole counsel.

The following is Judge Durden's account of her five most significant litigated matters:

- (a) *L. A. Barrier v. SCDOT*, 2008 WL 9844673 (July 21, 2008 unpublished S.C. Supreme Court decision); 06-ALJ-19-0925 (Administrative Law Court) In this Disadvantaged Business Enterprise certification case, the Court of Appeals reversed a decision of the Administrative Law Court and affirmed SCDOT's position that a renunciation of interest by a spouse must be a prior renunciation of the jointly owned assets used to purchase an ownership interest in a DBE firm for that interest to be considered the sole property of the disadvantaged individual. This ruling is significant because allowing after-the-fact renunciations would undermine the requirement that the business be acquired by the real and substantial contribution of capital by the disadvantaged individual and threaten the integrity of the DBE program. The Supreme Court later granted certiorari in the case and issued an unpublished opinion (2010 WL 10097458) affirming the Court of Appeals in result but modified to focus the analysis on the facts as

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of the date the certification determination was sought and made.

- (b) *SCDOT v. DHEC and Friends of the Congaree et al.* ALC 2006-ALJ-07-0804; Administrative Law Court (U.S. 601 Bridge Replacement Permits). Final Order issued by Judge Anderson on April 4, 2008 was appealed to the Court of Appeals, but dismissed by Appellants prior to a decision by the Court. This was an environmental permitting case in which SCDOT was seeking a 401 Water Quality Certification and Construction in Navigable Waters permit from DHEC for the replacement of four existing bridges on U.S. Highway 601 near the Congaree National Park. Three of the rulings in the case will have a long-term positive effect for both SCDOT and other entities seeking environmental permits from DHEC: 1) DHEC has no authority to require compensatory mitigation under a 401 Water Quality Certification where no navigable waters permit issues are presented by the projects; and 2) DHEC waives its right to dictate the terms of a permit if it fails to issue a Notice of Proposed Decision within the time limits set forth in its regulations; and 3) Feasible alternatives to a project are not the same as conditions that DHEC seeks to impose to minimize the adverse effects of the project, but must be an alternative to the project.
- (c) *S.C. Coastal Conservation League v. DHEC and SCDOT*, 07-ALJ-07-108 (Administrative Law Court) and 390 S.C. 418 (Ct. App. 2010) (Port Access Road Permits). Final order issued by Administrative Law Judge John Geathers on September 4, 2007 was appealed to the Court of Appeals and ultimately to the Supreme Court. This case is significant both because of the importance of the project and the legal issue involved. The Administrative Law Court dismissed the contested case brought by an environmental group, holding it lacks jurisdiction to hear a case if the appeal of the permit is not first timely filed with DHEC. This case and the 601 case noted above, were also significant because they were two of the first cases heard by DHEC and the ALC following the passage of the 2007 law

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changing the procedures for challenging DHEC decisions on permits. My argument in those cases shaped how DHEC and the ALC deal with procedural issues and under what circumstances a remand to agency staff from the DHEC Board will be allowed.

- (d) *Swanner v. Anchorage Equal Rights Commission*; Supreme Court of Alaska; May 13, 1994. citation: 874 P. 2d 274 (Alaska, 1994) Cert. denied by *Swanner v. Anchorage Equal Rights Commission*, 513 U.S. 979, 115 S. Ct. 460, 130 L. Ed. 2d 368, 63 USLW 3341, 63 USLW 3345 (1994).; This case was significant because it dealt with constitutional questions of religious freedom as it relates to an individual's conduct in violating state prohibitions against housing discrimination based on marital status. I wrote the brief and made the argument before the state Supreme Court which ruled in favor of my client. A Westlaw keycite search reveals that this case has been cited in 39 subsequent cases and in 473 secondary sources and briefs.

- (e) *Rae's Cleaners v. SCDOT*, South Carolina Administrative Law Court; Final Order issued by Judge Anderson on January 3, 2006. This was a Relocation Assistance Benefits contested case in which SCDOT's finding that Rae's Cleaners was not a displaced business entitled to relocation assistance benefits was challenged. The issue was whether a change in access to the business site allowing only right turns in and out of the business constituted a displacement of the business which would have entitled the owner to relocation assistance benefits. The matter was significant in light of a line of cases issued by the South Carolina Court of Appeals creating controlling law at that time allowing damages related to restricted access to real property in condemnation cases. Judge Anderson affirmed SCDOT's decision denying benefits, holding that while a loss of access is a special injury that might entitle a landowner to just compensation in a condemnation case, it is not an acquisition entitling the landowner to relocation benefits where the acquisition of property did not affect the continued operation of the business.

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Judge Durden reported she has personally handled the following civil appeals:

- (a) *L. A. Barrier & Son Inc. v. SCDOT*; S.C. Court of Appeals; July 21, 2008, not reported.
- (b) *S.C. Coastal Conservation League v. SCDHEC and SCDOT*; S.C. Court of Appeals; October 23, 2008; 380 S.C. 349 (Ct. App. 2008).
- (c) *SCDOT v. DHEC and Friends of the Congaree et al.*; S.C. Court of Appeals; Appellants dismissed after briefing and prior to decision of the Court.
- (d) *Swanner v. Anchorage Equal Rights Commission*; Supreme Court of Alaska; May 13, 1994. Citation: 874 P. 2d 274 (Alaska, 1994) *Cert. denied by Swanner v. Anchorage Equal Rights Commission*, 513 U.S. 979, 115 S. Ct. 460, 130 L. Ed. 2d 368, 63 USLW 3341, 63 USLW 3345 (1994).
- (e) *Allen et. al v. Loadholt*; United States Court of Appeals for the Fourth Circuit. I briefed this Fair Labor Standards Act case which settled prior to argument before the Fourth Circuit Court of Appeals.

Judge Durden reported she has not personally handled any criminal appeals.

Judge Durden reported that she has held the following judicial office(s):

From February 2009 to the present I have served as a Judge on the South Carolina Administrative Law Court. The Administrative Law Court has jurisdiction over contested cases, appeals of administrative agency decisions, regulation hearings, and certain petitions for injunctive relief. The jurisdiction of the Court is created by South Carolina statutes, most notably the Administrative Procedures Act. Judges are elected by the South Carolina General Assembly. The Court's jurisdiction is limited to those matters delineated by statute. The Court may consider the constitutionality of a statute or regulation only with respect to how that statute or regulation was applied in the matter at hand. Approximately 60% of the cases I handle are appeals decided based upon a review of the record made before the agency.

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Judge Durden provided the following list of her most significant orders or opinions:

- (a) *Emerson Electric Co. and Affiliates v. S.C. Department of Revenue*, (Docket No. 08-ALJ-71-0351) not reported; affirmed by S.C. Supreme Court at 395 S.C. 481, 719 SE 2d 650 (2011). Held allocation statute applies to nonresident corporation for interest expense deductions where no taxable dividend income was earned, and rejected as-applied constitutional claims.
- (b) *Carolina Walk LLC and Serrus Carolina Walk, LLC v. Richland County Assessor*, reported at 2012 WL 529413; affirmed in unpublished opinion of the S. C. Supreme Court at 2014 WL 2575405. Held purchase price was not an arms-length sale that could be used to establish fair market value of real property. More contemporaneous sales within the same development were more compelling evidence of the value of the subject properties.
- (c) *Cellular Sales of South Carolina, LLC v. S.C. Department of Employment and Workforce*, reported at 3013 WL 173705; affirmed in unpublished opinion by S.C. Court of Appeals at 2014 WL 2586885. Held sales representative and others similarly situated were employees and not independent contractors.
- (d) *Torrence v. S. C. Department of Corrections* (ALC docket No. 12-ALJ-04-0143-AP) not reported; Appeal to Court of Appeals dismissed as interlocutory in unreported decision. 2018 WL 6199185. Held the Department of Corrections must determine the prevailing wage for Prison Industries employment according to data collected by the Department of Employment and Workforce and remit difference in amounts paid to inmate. Held inmate serving a life sentence is entitled to designate persons or entities for distribution of escrowed wages.
- (e) *Five Points Roost v. S.C. Department of Revenue* reported at 2018 WL 1724696; Denied Liquor by the drink license where proposed business would strain law enforcement resources and is not primarily and substantially engaged in the preparation and serving of meals.

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Judge Durden has reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Durden's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Durden "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in summary, "Extremely qualified and will be an asset on Court of Appeals."

Judge Durden is married to Wiley Kevin Durden. She has three children.

Judge Durden reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Women Lawyers Association
- (c) Richland County Bar Association

Judge Durden provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Trenholm Road United Methodist Church, Church Council, Hope Class President, Youth Core Team Chair,
- (b) Family Promise of the Midlands, volunteer

(11) Commission Members' Comments:

The Commission commented that Judge Durden has an outstanding reputation. They noted on her great intellect which has ably served her in discharging her responsibilities as an Administrative Law Court judge.

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(12) Conclusion:

The Commission found Judge Durden qualified, and nominated her for election to Court of Appeals, Seat 8.

**The Honorable Jerry Deese Vinson Jr.
Court of Appeals, Seat 8**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Vinson meets the qualifications prescribed by law for judicial service as a Court of Appeals judge.

Judge Vinson was born in 1960. He is 60 years old and a resident of Florence, South Carolina. Judge Vinson provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Vinson.

Judge Vinson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Vinson reported that he has not made any campaign expenditures

Judge Vinson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

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Judge Vinson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Vinson to be intelligent and knowledgeable.

Judge Vinson reported that he has taught the following law-related courses:

- (a) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/12/97
- (b) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 8/28/98
- (c) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/24/99
- (d) Family Law Ethics Seminar 12/4/99
- (e) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/15/00
- (f) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/21/01
- (g) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/20/02
- (h) Ethical Issues in Appointed Cases 10/18/02
- (i) Guardian Ad Litem Certification 1/10/03
- (j) SC Bar Cool Tips Seminar 4/25/03
- (k) Children's Law Seminar 10/14/05
- (l) SC Bar CLE – Panel Discussion – New Tools for the Family Court 1/27/06
- (m) SC Bar CLE – Children's Issues in Family Court – Relocation: A New Approach 3/17/06
- (n) 2006 Orientation School for New Judges 7/10/06
- (o) Charleston County Family Law Seminar – Observations from the Bench 11/17/06
- (p) Children's Issues in Family Court – Guardian ad litem Reports What's in It for Me? 3/23/07
- (q) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Ten Things Lawyers Need to Know about Temporary Hearings 9/21/07
- (r) Children's Law Project Seminar on Abuse & Neglect 11/16/07

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- (s) SC Bar CLE – Tips from the Bench – Divorce and Separation – The Devil is in the Details: Checklists as Tools 2/15/08
- (t) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Best Legal Practices in Abuse and Neglect Cases – a Work in Progress 9/19/08
- (u) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Thoughts from the Bench – Top Ten Basics All Lawyers Need to Know 9/19/08
- (v) Children's Law Center Conference – Best Legal Practices in Abuse and Neglect Cases 10/31/08
- (w) SC Bar Convention – Family Law Section-Advantages of the New Financial Declaration 1/23/09
- (x) SCDSS CLE – Attorney Training – Best Legal Practices in Abuse and Neglect Cases – Panel Discussion 2/27/09
- (y) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Common Evidentiary Issues: Oops! I Did It Again 9/18/09
- (z) Training for Attorneys Appointed in Abuse & Neglect Cases 1/15/10
- (aa) SC Bar – Children's Law Committee Seminar – Best Legal Practices in Abuse and Neglect cases 1/23/10
- (bb) SCCFCJ Conference – Best Legal Practices 4/22/10
- (cc) Guardian ad Litem training on Best Legal Practices in Abuse and Neglect Cases 5/17/10
- (dd) SC Bar – Solo & Small Firm Seminar – What Every Lawyer Should Know About Family Court 9/24/10
- (ee) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Trial Tips from the Bench 10/1/10
- (ff) Child Support Enforcement CLE – Best Legal Practices in Abuse and Neglect Cases 10/29/10
- (gg) Family Court Judges Mini Summit on Justice for Children – Best Legal Practices in Child Abuse and Neglect Cases 12/2/10
- (hh) Orientation School for New Family Court Judges – Alimony 6/8/11
- (ii) SC Bar Hot Tips from the Coolest Domestic Law Practitioners 9/16/11
- (jj) SC Bar Family Court Judges Bench/Bar – Effective Pre-Trial Practice in a Small Market 12/2/11

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- (kk) Orientation School for New Family Court Judges – Alimony 5/31/12
- (ll) VIP SCNYTD – SCDSS Independent Living Conference Youth Speak Workshop – Panel Discussion 6/8/12
- (mm) SC Supreme Court Institute – Panel Discussion – Overview of the South Carolina Courts 6/19/12
- (nn) Forum on Judicial Independence & Diversity LWVSC 8/7/12
- (oo) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Show Your Love: Ten Suggestions for a Happier Relationship with Your Judge 9/28/12
- (pp) Francis Marion University Criminal Justice Class Lecture on Juvenile Justice 11/20/12
- (qq) SCAJ Annual Conference – Rules of Procedure –Order of Protection 8/1/13
- (rr) Orientation School for New Family Court Judges - Alimony 5/31/13
- (ss) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – New Rule on Temporary Hearings: Page Limitations, Time Limitations, Exceptions to the Rule 9/27/13
- (tt) Orientation School for New Family Court Judges – Alimony 6/19/14
- (uu) SC Bar Hot Tips Seminar – Just the Factors Ma’am: Attorney Fees 9/26/14
- (vv) SCCA Orientation School for New Judges – Alimony 6/4/15
- (ww) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – Relationships: the Practitioners Professional Responsibility 9/25/15
- (xx) SCCA Orientation School for New Family Court Judges –Alimony 6/2/16
- (yy) SC Bar Hot Tips from the Coolest Domestic Law Practitioners Ain’t Misheavin: Conduct, Lawyers Oath, Rule 9 9/23/16
- (zz) South Carolina Summit on Access to Justice for All – Self-Represented Litigants 10/24/16
- (aaa) Twelfth Circuit Tips from the Bench 10/28/16
- (bbb) Children’s Law Seminar 11/4/16
- (ccc) Orientation School for New Family Court Judges – Alimony 5/4/17

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- (ddd) SC Bar Hot Tips from the Coolest Domestic Law Practitioners – And It Is So Ordered: Order Details 9/22/17
- (eee) SC Bar Family Court Judges Bench/Bar – Standardizing “Standard” Visitation: A View from the Bench 12/1/17
- (fff) Children’s Law Center – Raising the Bar for Children 4/13/18
- (ggg) SCCA Orientation School for New Judges – Alimony 5/17/18
- (hhh) SC Bar Hot Tips Seminar – Amuse Bouche 9/21/18
- (iii) Orientation School for New Family Court Judges – Alimony 5/29/19
- (jjj) SC Bar Hot Tips Seminar – Seven Habits of Highly Effective Family Court Litigators 9/20/19
- (kkk) SC Bar CLE – Panel for Improving Temporary Hearings 10/6/19
- (lll) Orientation School for New Family Court Judges – Alimony 6/9/20
- (mmm) View from the Bench – Indigent Defense – via WebEx 6/12/20
- (nnn) SC Bar LRE Mock Trial Competitions, Presiding Judge for regional, state and national 7/04 – present

Judge Vinson reported that he has not published any books or articles. However, he did state the following: I have prepared seminar materials for a majority of the seminars at which I have spoken.

(4) Character:

The Commission’s investigation of Judge Vinson did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Judge Vinson did not indicate any evidence of a troubled financial status. Judge Vinson has handled his financial affairs responsibly.

The Commission also noted that Judge Vinson was punctual and attentive in his dealings with the Commission, and

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the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Vinson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Vinson reported that he has not served in the military.

Judge Vinson reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Vinson appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Vinson appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Vinson was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

From August 1985 until April 1986, I practiced as an associate with Haigh Porter in Florence, South Carolina. My responsibilities primarily involved mortgage foreclosure actions and real estate transactions.

From April 1986 until July 1987, I served as a law clerk to the Honorable John H. Waller, Jr., Circuit Judge for the Twelfth Judicial Circuit. My responsibilities involved assisting Judge Waller with research and reviewing Orders and other documents presented for execution by Judge Waller.

From July 1987 until April 1992, I practiced as an associate with Turner, Padget Graham and Laney, P.A. in

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Florence, South Carolina. My practice involved civil litigation in State and Federal Court, primarily related to defense of insureds in personal injury, premises liability and business litigation.

From April 1992 until December 1992, I practiced as an attorney with the Fallon Law Firm in Florence, South Carolina. My practice involved civil litigation, primarily representing plaintiffs in personal injury cases.

From January 1993 until January 2001, I was a shareholder with the Vinson Law Firm, PA, in Florence, South Carolina. My practice involved civil and domestic litigation, including personal injury cases and business litigation, as well as divorce and custody actions. I also represented the Department of Social Services as a contract attorney for four (4) years during this period of time, litigating all abuse and neglect cases.

In January 2001, I joined McDougall and Self, L.L.P as a partner, practicing in the Florence, South Carolina office. My practice was limited to Family Court litigation.

On February 4, 2004, I was elected by the Legislature to the Twelfth Judicial Circuit Family Court Seat, Three. I have served in that position since July 1, 2004.

Judge Vinson reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: 0%
- (b) State: 100%

Judge Vinson reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 2%;
- (b) Criminal: 0%;
- (c) Domestic: 98%;
- (d) Other: 0%.

Judge Vinson reported the percentage of his practice in trial court prior to his service on the bench as follows:

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- (a) Jury: 0%;
- (b) Non-jury: 100%.

Judge Vinson provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The following is Judge Vinson's account of his five most significant litigated matters:

- (a) *Connie Wiggins Skipper v. Douglas Skipper*, 95-DR-21-2241. This matter was a divorce case in which the primary issues were equitable distribution and alimony. Husband and wife had been married for 32 years during which time the husband had worked for Southern Bell and the wife had been a full-time homemaker. During the pendency of the action, the husband accepted an early retirement. I was able to demonstrate to the Court that the wife was entitled to half of his retirement as part of the equitable distribution and also that the Court should impute income to him. I utilized a vocational expert who testified that the husband could have continued to earn \$3,500.00 per month. The Court utilized this figure in setting alimony. The husband appealed this case, but later dismissed his appeal. The husband also filed bankruptcy. I was able to protect the equitable distribution award, alimony and the attorney's fees awarded from discharge in bankruptcy.
- (b) *Larry Foster v. Betty Foster*, 02-DR-21-390. This was an alimony reduction action in which I represented the wife, who had been awarded substantial equitable distribution and alimony at the time of the divorce. The husband claimed a loss in income in the several years preceding the filing of the action, using his tax returns as evidence. I was able to demonstrate that there had been no change in his lifestyle and that he had continued to spend the same amount or more than he was spending at the time his original alimony obligation had been set. The Court did not modify the alimony payment based upon the husband's decrease in income, reflected in his financial documents, as his spending habits and lifestyle reflected a higher income. The Court slightly reduced

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the alimony based upon employment which my client had undertaken just prior to the final hearing in this matter. This outcome was affirmed on appeal.

- (c) *Maria Parker Doughty v. John Harrell Doughty Jr.* 02-DR-21-835. This was a divorce case where the only issue ultimately litigated was related to custody. The father attempted to demonstrate that the mother was morally unfit and was the less-involved parent. Both parties had flexible work schedules which permitted them to spend significant time with the children. Utilizing a child counselor, the testimony of my client, and the efforts of the Guardian ad Litem, I was able to demonstrate that the mother was the more-involved parent and was morally fit. I also was able to demonstrate that the father had entered into a course of conduct intended to alienate the children from the mother. Following a two day trial, the mother was granted sole custody of the children.
- (d) *John & Mary Smith v. SCDSS*. This was an administrative hearing before the South Carolina Department of Social Services Hearing Panel involving foster parents. The Department of Social Services had raised allegations that Mr. and Mrs. Smith, foster parents within the Department of Social Services system, had abused a foster child in their care. Substantial medical testimony, along with the factual testimony from numerous witnesses, was presented concerning injuries to the foster child. Following the one day trial of this matter, the Hearing Panel determined that the Smiths had not abused the foster child. (I have not disclosed the actual names of my clients as this is not a matter of public record.)
- (e) *Debbie Eddings v. Harold David Eddings*, 98-DR-21-326. This was a divorce action in which the primary issues were equitable distribution and health insurance/alimony. The wife had a preexisting condition which made the purchase of health insurance extremely difficult and expensive. While the marriage had lasted for less than three years, the husband had convinced the wife to resign from her job with Amtrak while he continued to work. After the husband committed

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adultery, which led to the demise of the marriage, the wife was especially concerned about continuing health insurance coverage. I was able to convince the court to award, in essence, medical alimony. The award provided that the husband would make COBRA payments for the wife's coverage until the COBRA benefits ended, and then he would begin to pay a monthly amount for health insurance premiums unless, or until, the wife became eligible for group benefits, died or remarried. While this order was not appealed, the husband subsequently brought an action for reduction or termination of alimony. The Family Court denied the husband's request.

The following is Judge Vinson's account of the civil appeal he has personally handled:

Larry Foster v. Betty Foster, South Carolina Court of Appeals, Unpublished decision filed March 15, 2004

Judge Vinson reported that he has not personally handled any criminal appeals.

Judge Vinson reported that he has held the following judicial office(s):

From July 1, 2004 to present, I have served on the Family Court for the Twelfth Judicial Circuit. I have been elected three times by the Legislature for this position.

Judge Vinson provided the following list of his most significant orders or opinions:

- (a) *The State v. Tyquan Jared Amir Jones*, 709 S.E.2d 696, 392 S.C. 647 (Ct. App. 2011)

This appeal arose from a waiver hearing held in 2006. The juvenile pled guilty to voluntary manslaughter following the waiver of jurisdiction from the Family Court. The Court of Appeals noted that the trial court had properly considered all of the Kent factors, and also took into account the lack of opportunities and the environment in which the juvenile had lived. Noting that the record contained a great deal of evidence supporting the Family Court decision, the Court of Appeals affirmed the waiver of jurisdiction.

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- (b) *Michael Ashburn v. April Rogers and SCDSS Child Support Division*, 420 S.C. 411, 803 S.E. 2d 469 (Ct. App. 2017)

In this case involving the disestablishment of a paternity order, the Court of Appeals clarified certain principles of collateral estoppel and res judicata. The court held that, despite the fact that the father had been afforded opportunities for paternity testing before and after the paternity order, he was not precluded from seeking relief.

- (c) *Sandra K. Jackson v. Franklin Jackson*, Op. No. 2011–UP–110 (Ct. App. Filed March 16, 2011)

This appeal arose from an award of equitable distribution and alimony as set forth in the trial court's divorce decree. In its unpublished decision, the Court of Appeals found that the Family Court properly considered the relevant factors in apportioning marital property, making extensive written and oral findings regarding the factors. The Court of Appeals also affirmed the award of alimony, again finding that the court properly considered the relevant factors in determining the amount of alimony. This case was significant because it required me to weigh the husband's ability to continue working in juxtaposition with the wife's diminishing ability to work due to a chronic health condition. I also had to take into account the non-marital property of the wife when determining her income and needs.

- (d) *Punam Hiral Gopaldas v. Hiral Ranjit Gopaldas*, 2009-DR-21-2483 and 2011-DR-21-1255

This divorce case primarily involved issues of custody and equitable distribution. Shortly before the scheduled final hearing, the mother and maternal grandmother were found murdered in the former marital residence. The parties' two year old child was present at the time of the murders. Following the homicides, the Department of Social Services became involved. There was significant public and press interest in this case, particularly after the father was charged with the double homicide. The matter was brought before me on an emergency motion related to custody. As DSS was a party to the action and there was a need to protect the child and the families, I instituted a gag order and sealed the file during the pendency of the action. I also retained jurisdiction to ensure that the child would be protected throughout the

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ongoing criminal investigation, especially with regard to multiple forensic interviews.

- (e) *Christina Lynn Lowry v. Thomas Lowry*, 2011-DR-21-1277
This case demonstrated the demands placed on the court by self-represented litigants. The plaintiff represented herself in this two day custody case. The defendant was represented by counsel. The plaintiff, who was well-educated, faced significant challenges in presenting her case for custody. The experienced family court litigator representing the defendant properly challenged the plaintiff throughout the presentation of her case. As a trial judge, I could not assist the plaintiff in presenting her case. It was, however, vitally important that I obtain as much information as possible concerning the best interest of the parties' children. This is the challenge that is frequently presented in self-represented litigation. Through thorough and appropriate questioning by the guardian ad litem and the court, I was able to obtain significant information which ultimately led me to conclude that it was in the children's best interest for the plaintiff to be granted primary custody.

Judge Vinson reported no other employment while serving as a judge.

- (9) Judicial Temperament:
The Commission believes that Judge Vinson's temperament has been, and would continue to be, excellent.
- (10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification reported Judge Vinson to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee further commented, "Judge Vinson is highly respected. There were no concerns voiced about his potential move from Family Court to the Court of Appeals."

Judge Vinson is married to Flora Sue Lester Vinson. He does not have any children.

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Judge Vinson reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
 - Judicial member (Current)
 - House of Delegates (Past member)
 - Family Law Section Council – Chair (2001 – 2002) (Past member)
 - Law Related Education Committee (Current member) – Chair (2010 – 2012)
- (b) South Carolina Women Lawyers Association (Current member)
- (c) National Council of Juvenile and Family Court Judges (Current member)
 - Served on Board of Trustees from 2008 to 2011
 - Finance Committee member from 2010 to 2016
- (d) South Carolina Family Court Judges Association (Current member)
 - President (2012 – 2013)
 - President Elect (2011 – 2012)
 - Secretary/Treasurer (2010 – 2011)
- (e) Bench/Bar Committee (2005 – 2017) (2020 – Current Member) – Chair (2012-2014)
 - Best practices Subcommittee – Chair and Co-Chair (2009 to 2017)
- (f) Governor's Task Force for Adoption and Foster Care (2007 to 2008)
- (g) American Bar Association – Judicial Division (Past member)
- (h) Family Court Judges Advisory Committee (2010-2013)
- (i) Pee Dee Inn of Court (Current member)

Judge Vinson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Confirmed Communicant at St. John's Church and former Vestry Member
- (b) Member, and Past President, of Francis Marion University Alumni Association
- (c) Former member and Vice-Chair of Francis Marion University Foundation Board
- (d) Graduate of Leadership Florence
- (e) Recipient of Francis Marion University Outstanding Member of Alumni Association (1997)

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- (f) Kiwanian of the Year (1994)
- (g) Participant at National Security Seminar, United States Army War College (2007)
- (h) Recipient of Francis Marion University John S. Boyce Award (2010)

Judge Vinson further reported:

It has been an honor and privilege to have served as a family court judge for the past 16 years. I am very grateful to have been afforded this opportunity for service to my state and to its citizens.

I take my judicial oath very seriously, and find that it serves as a constant reminder that my conduct, both inside and outside the courtroom, influences the perception of our judicial system. I remain mindful of the significant impact that the decisions I make as a judge have upon the lives of the persons appearing before me.

Before starting law school, I worked as a bag boy, bus driver, theater usher, janitor, and delivery person. In my legal career, I have served as a circuit court law clerk, an associate at a large firm, a member of a small firm, and a family court judge. These experiences have broadened my perspective on life and enhanced my appreciation for those who are involved in our legal system. These varied life experiences, I believe, have also made me a better person and a better judge.

- (11) Commission Members' Comments:
The Commission commented that Judge Vinson is an outstanding judge and has been a valuable asset to the Family Court Bench.
- (12) Conclusion:
The Commission found Judge Vinson qualified, and nominated him for election to Court of Appeals, Seat 8.

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**CIRCUIT COURT
QUALIFIED AND NOMINATED**

**The Honorable Michael S. Holt
Circuit Court, Fourth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

Pursuant to § 2-19-80(A), if fewer than three persons apply to fill a vacancy or if the commission concludes that there are fewer than three candidates qualified for a vacancy, it shall submit only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.

For the vacancy for Circuit Court, Fourth Judicial Circuit, Seat 2, one candidate applied for this vacancy. Accordingly, the name and qualification of the one candidate is hereby submitted in this report.

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Holt meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Holt was born in 1970. He is 50 years old and a resident of Hartsville, South Carolina. Judge Holt provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Holt.

Judge Holt demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Holt reported that he has not made any campaign expenditures.

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Judge Holt testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Holt testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Judge Holt to be intelligent and knowledgeable.

Judge Holt reported that he has taught the following law-related courses:

I have been an Adjunct Professor and have taught, among other things, business law.

Judge Holt reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Judge Holt did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Holt did not indicate any evidence of a troubled financial status. Judge Holt has handled his financial affairs responsibly.

The Commission also noted that Judge Holt was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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- (5) Reputation:
Judge Holt reported that he is not rated by any legal rating organization.

Judge Holt reported that he has not served in the military.

Judge Holt reported that he has held the following public office: I was elected as Mayor of the City of Hartsville, South Carolina from 2005 – 2009. I filed all required reports; however, there were late reports which resulted in fines, all of which were promptly paid.

- (6) Physical Health:
Judge Holt appears to be physically capable of performing the duties of the office he seeks.

- (7) Mental Stability:
Judge Holt appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Judge Holt was admitted to the South Carolina Bar in 1996.

He gave the following account of his legal experience since graduation from law school:

(a) From 1996 to 2006, my practice experience would best be described as a general practice. My areas of focus were primarily in domestic litigation, criminal defense, Social Security disability and real estate, although I handled other matters, as well.

(b) Beginning in 2006 until 2009, when I was elected to the Family Court Bench, I operated my own law firm as a sole practitioner. My areas of primary practice did not change. Obviously, in managing my own firm, I was responsible for handling all financial matters and business functions of my firm.

Judge Holt further reported regarding his experience with the Circuit Court practice area:

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I was elected to the Fourth Judicial Circuit Family Court bench in 2009 and have served continuously since. Prior to my election I worked in private practice with the Saleeby & Cox law firm in Hartsville, South Carolina. I practiced in both the Court of Common Pleas and General Sessions Court. I was involved in a number of trials, both civil and criminal, in my time in private practice. Since being on the Family Court bench, I continue to handle matters dealing with criminal offenses in Juvenile Court. I believe all of these experiences, both as a litigator and as a jurist, have prepared me to handle such matters that may come before me in Circuit Court.

Judge Holt reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: I did not appear in Federal Court often at all. However, I did have a significant practice in Social Security Disability and appeared regularly at such hearings;
- (b) State: I frequently appeared in Family Court and General Sessions, as well as Magistrate's Court. I also made appearance in Common Pleas and Probate Court, but to a lesser degree than the other areas of my practice.

Judge Holt reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: If including Social Security Disability, 25%%;
- (b) Criminal: 25%;
- (c) Domestic: 25%;
- (d) Other: real estate, 25%%.

Judge Holt reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Jury: If the question is how many cases went to a jury, my answer would likely be a smaller percentage. However, many cases would be resolved during a term

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- of Court which would result in a plea agreement;
- (b) Non-jury: If non-jury includes Family Court, then a high percentage of those cases went before the Court for trial.

Judge Holt provided that during the past five years prior to his service on the bench he most often served as sole counsel.

The last three years of practice (2006 – 2009), I served as sole counsel because I was a sole practitioner.

The following is Judge Holt's account of his five most significant litigated matters:

- (a) *State of South Carolina vs. Robert Hermanades*: This case was the first trial I handled on my own in General Sessions. The case was tried in Darlington County and caused me significant pressure because it was being reported in the local media. I represented a somewhat unsavory individual who was not a very sympathetic character. However, after three days, he was found not guilty, which I felt was the right verdict for the jury. This trial gave me confidence in my trial skills, but also gave me some notoriety in the community because of its being reported in the media
- (b) *State of South Carolina vs. Wayne Futrell*: This case was tried in General Sessions Court in Chesterfield County, where I was not known, and it was difficult drawing a jury. The case was a combination of Criminal Domestic Violence and Assault and Battery of a High and Aggravated Nature. This case holds some significance because the Defendant had also been my client in a divorce, and it was our position the wife/victim had made false allegations against my client which led to his arrest. The wife/victim made many allegations against the Solicitor's Office, which caused the case to be referred to the State Attorney General's Office. After several days of trial, my client was found not guilty.
- (c) *Mills vs. Mills*: This was a domestic case that I tried as a young lawyer. I was up against a much more seasoned and experienced lawyer who had a reputation for not

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negotiating cases and taking a case to trial. My client had been in a marriage for over twenty years, and the Defendant husband had been physical with Plaintiff wife and had attempted to hide assets from us. After a lengthy trial, my client was awarded half the marital estate and significant attorney fees. We survived a motion to reconsider following the order of the Court

- (d) *State of South Carolina vs. Brandon Ray*: This case was tried in Marlboro County, which was the prosecutor's home county. I felt at a disadvantage trying the case because of the Solicitor's familiarity with the jury pool. My client argued self-defense and, in my mind, we had done a good job in proving our case. However, the jury found my client guilty of the lesser included offense of voluntary manslaughter. Despite my client being found guilty, I felt a sense of pride because my client was not found guilty of the charge the State had brought against him.
- (e) *Pamela C. Blackmon and Stephen W. Blackmon vs. Peggy Ann Harrington, Stephen Lee and John Doe*: This case was held in Florence County and involved an infant, Mary Ann Harrington, who was born with a heart defect. The Plaintiff wife, Pamela Blackmon, worked with my wife which is how I knew her. Mary Ann's heart had not developed properly, which likely was caused by Defendant mother's drug use. The Plaintiffs had a family and did not have the resources to pay a lawyer to assist them with petitioning the Court for custody. Time was of the essence due to the infant's heart defect, and there was no time to waste. The doctors at MUSC would not put the child on a transplant list unless someone other than her mother had custody of the child. It was perceived by the doctors that it would be a waste to give Mary Ann a heart when it was unlikely her mother would be responsible in her care of this child. The case involved a tremendous amount of work and time, which I did at no cost to the family.

Judge Holt reported he has not personally handled any civil or criminal appeals.

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Judge Holt reported that he has held the following judicial office(s): I was elected in 2009 to Seat 3, Family Court of the Fourth Judicial Circuit. I have served continuously since that time.

Judge Holt provided the following list of his most significant orders or opinions:

- (a) *DJJ vs. John Henry Bridges*: This case involved a juvenile who was charged with murdering an elderly lady. The matter before the Court was a “waiver” hearing and it was the first one I had handled on the bench. I ultimately determined the juvenile should be waived up to General Sessions after a contested hearing.
- (b) *Shirley Johnson vs. Angela Lampley*: This case was a custody battle between maternal grandparents who lived out of state and a relative in South Carolina. The biological mother was deceased and the biological father was in prison. I awarded custody to the relative in South Carolina. This matter was appealed but the Court affirmed the trial court’s ruling.
- (c) *Saurabh Jain vs. Anima Dixit*: This case involved a family from India and the only issue tried before the Court was custody. The father had come to the United States to practice medicine and left his wife and child in India. The mother came to the United States to visit and the father brought an action for custody. I awarded custody to mother after a lengthy trial.
- (d) *Mary Diane R. Corbett vs. Christopher A. Corbett*: This case was an equitable division case wherein the wife sought to exclude the husband from significant assets from the marriage. I went through the factors for equitable division and awarded husband half the marital estate.
- (e) *DSS vs. Tina Roberts, Travis Hayes, Richard Herring, Gene Lashley, Barbara Roberts, Johnny and Cammie Corbett and Catherine Hayes*: This was a DSS Abuse and Neglect case wherein the department had asked the Court to remove the children from the parents due to domestic violence among other things. The parents did not work the treatment plan and the Department chose to move before the Court to have the children placed

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with the paternal grandmother who had not been involved in the children's lives. The Court gave custody to the parties who had the interim custody of the children. This case was significant due to the number of parties involved, it was a lengthy trial and that the children were placed with non-relatives who the Court felt offered the best home to the minor children.

Judge Holt reported the following regarding his employment while serving as a judge: I have served as an Adjunct Professor at Coker College in Hartsville, South Carolina, in its evening programs. I began teaching in 2014 and have taught in the areas of business law, political science and business administration.

Judge Holt further reported the following regarding unsuccessful candidacies: I was unsuccessful in the South Carolina Senate primary race in 2004. I was unsuccessful in my attempt to be elected to the Court of Appeals, Seat #1, in 2018.

(9) Judicial Temperament:

The Commission believes that Judge Holt's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Holt to be "Well-Qualified" as to the evaluation criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Holt is married to Sherry Burton Holt. He has two children.

Judge Holt reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) Darlington County Bar Association
- (c) Pee Dee Inn of Court

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Judge Holt provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Pee Dee Inn of Court
- (b) Kappa Alpha Order – Court of Honor
- (c) St. David's Society
- (d) Darlington County Historical Society

Judge Holt further reported:

My experiences as a leader in my community allowed me to transition to the Family Court Bench with humility, patience and understanding. I believe these are all qualities all judges should reflect. Further, my experiences as a husband and father provide great insight into the issues dealt with in Family Court. I believe these last ten years on the Family Court Bench have prepared me for this opportunity.

(11) Commission Members' Comments:

The Commission commented that Judge Holt knows how to control his courtroom and yet is courteous to litigants and attorneys. In addition to his excellent demeanor, the Commission noted his reputation as a well-respected family court judge.

(12) Conclusion:

The Commission found Judge Holt qualified and nominated him for election to Circuit Court, Fourth Judicial Circuit, Seat 2.

**The Honorable Robert E. Hood
Circuit Court, Fifth Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hood meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hood was born in 1975. He is 45 years old and a resident of Columbia, South Carolina. Judge Hood provided in his application that he has been a resident of South Carolina for at

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least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hood.

Judge Hood demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hood reported that he has not made any campaign expenditures.

Judge Hood testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hood testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hood to be intelligent and knowledgeable.

Judge Hood reported that he has taught the following law-related courses:

- (a) I taught a USC Honors College Class on the Jury trial system, 2020;
- (b) I served on an ethics panel at a Sporting Clays CLE, October 2019;
- (c) I taught a USC Honors College Class on the Jury trial system, 2019;

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- (d) I taught a class to the fourth grade at Lake Murray Elementary School, 2019;
- (e) I lectured at the Annual Clerk of Court Conference, 2019;
- (f) I taught a USC School of Law Law clerk Seminar, 2019;
- (g) I participated in a panel at the SCACDL Ethics Seminar, 2019;
- (h) I served on an ethics panel at a Sporting Clays CLE, October 2018;
- (i) I lectured at the SCDTAA Summer Meeting, July 2018;
- (j) I taught a USC Honors College Class on the Jury trial system, 2018;
- (k) I presided over a mock trial for the SCBAR Masters in Trial CLE in 2018;
- (l) I presided over a mock trial for the SC Bar: A Criminal Trial Demonstration: He Said, She Said CLE, October 2017;
- (m) I served on a panel at the Upstate Sporting Clays CLE: Ethics with the Judges, March 2017;
- (n) I taught a USC Honors College Class on the Jury trial system, 2017;
- (o) I presided over a mock trial at the ABOTA Masters in Trial CLE, 2017;
- (p) I taught a third-grade class at Satchel Ford Elementary School, 2017;
- (q) I participated in a panel at a Courthouse Keys CLE, 2017;
- (r) I taught a class at a SCDTAA conference, 2017;
- (s) I taught a USC School of Law ethics class, 2017;
- (t) I served on an ethics panel at a Sporting Clays CLE, October 2016;
- (u) I lectured at the SCDTAA Summer Meeting, July 2016;
- (v) I participated in a panel at the SCACDL Criminal Defense 101, February 2016;
- (w) I participated in a panel for the Fifth Circuit Tips from the Bench: What Your Judges Want You To Know CLE, January 2016;
- (x) I lectured the student council at Brennen Elementary School, 2016;
- (y) I taught a fourth-grade class at Lake Murray Elementary School, 2016;
- (z) I taught a government class at Chapin High School, 2016;
- (aa) I served on an ethics panel at a Sporting Clays CLE, October 2015;

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- (bb) I participated in a panel at the South Carolina Court Administration Orientation School for New Circuit Court Judges, July 2015;
- (cc) I taught an Ethics CLE to the Magistrate Court Conference, 2015;
- (dd) I taught a third-grade class at Lake Murray Elementary School, 2015;
- (ee) I taught a first-grade class at Lake Murray Elementary School, 2015;
- (ff) I taught a USC School of Law ethics class, 2015;
- (gg) I served on an ethics panel at a Sporting Clays CLE, October 2014;

I have participated in courses and conferences from 2014 through 2012. They are available in my 2014 screening information.

Judge Hood reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Hood did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hood did not indicate any evidence of a troubled financial status. Judge Hood has handled his financial affairs responsibly.

The Commission also noted that Judge Hood was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hood reported that his last available rating by a legal rating organization, Martindale-Hubbell, was 2.9 out of 5. Judge Hood further reported that at that time he met the very high criteria of General Ethical Standing.

Judge Hood reported that he has not served in the military.

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Judge Hood reported that he has never held public office other than judicial office.

- (6) Physical Health:
Judge Hood appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Hood appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Hood was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) Fifth Judicial Circuit Solicitor's Office, Fall 2001 to 2003. I handled the prosecution of cases in General Sessions Court as an Assistant Solicitor including, violent crimes, property crimes, property crimes, white collar crimes, drug related crimes, and misdemeanors.
- (b) South Carolina Attorney General's Office, 2003 to 2005. I served as an Assistant Attorney General for the Statewide Grand Jury. I handled multicounty drug trafficking cases, large scale securities fraud cases, and white collar/public corruption cases through the state of South Carolina.
- (c) Strom Law Firm, LLC, 2005 to 2012. I handled criminal and complex civil litigation cases. I primarily worked in the area of criminal defense, including all levels of criminal cases from Magistrate's Court to Circuit Court to Federal Court. I practiced extensively in all levels of civil litigation mainly focused on plaintiff's representation.

Judge Hood reported that he has held the following judicial office(s):

I was elected to Seat Three of the Fifth Judicial Circuit, South Carolina Circuit Court in 2012. I have served in this judicial office from January of 2013 to present. The South Carolina Circuit Court has general jurisdiction over Common Pleas (civil) and General Sessions (criminal) matters in the State.

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Judge Hood further reported the following regarding unsuccessful candidacies:

- (a) candidate for Fifth Judicial Circuit, Seat One, February 2011.
- (b) candidate for The Citadel Board of Visitors, Spring 2010.

(9) Judicial Temperament:

The Commission believes that Judge Hood's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Hood to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee also added that Judge Hood is an "asset to the bench."

Judge Hood is not married. He has two children.

Judge Hood reported that he was a member of the following Bar and professional associations:

- (a) Richland County Bar Association
- (b) John Belton O'Neill Inn of Court

Judge Hood provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:
The Citadel Alumni Association

Judge Hood further reported:

I strive every day on the bench to be competent, courteous, and compassionate. I do my level best to serve humbly and act fairly toward all lawyers, litigants, jurors, and court staff.

An affidavit was filed against Judge Hood by Desa Ballard. The Commission reviewed it with the attached exhibits submitted by Ms. Ballard. Judge Hood provided a written response and documents, which the Commission also considered. Upon reviewing the submitted materials by all parties, the Commission

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does not find a failing on the part of Judge Hood in the nine evaluative criteria

(11) Commission Members' Comments:

The Commission commented that Judge Hood is an asset to the trial bench. The Commission commended him on his demeanor in the courtroom that makes litigants feel at ease.

(12) Conclusion:

The Commission found Judge Hood qualified and nominated him for re-election to Circuit Court, Fifth Judicial Circuit, Seat 3.

**The Honorable Roger M. Young Sr.
Circuit Court, Ninth Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Young meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Young was born in 1960. He is 60 years old and a resident of North Charleston, South Carolina. Judge Young provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Young.

Judge Young demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Young reported that he has made de minimis amount in campaign expenditures for paper, ink, and postage.

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Judge Young testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Young testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Young to be intelligent and knowledgeable.

Judge Young reported that he has taught the following law-related courses:

- (a) Speaker/Presenter, "Upping Your Evidence IQ", South Carolina Bar Convention, January 24, 2020.
- (b) Speaker, "Business Court Overview", New Judges Orientation School, July 12, 2019.
- (c) Speaker and Panelist, "Straight from the Bench – What Judges Want from Lawyers", Criminal Law Practice Essentials, South Carolina Bar, June 14, 2019.
- (d) Panelist, "What Works CLE" Charleston County Bar Association, February 1, 2019.
- (e) Panelist, "E-Discovery Cradle to Grave (Discovery to Courtroom)", Trial & Advocacy Section, South Carolina Bar Convention, January 18, 2019.
- (f) Speaker, "Demystifying Business Court", South Carolina Association of Justice Convention, August 3, 2017.
- (g) Speaker and Panelist, "Straight from the Bench – What Judges Want from Lawyers", Criminal Law Practice Essentials, South Carolina Bar, May 19, 2017.
- (h) Panelist, "Things Appellate Judges May Have Forgotten (Or Never Knew) about the Trial Bench", South Carolina Appellate Court Judges Conference, April 21, 2017.
- (i) Moderator and Panelist, "Fast Track Jury Trials", South Carolina Bar Convention, January 21, 2017.

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- (j) Speaker, “Straight from the Bench – What Judges Want from Lawyers”, Criminal Law Practice Essentials, South Carolina Bar, May 20, 2016.
- (k) Panelist, “Litigation Trends – A Perspective from the Bench”, 2015 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 6, 2015.
- (l) Speaker, “Judicial Ethics for Summary Court Judges” Charleston County Summary Judges Association JCLE, May 22, 2015.
- (m) Panelist, “TIPS CLE”, Charleston Lawyers Club, February 26, 2015.
- (n) Panelist, “Litigation Trends – A Perspective from the Bench”, 2014 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 7, 2014.
- (o) Panelist, “Motion Practice Before the Circuit Court” South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 28, 2012.
- (p) Speaker, “Depositions and Ethics after In re Anonymous Member of the Bar”, Berkeley County Bar CLE, February 10, 2012.
- (q) Panelist, “Professionalism,” Practice Basics for the New Lawyer, South Carolina Women Lawyers Association and Women in Law Charleston School of Law, October 14, 2011.
- (r) Speaker, “Depositions and In re Anonymous Member of the Bar”, SCDTA Deposition Boot Camp, October 6, 2011.
- (s) Panelist, “Mental Illness, Victimization and Criminal Justice An Update for Clinicians, Policymakers, Judges, Attorneys, and Law Enforcement” 2011 Update in Psychiatry Conference, Department of Psychiatry and Behavioral Sciences, Medical University of South Carolina, June 2, 2011.
- (t) Panelist, “A Lawyer Walks into the Bar: A Hands-On Discussion of Issues Facing Lawyers In the First Years of Practice”, South Carolina Bar, Charleston School of Law, December 17, 2010.
- (u) Panelist, “Tort Reform – Allocation of Liability after § 15-38-15,” 2010 South Carolina Defense Trial Attorneys' Association Annual Meeting, November 13, 2010.
- (v) Panelist, “Top 10 Appellate Decisions of 2009-2010”, 2010 S.C. Solicitors Association Fall Conference, September 28, 2010.

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- (w) Speaker, "Hearsay in a Nutshell", Meeting of the Charleston Association of Legal Assistants, March 17, 2010.
- (x) Speaker, "Business Torts and the New Business Court", Current Issues in Civil Law CLE, South Carolina Bar, December 11, 2009.
- (y) Speaker/Presenter, "Helping your Patient by Helping the Lawyer and the Judge: A Case Study", Forensic Psychiatry Grand Rounds, University of South Carolina School of Medicine, December 4, 2009.
- (z) Presenter, "Hollywood v. Real Life: Is Law School Really Necessary or Can You Learn To Try a Case at the Movies?", 2009 South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 24, 2009.
- (aa) Panelist, "Ethics for Criminal Lawyers," 2008 South Carolina Public Defender Conference, September 30, 2008.
- (bb) Panelist, "What is the Business Court?" 2008 South Carolina Defense Trial Attorneys' Association & Claims Management Association of South Carolina Joint Meeting, July 25, 2008.
- (cc) Panelist, "Expert Opinions: "The Amistad Case: A Spoletto at the Avery Event," May 31, 2008.
- (dd) Speaker/Panelist, "Tips for Trying a Complex, Multi-Party Case," South Carolina Bar Convention, January 25, 2008.
- (ee) Speaker/Panelist, "Mental Health Evidence as Mitigation," South Carolina Public Defender's Conference, September 25, 2007.
- (ff) Speaker, "Professionalism: The Ethics of Competence in the Courtroom," South Carolina Administrative and Regulatory Law Association Annual Meeting, September 21, 2007.
- (gg) Speaker, "A Doctor's Duty to Warn," Forensic Psychiatry Grand Rounds, University of South Carolina School of Medicine, August 3, 2007.
- (hh) Speaker, Panelist and Coordinator, "Nuts and Bolts of Handling a Sexually Violent Predator Case," South Carolina Bar CLE, July 27, 2007.
- (ii) Speaker, "Ethical Considerations for the Municipal Attorney," South Carolina Municipal Association CLE, December 1, 2006.
- (jj) Speaker, "Using Technology in the Courtroom," Charleston County Bar CLE, December 16, 2005.

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- (kk) Panelist/Speaker, "Recent Decisions," South Carolina Solicitor's Conference, September 26, 2005.
- (ll) Speaker, "So You're Trying Your First Case," South Carolina Bar CLE video publication.
- (mm) Speaker/panelist, "Ethics and the New Code of Professionalism," South Carolina Public Defender's Conference, September 27, 2004.
- (nn) Speaker, Law and Society Class, The Governor's School of South Carolina, July 1, 2003.
- (oo) Speaker, "Tips from the Bench: Non-Jury Trials," South Carolina Bar Continuing Legal Education Division, December 13, 2002.
- (pp) Speaker, "SUEM: A Discussion on Equitable Principles in Their Application to the Law," South Carolina Bar Continuing Legal Education Division, October 11, 2002.
- (qq) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, May 14, 2002.
- (rr) Speaker, "Six by Six" CLE, Charleston County Bar Association, December 13, 2001.
- (ss) Speaker, "Recent Judicial Decisions Update on Tax Sales in South Carolina," South Carolina Bar Continuing Legal Education Division, October 12, 2001.
- (tt) Speaker, "Recent Judicial Decisions Update on Tax Sales in South Carolina," 34th South Carolina Association of Counties Annual Conference, July 26, 2001.
- (uu) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, March 13, 2001.
- (vv) Speaker, "Recent Judicial Decisions Involving Tax Sales," County Auditors, Treasurers and Tax Collectors Academy, February 8, 2001.
- (ww) Moderator, "Business Torts, Accounting & Damages," South Carolina Bar Continuing Legal Education Division CLE, October 13, 2000.
- (xx) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, May 23, 2000.

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- (yy) Speaker, "Law of Tax Sales," Charleston County Bar Association Real Estate Section, March 7, 2000.
- (zz) Speaker, "Recent Judicial Decisions Involving Tax Sales," County Auditors, Treasurers and Tax Collectors Academy, February 3, 2000.
- (aaa) Speaker, "Twelve by Twelve" CLE, Charleston County Bar Association, December 16, 1999.
- (bbb) Speaker, "Equitable Remedies," South Carolina Bar Continuing Legal Education Division CLE, October 8, 1999.
- (ccc) Moderator, "Mechanic's Liens," South Carolina Bar Continuing Legal Education Division, March 26, 1999.
- (ddd) Speaker, "Practice Before Masters-in-Equity," Bridge the Gap, South Carolina Bar Continuing Legal Education Division and the Supreme Court of South Carolina, March 9, 1999, May 18, 1999.
- (eee) Speaker, "Law on Tax Sales," Practice Before Masters-in-Equity and Special Referees CLE, South Carolina Bar Continuing Legal Education Division, October 9, 1998.
- (fff) Speaker, "Law on Tax Sales," Practice Before Masters-in-Equity and Special Referees CLE, South Carolina Bar Continuing Legal Education Division, October 18, 1996.

Judge Young reported that he has published the following:

- (a) *Tax Sales of Real Property in South Carolina*, First edition, 1999 (South Carolina Bar-Continuing Legal Education Division).
- (b) *The Law of Real Estate Tax Sales*, South Carolina Lawyer, September/October 1999.
- (c) Master's Thesis, *Using Social Science to Assess the Need for Jury Reform in South Carolina*, published in 52 South Carolina Law Review 135, Fall 2000.
- (d) "Sexually Violent Predator Acts," Issues in Community Corrections chapter note, *Community Based Corrections*, (4th ed. Wadsworth-Thomason Learning 2000).
- (e) "Law, Economics, the Constitution and Pink Flamingos" Post and Courier, August 10, 2001.
- (f) Roger Young and Stephen Spitz, *SUEM-Spitz's Ultimate Equitable Maxim: In Equity, Good Guys Should Win and Bad Guys Should Lose*, 55 S.C.L.Rev. 175 (2003)
- (g) "How Do You Know What You Know?": A Judicial Perspective on Daubert and Council/Jones Factor in

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Determining the Reliability of Expert Testimony in South Carolina, South Carolina Lawyer, November, 2003.

(4) Character:

The Commission's investigation of Judge Young did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Young did not indicate any evidence of a troubled financial status. Judge Young has handled his financial affairs responsibly.

The Commission also noted that Judge Young was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Young reported that he has no available ratings by a legal rating organization.

Judge Young reported that he has not served in the military.

Judge Young reported that he has held the following public office:

I was elected to District 117 of the South Carolina House of Representatives from 1990-94. I always timely filed my reports with the State Ethics Commission.

(6) Physical Health:

Judge Young appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Young appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Young was admitted to the South Carolina Bar in 1983.

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He gave the following account of his legal experience since graduation from law school:

I was in private practice from 1983-1995 as a sole practitioner. I was associated with a lawyer named Howard Chapman in Charleston from the fall of 1983 until he died in late 1984. After that I was on my own with a general practice until I became the Master-in-Equity for Charleston County in 1996. I served briefly in a part-time capacity as acting City Attorney for the City of North Charleston from January to April, 1995.

Judge Young reported that he has held the following judicial office(s):

- (a) 1988-90 I was appointed to a part-time position of Municipal Judge for the City of North Charleston. Misdemeanors only.
- (b) 1996-2003 I was elected to be the Master-in-Equity for Charleston County, civil non-jury.
- (c) 2003-present I was elected to the Ninth Judicial Circuit Court, Seat 3.
 - a. Concurrently serving as Business Court Judge by appointment of Chief Justice, 2007 to date.
 - b. Concurrently serving as Chief Business Court Judge by appointment of Chief Justice, 2016 to date.

Judge Young provided the following list of his most significant orders or opinions:

- (a) *Rice-Marko v Wachovia Corp.*, 398 SC 301 (SC App 2010)
- (b) *Kerr v BB&T*, 408 SC 328 (2014)
- (c) *State v Larry Durant*, 2020 WL 2179248 (S.C.Sup.Ct. 5-6-20)
- (d) *Nestler v Fields*, 426 SC 34 (SC App 2019)
- (e) *Lowcountry Open Land Trust v. State of S.C.*, 347 SC 96 (SC App 2001)

Judge Young reported the following regarding his employment while serving as a judge:

Clinical Associate Professor, Department of Neuropsychiatry and Behavioral Science, University of South Carolina School of Medicine. 2007. Occasionally lectured to faculty on legal issues pro bono. Have not been active for several years.

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Adjunct Professor of Law, University of South Carolina School of Law, Columbia, South Carolina, Real Estate Transactions II, Spring, 2000

Adjunct professor Central Wesleyan College LEAP program Charleston campus, 1994-2003, business law and regulatory environment

Adjunct professor at Charleston Southern University Fall 1986 political science; Fall 2000 criminal justice

Judge Young further reported the following regarding unsuccessful candidacies:

Ran unsuccessfully for circuit court in 2001

(9) Judicial Temperament:

The Commission believes that Judge Young's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Young to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Lowcountry Citizens Committee also commented that Judge Young is "Very experienced, excellent demeanor, handles complex cases well, smart, works well with lawyers, well liked and extremely well regarded. Super judge; super experience."

Judge Young is married to Tara Sullivan Amick. He has two children.

Judge Young reported that he was a member of the following Bar and professional associations:

- (a) Charleston County Bar
- (b) South Carolina Bar
- (c) Supreme Court of the United States Bar
- (d) South Carolina Circuit Court Judges Association (President 2012-14)

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- (e) American Bar Association
- (f) American College of Business Court Judges
- (g) James L. Petigru Inns of Court

Judge Young provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) American Board of Trial Advocates Outstanding Jurist Award from the Charleston Chapter of ABOTA for Exemplary Civility, Integrity and Professionalism 2010
- (b) Charleston Southern University Distinguished Alumnus of the Year 1998
- (c) Honorary Doctorate awarded by University of Charleston, SC, 1992
- (d) Order of the Palmetto presented by Governor Carroll A. Campbell, Jr., 1994
- (e) Kansas City Barbeque Society Certified Judge
- (f) South Carolina Barbeque Association Certified Judge
- (g) International Churchill Society
- (h) Golden Hills Golf Club in Lexington, SC
- (i) Trial & Appellate Advocacy Section Committee Member, South Carolina Bar

Judge Young further reported:

I have been fortunate to serve this great state in some capacity for over thirty years, most of it in some judicial capacity. At 60 years of age, I recognize that most of my life is behind me, but I hope that I still have another good ten years or more in me to serve. There are pluses and minuses in growing old. Chief among the pluses is experience and maturity. When I think back to my serving in the House of Representatives at age 30, I see a very young man with neither legislative experience nor any intent to make a career of politics. It was an opportunity that arose from an unfortunate period in our state's history – Operation Lost Trust. Serving in the House of Representatives changed my life. I learned a number of things from that experience. First, the experience of going door-to-door to ask people to vote for you is humbling. I appreciate anyone who has ever run for elective office. You learn a lot about people and the wisdom of the way our predecessors structured our governing bodies and elections. Second, I learned to listen to other people and hear about their concerns and viewpoints. This is a

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relatively small state, but it is richly diverse. Its people have interests and beliefs that cross the every spectrum. Somehow, in order to govern, leaders must figure out how to get a consensus of a majority. This marvels me to this day, although there are times in which I wonder how anything gets done, and whether we can continue to pull off this miracle called the United States of America. Third, I am convinced the true genius of this country's founders was the establishment of the three branches of government and the system of checks and balances that holds it all together. I am proud to serve in the judicial branch. It has been my life's work. I still look forward to going to work every day because you never know what the day will bring. I was lucky enough to realize several years ago that I am a trial judge, not an appellate judge. It's what brings me joy in my work. I enjoy the action that exists in every level of a trial. Interacting with lawyers, ruling on evidence, the never-ending amazement and appreciation of juries – these are the best things in the world for a trial judge. Once I realized how lucky I was to be doing what brought me such happiness, I turned down an opportunity to serve on the Court of Appeals, and I politely listen to friends who encourage me to run for appellate court openings.

At this point and at this age, I realize that what I offer is the opportunity to mentor and encourage new trial judges. This election process, while wearisome at times, produces some first-rate judges. When I look back at the generosity of older judges when I first came on the bench, I realize it's now my privilege to pay back the favor by training and encouraging new judges as they begin their careers.

(11) Commission Members' Comments:

The Commission commented that Judge Young has an overall outstanding reputation as a jurist. They noted an appreciation for his willingness toward mentorship of younger jurists and his leadership within the Business Court.

(12) Conclusion:

The Commission found Judge Young qualified, and nominated him for re-election to Circuit Court, Ninth Judicial Circuit, Seat 3.

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**A. Lance Crick
Circuit Court, Thirteenth Judicial Circuit, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Crick meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Crick was born in 1972. He is 48 years old and a resident of Greenville, South Carolina. Mr. Crick provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Crick.

Mr. Crick demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Crick has made \$555.47 in campaign expenditures for printing, stationary cards, and postage.

Mr. Crick testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Crick testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Mr. Crick to be intelligent and knowledgeable.

Mr. Crick reported that he has taught the following law-related courses:

- (a) South Carolina Solicitors' Association Conference, September 2013: I was a co-presenter with then-Assistant U.S. Attorney Andrew B. Moorman, Sr. in a Fourth Amendment training entitled, "Anatomy of a Traffic Stop."
- (b) Police and Community Engagement (PACE) conference, Aiken Department of Public Safety, 2015 and 2017: I served as a panelist and facilitator respectively at the PACE conferences. The topics discussed during the conferences included strengthening community partnerships as well as successful joint efforts to keep communities in South Carolina safe. The PACE conferences were coordinated through the Aiken Safe Communities program which launched in early 2013. I have been an active partner in this program since its inception. The Aiken Safe Communities initiative is a unified, proactive, community approach to engaging and encouraging recurring offenders to make healthy life choices to deter re-offending or becoming a victim of violent crime.
- (c) Greenville County Bar Association "Year End" CLE, February 2017—I introduced and served as moderator for a judges' panel during the plenary session of the CLE. The panel consisted of Circuit Court Judge Edward N. Miller, U.S. District Court Judge Timothy M. Cain, and U.S. Magistrate Judge Kevin F. McDonald. The presentation was entitled, "Perspectives from the Bench: Ethical Considerations."
- (d) Greenville County Bar Association "Year End" CLE, February 2017: Along with Thirteenth Solicitor Walt Wilkins, Assistant Federal Public Defender Ben Stepp, and Frank Eppes, Esquire, I was on a panel entitled, "State or Federal: Should I Stay or Should I Go?" Topics included preferences within each system and the process by which state cases are adopted for federal prosecution.

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- (e) Greenville County Bar Association “Year End” CLE, February 2019: I served as a moderator in the criminal law afternoon session for a panel entitled, “Perspectives from the Bench.” The panel consisted of U.S. District Court Judge Timothy M. Cain, Circuit Court Judge Brian M. Gibbons, Circuit Court Judge Perry Gravely, and Circuit Court Judge Leticia Verdin.
- (f) South Carolina School of Law, instructor, Media Law School, September 2018: The law school accepted members of the media from several states for this very unique symposium. Our panel, which included Ninth Circuit Public Defender Ashley Pennington, Jack Swerling, and Johnny Gasser, opened a dialogue with the participants, discussing various legal issues to include state and federal criminal procedure.
- (g) South Carolina School of Law, instructor, Media Law School, September 2019: The law school accepted 33 members of the media from 13 states for this very unique symposium. Our panel, which included Fifth Circuit Solicitor Byron Gipson, Debbie Barbier, and Johnny Gasser, opened a dialogue with the participants, discussing various legal issues to include state and federal criminal procedure.

Mr. Crick reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Mr. Crick did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission’s investigation of Mr. Crick did not indicate any evidence of a troubled financial status. Mr. Crick has handled his financial affairs responsibly.

The Commission also noted that Mr. Crick was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

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- (5) Reputation:
Mr. Crick reported that he is not rated by any legal rating organization.
- Mr. Crick reported that he has not served in the military.
- Mr. Crick reported that he has never held public office.
- (6) Physical Health:
Mr. Crick appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Crick appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Crick was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

- (a) Assistant Solicitor, Thirteenth Judicial Circuit Solicitor's Office, Pickens County, August 1998-August 2001: As one of just four assistant solicitors in the Pickens office at the time, I was very fortunate to have the opportunity to get into the courtroom shortly after my arrival. Managing my own docket of cases ranging from traffic offenses, property crimes, violent crime, domestic violence, sexual assault, and narcotics, I always sought to embody what I learned from skilled and fair practitioners. I worked to resolve cases if possible and try to cases to verdict if necessary, all in a professional and thorough manner. While seeking justice, I enjoyed working with our public defenders and members of the private defense bar as well as our state judiciary. I endeavored to be friendly and fair to all parties at all times.
- (b) Assistant United States Attorney, Greenville office, August 2001-October 2015: I joined the Department of Justice as a Project Safe Neighborhoods (PSN) prosecutor some three weeks before September 11, 2001. In this capacity, I had the privilege of working with local, state, and federal law enforcement agencies to pursue violent, prohibited

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individuals who engaged in active and illegal firearms possession and thus put our communities across the upstate in harm's way. I tried several cases to verdict in U.S. District Court, cases that were often times adopted by federal law enforcement from our local partners. The PSN program also allowed me to work with members of communities experiencing disruption due to gun violence. I also led the office's efforts in the upstate, through our National Day of Concern every October, visiting schools and fostering a dialogue with students about not only the dangers of gun violence but also the importance of protecting their futures by making good decisions. From 2009-2013, while still working on violent crime cases, I began working on matters pursuant to the U.S. Attorney's Office Organized Crime and Drug Enforcement Task Force (OCDETF) footprint. OCDETF cases utilized the national and international jurisdictional reach of our office to build investigations and prosecutions into multi-defendant drug conspiracies affected not only South Carolina but across the United States and beyond.

- (c) Project Safe Neighborhoods District Coordinator, June 2013-January 2018: Appointed by then-U.S. Attorney Bill Nettles, I began traveling the state to work with communities and law enforcement on a number of focus-deterrence collaborative programs in conjunction with our enforcement footprint. I had the privilege of leading roll call trainings for local police departments and sheriff's offices across the state as well as participating in many community meetings in an effort to work together to secure our communities.
- (d) Supervisory Assistant United States Attorney, Greenville office, October 2015-present. As the Supervisory AUSA in Greenville, I supervised and worked alongside ten federal prosecutors and eight support members. While maintaining my own caseload as well as my PSN responsibilities, I had the opportunity to ensure that our staff had the resources needed to support their cases. I also engaged with our entire courthouse family routinely—our federal judiciary, the Federal Public Defenders Office, the private bar, U.S. Probation, U.S. Marshals Service, U.S. Clerk's Office, as well as local, state, and federal law enforcement to always

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keep our lines of dialogue open as we all worked together albeit in our respective lanes to seek justice.

- (e) First Assistant United States Attorney, January 2017-December 2019: I was appointed to this position by then-Interim U.S. Attorney Beth Drake. Upon her US Senate confirmation in 2018, incoming US Attorney Sherri A. Lydon asked me to continue to serve in this capacity. As First Assistant, I served as the primary deputy to the US Attorney with direct supervision over our three divisions for the state (Administrative, Civil, and Criminal) which enveloped our four offices (Charleston, Columbia, Florence, and Greenville). I commuted to Columbia several days a week often making stops there before heading to Florence or Charleston to support our staff members before returning to Greenville. I served as a liaison with our federal judiciary, our federal public defenders, our state solicitors, our chiefs and sheriffs as well as our community and civic leaders. As First Assistant, I worked closely with our Administrative Officer on budget issues as well as personnel and human resources matters. I had the opportunity to work with our Civil Chief as well as our defensive and affirmative civil AUSAs in various negotiations, mediations, and settlements. In our criminal division, I maintained close contact with our Criminal Chief and Deputy Chief on numerous significant cases including civil rights, public corruption, violent crime, white collar fraud, and narcotics. In this capacity, I also served as our office's public information officer until early 2019, managing our press and media footprint within the parameters of Department of Justice guidance always with an eye towards protecting the rights of the accused and the integrity of our investigations. As First Assistant, I made it a priority to know and visit with every member of our 150-plus staff statewide. I was proud to work alongside such amazing group of public servants.
- (f) Acting United States Attorney, December 2019-March 2020: When U.S. Attorney Lydon was elevated to the US District Court in December of 2019, by virtue of the Vacancies Reform Act, I became the Acting United States Attorney. In this capacity, I assumed the position of our state's chief federal law enforcement official. I continued to work closely with our entire staff and met daily with our

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management team to assess our needs while also continuing to refine our strategic plan for the future to allow for a seamless transition for our next US Attorney. The professionalism and cohesiveness of our management team and entire office allowed us, like so many entities, to pivot and remain forward leaning as our world changed in March due to COVID-19.

- (g) Executive Assistant United States Attorney, March 2020-present: Peter McCoy was directly appointed as our new US Attorney by US Attorney General Bill Barr on March 30, 2020. U.S. Attorney McCoy asked me to become his Executive Assistant United States Attorney as well as the Deputy Chief for Violent Crime for the state. I also maintained supervision of our Greenville office. As the Executive, I serve as counsel to U.S. Attorney McCoy. I also supervise our Administrative Division which is comprised of budget, IT, acquisitions, support services, and docketing. U.S. Attorney McCoy, despite entering at a very challenging time, has done an excellent job leading the US Attorney's Office.
- (h) Deputy Chief, Violent Crime, March 2020-present: As Deputy Chief, I supervise and work with our AUSAs in Charleston, Columbia, Florence, and Greenville assigned to violent crime prosecutions. In this capacity, I also manage our Project Safe Neighborhood efforts across the state. I enjoy observing our AUSAs in court, providing any support they need, and assisting with any negotiations or charging decisions. I continue to traverse the state to meet with our community members as well as our local, state, and federal law enforcement partners.

Mr. Crick further reported regarding his experience with the Circuit Court practice area:

Civil Matters: When I served as First Assistant US Attorney and as Acting U.S. Attorney, I had the opportunity to not only supervise our Civil Division but to work closely with our civil attorneys and support team. Our Civil Division is comprised of 30 AUSAs and support staff, handling cases in a variety of areas of law including civil rights, fraud, employment discrimination, medical malpractice, bankruptcy, foreclosure, and auto torts. As

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First or Acting, I had settlement authority on all of our civil cases. I met weekly with members of our Affirmative and Defensive units. I reviewed settlement memorandums on many matters, facilitated meetings and negotiations with our AUSAs and counsel, and participated in a mediation with BOP counsel before US Magistrate Judge Kevin F. McDonald. Additionally, for over 10 years, I have maintained a docket of over 200 foreclosure cases, in which the United States has an interest, in state court in Greenville County. I have not appeared before a Circuit Court judge within the past five years.

Criminal Matters: As an Assistant Solicitor in Pickens County from 1998-2001, I maintained a docket of felony and misdemeanor cases to include driving offenses, property crimes, sexual assault, indecent exposure, criminal domestic violence, firearms offenses, violent crime, and narcotics offenses. I worked with victims, dealt with restitution issues, and while I tried several cases to verdict, the overwhelming majority of my cases were resolved by plea. I enjoyed working with our public defenders and private bar and appearing before our state judges and magistrates. I quickly learned to appreciate the sheer volume of our caseloads and I always endeavored to be responsive, decisive, and to make fair offers while preparing thoroughly for all cases regardless of their posture procedurally.

As a federal prosecutor for almost 19 years now, I have maintained the same approach to each case, each defendant and his or her attorney, as well as to victims, the investigating agency, and our bench. As an AUSA, our dockets are smaller than our state counterparts, but we are involved in our investigations much earlier in the process. Through the years as an AUSA, I have prepared, reviewed, or revised all pre-arrest or pre-indictment requests from agents, to include search warrants, electronic surveillance requests, and tax records inquiries, before any such documents were submitted to a federal magistrate or district court judge. While I have prosecuted and tried numerous cases involving violent individuals and members of sophisticated drug trafficking networks, I have also declined cases and had honest conversations with law enforcement officers and agents in situations where I believed it was not in

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the best interest of justice to proceed. I have not appeared before a Circuit Court judge within the past five years.

Mr. Crick reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: weekly.
- (b) State: N/A. While I did not appear on cases in state court in the past five years, in my capacity as First Assistant and then Acting United States Attorney, I routinely visited state courts and Solicitor's Offices across the state.

Mr. Crick reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 15%. In addition to maintaining a civil docket of over 200 foreclosures cases, I also handled several responses on behalf of the government to collateral motions raising challenges to convictions. As First Assistant U.S. Attorney and then Acting U.S. Attorney, I supervised our civil, criminal, and administrative divisions for the state. In the civil realm, I had settlement authority on all of our defensive and affirmative cases. I was briefed on our significant cases, worked with our AUSAs and counsel in various negotiation meetings, and had the opportunity to participate in a civil mediation in one matter.
- (b) Criminal: 60%;
- (c) Domestic: 0%;
- (d) Other: Administrative 25%. As a Supervisory Assistant United States Attorney, a First Assistant United States Attorney, Acting U.S. Attorney, Executive Assistant United States Attorney, and Deputy Chief, I engage weekly, if not

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daily, on various personnel,
employment, human resources,
and operational matters for our district.

Mr. Crick reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 3%;
- (b) Non-jury: 97%.

Mr. Crick provided that during the past five years he most often served as multiple roles.

On cases that did not go trial or were resolved by plea, I served as sole counsel. In jury trials, I served as lead or co-counsel.

The following is Mr. Crick's account of his five most significant litigated matters:

(a) *United States v. Blair*

No. 05-4560

United States Court of Appeals for the Fourth Circuit

189 F. App'x 231 (4th Cir. July 11, 2006) (unpublished)

On February 11, 2002, Union County Deputies responded to a shots-fired call at a residence. Upon arrival, they learned from eyewitnesses that Dennis Blair had fired two shots at one of the eyewitnesses and then fled when his gun jammed and would no longer fire. Deputies processing the scene did not locate a gun but were able to recover one intact round of ammunition and one spent shell casing. In reviewing the case for federal adoption and prosecution, I learned that Blair had two prior convictions for shooting at other victims on separate occasions. Given his violent history which mirrored the alleged conduct described above, I decided to go forward without a gun in evidence—just one bullet. Prohibited individuals cannot possess firearms or ammunition under the federal statute. While our physical evidence could have been stronger, I believe this case is significant given our willingness to stay the course and to work with local and federal law enforcement to put together a case for prosecution. Blair went to trial and was convicted for the illegal possession of one bullet. However, at trial, the government presented the whole story of Blair's actions to the jury though a

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gun was never recovered. Given Blair's violent criminal history, he was sentenced to 155 months in federal prison.

(b) *United States v. Hans*

No. 07-5116

United States Court of Appeals for the Fourth Circuit

332 F. App'x 116 (4th Cir. May 29, 2009)

(unpublished)

Eric Hans was indicted in 2005 for Arson Resulting in Death. This was a federal death penalty case tried over the months of June and July in 2008. I was a member of the government's trial team. Hans was found guilty but avoided the death penalty. He is currently serving a life without the possibility of parole sentence. The jury found that Hans set fire to a Comfort Inn hotel in Greenville in 2004 which resulted in the deaths of six people (including a toddler) and injured a dozen others. The investigation and ultimate prosecution was a years-long effort. Hans committed the crime in 2004, was indicted in 2006, and was tried and convicted in 2007. Along with ATF agents and Johnny Gasser, who at that time was the Deputy Chief over Violent Crimes for the U.S. Attorney's Office, I travelled to multiple states to interview witnesses for both the guilt phase and in preparation for the sentencing phase. Though the investigation techniques utilized in this case were cutting-edge, this was a very tough case factually for the government in the guilt phase. I dedicated years of my practice to this case and worked alongside amazing prosecutors and talented defense counsel. This was a significant case on so many levels. As a federal death penalty case, we faced an arduous road from jury selection, into the guilt phase, and finally, the sentencing phase. It required great organizational skills for our droves of exhibits as well as efficient writing skills and strong advocacy during all phases of the trial. I marveled at the strength, courage, and patience of the surviving victims and the families of the deceased victims. The jury deliberated for over eight hours and I believe justice was served.

(c) *United States v. Swain*

No. 09-4089

United States Court of Appeals for the Fourth Circuit

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397 F. App'x 893 (4th Cir. October 15, 2010) (unpublished)

I worked with local law enforcement as well the ATF across multiple counties in South Carolina putting together the investigation which ultimately led to a jury trial in 2008 in this case. From 2006 through early March of 2007, Swain, while armed with a handgun, robbed five Sally Beauty Supply Stores across the upstate. In each robbery, Swain would distract an employee before brandishing his firearm and demanding money from the store safe. In each robbery, Swain would take an employee's identification or driver's license and threaten to come back and kill the employee if they reported him to the police. Law enforcement followed a tip from out of state and worked with the United States Marshals to locate Swain in Greenville. During a search warrant of Swain's residence, law enforcement recovered numerous pieces of incriminating evidence to include directions to Sally Beauty Supply stores, ammunition, and an employees' driver license that had been taken in another robbery that occurred in North Carolina. Despite providing post-Miranda admissions to multiple law enforcement officers, Swain declined the government's plea offer and proceeded to trial. Swain was convicted on all twelve counts. Then-U.S. District Court Judge Henry F. Floyd sentenced Swain to 1494 months in federal prison. Swain's crimes were committed across several local jurisdictions. This was a significant case given the number of victims who faced Swain's gun and threats of retribution as well of the number of law enforcement agencies across several counties investigating this robbery spree. I was fortunate to travel to those counties, meet with all of the victims, and coordinate with all of the local law enforcement to present this as one consolidated federal case as opposed to numerous trials in several state judicial circuits.

(d) *United States v. Martinez*

No. 14-4962

United States Court of Appeals for the Fourth Circuit

657 F. App'x 157 (4th Cir. July 29, 2016) (unpublished)

Beginning in early 2012, agents and task force officers with the DEA in Greenville, began investigating an upstate-based methamphetamine distribution network that was being sourced

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with pounds of methamphetamine from individuals in the Atlanta-area. Ultimately, over a two-year investigation and some seven superseding indictments, twenty-seven defendants were indicted in the conspiracy, with twenty-five entering guilty pleas. Jesus Buruca-Martinez and Daniel Rodriguez went to trial in September of 2014. I tried this case with then-Assistant United States Attorney Andrew B. Moorman, Sr.

The investigation revealed that two members of this conspiracy, Dustin Tiller and Nicanor Perez-Rodriguez, both inmates in the South Carolina Department of Corrections at the time, contacted members of their families on the outside to arrange for methamphetamine to be transported from Georgia into South Carolina for further distribution. After identifying Daniel Rodriguez as a Georgia-based member of the conspiracy who was making frequent trips to South Carolina to bring methamphetamine as well as collect drug proceeds, members of the Anderson County Sheriff's Office and Anderson City Police Department were able to establish surveillance on Rodriguez, on Sunday, August 5, 2012, as Rodriguez met with other members of this conspiracy, to include Jesus Buruca-Martinez, in the parking lot of a restaurant, located off of Exit 19, Interstate 85, in Anderson County.

Agents then maintained surveillance on Rodriguez and Buruca-Martinez as they traveled in tandem, both driving separate vehicles, to a residence in Belton, South Carolina. Maintaining surveillance on the Belton residence, agents observed Buruca-Martinez leave the residence, followed by Rodriguez's departure some twenty minutes later. Traffic stops were conducted on both vehicles and law enforcement seized \$20,240 in cash from Buruca-Martinez.

Following the execution of a federal search warrant at the Belton residence and the arrest of Rodriguez, Buruca-Martinez, and others, that evening, agents reviewed a home surveillance system seized in the search. The surveillance system had an operational camera imaging the living room of the residence, attached to a digital video recording (DVR) system. In reviewing the images on the DVR, which dated back some two weeks from

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the incident date, agents observed Rodriguez arriving at the residence on two previous occasions in July 2012.

Regarding the activity inside the residence on August 5, 2012, a review of the video revealed Rodriguez, Buruca-Martinez, and third co-conspirator, who rode with Rodriguez that day from Georgia, counting, for several minutes, over \$20,000 in cash. Witnesses testified that this cash was partial payment applied to the overall drug debt owed to Rodriguez and others for pounds of methamphetamine previously provided on consignment. As the money count concluded, the video showed Buruca-Martinez bundling two cash parcels, placing one in each cargo short pocket, and exiting the residence, ultimately heading south on Interstate 85 before he was stopped by law enforcement. After the jury returned guilty verdicts, Rodriguez was sentenced to 155 months in federal prison while Buruca-Martinez received 120 months. This case was significant given its sheer breadth and complexity. This conspiracy spanned into multiple states and even behind the walls of the South Carolina Department of Corrections.

(e) *United States v. Nash*

No. 17-4603

United States Court of Appeals for the Fourth Circuit

739 F. App'x 762 (4th Cir. June 29, 2018) (unpublished)

In the early morning hours of March 22, 2016, Carlton Nash, armed with a handgun, forced entry in a failed attempt at a home invasion of a residence in Greenville. Though Nash discharged his weapon upon entry, the occupants of the residence fought back, ultimately causing Nash to flee. Nash left behind the mask he was wearing as well as his firearm. Nash was arrested several weeks later and was indicted on federal firearms charges in April of 2016. The forensic evidence played a crucial role in this case as investigators were able to recover Nash's DNA from the discarded mask. Nash declined the government's offer to enter a plea and proceed to trial. Nash was convicted and later sentenced in September of 2017 by U.S. District Court Judge Timothy M. Cain to 310 months in federal prison. This case, in addition to violent nature of the defendant's acts, was significant due the amount of trial and witness preparation involved. The

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government's witnesses were challenging and less than cooperative. I exercised great caution and thoroughness in assessing their credibility alongside our physical evidence and maintained that posture when I examined the witnesses in question. I tried this case with Assistant United States Attorney Bill Watkins.

Mr. Crick reported that he has not personally handled any civil appeals. Mr. Crick added:

My primary civil litigation has been in the context of habeas motions filed under 28 U.S.C. 2255. District court orders on 2255 motions are not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. 2253(c)(1). A prisoner cannot meet the threshold for issuance of a certificate of appealability unless he or she demonstrates that reasonable jurists would find any assessment of the constitutional claims by the district court is debatable or wrong and any dispositive procedural ruling by the district court is likewise debatable. *Miller-El v. Cockrell*, 537 U.S. 322, 336-38 (2003); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). Given this high bar to appealing district court orders on 2255 motions, I have not had the opportunity to litigate any civil habeas case on appeal.

The following is Mr. Crick's account of five criminal appeals he has personally handled:

- (a) *United States v. Crenshaw*
No. 17-4620
United States Court of Appeals for the Fourth Circuit
721 F. App'x 312 (4th Cir. May 9, 2018) (unpublished)
- (b) *United States v. Camp*
No. 16-4668
United States Court of Appeals for the Fourth Circuit
716 F. App'x 229 (4th Cir. Mar. 29, 2018)
(unpublished)
- (c) *United States v. Martinez*
No. 14-4962
United States Court of Appeals for the Fourth Circuit
657 F. App'x 157 (4th Cir. July 29, 2016) (unpublished)

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- (d) *United States v. Jackson*
No. 13-4361
United States Court of Appeals for the Fourth Circuit
543 F. App'x 323 (4th Cir. Oct. 21, 2013) (unpublished)
- (e) *United States v. Frost*
No. 10-4938
United States Court of Appeals for the Fourth Circuit
446 F. App'x 594 (4th Cir. Sept. 20, 2011)
(unpublished)

- (9) Judicial Temperament:
The Commission believes that Mr. Crick's temperament would be excellent.
- (10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Mr. Crick to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not have any related comments.

Mr. Crick is married to Cindy Smith Crick. He has one child.

Mr. Crick reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Greenville County Bar Association; CLE Co-Chair, 2015; CLE Chair 2016-2018; Treasurer, 2018; Secretary, 2019; Vice-President, 2020
- (c) Federal Bar Association, South Carolina Chapter; board member, 2018-present
- (d) Federalist Society, 2018-present
- (e) Greenville Bar Pro Bono Foundation; board member, 2019-present

Mr. Crick provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Mauldin Recreation, 2018, youth basketball coach

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- (b) Knollwood Foundation, 2014-present, board member
- (c) South Carolina YMCA Youth in Government/Teen Services Board of Directors, 2014-2016
- (d) Wofford College Alumni Executive Committee, 2011-2013
- (e) Main Building Restoration Project, Wofford College, 2005-2009

Mr. Crick further reported:

I grew up in Mauldin, South Carolina. My parents did not have college educations but sacrificed mightily over many years to allow my older sister, my younger brother, and me to pursue college educations and advanced degrees. We were raised to treat all people fairly at all times. My parents worked hard and expected the same from their kids. My Dad has always remarked about me that I've never met a stranger. I truly enjoy getting to know people, exchanging ideas and perspectives, and learning from others every day. I believe as a person, much less a prosecutor, and certainly as a judicial candidate, we should strive daily to always get it right.

Over the last 30 years, I have been the beneficiary of mentorship. I will never forget then-Family Court Judge John Kittredge allowing me to observe his courtroom the summer before I left for college. Then-Judge Kittredge introduced me to everyone in his courtroom and taught me so much about fairness and integrity. In college, I worked for now Spartanburg City Magistrate Judge Charlie Jones and his law partners at the time. Judge Jones showed me another side of the law, a small practice helping defend folks from all walks of life and greeting each client with a smile and true willingness to hear their concerns and advance their own pursuit of justice. Through law school, I clerked for then-Fifth Circuit Deputy Solicitor Johnny Gasser and saw one of our very best prosecutors try cases with so many respected members of the South Carolina Bar. I saw the compassion that Johnny had for so many victims and the respect he held for law enforcement while never failing to hold them accountable and always do the right thing. As I forged a path as an Assistant Solicitor and Assistant U.S. Attorney, these mentors and experiences shaped my approach to case work. We are so fortunate to have a professional and collegial bar in South

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Carolina, to always advocate for our respective entities and clients, and to be friends and colleagues all the while.

I revere and hold sacred our profession as well as the rule of law. I will always endeavor to be fair and friendly as my mentors and fellow members of the bar and our communities should receive nothing less. As such, it is truly a great honor to be considered for a position on the Circuit Court.

- (11) Commission Members' Comments:
The Commission commented that Mr. Crick is a credit to the Bar and has a great reputation among his peers. He would make an excellent Circuit Court judge.
- (12) Conclusion:
The Commission found Mr. Crick qualified, and nominated him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 3.

Patrick C. Fant III
Circuit Court, Thirteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Fant meets the qualifications prescribed by law for judicial service as a Circuit Court judge.
- Mr. Fant was born in 1965. He is 55 years old and a resident of Greenville, South Carolina. Mr. Fant provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1991.
- (2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Fant.

Mr. Fant demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

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judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Fant reported that he has made \$415.52 in campaign expenditures for printing/stationary and postage.

Mr. Fant testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Fant testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Fant to be intelligent and knowledgeable.

Mr. Fant reported that he has taught the following law-related courses:

CLE- Defective Machinery in Workplace (5/2000).

Mr. Fant reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Fant did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Fant did not indicate any evidence of a troubled financial status. Mr. Fant has handled his financial affairs responsibly.

The Commission also noted that Mr. Fant was punctual and attentive in his dealings with the Commission, and the

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Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Fant reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Fant reported that his rating by a legal rating organization, Greenville Business Journal Workers' Compensation Defense, is Legal Elite, 2018, 2020.

(6) Physical Health:

Mr. Fant appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Fant appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Fant was admitted to the South Carolina Bar in 1991.

He gave the following account of his legal experience since graduation from law school:

- (a) Law Clerk Honorable C. Victor Pyle
305 E. North St., Ste. 118
Greenville, SC 29602 1991-1992
- (b) Associate Ellis Lawhorne & Sims, P.A.
P.O. Box 2285
Columbia, SC 29202 1992-1996
Practiced Workers' Compensation Law
Tried 3 Civil Jury Trials with Partner
- (c) Associate Haynsworth, Baldwin, Johnson & Greaves
P.O. Box 2757
Greenville, SC 29602 1996-2000
Head of Workers' Compensation Law
- (d) Shareholder Fant Law Firm, P.A.
P.O. Box 5366
Greenville, SC 29606 2000-2002
Practiced Workers' Compensation Law
- (e) Shareholder Fant & Gilbert Law Firm, P.A.

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P.O. Box 5366
Greenville, SC 29606 2002-2009
Practiced Workers' Compensation Law
Certified Mediator

(f) Shareholder Fant Law, P.A.

P.O. Box 5366
Greenville, SC 29606 2009-Present
Practiced Workers' Compensation Law
Certified Mediator

Mr. Fant further reported regarding his experience with the Circuit Court practice area:

When I was an associate with Ellis, Lawhorne & Sims (formerly Nauful & Ellis) I tried 3 separate jury trials with a partner. Two of those jury trials involved defending insurance carriers in a personal injury (MVA) case. The third trial was a bailment case. These cases were tried before Judge Gary Clary, Judge Stephens, and Judge Costa M. Pleicones, respectively. I also had the privilege of being a law clerk for the Honorable C. Victor Pyle and observed civil and criminal trials for one year. Workers' Compensation appeals have allowed me to argue non-jury appeals before the Circuit Court prior to July 1, 2007. I have also had the opportunity to try many Workers' Compensation cases. These are evidentiary hearings and involve direct and cross-examination of witnesses. Workers' Compensation also involves medical issues/causation which is an aspect of personal injury/medical malpractice claims in the civil court. I have also served as a mediator for both civil and workers' compensation matters

I read the Advanced Sheets to try and keep up with criminal and civil law. I recently attended the Criminal Law Breakout session for the Greenville County Bar "Year End" CLE.

Mr. Fant reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0;
- (b) State: 0

Mr. Fant reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

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- (a) Civil: 0%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: Workers' Compensation Defense (85%), Mediator-civil and workers' compensation matters (15%).

Mr. Fant reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 0%;
- (b) Non-jury: 0%.

Mr. Fant provided that during the past five years he most often served as sole counsel.

Workers' Compensation Defense- sole counsel.

The following is Mr. Fant's account of his most significant litigated matters:

Numerous cases before the Workers' Compensation Commission (state agency). These cases ranges from simple permanency cases to complex brain injury cases. I have argued numerous Workers' Compensation appeals before the Circuit Court prior to July 1, 2007. I have not appealed any cases, except one, to the Court of Appeals. This settled and was never briefed.

Mr. Fant reported he has not personally handled any civil or criminal appeals.

Mr. Fant further reported the following regarding unsuccessful candidacies:

Withdrew from Judicial (Resident Circuit Judge) 2008.

- (9) Judicial Temperament:
The Commission believes that Mr. Fant's temperament would be excellent.
- (10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Mr. Fant. "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the

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evaluative criteria of constitutional qualifications, physical health, and mental stability. The Upstate Citizens Committee gave no summary comment.

Mr. Fant is married to Jennifer Bray Fant. He has three children.

Mr. Fant reported that he was a member of the following Bar and professional associations:

- (a) SCDTAA
- (b) South Carolina Bar Association
- (c) Workers' Compensation Committee Section Member (2006-2008)
- (d) Professional Responsibility Committee (Previously served)
- (e) Ethics Advisory Committee (Previously served)
- (f) Greenville County Bar

Mr. Fant provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Downtown Presbyterian Church (Elder)
- (b) Commission on Judicial Conduct (Appointed 2018)
- (c) Poinsett Club
- (d) The Cottillion
- (e) The Terrier Club (President)(2012-2014)
- (f) Upstate Volunteer Mediation Center (Board 2013-2020)(and served as Volunteer Mediator)

Mr. Fant further reported:

I would love the opportunity to be a public servant. Serving in this capacity has been on my heart for a long time. I believe my life, and practice of law, have been characterized by adherence to high ethical principles. I have a solid work ethic, including the exercise of self-discipline in my practice of law. I hope that I am seen as a man of integrity who is trustworthy. I am patient, open minded, compassionate, and try my best to be humble. I would be objective and impartial, just as I am as a Certified Mediator. I think the members of the Bar with whom I practice would have no doubt that I have the temperament required to be a judicial officer. While my practice has been primarily focused on workers' compensation defense, and not before the Circuit Court (except for appeals), I have the utmost confidence that I would serve South Carolina well as a trial judge. This has provided me a wealth of experience

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involving discovery, litigation, constant interaction with other attorneys due to volume of workers' compensation cases, and the ability to negotiate.

(11) Commission Members' Comments:

The Commission commented that Mr. Fant has demonstrated an impressive intellect with a diligent work ethic that will serve him on the bench. He also maintains an excellent reputation among his peers.

(12) Conclusion:

The Commission found Mr. Fant qualified, and nominated him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 3.

G. D. Morgan Jr.

Circuit Court, Thirteenth Judicial Circuit, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Morgan meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Morgan was born in 1960. He is 60 years old and a resident of Greenville, South Carolina. Mr. Morgan provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Morgan.

Mr. Morgan demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Mr. Morgan reported that he has made \$1,131.34 in campaign expenditures for stamps, envelopes and letterhead, and a photo card.

Mr. Morgan testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Morgan testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Morgan to be intelligent and knowledgeable.

Mr. Morgan reported that he has taught the following law-related courses:

- (a) I spoke at the South Carolina Paralegals Association in 2012
- (b) I participated in the ABOTA Masters in Trial in 2016
- (c) I spoke and presented at the South Carolina Paralegals Association in 2019

Mr. Morgan reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Mr. Morgan did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Morgan did not indicate any evidence of a troubled financial status. Mr. Morgan has handled his financial affairs responsibly.

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The Commission also noted that Mr. Morgan was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Morgan reported that his rating by a legal rating organization, Martindale-Hubbell, is AV. Mr. Morgan also reported that he is rated by Best Lawyers.

Mr. Morgan reported that he has not served in the military.

Mr. Morgan reported that he has never held public office.

(6) Physical Health:

Mr. Morgan appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Morgan appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Morgan was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

a) McCutchen, Blanton, Rhodes & Johnson, 1985-2001

b) McAngus, Goudelock & Courie, LLC, 2001-present

I have had a very busy trial practice for 35 years in both firms. I mainly handle the defense of personal injury cases, civil arson and insurance fraud, bad faith, products liability, trucking, health care, premises liability, insurance coverage, contract, and business litigation. I have also represented plaintiffs in personal injury and property damage cases. I have handled and tried many cases to verdict in both state and federal court.

I have been in the Greenville office of McAngus, Goudelock & Courie since 2006 and have managed the office all 14 years. We currently have a total of 58 employees.

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Mr. Morgan further reported regarding his experience with the Circuit Court practice area:

I have been a trial lawyer in the courtroom for 35 years, and have tried an estimated 70-80 civil jury trials to verdict in both state and federal court. I have tried an additional estimated 10 civil non-jury trials and have argued cases in the South Carolina Supreme Court, the South Carolina Court of Appeals and the Fourth Circuit Court of Appeals. I have argued probably close to 300 motions in state and federal court and have taken over 1000 depositions. I have been involved in over 100 mediations as primary counsel. I have tried cases all over the entire state and have appeared in every single state courthouse in the state. I have tried workers compensations cases as well as domestic and probate cases early in my career. Although, I do not handle criminal cases at this time, I did handle minor criminal cases many years ago at the beginning of my career. As noted in #10 above, I mainly handle the defense of personal injury cases, products liability, civil arson and insurance fraud, bad faith, premises liability, health care, insurance coverage and trucking. I have also handled cases for the plaintiff as well. With mediation, the number of jury trials in civil court has diminished over the last 5 years, but I still seem to be able to appear before a Circuit Court judge a couple of times a month for motions or trial.

Although, I handle mainly civil cases, my experience of 35 years in the courtroom has prepared me for both civil and criminal cases as a judge. A significant amount of rulings in both criminal and civil cases are evidentiary, and although there are some differences in criminal cases, such as Rule 404 character/propensity evidence, the issues that normally arise are similar. In addition to evidentiary issues, a judge has to be familiar with the courtroom dynamics and be able to handle juries, witnesses, lawyers, and parties in both criminal and civil cases. I believe my courtroom experience for all of these years will allow me to handle criminal cases as effectively as civil cases. I've been around the block.

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Mr. Morgan reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: once every 5 months;
- (b) State: twice a month.

Mr. Morgan reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 100%
- (b) Criminal:
- (c) Domestic:
- (d) Other:

Mr. Morgan reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 15%;
- (b) Non-jury: 5%.

Mr. Morgan provided that during the past five years he most often served as sole counsel.

The following is Mr. Morgan's account of his five most significant litigated matters:

- (a) *Ridgeway v McLean Trucking*-This case involved a tragic accident on I-95 involving the deaths of two people with several other people injured when a tractor-trailer collided with a van full of family members on the way to see their son/brother graduate from Paris Island. I represented the defendant trucking company who was alleged to have caused the accident and was fortunate to win the case. What makes it significant for me is that I tried the case by myself and I had only been out of law school for maybe 5 years at the time. The case was tried in a very plaintiff friendly venue and against a well known plaintiff's law firm.
- (b) *Strange v Mitchum*-I represented the defendant in an automobile accident case involving a death and brain damage injuries. The plaintiff and other co-defendants were pointing the fingers against my client and all attorneys we well known plaintiff and defense attorneys. I received a defense verdict after a week long trial.

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- (c) *Batson v Comfort Air-I* represented the plaintiff, whose home was damaged by fire, and received a large verdict, which I was told at the time was one of the largest in that county. It was a tough liability argument and I was offered only \$5000 to settle before trial. We had no choice but to try the case.
- (d) *Jones v Winn-Dixie of Greenville-I* represented the plaintiff and received a significant verdict. It was significant because of the verdict amount, after being offered a low amount to settle, and we also established some law on election of remedies on appeal.
- (e) *Gurganious v. Hudson-I* represented the defendant in this wrongful death automobile accident where a young man tragically died. His estate brought an action against my client for the death. What made it significant to me is that I won the case despite the facts stacked against my client, namely that the plaintiff's fiancé was in the car behind the plaintiff and witnessed the accident, it was Christmas Day, they were on their way to visit his ill mother, and there were allegations of drinking and speeding on the part of my client.

The following is Mr. Morgan's account of five civil appeals he has personally handled:

- (a) *Willie Jones v. Winn-Dixie Greenville*, 318 S.C.171, 456 S.E.2d 425 (Ct. of App. 1995)
- (b) *Auto-Owners Ins. Co. v. Carl Brazell Builders, Inc.* 356 S.C. 156, 588 S.E. 2d 112 (2003)
- (c) *Frankie Barber v Whirlpool Corporation* 34 F3d 1268 (4th Cir. 1994)
- (d) *Nancy M. Taylor v Lowe's Home Centers*, Opinion No. 18-1435, February 6, 2019, unpublished, United States Court of Appeals for the Fourth Circuit
- (e) *Auto-Owners Ins. Co. v. Essex Homes Southeast* 136 Fed. Appx. 590 (4th Cir. 2005)

Mr. Morgan reported he has not personally handled any criminal appeals.

Mr. Morgan reported that he has not held judicial office.

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- (9) Judicial Temperament:
The Commission believes that Mr. Morgan's temperament would be excellent.
- (10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Mr. Morgan to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee made the following summary statement: "Mr. Morgan is very well respected amongst the Bar, statewide, and his community. His demeanor is exactly what one looks for in a judicial candidate."

Mr. Morgan is married to Julia Davidson Morgan. He has two children.

Mr. Morgan reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association-1985-present
- (b) American Board of Trial Advocates (ABOTA)
- (c) South Carolina Defense Trial Attorneys Association-1986-present
- (d) Federation of Defense and Corporate Counsel (FDCC)-2001-present

Mr. Morgan provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations: Formerly a longtime member of both the Forest Acres and Vista Rotary clubs

Mr. Morgan further reported:

I really believe my life experiences the past 60 years and my 35 years as a lawyer have prepared me for the bench if I am fortunate to be elected as a judge. I started out with a small firm in Columbia and practiced there for the first half of my career. In those early years, I not only had an active trial practice, but I handled a variety of legal matters including preparing wills,

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closing real estate loans, domestic litigation and giving legal advice to clients who just walked in the door. It gave me a good foundation in the law and helped me to get to where I am today and will play a role on the bench. It exposed me to different areas in the practice of law and helped me deal with all kinds of people and situations, and to develop longstanding relationships with lawyers and judges across the entire state. While practicing those years in Columbia, it allowed me to handle cases in the Midlands, the Pee Dee and up and down the Coast. The second part of my career led me back to Greenville where I was born and raised, and I have handled and tried numerous cases in the Upstate. As a result, I have been very lucky to have had a statewide practice and continue to do so today. Although I have tried cases in both state and federal court, the majority of my practice has been in the state courts of South Carolina. The state courts are where I have spent my time and developed the relationships with both the bench and bar across the entire state, as well as being around the people in the communities who serve on juries. And I have been fortunate to appear in every state courthouse in the state over the past 35 years. Based on all of these life and legal experiences, I am confident it will enable me to be a well rounded judge in our state.

(11) Commission Members' Comments:

The Commission commented that Mr. Morgan has an outstanding reputation as an attorney with robust trial experience, intelligence, and proper temperament.

(12) Conclusion:

The Commission found Mr. Morgan qualified and nominated him for election to the Circuit Court, Thirteenth Judicial Circuit, Seat 3.

Robert Bonds

Circuit Court, Fourteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

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Based on the Commission's investigation, Mr. Bonds meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Bonds was born in 1963. He is 57 years old and a resident of Walterboro, South Carolina. Mr. Bonds provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Bonds.

Mr. Bonds demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Bonds reported that he has not made any campaign expenditures.

Mr. Bonds testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Bonds testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Bonds to be intelligent and knowledgeable.

Mr. Bonds reported that he has not taught or lectured at any Bar association conferences, educational institutions, or continuing legal or judicial education programs.

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Mr. Bonds reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Bonds did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Bonds did not indicate any evidence of a troubled financial status. Mr. Bonds has handled his financial affairs responsibly.

The Commission also noted that Mr. Bonds was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Bonds reported that his rating by a legal rating organization, Martindale-Hubbell, is BV. Mr. Bonds reported that he is listed in The National Trial Lawyers Top 100: Criminal Defense Attorney.

Mr. Bonds reported that he has not served in the military.

Mr. Bonds reported that he has held the following public office:

- (a) Walterboro City Council from 2011-2019.
- (b) I was notified by the Ethics Commission in July 2011 that I had not timely filed my pre-election campaign disclosure. I was notified again in 2015 that I had not timely filed my pre-election campaign disclosure. Both times, upon reviewing my online account, the information had been entered and saved but not submitted. I immediately submitted the information and both times paid the One Hundred Dollar fine.

(6) Physical Health:

Mr. Bonds appears to be physically capable of performing the duties of the office he seeks.

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- (7) Mental Stability:
Mr. Bonds appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Mr. Bonds was admitted to the South Carolina Bar in 1990.

He gave the following account of his legal experience since graduation from law school:

- (a) 1990-1995 Bogoslow and Jones Attorneys at Law: Associate attorney at an insurance defense firm located in Walterboro. Handled all aspects of cases from intake through trial. Cases included among others, auto accident defense, defense of governmental entities sued pursuant to the State Tort Claims Act and alleged 42 USC § 1983 violations. Tried cases in both State and Federal Courts. Served as the Town Attorney for the Town of Cottageville.
- (b) 1995-1996 Bonds and Wilkerson, LLC. Partner in the firm that focused on personal injury and criminal defense. I oversaw all operations of the firm to include management of the staff and monitoring both operating and trust accounts.
- (c) 1996-1998 Robert J. Bonds, Attorney at Law. Sole practitioner handling personal injury and criminal defense cases. I oversaw all operations of the firm to include administrative and financial management.
- (d) 1998-2000 John R. Hetrick, Attorney at the Law. Associate attorney at the firm. I handled primarily personal injury and criminal defense cases. I assisted in all aspects of the administrative and financial management of the firm, including the trust account.
- (e) 2000-Present – Hetrick, Harvin and Bonds, LLC. Partner in the firm handling personal injury matters including auto accident cases, nursing home negligence, and defective product cases. I also handle criminal defense cases ranging from minor traffic violations to major felonies. I oversee all operations of the firm to include administrative management and monitoring all firm accounts.

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Mr. Bonds further reported regarding his experience with the Circuit Court practice area:

Criminal Experience:

Over the past five years, I have represented at least one hundred defendants accused of crimes from minor traffic violations to complex cases involving attempted murder, criminal sexual conduct, trafficking in various narcotics, burglary first degree, grand larceny and kidnapping just to name a few.

State of South Carolina v. Emmanuel Buckner, 2016-GS-15-00828, was a recent case that was tried to verdict. The Defendant was charged with failure to stop for blue light and possession of cocaine. The legal issues that arose in this case included warrantless searches of automobiles, and improper inventory searches of automobiles by the Sheriff's Department.

State of South Carolina v. Robert Wayne Eaves, 2017-GS-15-01034, was recently tried to verdict. The Defendant was charged with criminal sexual conduct with a minor under eleven years of age. One of many legal issues that arose was the State's use of an expert witness to possibly bolster the minor's testimony. Appropriate motions were made before and during the trial to exclude such testimony.

State of South Carolina v. Ryan Langdale, 2018-GS-15-00879 and 2018-GS-15-881 I represent Ryan Langdale, Defendant, who has been charged with attempted murder and possession of a weapon during a violent crime. The legal issues that have arisen center around self-defense, the castle doctrine and recently enacted stand your ground legislation.

Civil Experience:

Over my twenty nine years as a lawyer, I have represented over a thousand individuals in civil matters. I have represented plaintiffs and defendants in civil cases to a verdict in Colleton, Hampton and Jasper Counties, and represented Plaintiffs in civil cases to a verdict in Allendale, Aiken and Lexington Counties. Within the past five years, I have handled automobile accident cases, premises liability cases, bad faith cases, breach of contract cases, nursing home negligence cases and medical malpractice cases. With the

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advent of mediation, I find that most civil cases settle before trial. I have not tried a case in Common Pleas in the past five years.

Ridge Williams v. Cedarwood Apartments Ltd., 2015-CP-18-00131. I represented the plaintiff who was seriously injured at an apartment complex by a drive-by shooter. It was our contention that the apartment complex was negligent in failing to provide adequate security to protect their residents and guests. A settlement was reached shortly after mediation.

Dietrich Davis v. Nationwide Affinity Insurance Company of America, 2016-CP-15-01465. I represented the plaintiff whose vehicle was damaged in a single car accident. Despite the plaintiff having comprehensive and collision insurance, the defendant refused to pay for the client's property damage. We filed suit alleging bad faith and breach of contract by the defendant. After extensive discovery, a confidential settlement was reached.

Adrienne Lemon, Sr. v. Sheriff's Department of Sumter County, c/a no. 3:10-CV-2758-JFA. In this Federal Court case, I represented the plaintiff who was stopped by a deputy and in the course of a pat down was forced to remove his pants in public. Suit was filed against the Sumter County Sheriff's Department alleging a violation of the Plaintiff's civil rights. Shortly before trial a settlement was reached.

Over the past five years, I have appeared before a Circuit Court judge at almost every term of court in Colleton County.

Mr. Bonds reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: In the past six months I have made two appearances in Federal Court. Both times involving setting and modification of bond for two separate client's that I am presently representing.
- (b) State: In the past five years, I have appeared in General Sessions and Common Pleas Court at least fifty different times.

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Mr. Bonds reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 65 %;
- (b) Criminal: 30 %;
- (c) Domestic: 0 %;
- (d) Other: 5 %.

Mr. Bonds reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 95%;
- (b) Non-jury: 5%.

Mr. Bonds provided that during the past five years he most often served as lead counsel or co-counsel.

The following is Mr. Bond's account of his five most significant litigated matters:

- (a) *Branham v. Ford Motor Co.*, 390 S.C. 203, 701 S.E.2d 5 (2012). Jessie Branham, III, sustained a traumatic brain injury when he was ejected from a Ford Bronco II that overturned. This products liability case was vigorously defended. Dozens of depositions were taken by each side including numerous experts. The case was tried and a thirty one million dollar verdict was returned. The defense appealed and the South Carolina Supreme Court reversed and remanded the case. This case is significant to me not only because it redefined product liability law in the State of South Carolina, but because of the relationship I developed with the plaintiff and still have to this day.
- (b) *State v. Jamie Mizzel and Jimmy Allen "Tootie" Mizzel*, 349 S.C. 326, 563 S.E.2d 315 (2002). I represented Tootie Mizzel who was charged with first degree burglary, grand larceny and possession of a firearm during the commission of a violent crime. During the trial, the presiding judge did not allow me to question a state's witness, who was charged with the same crimes as my client and was testifying without a plea deal, about the potential sentence he could receive if found guilty. The case was appealed to the South Carolina Court of Appeals and was affirmed and then reversed by the South Carolina Supreme Court. What struck me the most about this case was

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that my client had already served his sentence by the time the case was ultimately overturned by the South Carolina Supreme Court.

- (c) *Joy Linder v. Princess Breland*, 1992-CP-15-00651. I represented the defendant, Ms. Breland, who was sued for rear ending the plaintiff's vehicle. The plaintiff was young and was assigned a 20% whole person impairment rating. The jury returned a defense verdict. My client was thrilled. For years Ms. Breland would bring cakes and cookies to my office. This case is significant to me because it is one of the first cases that I tried and one of the first that involved an expert video deposition for use at trial.
- (d) *Bobby Lyons v. James Williams, Jr., et al*, 2008-CP-15-01027. I represented Bobby Lyons, the Plaintiff, whose vehicle was struck by the Defendant when she turned directly in front of him. Mr. Lyons sustained numerous injuries to his neck and back and lost significant time from work. The defense in this case hired a medical expert whose video deposition was taken for use at trial. The expert opined that my client's injuries were not related to the automobile collision. The defense also hired an expert economist whose deposition was taken. This expert opined that the general down turn in the economy accounted for my client's lost wages. The jury returned a substantial verdict far exceeding what we had asked for. A separate direct claim was filed against one of the insurance carriers which resulted in a confidential settlement. This case is significant to me because the jury recognized the physical and financial impact the injuries had on my client and returned a significant verdict for him. It is the largest verdict that I have received to date.

Mr. Bonds reported that he has not personally handled any civil appeals.

I have not personally handled any civil appeals. I have however, reviewed documents and provided input in the appeal of *Branham v. Ford Motor Co.* 390 S.C. 203 701 S.E.2d 5 (2012).

The following is Mr. Bonds' account of the criminal appeal he has personally handled:

State v. Boozer, 2014-CP-15-00804. State appealed the Municipal Judge's dismissal of a driving under the influence charge.

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- (9) Judicial Temperament:
The Commission believes that Mr. Bonds' temperament would be excellent.
- (10) Miscellaneous:
The Lowcountry Citizens Committee on Judicial Qualification found Mr. Bonds to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Lowcountry Citizens Committee also commented, "Broad experience in civil and civil work, natural judicial demeanor, history of public service, gets along with everyone (including opposing attorneys), great foundation."

Mr. Bonds is married to Harriet Anne Ashby. He has three children.

Mr. Bonds reported that he was a member of the following Bar and professional associations:

- (a) Colleton County Bar Association. 1990-present.
- (b) South Carolina Bar House of Delegates. Served two terms approximately ten years ago.
- (c) South Carolina Defense Lawyers Association, Past member 1990-1995.
- (d) South Carolina Association for Justice. 2010-present.
- (e) American Association for Justice. 2012-2015.

Mr. Bonds provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Walterboro Rotary Club – President 2020
- (b) Walterboro Elks Lodge
- (c) University of North Carolina Educational Foundation
- (d) Edisto Island Yacht Club
- (e) Best Elected Public Official 2012-2013, Press and Standard Readers Choice Award.
- (f) Best Attorney 2012-2013, Press and Standard Readers Choice Award.
- (g) Lowcountry Council of Governments 2011-2019, chairman 2018-2019.

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Mr. Bonds further reported:

I have lived and worked in Walterboro, South Carolina for over twenty-nine years. I have raised my family, attended church, coached ball teams and held public office in those years. I have practiced law in Walterboro as a civil defense attorney and as a civil plaintiff's attorney. I have managed law offices, as well as a large volume of diverse cases for many different clients. I have tried civil jury cases to verdict in four of the five counties of the Fourteenth Judicial Circuit and have represented criminal defendants in both simple and complex cases. I know and understand the people of this circuit, and I understand the issues and problems litigants and attorney face in this circuit. I believe these experiences make me uniquely qualified to face the challenges presented to a Fourteenth Judicial Circuit Court Judge.

(11) Commission Members' Comments:

The Commission commented that Mr. Bonds has an excellent reputation and a wealth of experience in many areas of the law that will go a long way towards serving on the circuit court bench.

(12) Conclusion:

The Commission found Mr. Bonds qualified, and nominated him for election to Circuit Court, Fourteenth Judicial Circuit, Seat 1.

Tameaka A. Legette
Circuit Court, Fourteenth Judicial Circuit, Seat 1

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Legette meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Legette was born in 1975. She is 45 years old and a resident of Ruffin, South Carolina. Ms. Legette provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2002.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Legette.

Ms. Legette demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Legette reported that she has made \$966.95 in campaign expenditures for postage, masks, documents, stationary and name tags.

Ms. Legette testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Legette testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Legette to be intelligent and knowledgeable.

Ms. Legette reported that she has taught or lectured at the following Bar association conferences, educational institutions, or continuing legal or judicial education programs:

- (a) I lectured on Direct Examination at the 2016 Prosecution Bootcamp.
- (b) I lectured on Rule 5 Discovery and Ethics at the 2016 Domestic Violence Prosecution Bootcamp.
- (c) I lectured on Domestic Violence and Criminal Sexual Conduct at the July 2017 SANE/SART Sexual Assault Nurse Examiner / Sexual Assault Response Team Adult and Adolescent Course.
- (d) I was a guest lecturer on Criminal Law at South Carolina State University in 2019.

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- (e) I have participated in numerous Career Day Programs at various schools in the Fourteenth Judicial Circuit. During these lectures, I spoke to students regarding the topics of attending law school and other law related issues.
- (f) I have been a guest speaker at Domestic Violence as well as Crime Victims' Rights Week Vigils.

Ms. Legette reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Legette did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Legette did not indicate any evidence of a troubled financial status. Ms. Legette has handled her financial affairs responsibly.

The Commission also noted that Ms. Legette was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Legette reported that she has not been rated by any legal rating organization.

Ms. Legette reported that she has not served in the military.

Ms. Legette reported that she has held the following public office:

I have been appointed to work as an Assistant Solicitor in the Fourteenth Judicial Circuit Solicitor's office continuously since 2002 to date.

I am not required to file such a report with the State Ethics Commission

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- (6) Physical Health:
Ms. Legette appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Ms. Legette appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Ms. Legette was admitted to the South Carolina Bar in 2002.

She gave the following account of her legal experience since graduation from law school:

Fourteenth Judicial Circuit Solicitor's Office – Allendale, Beaufort, Colleton, Hampton, Jasper, South Carolina

(a) Assistant Solicitor, August 2002 – 2005

As an Assistant Solicitor under former Solicitor Randolph Murdaugh, III, (2002-2005), I prosecuted cases primarily in Allendale and Hampton Counties. I was also given the responsibility of managing and administering the Allendale County General Sessions Docket for several years. During this time, I also had a dual role of working in the Hampton County Court of General Sessions, as well as being a Family Court prosecutor. As a Family Court prosecutor, I prosecuted delinquent juveniles in Allendale, and Hampton Family Court systems.

As a prosecutor in General Sessions court, I successfully prosecuted numerous felony and misdemeanor jury trials, including drugs, murder, burglary, armed robbery, and other violent crimes. According to Solicitor Randolph Murdaugh, III, the elected Solicitor at the time, I also had the successful litigation of the first and only felony drug conviction in Allendale County. In early 2006, I also successfully litigated the first murder conviction in Allendale County in 30 years.

In addition to this, I voluntarily implemented a Criminal Domestic Violence Court in Hampton County with consent of Solicitor Murdaugh. In this role, I prosecuted criminal domestic violence cases in Summary Court during a period where it was not necessarily the “in” thing to do.

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Alongside these duties, I facilitated relations with the public and law enforcement, and developed and coordinated team strategies with law enforcement for successful prosecutions. I also litigated motions, forfeitures, and handled Summary Court criminal appeals.

(b) Trial Team Member, 2006 – 2007

After Solicitor Murdaugh retired and Solicitor Duffie Stone was appointed to finish his term in 2006, Solicitor Stone promoted me to the “Trial Team,” which was the first inception of the current “Career Criminal Unit.” I was the first and possibly only member of this team. My job involved mainly traveling the Circuit and trying various cases. I worked in this role for a short stint until we had several attorneys leave the office around the same time.

(c) Administrative Solicitor - Allendale, Hampton, and Jasper Counties, 2007 – 2010

After the trial team venture, my role shifted back to being more of an Administrative Solicitor for Allendale, Hampton, and Jasper Counties. In these roles, I would eventually become responsible for managing and administrating the dockets for Allendale, Hampton and Jasper County General Sessions Courts. My duties included scheduling matters, indicting cases, negotiating guilty pleas, trying cases, as well as running court - sometimes alone.

I also analyzed and researched legal issues, motions practice, and supervised and managed subordinate attorneys, support staff and overall office management.

(d) Career Criminal Prosecutor, December 2010 – Present

Former Team Leader 2012 – 2017

After managing and administrating the above dockets for several years, and functioning essentially as a community prosecutor to Allendale and Hampton Counties, in 2010, I was again promoted to be a member of the Career Criminal Unit. I have remained in this role since then. In this role, I prosecute felony jury trials of career criminals throughout our five (5) County Circuit. I have prosecuted felony criminal cases in Allendale, Beaufort, Colleton, Hampton, and Jasper Counties. In the past four to five years, my role has shifted to prosecuting primarily murder cases in Allendale, Hampton, and Colleton Counties. I also continue to analyze and research legal issues,

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oral arguments, motion practice, and drafting legal documents. I have also worked as a Task Force Leader and developer, and supervised other team attorneys and staff members.

(e) Special Assistant United States Attorney, 2016 – 2019

In 2016, I was appointed to be a Special Assistant United States Attorney. In this role, and while maintaining my caseload at the Fourteenth Judicial Circuit Solicitor's Office, I assisted with Racketeer Influenced and Corrupt Organizations Act (RICO) prosecution(s). I also had the privilege of serving as co-counsel in a successful federal jury trial. This role afforded me the opportunity to fulfill my dream of working as a federal prosecutor, as well as removing nearly twenty (20) violent gang members from the Colleton County community.

(f) South Carolina Judicial Department, Columbia, South Carolina

Board of Law Examiners, April 2016 - Present

Also, in 2016, I was granted the honor of being appointed to and serving on the Board of Law Examiners for the State of South Carolina. In this role, I have graded and continue to grade various sections of the Uniform Bar Exam.

(g) Public Integrity Unit, 2020 – present

Most recently Solicitor Stone has assigned me to work on the newly created Public Integrity Unit within our Office. This Unit is a joint venture between the First (1st) and Fourteenth (14th) Judicial Circuit Solicitor's Offices. One of the roles of this unit is reviewing allegations and investigations of Official Misconduct, which include officer involved shootings within our two Judicial Circuits. The Unit will foreseeably prosecute any official misconduct cases, which arise within our Judicial Circuits."

Ms. Legette further reported regarding her experience with the Circuit Court practice area:

Criminal Matters – Over the past nearly eighteen (18) years, I have worked as an Assistant Solicitor handling a gamut of criminal cases in Summary Court, Family Court, and Circuit Court. My work has mainly focused on prosecution in the Court of General Sessions where I have litigated numerous major felony and misdemeanor jury trials. I have handled these cases as sole

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counsel, chief counsel, and co-counsel. I have “run court” from an Administrative capacity, as well as tried cases during the same court term. I have negotiated hundreds of guilty pleas. My role as an Administrative Solicitor for three counties afforded me the opportunity to become intimately familiar with the Criminal Code of Laws of South Carolina. For the past ten (10) years, I have focused on prosecuting career criminals; cases involving some of our State’s most hardened mindsets. Working in this role, I was placed in a unique position to try many cases, which gave me above average opportunities to study the court system itself, the trial judges across our state, and the process of the jury trial.

I also had the rare opportunity to work as a Special Assistant United States Attorney (SAUSA) where I was privileged to serve as co-counsel in a Racketeer Influenced Corrupt Organizations Act (RICO), prosecution and federal jury trial. This opportunity allowed me to learn and use laws and concepts I was unfamiliar with as a State prosecutor. My experience with this case, and the other cases associated with it, caused me to research and use all the tools at my disposal to educate myself on the laws, rules, and concepts involved in this highly complex case. What I lack in experience, I make up for in hard work, and dedication to the task at hand. I am fully prepared to do the same thing as a judge in any area of the law wherein my knowledge and experience are limited.

Civil Matters – I have not handled any civil matters in the Circuit Court. Despite not having handled any civil cases in Circuit Court, my breadth of experience in the Circuit Court, in the Court of General Sessions, uniquely positions me to understand the issues and procedural rules of the civil aspect of the Circuit Court. In addition to working as an Assistant Solicitor the past nearly eighteen (18) years, I have also been afforded the unique opportunity to serve as a member of the Board of Law Examiners of the State of South Carolina for the past four (4) years. This role has afforded me the added opportunity to refamiliarize myself with other concepts and aspects of the law, which the average prosecutor would not have. The Rules of Civil Procedure may differ from the Rules of Criminal Procedure; however, through my many years as a practitioner of the law, I have come to understand the law, how it functions, and the rules that govern it. The rules of the game may differ but the outcome we work towards remains the

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same. We work towards the fair administration of justice. The role of the judiciary remains the same - to be the arbiter of that justice, while working as a fair and neutral independent referee between the parties. If elected as a Circuit Court judge, my many experiences in the Circuit Court have prepared me for this role.

As it relates to my lack of experience in the Court of Common Pleas, since applying to become a candidate for the Circuit Court, I have taken several Civil CLE's. These courses include Arbitration 101; Refining Your Deposition; The Ethics of Charging and Collecting Attorney's Fees; Discovery Demands; Protecting Expert Work Product; Promoting Diversity and Eliminating Bias within the Legal Profession; and A FISA Primer: The Rules for Foreign Intelligence Electronic Surveillance. Each of these courses, I found to be richly rewarding and learning experiences. As time permits, I intend to take more such courses.

In addition to taking CLE's, I have also utilized my time by watching various Common Pleas Non-Jury matters across the State.

Further, in addition to studying the Rules of Civil Procedure, I have begun to review pleadings and have spoken to attorneys in private practice regarding various legal matters in the Court of Common Pleas.

I have been a life-long student and a quick-study. I continue to learn daily in my current area of practice, and if elected, will continue to take advantage of every opportunity to learn and become a better Circuit Court Judge.

Appearances - As an Assistant Solicitor, over the past five (5) years, I have appeared before the Circuit Court at least once during a monthly court term and sometimes more than twice per month depending on whether or not I had a case in a different county in our judicial circuit of five (5) counties, wherein I may have had to appear in Allendale, Colleton or Hampton Counties.

Ms. Legette reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: During 2016-2017, several times per year
- (b) State: Monthly.

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Ms. Legette reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%
- (b) Criminal: 95%
- (c) Domestic: 0%
- (d) Other: 5%

Ms. Legette reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 75%
- (b) Non-jury: 25%

Ms. Legette provided that during the past five years she has served mostly as chief counsel, and at times sole counsel. She also has served as co-counsel in Federal Court.

The following is Ms. Legette's account of her five most significant litigated matters:

(a) *State v. Eric Hemingway*, 2005-GS-03-0139, 2005-GS-03-0142, 2005-GS-03-0143. I represented the State of South Carolina as an Assistant Solicitor. The Defendant was indicted for and convicted at trial of Murder, Burglary 1st Degree and Criminal Sexual Conduct 1st Degree. This case was significant because it was the first murder conviction in Allendale County in 30 years or more. The case was also significant because it involved quite a few issues including, 1) the victim having to be re-examined by the pathologist just prior to her burial due to her murder only being discovered after her original autopsy on the day of her burial; 2) the pathologist finding spermatozoa inside the victim at the second examination; 3) my having to practically insist that SLED test the spermatozoa for DNA after it was determined that no semen was found in the sample taken; 4) The DNA Analyst finally agreeing to test for DNA and said DNA being found belonging to the Defendant and or his paternal relatives.

(b) *State v. Anthony Wolfe*, 2012-GS-03-0140, 2012-GS-03-0141, 2012-GS-03-0142, 2012-GS-03-0143. The Defendant in this case was charged with Burglary 1st Degree, Kidnapping, Criminal Sexual Conduct 1st degree and Possession of a Weapon during the Commission of a Violent Crime. I represented the State of South

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Carolina as an Assistant Solicitor. The Defendant was found not guilty at trial. This case was significant because it was a turning point in my career. Prior to this case, I fancied myself a hot-shot lawyer with a misguided superhero complex. I soon learned that I was neither of the two, and but merely mortal. This case was the most humbling experience of my career and taught me many things I have kept with me ever since. I have also carried with me the burden of the victim's haunting desire to die after the verdict was read. I have remained in contact with the victim periodically through the years to encourage her. This case taught me humility among other things but one of the most significant things this case taught me was to stand up for what is right even if I have to face down my worst nightmare in order to do it.

(c) *State v. Laparis Flowers*, 2014-GS-03-229, 2014-GS-03-231, 2014-GS-03-232, 2014-GS-03-233, 2014-GS-03-234. The Defendant in this case was indicted for and found guilty at trial of Murder, three (3) counts of Attempted Murder and Possession of a Weapon During the Commission of a Violent Crime. I represented the State of South Carolina as an Assistant Solicitor. This case is significant because by the time the Defendant was convicted at trial, he had been accused of killing at least two other persons, one for which he was found not guilty at trial, and the other case was dismissed due to lack of evidence. Prior to the murder conviction, I had also tried him for armed robbery, and he was found not guilty at trial of this offense as well. The victim/witness in the armed robbery incident came forward finally because she believed had she come forward sooner she might have saved the second victim's life. Despite her courage in coming forward for the armed robbery, the Defendant was found not guilty again. Thereafter, the defendant killed the final victim – who had at one point also been a criminal defendant of mine - while wounding two other victims. The defendant's name struck fear in the community in which he lived and roamed. His conviction closed a chapter in a violent paradigm.

(d) *State v. Andre Crawford*, 2016-GS-15-0481, 2016-GS-15-0608, 2016-GS-15-0609, 2016-GS-15-0610. I represented the State of South Carolina as an Assistant Solicitor. The Defendant in this case was indicted for and convicted at trial of Murder, Attempted Murder, Obstruction of Justice, and Possession of

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Weapon During the Commission of a Violent Crime. This case was significant because the defendant had been previously found not guilty at trial of the murder of a young mother and attempted murder of another person. Similarly, to Flowers above, the defendant's name struck fear in the hearts of the community. So much so, that this case relied heavily on forensic evidence rather than eyewitness testimony. The incident happened at a night club and while there were numerous witnesses who likely saw what occurred, they refused to come forward. This case was literally won by three witnesses - the surviving eyewitness/victim, and two "speaking" bullets.

(e) *The United States of America v. Devin Brown*, Crim. No. 2:16-123-RMG. I served as co-counsel in this case on behalf of the Government, as a Special Assistant United States Attorney (SAUSA). The Defendant in this case was convicted at trial of Weapons and Violent Crimes in Aid of Racketeering charges. This case was significant because it involved the RICO Act. It may have also been the first time the Act was used in recent history in the District Court of South Carolina. This case was significant for me because I was able to co-chair a brilliant trial attorney from the Department of Justice in Washington, D.C., while working in the Federal District Court of South Carolina. This case was filled with new issues for me, such as the Violent Crimes in Aid of Racketeering and RICO Act, as well as predicates. I also was able to achieve a personal goal of working as a Special Assistant United States Attorney. This was an exceptional, hands on experience for me.

Ms. Legette reported that she has not personally handled any civil appeals.

Ms. Legette reported that she has not personally handled any criminal appeals.

- (9) Judicial Temperament:
The Commission believes that Ms. Legette's temperament would be excellent.

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(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Ms. Legette to be “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee commented, “Extraordinary life experience; true public servant; charismatic and caring; dynamic; humble; engaging; great temperament; effective communicator; highly relational and smart, dedicated to service and people; she does not have much civil experience but we are confident she will quickly learn. Entire committee was blown away by her story, her character, her integrity, her skills, + everything else!”

Ms. Legette is not married. She has no children.

Ms. Legette reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) National District Attorneys Association
- (c) Colleton County Bar Association
- (d) Rotary Club 7770 Colleton County

Ms. Legette provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Rotary Club District 7770
- (b) Elizabeth Church of Our Lord Jesus Christ
- (c) Harmonia Missionary Baptist Church - former Recording Church Secretary
- (d) Sigma Gamma Rho Sorority, Inc. (inactive status since 1998)
- (e) John R. Justice Community Leadership Award, SC Solicitor’s Association, United States Attorney’s Office for the District of South Carolina
- (f) Community Service Award, SC National Association of Blacks in Criminal Justice
- (g) Team Leader Award, Fourteenth Judicial Circuit Solicitor’s Office
- (h) Proclamation, Fourteenth Judicial Circuit Solicitor’s Office
- (i) John R. Justice Scholarship Award, SC Solicitor’s Association

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- (j) Letter of Commendation
- (k) Marshal, Martin Luther King, Jr. Parade, - MLK Steering Committee, Hampton, SC
- (l) Former Member - South Carolina Bar House of Delegates

Ms. Legette further reported:

My parents are the greatest influencers of my life, and yet, both come from some of the humblest of circumstances in recent history. I am the daughter of a man who was raised by his grandfather, who due to the times, could barely read and write. I am the daughter of a woman who at age 10, after the death of her mother, basically raised herself, living in abject poverty and near daily starvation. This woman, my mother, born with the heart of the lioness, resolved at the tender age of 17 that she would defy the odds of her birth and never allow her children to live as she had been forced to.

I have had the privilege of being raised by a father and mother, who despite their humble beginnings, saw to it that my brother and I would be provided the tools to succeed in life. We were never rich, and maybe not even middle class but my mother and father taught us the value of hard work, treating everyone with honor and respect, and to treat others as we would want to be treated, if not better.

My parents instilled in my brother and I not only the value of hard work but also the value of an education. These values helped shape me into the woman and attorney I am. These same values, combined with the experiences I have been afforded as an attorney in the Solicitor's Office, form the core ingredients of who I plan to be as a Circuit Court judge.

I believe I was born to become a lawyer. My father called out my destiny the day he warned me he wanted me to be anything in life that I wanted to be, "except one of those lying, cheating, lawyers." These words would prove to have a profound effect upon me, and would serve to shape my destiny, and my career. Though I never asked my father what brought him to such a negative conclusion about lawyers, I decided that day to become a lawyer, but not just any lawyer – a lawyer my father and mother would be proud to say they raised, and proud to call their daughter. I believe the attorney I am speaks to that.

My parents have been the greatest influencers of my life, and though neither has even a college degree, both are infinitely

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wiser and more educated than I could ever aspire to be. Because of my upbringing, I have devoted my entire legal career to the service of others, as well as the pursuit of justice, mercy, and love of others. Should I be elected to serve as a Circuit Court judge, those years of upbringing, my devotion to the service of others, and my continued commitment to the pursuit of justice, would be the core ingredients of the kind of judge I would aspire to be and become.

All persons, no matter their walk or station of life will be treated equally, fairly, respectfully, and with dignity in any courtroom where I preside. I will always see the humanity in each individual litigant, attorney, plaintiff, defendant, staff member, accused, victim, or family members who appear before me.

I am Tameaka A. Legette, the servant our State needs.

(11) Commission Members' Comments:

The Commission commented that Ms. Legette has not only impressed the Lowcountry Citizen's Committee, but the Commission members as well. Her compelling personal story, compassion, humility, professionalism, and work experiences will serve her well as a circuit court judge.

(12) Conclusion:

The Commission found Ms. Legette qualified, and nominated her for election to Circuit Court, Fourteenth Judicial District, Seat 1.

**The Honorable Carmen Tevis Mullen
Circuit Court, Fourteenth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Mullen meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Mullen was born in 1968. She is 52 years old and a resident of Hilton Head, South Carolina. Judge Mullen provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed

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attorney in South Carolina since 1995. She was also admitted to the Illinois Bar in 1996.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Mullen.

Judge Mullen demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Mullen reported that she has not made any campaign expenditures.

Judge Mullen testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Mullen testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Mullen to be intelligent and knowledgeable.

Judge Mullen reported that she has taught the following law-related courses:

- (a) Speaker, Solicitor's Association Fall Conference, September 2008
- (b) Presenter, "On Judging Judges," USC School of Law Class of 1995 Reunion, November 5, 2010
- (c) Speaker, SC Tort Law Update, November 12, 2010
- (d) Speaker, Practice Basics for the New Lawyer, Charleston School of Law Women in Law, April 13, 2011

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- (e) Panel Member, “Sporting Clays: Ethics with the Judges,” April 14, 2011
- (f) Speaker, Senior Leadership of Beaufort, Spring 2012
- (g) Panel Member, Public Defender’s Conference, September 23, 2013
- (h) Speaker, “How to Win in Circuit Court,” Hilton Head Bar Association CLE, September 27, 2013
- (i) Speaker, Summary Jury Trials, Hilton Head Bar Association CLE, November 22, 2013
- (j) Panel Member, Construction Law, South Carolina Bar Convention, January 24, 2014
- (k) Panel Member, Tips from the Trial Bench for Criminal Practitioners, 23rd Annual Criminal Practice in South Carolina Seminar, February 28, 2014
- (l) Panel Member, Solicitors Conference, “Significant Cases: 2013-2014”, September 22, 2014
- (m) Speaker, USC Hilton Head, October 7, 2014
- (n) Panel Member, Charleston Chapter SCWLA, “So You Want to Run for Office”, September 24, 2015
- (o) Panel Member, South Carolina Bar Association, “Fourteenth Circuit Tips from the Bench: What Your Judges Want You to Know”, October 30, 2015

Judge Mullen reported that she has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Mullen did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Judge Mullen did not indicate any evidence of a troubled financial status. Judge Mullen has handled her financial affairs responsibly.

The Commission also noted that Judge Mullen was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

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- (5) Reputation:
Judge Mullen reported that her last available rating by a legal rating organization, Martindale Hubbell, was BV.

Judge Mullen reported that she has not served in the military.
Judge Mullen reported that she has never held public office other than judicial office.

- (6) Physical Health:
Judge Mullen appears to be physically capable of performing the duties of the office she seeks.

- (7) Mental Stability:
Judge Mullen appears to be mentally capable of performing the duties of the office she seeks.

- (8) Experience:
Judge Mullen was admitted to the South Carolina Bar in 1995.

She gave the following account of her legal experience since graduation from law school:

- (a) Law Clerk to Honorable L. Casey Manning, Circuit Court Judge for the Fifth Judicial Circuit, April 1995 - April 1996. Assisted Judge in all research, writing orders, scheduling, etc.
- (b) Charleston County Public Defender's Office, Assistant Public Defender, August 1996 - December 1997. Handled caseload of 250+ criminal defendants for misdemeanor and felony crimes including Murder, CSC 1st and Burglary 1st.
- (c) South Carolina House of Representatives, Labor, Commerce & Industry Committee, Staff Attorney, December 1997 - October 1998. Duties included researching legal affect of pending bills before legislature and instructing Members on law and drafting some legislation when requested by Members.
- (d) Uricchio, Howe, Krell, Jackson, Toporek & Theos, Associate, October 1998 - April 2000. Criminal and civil litigation practice in state and federal courts. Case types: Plaintiffs tort actions, contract disputes, criminal defense.

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- (e) Berry, Tevis & Jordan, Partner, April 2000 - May 2001. Tort litigating including automobile accidents and some criminal defense.
- (f) Carmen M. Tevis, LLC, Solo Practitioner, May 2001 - June 2006. Tort litigation, construction litigation, contract litigation, fraud litigation, and criminal defense in state and federal courts. Oversaw all administrative duties and managed Trust Account.
- (g) Resident Circuit Court Judge, 14th Judicial Circuit - June 2006 - Present

Judge Mullen provided that during the past five years prior to her service on the bench she most often served as sole counsel.

Judge Mullen reported she has not personally handled any civil or criminal appeals.

Judge Mullen reported that she has held the following judicial office(s):

July 17, 2006 to Present - SC Circuit Court. Elected
General civil and criminal jurisdiction.

Judge Mullen provided the following list of her most significant orders or opinions:

- (a) *State of South Carolina v. Ernest Daise* – 2013 – 002394 – Affirmed by Supreme Court. Death Penalty Case tried to a jury in October, 2013.

Double homicide of mother and child and also shooting of Defendant's own 15 month old child. Significant for the heightened due process requirements of a death penalty case, significant pretrial publicity, multiple complex evidence issues, contested guilt state, and length explanation of juror bias issues.

- (b) *Ex Parte James A. Brown, Jr., Attorney/Appellant. In Re: State of South Carolina, Respondent v. Alfonzo Howard, Defendant.* 393 S.C. 214 (2011) Affirmed. Significant due to the gruesome nature of the underlying criminal nature (kidnapping, rape, armed robbery) combined with a defense

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lawyer using the trial to make a public statement about compensations for appointed attorneys. Required maintaining the decorum of the court while protecting the victims' rights to conclude the trial (avoid a mistrial) and simultaneously protect Defendant's rights to a fair trial and competent defense, while maintaining the ability to sanction the defense lawyer for his courtroom antics.

- (c) *Harbour Ridge Homeowners Association, Inc. v. North Harbour Development Corporation, Inc., et al.* Horry County.

Non-jury trial involving condominium project. Homeowner's Association using Developer and General Contractor for negligent construction of 8 condominium buildings. Awarded \$1,908,354. Issues involved: statute of limitations and individual contractor liability. Significant as to the competing measure of damages and that all parties agreed to allow me to try it non-jury.

- (d) *Willie Homer Stephens, Guardian at Litem for Lillian Colvin, a minor, Appellant v. CSX Transportation, Inc., and South Carolina Department of Transportation, Respondents*, Hampton County. 400 S.C. 503 Affirmed by the Court of Appeals. Car versus train wreck wherein a car collided with a train and a 12 year old passenger suffered traumatic brain injury. Significant in length of trial (3 weeks), extensive pre-trial matters, 60+ witnesses and a defense verdict in Hampton County.

- (e) *State of South Carolina v. George Stinney, Jr.*, Motion for a New Trial based on after discovered evidence and pursuant to the common law writ of *coram nobis* for a minor child given the death penalty in 1944. I vacated the Defendant's murder conviction based on multiple constitutional violations. Significant in the factual scenario of a fourteen year old boy arrested, tried and executed within 83 days of the crime, with virtually no assistance from his appointed attorney. The facts are shocking in today's environment, but even in 1944 grossly violated Defendant's due process

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rights. The media scrutiny enhanced the significance of this tragic case.

Judge Mullen has reported no other employment while serving as a judge:

Judge Mullen further reported the following regarding unsuccessful candidacies:

Court of Appeals, Seat 7, Spring 2014

Supreme Court, Seat 5, July 2016

(9) Judicial Temperament:

The Commission believes that Judge Mullen's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Mullen to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Lowcountry Citizens Committee stated in summary, "One of the very best, quick study on complex issues, decisive but pleasant, smart, wonderful demeanor-Great judge! Very good with jurors and lawyers."

Judge Mullen is married to George E. Mullen. She has four children.

Judge Mullen reported that she was a member of the following Bar and professional associations:

(a) Circuit Court Judge's Association - President - 2019-Present

(b) South Carolina Women Lawyers Association - Board Member 2012-2018

(c) National Association of Women Judges

(d) American Bar Association

(e) Beaufort County Bar Association

(f) Hilton Head Bar Association

(g) South Carolina Bar Association

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Judge Mullen provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Sea Pines Montessori, Board Member 2010 - June 2016;
Board Chair - 2012 - 2013
- (b) Providence Presbyterian Church
- (c) The Valentine Project, Board Member
- (d) South Carolina Association of Justice Portrait Recipient -
2016

Judge Mullen further reported:

My experience as a diverse trial lawyer handling both complex civil cases and felony criminal cases and having served on the Circuit Court bench for the last 14 years has taught me the patience and resilience necessary to be an outstanding Circuit Court Judge.

(11) Commission Members' Comments:

The Commission commented that Judge Mullen has an outstanding reputation as a jurist. They noted her excellent demeanor in the courtroom which has ably served her in discharging her responsibilities on the bench.

(12) Conclusion:

The Commission found Judge Mullen qualified and nominated her for re-election to Circuit Court, Fourteenth Judicial District, Seat 2.

**The Honorable Benjamin H. Culbertson
Circuit Court, Fifteenth Judicial Circuit, Seat 2**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Culbertson meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Culbertson was born in 1959. He is 61 years old and a resident of Georgetown, South Carolina. Judge Culbertson provided in his application that he has been a resident of South

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Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Culbertson.

Judge Culbertson demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Culbertson reported that he has not made any campaign expenditures.

Judge Culbertson testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Culbertson testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Culbertson to be intelligent and knowledgeable.

Judge Culbertson reported that he has taught the following law-related courses:

- (a) At the Horry County Family Court seminar on 12/09/2005, I gave a lecture on "Writing Domestic Orders.
- (b) At the Tips From the Bench seminar on 2/15/2008, I gave a lecture on civil trials from a circuit judge's perspective.

Judge Culbertson reported that he has not published any books or articles.

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- (4) Character:
The Commission's investigation of Judge Culbertson did not reveal evidence of any founded grievances or criminal allegations made against him.
- The Commission's investigation of Judge Culbertson did not indicate any evidence of a troubled financial status. Judge Culbertson has handled his financial affairs responsibly.
- The Commission also noted that Judge Culbertson was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.
- (5) Reputation:
Judge Culbertson reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.
- Judge Culbertson reported that he has not served in the military.
- Judge Culbertson reported that he has held the following public office
From 2004 to 2006, I was chairman of the Georgetown Election Commission. I was not elected to this position but was appointed by City Council. During this time, I don't recall filing any report with the State Ethics Commission but, I was never subject to any penalty.
- (6) Physical Health:
Judge Culbertson appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Culbertson appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Culbertson was admitted to the South Carolina Bar in 1984.

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He gave the following account of his legal experience since graduation from law school:

- (a) From 1/14/1985 until 12/31/1988, I was an associate attorney with the law firm of Schneider and O'Donnell, P.A. I maintained a general practice in all areas of law except tax law. I had limited administrative and financial management and no management of the trust accounts.
- (b) From 1/1/1989 until 12/31/1990, I was a junior partner with the law firm of Schneider and O'Donnell, P.A. The firm changed its name to O'Donnell and Culbertson, P.A. I maintained a general practice in all areas of law except tax law. I assumed some administrative and financial management of the firm, subject to approval from the senior partner. I had no management of the trust accounts.
- (c) From 1/1985 until 4/1996, I served as Assistant Municipal Court Judge for the City of Georgetown, SC. I presided over criminal cases occurring in the city where the penalties for convictions were a fine of not more than \$500.00 and/or imprisonment of not more than 30 days. I also conducted preliminary hearings and set bond for defendants charged with General Sessions offenses, except for capital murder cases and charges with a penalty of life imprisonment.
- (d) From 1/1/1991 until 6/30/2007, I was a sole-practicing attorney with the Law Office of Benjamin H. Culbertson, P.A. I maintained a general practice in all areas of law except bankruptcy, tax law and social security claims. I had total administrative and financial management of the firm and was solely responsible for management of all trust accounts.
- (e) From 4/1996 until 6/30/2007, I served as Master-In-Equity for Georgetown County, SC. I presided over non-jury civil cases that were referred to me and had the same jurisdiction and authority as a Circuit Court Judge presiding over the case.
- (f) From 7/2001 until 6/30/2007, I served as Special Circuit Court Judge under appointment from The Honorable Jean Toal, Chief Justice of the South Carolina Supreme Court. I had the same jurisdiction and authority as a Circuit Court Judge over matters pending in Georgetown County, except for presiding over trials in General Sessions Court.
- (g) From 7/5/2007 to the present, I have been a circuit court judge, elected as resident circuit judge for the 15th judicial circuit, seat number 2.

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Judge Culbertson reported that he has held the following judicial office(s):

- (a) From 1/1985 until 4/1996, I served as Assistant Municipal Court Judge for the City of Georgetown, SC. I was appointed by Georgetown City Council and I presided over criminal cases occurring in the city where the penalties for convictions were a fine of not more than \$500.00 and/or imprisonment of not more than 30 days. I also conducted preliminary hearings and set bond for defendants charged with General Sessions offenses, except for capital murder cases and charges with a penalty of life imprisonment.
- (b) From 4/1996 until 6/30/2007, I served as Master-In-Equity for Georgetown County, SC. I was appointed by the Governor of South Carolina, with the advice and consent of the South Carolina General Assembly. I presided over non-jury civil cases that were referred to me and had the same jurisdiction and authority as a Circuit Court Judge presiding over the case.
- (c) From 7/2001 until 6/30/2007, I served as Special Circuit Court Judge under appointment from The Honorable Jean Toal, Chief Justice of the South Carolina Supreme Court. I had the same jurisdiction and authority as a Circuit Court Judge over matters pending in Georgetown County, except for presiding over trials in General Sessions Court.
- (d) From 7/5/2007 to the present, I have been a circuit court judge. I was elected on 5/23/2007 by the South Carolina General Assembly as resident circuit judge for the 15th judicial circuit, seat number 2. I was re-elected to the same position in 2009 and 2015.

Judge Culbertson reported the following regarding his employment while serving as a judge:

- (a) From 1/14/1985 until 12/31/1990, I was an associate attorney and, then a partner with the law firm of Schneider and O'Donnell, P.A. I maintained a general practice in all areas of law except tax law. During this time, I also served as Assistant Municipal Court Judge for the City of Georgetown. I was appointed by Georgetown City Council and had jurisdiction over all criminal violations in the city with maximum penalties of 30 days in jail or \$500.00 fine.
- (b) From 1/1/1991 until 6/30/2007, I was a sole practicing attorney with the firm of Benjamin H. Culbertson, P.A. I

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maintained a general practice in all areas except bankruptcy, tax law and social security claims. I also served as Assistant Municipal Court Judge (see above) until 1996. From 1996 until 2007, I served as Master-In-Equity for Georgetown County. I was appointed as Master-In-Equity by the governor with the advice and consent of the South Carolina General Assembly. As Master-In-Equity, I sat as a Circuit Court Judge on all civil matters assigned to me by the Circuit Court.

(9) Judicial Temperament:

Concerns were raised as to Judge Culbertson's temperament and the Commission addressed this with Judge Culbertson at the public hearing. The Commission believes Judge Culbertson in his assurances that he will continue to improve his temperament and demeanor on the bench.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Culbertson to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge Culbertson is married to Renée Kinsey Culbertson. He has three children.

Judge Culbertson reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association – I have not held any offices.
- (b) South Carolina Circuit Court Judges Association – I have not held any offices.

Judge Culbertson provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) The Citadel Alumni Association;
- (b) The Citadel Brigadier Club;
- (c) Georgetown Cotillion Club;
President (2000-2001);

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Vice President (1999-2000);
Secretary/Treasurer (1998-1999);
Executive Committee (1995-1998);

- (d) Winyah Indigo Society;
- (e) Duncan Memorial United Methodist Church.

Judge Culbertson further reported:

For the past 35 years, I have served as a member of the judiciary in some capacity. I gradually progressed from Assistant Municipal Court Judge, to Master-In-Equity, to Special Circuit Court Judge and, now Circuit Court Judge. I have now served as a Circuit Court Judge for the past thirteen years. I was first elected to the circuit court bench in 2007, re-elected in 2009 and re-elected again in 2015. I am a resident of Georgetown County and now hold the seat to which I am seeking re-election. Since the creation of this judicial seat, it has been held by a Georgetown resident.

- (11) Commission Members' Comments:
The Commission commented that Judge Culbertson has a wealth of experience serving as a Circuit Court judge.
- (12) Conclusion:
The Commission found Judge Culbertson qualified and nominated him for re-election to Circuit Court, Fifteenth Judicial Circuit, Seat 2.

**The Honorable George M. McFaddin Jr.
Circuit Court, At-Large, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Judge McFaddin meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McFaddin was born in 1954. He is 66 years old and a resident of Gable, South Carolina. Judge McFaddin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1985.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McFaddin.

Judge McFaddin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McFaddin reported that he has not made any campaign expenditures.

Judge McFaddin testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McFaddin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McFaddin to be intelligent and knowledgeable.

Judge McFaddin reported that he has taught the following law-related courses:

In the late 1980s I taught torts, family law, and estates at Central Carolina Technical College in the paralegal program. These classes were one semester in length.

While a family court judge I offered presentations approximately 6-8 times. I did so at SC Bar sponsored continuing education seminars. The subjects were related to family law matters and procedures.

Judge McFaddin reported that he has not published any books or articles.

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(4) Character:

The Commission's investigation of Judge McFaddin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge McFaddin did not indicate any evidence of a troubled financial status. Judge McFaddin has handled his financial affairs responsibly.

The Commission also noted that Judge McFaddin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge McFaddin reported that he is not rated by any legal rating organization.

Judge McFaddin reported that he has not served in the military. Judge McFaddin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge McFaddin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge McFaddin appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge McFaddin was admitted to the South Carolina Bar in 1985.

He gave the following account of his legal experience since graduation from law school:

1985-86 I was a law clerk to the Hon. Rodney A. Peebles, Judge of the Second Judicial Circuit in SC. I researched law as needed, drafted orders, assisted with docket management and planning, and otherwise did as I was told to do.

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1986-87 I was an associate attorney in Sumter, SC, at The Bryan Law Firm. I handled a variety of cases to include civil, criminal and family law. I had no role in administrative or financial management.

1987-1988 I worked as an associate in Sumter, SC, at the law firm of John E. Miles. My duties were the same as those listed above when working at The Bryan Law Firm. I had no role in administrative or financial management.

1988-1990 I worked as an associate in Sumter, SC, at the law firm of T. H. Davis, III. My duties were the same as when I worked at the above two law firms. I had no role in administrative or financial management.

1990-98 I was a sole practitioner in Sumter, SC, until I left private practice in July 1998 to become a full-time magistrate. As a sole practitioner I handled a general practice of civil, criminal, family law, and a few real estate and probate matters. I handled all administrative and financial matters to include the trust account. During this period I served as a prosecutor for the SC Highway Patrol and the Sumter County Sheriff's Department for approximately two years. I served for approximately three years as a public defender in family and circuit courts.

Judge McFaddin reported that he has held the following judicial offices:

1999-2002. I served as a full-time Sumter County magistrate as chief magistrate. I was appointed by Senate. Jurisdiction was limited by statute. Jurisdiction in civil matters up to \$7500 and misdemeanors in criminal court. Jurisdiction included also traffic law violations and landlord/tenant cases.

July 2002-February 2017 I served as a family court judge. Jurisdiction included family law actions, adoptions, abuse and neglect cases in DSS matters, juvenile criminal law, name changes, domestic abuse cases to include criminal domestic abuse cases. I was elected by the SC General Assembly in years 2002, 2004, 2010 and 2016

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February 2017 to present I have served as a circuit court judge and was elected to this position by the SC General Assembly in early 2017 to fill the unexpired seat of a retiring judge. Jurisdiction includes common pleas court (civil lawsuits with or without jury involvement) and general sessions court (criminal cases involving pleas or trials, setting or amending bonds.)

Judge McFaddin provided the following list of his most significant orders or opinions:

- (a) *Monica-Brown Gantt v. Centex Real Estate Company and Centex Homes*. Case 2018-CP-18-1436. Order denying Plaintiff's Motion to Reconsider Order Granting Summary Judgment in favor of Defendants. The issue in this case revolves around the statute of limitations regarding home defects. I ruled in favor of Defendants and issued the ruling instructing the drafting attorney to include my findings in the order. I did not write the actual order. I signed the order in May 2020 and it was Efiled. I fully expect this ruling to be appealed because the ruling, reversed or affirmed, will be noted throughout the home construction industry.
- (b) *Leland Reginald Eaddy v. Phillip Walter Eaddy, Florence County Sheriff's Department, Lake City Police Department, Williamsburg County Sheriff's Department, et. al.* Case 2019-CP-45-0345. Order granting Motion to Set Aside Default. In this highly inflamed family dispute I ruled that orders of default against Defendants served were to be set aside based upon several improper or defective service of process actions. I do not know if this order will be or has been appealed. I signed it March 2020 and it was Efiled. I did not write the order but instructed the drafting attorney of the rulings and my reasons.
- (c) *State of South Carolina v. Bowen G. Turner*. Case or warrant 2019A38102000093 (Orangeburg County). Order granting a bond reconsideration in a sexual assault case. Defendant moved for a bond modification. I granted the modification after hearing from Defendant's attorney, the victims' parents, the victim advocate, the attorney representing the victims, and the assistant solicitor. I drafted the order.
- (d) *State of South Carolina v. Davonte Green*. Case 2018-GS-31-0081. Order denying immunity based upon the "stand your ground" defenses. A Duncan hearing was held and I

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issued the order denying the immunity in March 2020. Defendant was accused of stabbing to death another inmate at a SC prison. I drafted the order.

- (e) *State of South Carolina v. Charles Davenport*. Case 2018-GS-40-8199. Order denying reconsideration of a sentence I imposed in a Felony DUI case where USC soon to graduate USC student was killed by Defendant in Columbia SC. Defendant offered a plea of guilty. I heard the plea and heard from family members and friends of both the victim and Defendant. It was a tragic event and sentencing was not easy. I sentenced Defendant to twenty years declining to sentence him to the maximum of twenty-five years. I drafted the order.
- (f) *Jerry Pressley v. The South Carolina Department of Transportation*. Court of Appeals Case 2018-001093. Unpublished Opinion No. 2020-UP-187 Filed June 17, 2020. I granted summary judgment in favor of Defendant in a negligence action. My ruling was appealed and was affirmed.

I offered six orders instead of five. I trust doing so is acceptable. The instructions do not require that I provide copies of the orders or the opinion but I am providing the copies.

Judge McFaddin reported no other employment while serving as a judge.

- (9) Judicial Temperament:
The Commission believes that Judge McFaddin's temperament has been, and would continue to be, excellent.
- (10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Judge McFaddin to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge McFaddin is not married. He has two children.

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Judge McFaddin reported that he was a member of the following Bar and professional associations:
South Carolina Bar. 1985-present.

Judge McFaddin provided that he was a member of the following civic, charitable, educational, social or fraternal organizations:
Only member of my church and the SC Bar.

Judge McFaddin further reported:
Regarding positive factors, I have served as a magistrate judge for four years, a family court judge for fifteen years, and now have served as a circuit court judge for almost four years. I have considerable bench experience and have learned a lot about being a judge. I strive to treat all persons in court and out of court with respect and patience. I care about my job and my rulings.

On the negative side, I candidly state that I do not know everything. To this day I am still learning more about the law from rulings from our appellate courts and from the lawyers who appear in front of me.

- (11) Commission Members' Comments:
The Commission was impressed by the humility and dedication with which Judge McFaddin approached his duties. Commission members found his remaining involved with the Family Court's adoption day a true testament to Judge McFaddin's devotion to his work and his community.
- (12) Conclusion:
The Commission found Judge McFaddin qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 1.

The Honorable R. Kirk Griffin
Circuit Court, At-Large, Seat 2

Commission's Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Griffin meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Griffin was born in 1974. He is 46 years old and a resident of Sumter, South Carolina. Judge Griffin provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Griffin.

Judge Griffin demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Griffin reported that he has not made any campaign expenditures.

Judge Griffin testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Griffin testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Griffin to be intelligent and knowledgeable.

Judge Griffin reported that he has taught the following law-related courses:

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From 2013-2016, I presented a thirty minute program on preliminary hearings at the Intensive Training Program for Magistrates and Municipal Judges.

Judge Griffin reported that he has published the following:
Mitigation of Civil Penalties under the Clean Air Act, 7 S.C. Env'tl. L.J. 271, Fall 1998

(4) Character:

The Commission's investigation of Judge Griffin did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Griffin did not indicate any evidence of a troubled financial status. Judge Griffin has handled his financial affairs responsibly.

The Commission also noted that Judge Griffin was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Griffin reported that he is not rated by any legal rating organization.

Judge Griffin reported that he has not served in the military.

Judge Griffin reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Griffin appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Griffin appears to be mentally capable of performing the duties of the office he seeks.

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(8)

Experience:

Judge Griffin was admitted to the South Carolina Bar in 2000.

He gave the following account of his legal experience since graduation from law school:

(a) The Honorable Thomas W. Cooper, Jr. – Judicial Law Clerk, August 2000 – July 2001

(b) Nexsen, Pruet, Jacobs and Pollard – Associate Attorney, August 2001 – December 2001.

I worked as an associate attorney in the firm's litigation department. While my job focused on litigation, my primary duties consisted of research, writing and document review.

(c) Bryan, Bahnmuller, Goldman and McElveen, LLP, Associate Attorney – December 2001 – April 2004.

I returned to my hometown to work in my father's law firm. My practice focused on personal injury and workers' compensation. In addition to these practice areas, I also served as a prosecutor for the Sumter County Sheriff's Office in Summary Court.

(d) The Griffin Law Firm, LLC, Sole Proprietor – 2004

In late 2003, my father was forced to retire from law practice due to health concerns. Upon his retirement, I opened my own law practice. I engaged in a general law practice, including a brief period where I served as a part time public defender for Sumter County. During this time, I did all of the bookkeeping for my firm, to include management of operating and trust accounts. In the fall of 2004, two colleagues and I merged law practices to form Bryan, Horne and Griffin, LLC.

(e) Bryan, Horne and Griffin, LLC, Partner – 2004 – September 2006

I handled the firm's litigation practice. My practice focused on personal injury, workers' compensation, social security disability and family law. I resumed serving as the Summary Court Prosecutor for the Sumter County Sheriff's Office. In September 2006, one of my partners was hired as the full time Sumter County Attorney. As a result, our partnership dissolved in September 2006.

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(f) R. Kirk Griffin, LLC, Sole Proprietor – September 2006 – June 2007

I resumed working as a sole proprietor engaging in a general law practice. I resumed managing my law firm, including management of operating and trust accounts. I closed my private practice in June 2007 to become a full time Assistant Solicitor.

(g) The Honorable C. Kelly Jackson, Third Circuit Solicitor – Assistant Solicitor - July 2007 – January 2011

I prosecuted various criminal offenses in Circuit Court. I worked continually for Solicitor Jackson until his retirement in January 2011.

(h) The Honorable Ernest A. Finney, III, Third Circuit Solicitor – Deputy Solicitor - January 2011 – December 2019

I maintained a full case load and had day to day office management duties as delegated by the Solicitor. With the assistance of administrative staff, planned and administrated the Sumter County General Sessions court appearance system. I handled a wide array of criminal cases, ranging from drug offenses to murder.

(i) Circuit Court Judge, At-Large, Seat Two – January 2020 – present

Preside over court of statewide general jurisdiction. Conduct hearings and trials in the courts of General Sessions and Common Pleas, including limited appellate jurisdiction.

Judge Griffin reported that he has held the following judicial office(s):

January 2020 – present, elected, Circuit Court At-Large, Seat Two, general jurisdiction trial court with limited appellate jurisdiction.

Judge Griffin has reported no other employment while serving as a judge:

Judge Griffin further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Court, Third Judicial Circuit, Seat Two, in January 2018. I was one of the three candidates found

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qualified and nominated. I withdrew from the race on January 23, 2018.

(9) Judicial Temperament:

The Commission believes that Judge Griffin's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification reported that Judge Griffin was "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee did not have any related comments.

Judge Griffin is married to Suzanne Burch Griffin. He has two children.

Judge Griffin reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar – November 13, 2000 – present.
- (b) Sumter County Bar – 2001 – present.
- (c) South Carolina Circuit Judges Association, 2020 – present.
- (d) Pee Dee Inn of Court – 2019 – present.

Judge Griffin provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) YMCA Church League Basketball Coach, 2014-2016
- (b) Sumter County Parks and Recreation Youth Soccer Coach - 2015

Judge Griffin further reported:

In my legal career, I represented plaintiffs and defendants in civil cases. I also prosecuted criminal cases and represented defendants in criminal court. I learned how to be a lawyer on both sides of the courtroom. I believed those experiences have given me great perspective about the law and the people who find themselves in courtrooms. I dealt with people from all walks

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of life, and tried to treat people how I wanted to be treated. It was a great education in human nature.

In 2007, I devoted my legal career to public service. Over the past thirteen years, I have served the citizens of the State of South Carolina. It has been the greatest honor of my professional life. In my brief tenure as a Circuit Court judge, I have drawn on my experiences as a private attorney, a public defender and a prosecutor to be an able judge. I seek to do justice and treat lawyers, litigants, defendants and crime victims fairly and with respect. I will never forget what it's like to be on the other side of the bench.

(11) Commission Members' Comments:

The Commission commented that the positive BallotBox survey results speak highly of Judge Griffin's aptitude and judicial temperament in the short time he has served on the bench.

(12) Conclusion:

The Commission found Judge Griffin qualified and nominated him for re-election to Circuit Court, At-Large, Seat 2.

**The Honorable Clifton Newman
Circuit Court, At-Large, Seat 3**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Newman meets the constitutional qualifications prescribed for judicial service as a Circuit Court judge.

Judge Newman was born in 1951. He is 69 years old and a resident of Columbia, South Carolina. Judge Newman provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1981. He was also admitted to the Ohio Bar in 1976.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Newman.

Judge Newman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Newman reported that he has not made any campaign expenditures.

Judge Newman testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Newman testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Newman to be intelligent and knowledgeable.

Judge Newman reported that he has taught the following law-related courses:

- a) In 2014, I presented at the John Belton O'Neill Inn of Court on "Stand Your Ground."
- b) In June 2014, at the American Conference Institute in New York, NY, I presented on "Employment Discrimination."
- c) In 2015, I was a National Judicial College Faculty presenter on Managing Complex Commercial Cases in St. Louis, Missouri and San Antonio, Texas.
- d) In 2015, I presented at the Coastal American Inn of Court in Myrtle Beach on "South Carolina Business Courts."

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- e) In 2015 I presented at an Association of Corporate Counsel Program entitled, “The Court is Open for Business: In House Counsel and the Judiciary Collaborating for Success.”
- f) In March 2015 I presented to the S. C. Circuit Court Judges Association, “Handling Complex Cases.”
- g) In 2015, 2016, 2017, 2018, and 2019 I taught criminal law at the Orientation School for New Judges.
- h) In 2015 and 2016 I presented to new lawyers on the topic, “Practice in the Circuit Court” at Bridge the Gap.
- i) In April 20-21, 2016, I spoke at The American Conference Institute’s National Forum on “Residential Mortgage Litigation & Regulatory Enforcement” in Washington, DC.
- j) In 2016 I was on the American Conference Institute panel in New York, NY on “Legal Malpractice.”
- k) In 2016 I presented at the American Conference Institute in Chicago, IL on “Data Breach and Privacy Litigation.
- l) In 2016 I moderated an ethics discussion in Charleston, SC following the stage production of “The Seat of Justice.” The discussion featured then Supreme Court Chief Justice Costa Pleicones and U. S. District Court Judge Richard Gergel. It focused on the ethical issues, the struggle, and the case of Briggs v. Elliott.
- m) In 2016 I presented on an American Conference Institute panel entitled “Defending and Managing Employment Discrimination Litigation.”
- n) In 2016 I presented at the Orientation School for Magistrates and Municipal Judges on “Preliminary Charges” and other information.
- o) In December 2016 I presented in Washington, DC on “Bulletproof Expert Report.”
- p) In 2017 I presented at the Perrin National Construction Defects Conference on Litigating Construction Defects Cases.
- q) In 2017 I presented at the S. C. Solicitor’s Annual Conference on recent decisions of the Supreme Court of South Carolina.
- r) In 2017 I presented at the South Carolina Black Lawyers Association Conference on “Ethics.”
- s) In 2017 I presented at the American Conference Institute on the topic “Consumer Finance Class Actions and Litigation.”

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- t) In 2017 I moderated a panel in Chicago, Illinois for a program entitled: A Celebration of Constitution Day: The War on Fair Courts and Its Impact on Businesses Operating in the United States.
- u) In 2017 I presented on “Tips From the Trial Bench” at the ABA Business Law Meeting in New Orleans, LA.
- v) In 2018 I moderated a panel in Charleston, SC at the annual meeting of the American College of Business Court Judges on “The Business Divorce: Handling Complex Business Dissolution in the Midst of a Family Breakup.”
- w) In 2018 I presented on “The Fourteenth Amendment-A Prospective” at the Meeting of the North Carolina Association of Black Lawyers.
- x) In 2019 I presented at a South Carolina Bar CLE entitled “Drug Litigation in South Carolina.”
- y) In 2019 I was on a “Tips from the Bench,” S. C. Bar CLE entitled “Taking the Terror out of Trial.”
- z) In 2019 I presented at the Diversity and Inclusion Subcommittee of the ABA- Business Law Section on the topic “My Career Trajectory Leading to the Bench.”
- aa) In 2020 I participated in a Business Courts Benchbook podcast sponsored by the Business Law Section of the American Bar Association.
- bb) In 2020 I participated in an American Bar Association Business Law Section Webinar on “Jury Trials during COVID-19 and Beyond.”

*Courses and lectures listed are since 2014.

Judge Newman reported that he has published the following:
Newman, Clifton and Applebaum, Lee. (2019) ‘Overview of Business Courts and Their Jurisdictions and, Newman, Clifton, ‘Case Management in the Business Court.’ *The Business Courts Benchbook: Procedures and Best Practices in Business and Commercial Cases*. Chicago. American Bar Association (2019). Pages 1-25.

(4) Character:

The Commission’s investigation of Judge Newman did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Judge Newman did not indicate any evidence of a troubled financial status. Judge Newman has handled his financial affairs responsibly.

The Commission also noted that Judge Newman was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Newman reported that he is not rated by any legal rating organization.

Judge Newman reported that he has not served in the military.

Judge Newman reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Newman appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Newman appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Newman was admitted to the South Carolina Bar in 1981.

He gave the following account of his legal experience since graduation from law school:

(a) 1976-1977 Associate Attorney in small General Practice Law Office in Cleveland, Ohio.

(b) 1977-1982 Partner, Belcher and Newman Law Firm, Cleveland, Ohio.

General Law Practice. I was responsible for the management of trust accounts.

(c) 1982-1994 Law Office of Clifton Newman in Manning, Kingstree and Columbia, South Carolina. General law practice, civil and real estate. I was responsible for management of trust account.

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- (d) 1994-2000 Newman and Sabb, PA. Kingstree, Lake City and Columbia, South Carolina. Managing Attorney, general law practice. I was responsible for management of trust accounts.
- (e) 1983-2000 Assistant Solicitor – Third Circuit. Criminal prosecution in Williamsburg County.

Judge Newman reported that he has held the following judicial office(s):

Circuit Court at Large, Seat 3, (elected) - May 2000 to Present.

- (9) Judicial Temperament:
The Commission believes that Judge Newman's temperament has been, and would continue to be, excellent.

- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Newman to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted, "His lengthy experience makes him extremely qualified."

Judge Newman is married to Patricia Blanton Newman. He has four children.

Judge Newman reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) American College of Business Court Judges – President, 2016-2018.
- (c) American Bar Association, Business Law Section; Judges Initiative, Co-Chair, 2015 - 2018.

Judge Newman provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Kappa Alpha Psi Fraternity
- (b) I. DeQuincey Newman United Methodist Church, Charter Member, Vice President Methodist Men, Board of Trustees.

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- (c) ABA Business Law Section Service Award.
- (d) Matthew J. Perry Civility Award - Richland County Bar Association.
- (e) 2014 Jurist of the Year Award - American Board of Trial Advocates.
- (f) North Carolina Association of Black Lawyers, the South Carolina Black Lawyers Association and the John S. Leary Association of Black Attorneys Community Service Award.

Judge Newman further reported:

Having been honored to serve the past twenty years as a Circuit Court Judge, I am keenly aware of my significant role in helping maintain an orderly society by fulfilling my duty to act fairly, justly, and expeditiously. I endeavor to execute my duties calmly and in a manner that respects the innate rights of each person as a human being.

(11) Commission Members' Comments:

The Commission commented that Judge Newman has an outstanding reputation as a Circuit Court judge. They noted that he is highly regarded for his great intellect and broad judicial experience which has made him highly effective as a Circuit Court judge.

(12) Conclusion:

The Commission found Judge Newman qualified, and nominated him for re-election to Circuit Court, At-Large Seat 3.

**The Honorable Edward Walter "Ned" Miller
Circuit Court, At-Large, Seat 4**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Miller meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Miller was born in 1952. He is 68 years old and a resident of Greenville, South Carolina. Judge Miller provided in his application that he has been a resident of South Carolina for at

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least the immediate past five years and has been a licensed attorney in South Carolina since 1978.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Miller.

Judge Miller demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Miller reported that he has not made any campaign expenditures.

Judge Miller testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Miller testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Miller to be intelligent and knowledgeable.

Judge Miller reported that he has taught the following law-related courses:

- (a) Ethics Course Panel at 2005 Public Defender Conference.
- (b) Panel Discussion concerning the Business Court Pilot Program at the S.C. Defense Trial Lawyers Conference in July, 2008.
- (c) Ethics Court Panel at the 2008 Public Defenders Conference.

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- (d) Presented on the Topic of the History of the Greenville County Bar and Practice of Law at the Greenville County Bar CLE in 2013 and 2014.
- (e) Presented at the Fast Track Jury Trial Seminar in June, 2013
- (f) Presented at the Solicitor's Conference 2014 on the subject of Gang related Trials.

Judge Miller reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Miller did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Miller did not indicate any evidence of a troubled financial status. Judge Miller has handled his financial affairs responsibly.

The Commission also noted that Judge Miller was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Miller reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV.

Judge Miller reported that he has not served in the military.

Judge Miller reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Miller appears to be physically capable of performing the duties of the office he seeks.

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- (7) Mental Stability:
Judge Miller appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Judge Miller was admitted to the South Carolina Bar in 1978.

He gave the following account of his legal experience since graduation from law school:

- | | | |
|-----|------------------------------|---|
| (a) | November, 1978 – April, 1980 | Southern Bank & Trust
Company Federal Regulations
Compliance Officer |
| (b) | April, 1980 – June, 1981 | Assistant Public Defender for
Greenville County |
| (c) | June, 1981 – June, 1982 | Sole Practitioner – General
Practice Fully responsible for
administrative and financial
management including trust
accounts |
| (d) | June 1982 – July 2000 | Miller & Paschal – General
Practice Concentration in Civil
& Criminal Litigation. Fully
responsible for administrative
and financial management
including trust accounts |
| (e) | July, 2000 – August, 2002 | Sole Practitioner – General
Practice
Fully responsible for
administrative and financial
management including trust
accounts |

Judge Miller reported that he has held the following judicial office:

Circuit Court At Large Seat Four
August 29, 2002 - present
Elected by the South Carolina Legislature
Circuit Court jurisdiction

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Judge Miller provided the following list of his most significant orders or opinions:

- (a) *State v. Evins*, 373 S.C. 404, 645 S.E. 2d 904 (2007); This was a death penalty case in Spartanburg County of significant notoriety. The Defendant was convicted by a jury and sentenced to death. The case involved issues related to pretrial publicity, juror disqualification and judicial discretion with respect to admission of evidence.
- (b) *State v. Inman*, 395 S.C. 539, 720 S.E. 2d 31 (2011); This case was a capital case involving the murder and sexual assault of a Clemson University student by a previously convicted sex offender who had been released from a foreign state on parole. This case was reported in the national media and was followed intensely by the local media as well. The Defendant entered a guilty plea to all charges: murder, criminal sexual conduct in the first degree, first degree burglary and kidnapping. Over the Defendant's Constitutional objections, the sentencing phase was conducted without a jury. The case contained issues with respect to conditional guilty pleas, prosecutorial misconduct and witness intimidation. The Defendant was sentenced to death.
- (c) *State v. Duncan*, 392 S.C. 404, 709 S.E. 2d 662 (2011); This case involved a question of first impression with respect to immunity under the Protection of Persons and Property Act. The Defendant had been indicted for murder and his motion for dismissal of the indictment was granted pursuant to the language of the act. The Supreme Court affirmed my ruling that the immunity issue must be decided pre-trial and that the standard of proof to entitlement to immunity was by a preponderance of the evidence.
- (d) *Koutsogiannis v. BB&T*, 365 S.C. 145, 616 S.E. 2d 425 (2005); This case involved counterclaims against a bank filed in response to a collection action initiated by the bank against the plaintiff. The trial on the counterclaims was conducted after the case was remanded by the South Carolina Court of Appeals for failure of the original trial court to allow the Plaintiff to argue the merits of the counterclaims. Plaintiff was awarded a verdict on a gross negligence claim, which the Supreme Court affirmed. Issues

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involved in the case included jury instructions and attorney-client/agent-principal relationships and liability there under.

- (e) *Ballard v. Roberson, et. al.*, 399 S.C. 588, 733 S. E. 2d 107 (2012); This case arose out of the Business Court Pilot Program. The case evolved as a shareholder derivative action with claims of stockholder oppression and a “freeze out” of the minority shareholder. It was an equitable action and tried without a jury. The majority engaged in classic acts of oppression, including unauthorized issuance of shares of stock which further diluted the minority’s position.

Judge Miller reported no other employment while serving as a judge:

Judge Miller further reported the following regarding unsuccessful candidacies:

- (a) Circuit Court, Thirteenth Circuit, Seat 2 February, 2000
(b) Circuit Court at Large, Seat 3 May, 2000

(9) Judicial Temperament:

The Commission addressed concerns regarding Judge Miller’s temperament. Judge Miller responded to these concerns and the Commission was satisfied with his assurances that he will continue to improve his temperament and demeanor.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Miller to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not have any related comments.

Judge Miller is not married. He has two children.

Judge Miller reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
(b) Greenville County Bar Association (Board of Directors 1993)

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Judge Miller provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Miller further reported:

I am an active communicant at Christ Church in Greenville. Formerly, I was active as a youth athletics coach at the Greenville YMCA. I was also a coach, board member and president of a youth soccer organization in Greenville.

(11) Commission Members' Comments:

Affidavits were filed against Judge Miller by Dr. Arthur Field and his wife, Kathryn Taillon, and the Commission reviewed extensive documents submitted by the couple. Judge Miller provided written responses, which the Commission also reviewed. Upon reviewing the complaints by the parties, the responses, and the documents provided, the Commission does not find a failing on the part of Judge Miller in the nine evaluative criteria.

A separate affidavit was also filed against Judge Miller by Mr. Rickey Bryant. The Commission reviewed the documents submitted by Mr. Bryant, and Judge Miller testified in response to the affidavit. The affidavit was substantially the same as an affidavit Mr. Bryant filed against Judge Miller in 2014. The Commission determined that no new matters had been presented. The Commission dismissed the affidavit by a majority vote with three abstentions, finding that consideration of the affidavit would violate precedent and prior rulings by the Commission.

(12) Conclusion:

The Commission found Judge Miller qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 4.

The Honorable J. Mark Hayes II
Circuit Court, At-Large, Seat 5

Commission's Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Hayes meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Hayes was born in 1958. He is 62 years old and a resident of Spartanburg, South Carolina. Judge Hayes provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Hayes.

Judge Hayes demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Hayes reported that he has not made any campaign expenditures.

Judge Hayes testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Hayes testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Hayes to be intelligent and knowledgeable.

Judge Hayes reported that he has taught the following law-related courses:

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- (a) Wofford College, Constitutional Law Class, presenter on *Miller v. Alabama*, April 30, 2020.
- (b) Law Enforcement Defense Counsel, Lawyers as Public Citizens: An Ethical Obligation to Advocate for Our Justice System, speaker, October 2017.
- (c) University of South Carolina Upstate, Constitutional Law Class, presenter, View From the Bench, May 2016.
- (d) North Greenville University, Criminal Justice Class presenter; Criminal Ethics Class presenter, November 2014.
- (e) Annual Magistrate and Municipal Judge Mandatory Program, presenter, "Ethics: A Thin Thread to Runnymede", November 2014.
- (f) Spartanburg County Bar Association CLE, Genetic Privacy and The Fourth Amendment: Unregulated Surreptitious DNA Harvesting, Panelist, Wofford College, Spartanburg, SC, February 2014.
- (g) S.C. Magistrates Annual Training, presenter, "DUI in South Carolina Legal Update: Video Recording Challenges and Expert Witnesses", West Columbia, S.C., November 2013.
- (h) ABA/NHTSA, panel related to the Assessment of South Carolina Impaired Driving, July 2013.
- (i) Charlotte School of Law, Legends and Leaders in the Law, Speakers Series, November 2012.
- (j) National Business Institute, Civil Court Judicial Forum: Advanced Discovery and Trial Practice, Columbia, S.C., October 2012.
- (k) S.C. Criminal Justice Training Conference, keynote speaker, North Myrtle Beach, S.C., November 2011. Training conference for members of the S.C. Probation and Parole Association, S.C. Law Enforcement Officers' Association, and S.C. Corrections' Association.
- (l) S.C. Bar-Continuing Legal Education Division, speaker: Criminal Law Essentials, May 2011; individual presentation topic: "Straight from the Bench."
- (m) South Carolina Association for Justice (SCAJ), Auto Torts, speaker, Atlanta, GA, December 2010.
- (n) National Christian Forensics & Communications Association (NCFCA): Judge, NCFCA Finals of the Lincoln-Douglas Debate, Bob Jones University, Greenville, S.C., June 2009.

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- (o) Trial Judge for the South Carolina Bar Association Mock Trials, Upstate Division, February 2009.
- (p) S.C. Bar Convention, Panel Member on Current Issues in Internet Crime, January 2009.
- (q) Spartanburg Methodist College, School of Law presenter, March 2008 and February 2009.
- (r) National Judicial College workshop on Courts and the Media, Atlanta, GA, October 2008.
- (s) Trial Judge for the Mock Trials for the S.C. Defense Attorney's Trial Academy, June 2007 and 2008.
- (t) Wofford College Judicial Symposium, host and presenter: The Constitution: The Third Branch of Government, An Insider's View, September 2007; individual presentation topic: "The Judiciary and the Media."
- (u) USC Upstate, Criminal Justice Class presenter, November 2007.
- (v) South Carolina Delegate to the State Trial Judges Conference Annual Meeting: Chicago, Illinois, 2005; Honolulu, Hawaii, 2006; and San Francisco, California, 2007.
- (w) S.C. Budget and Control Board Insurance Reserve Fund: presenter to Government Lawyer Conference; individual topic presentations: Legislative Update, Lexington, S.C., 2005, Ethics Update, 2006 and Ethics presenter 2010.
- (x) S.C. Solicitor's Conference: presenter, Myrtle Beach, S.C., 2004.
- (y) S.C. Worker's Compensation Conference: presenter, Asheville, N.C., 2003.

Judge Hayes reported that he has published the following books and articles:

- (a) "The Sea of Ethics", The Justice Bulletin, South Carolina Association for Justice.
- (b) "Contribution to Justice Award", speech, The Justice Bulletin, South Carolina Association for Justice.
- (c) "Shakespeare, Really, 'Let's Kill All the Lawyers', Even the Heroes Among Them?", The Justice Bulletin, South Carolina Association for Justice, Fall 2015.
- (d) "A Quick View of South Carolina's DUI Videotaping Statue: The mandates and interpretations you need to know to represent your DUI client", SC Lawyer, May 2014.

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- (e) "JOL Service", Highway to Justice, From the ABA and The National Highway Traffic Safety Administration, Fall 2013.
- (f) "Ethics: A Thin Thread to Runnymede", Vol. 18, Voir Dire, American Board of Trial Advocates, Spring 2011; republished in Spring 2014 (cover issue), The Justice Bulletin, South Carolina Association for Justice.

(4) Character:

The Commission's investigation of Judge Hayes did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Hayes did not indicate any evidence of a troubled financial status. Judge Hayes has handled his financial affairs responsibly.

The Commission also noted that Judge Hayes was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Hayes reported that his last available rating by a legal rating organization, Martindale Hubbell, was AV.

Judge Hayes reported that he has not served in the military.

Judge Hayes reported that he has held the following public office:

Appointed by County Council as a member of the Spartanburg Memorial Auditorium Commission, 1994 – 2003, Chair 2000 – 2003.

(6) Physical Health:

Judge Hayes appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Hayes appears to be mentally capable of performing the duties of the office he seeks.

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(8) Experience:

Judge Hayes was admitted to the South Carolina Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

- (a) August 1984 – August 1985, Judicial Law Clerk to E.C. Burnett, III, South Carolina Circuit Judge.
- (b) August 1985 – December 1989, Associate and Partner in law firm Burts, Turner, Hammett, Harrison, Rhodes, Thompson, and Hayes, general litigation, no administration or financial management responsibilities.
- (c) January 1990 – December 1999, Partner, Harrison and Hayes, private practice litigation, education/school law, appellate practice firm, no administration or financial management responsibilities.
- (d) January 2000 – May 2003, Partner, Harrison, White, Smith, Hayes and Coggins, private practice litigation, education/school law, appellate practice firm, no administration or financial management responsibilities.
- (e) In 2003 – present – South Carolina Circuit Court At-Large Seat #5 Judge.

Judge Hayes reported that he has held the following judicial office(s):

Elected April 9, 2003 to fulfill the unexpired term and subsequent full term of Gary E. Clary; retired; qualified May 22, 2003, re-elected February 2009 and February 2015, serving continuously. General jurisdiction, Circuit Court.

Judge Hayes provided the following list of his most significant orders or opinions:

- (a) *James B. Orders, III v. David K. Orders, John H. Orders and Park Place Corporation*. South Carolina Business Court Case, from Greenville County, 2016-CP-23-04654. Order dated April 17, 2019. No appeal filed.
- (b) *Timothy J. Treon, et al. v. Dryvit Systems*. Complex Product Liability Class Action Litigation, thirty-six page order denying Motion for Summary Judgement, Dated January 13, 2009. 2002-CP-07-1377. No appeal filed.
- (c) *Edward Lee Elmore v. Ozmint*, 2005-CP-24-1205, Post-Conviction Relief matter addressing the mental retardation of

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a death row inmate pursuant to *Atkins v. Virginia*, 536 U.S. 504 (2002); PCR motion granted by order dated February 1, 2010, no appeal filed by state; Order referenced in *Elmore v. Ozmint*, 661 F.3d 783, 789 (Fourth Circuit 2011), reversing conviction and remanding for new trial.

- (d) *Parler v. Marsh, et al.*, 2017-CP-40-06621, order granting Motion to Intervene and Denying Motion to Dismiss, in shareholder derivative case against former Officers and Board of Directors related to failed construction of multi-billion dollar nuclear power plant. South Carolina Business Court Case, presently on appeal.
- (e) *State v. Theodore Harrison, Jr. a/k/a, Lumumba Incumaa*, 1990-GS-12-00119, 0120, 0121, 0122, 0125, 0126. Resentencing Order following an *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (2014) and *Miller v. Alabama*, 567 U.S. 460, (2012) hearing, to review an LWOP sentence related to a 1998 double homicide case from Chester County, presently on appeal.

Judge Hayes reported the following regarding his employment while serving as a judge:

In March of 2013, I started service as a consultant with the American Bar Association (ABA) as a judicial outreach liaison officer (JOL) assigned to work with the National Highway Traffic Safety Administration (NHTSA) southeastern region. I was told a judge from Florida with whom I had previously worked with on a Drunk Driving Prevention Program had submitted my name to the ABA for consideration. The southeastern region consists of the states of Florida, Georgia, Alabama, South Carolina and Tennessee. The goal of the JOL program is to raise awareness of highway safety issues in order to reduce traffic fatalities and injuries by improving evidence based sentencing practices and to also assist with the establishment of drug and alcohol courts. South Carolina is one of only two states that have not been able to reach NHTSA standard of having a fatality rate of less than 0.93 deaths per 100 million vehicle miles. My understanding is that I was selected in part because I was from South Carolina and could focus most of my attention on South Carolina since South Carolina did not have its own State JOL. In South Carolina, I worked with S.C. Department of Public Safety, Director Phil Riley and his deputy director Ed Harmon. From the ABA national office I worked with

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Gina Taylor and from NHTSA office in Atlanta I worked with Sandy Richardson. I participated in the Impaired Driving Program Assessment and organized educational training for over 600 magistrate and municipal judges in South Carolina. In January 2014, I ceased my service as Regional JOL. However, I continue to be of service to the Department of Public Safety if needed.

The ABA's contract did provide compensation, however, I did not keep the money. Working with Phillip Hudson of Spartanburg Alcohol and Drug Abuse Commission (SADAC), two programs which deal with alcohol and drug abuse education and awareness were identified. Donations were made to the Community Alcohol and Drug Coalition Program and to the TACT program. The TACT program donation, which deals with teenage alcohol issues, was especially beneficial as their funding had expired and, I was informed, the donation allowed the program to remain functional into their next fiscal year. A third donation was also made to the South Carolina Bar Foundation fund which addresses lawyers with substance abuse issues.

Judge Hayes further reported the following regarding unsuccessful candidacies:

- (a) Supreme Court, Seat #5 (2007), qualified, not nominated.
- (b) Court of Appeals, Seat #6 (2007), qualified, nominated, not elected.
- (c) Court of Appeals, Seat #9 (2008), qualified, nominated, not elected.

(9) Judicial Temperament:

The Commission believes that Judge Hayes's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Hayes to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee had no related comments.

Judge Hayes is not married. He has no children.

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Judge Hayes reported that he was a member of the following Bar and professional associations:

- (a) ABA Conference of State Trial Judges – former chair and vice chair of Committee on Fair and Impartial Courts.
- (b) SC Circuit Judges Conference.
- (c) ABA Judicial Division Member.
- (d) American Judges Association.
- (e) South Carolina Bar Association.

Judge Hayes provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Outstanding Contribution to Justice Award, August 4, 2018, Judicial Portrait Honoree, South Carolina Association for Justice, Hilton Head Island, South Carolina.
- (b) Judge J. Mark Hayes Law Day Essay Contest; May 4, 2017, the Spartanburg County Bar Association renamed the Spartanburg County Bar Association Annual Law Day Essay Contest to the Judge J. Mark Hayes Law Day Essay Contest.
- (c) 2011 Justice Claude A. Taylor Award Distinguished Service Award presented by the Spartanburg County Bar Association.
- (d) 2004 – 2010, member, The Supreme Court Commission on Continuing Legal Education and Specializations.
- (e) 1986 – 1987 Significant Contribution to Public Schools in South Carolina Award by the South Carolina Board of Education.
- (f) Former Chairman of Piedmont Area Boy Scout of America.

(11) Commission Members' Comments:

The Commission commented that Judge Hayes has the reputation of being a fair and impartial judge. They noted that he has shown a high degree of professionalism in the courtroom.

(12) Conclusion:

The Commission found Judge Hayes qualified and nominated him for re-election to Circuit Court, At-Large, Seat 5.

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**The Honorable William Henry Seals Jr.
Circuit Court, At-Large, Seat 6**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Seals meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Seals was born in 1961. He is 59 years old and a resident of Marion, South Carolina. Judge Seals provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1990.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Seals.

Judge Seals demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Seals reported that he has not made any campaign expenditures.

Judge Seals testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Seals testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Judge Seals to be intelligent and knowledgeable.

Judge Seals reported that he has taught the following law-related courses:

- Speaker at SC Bar Sporting Clays / Ethics with Judges CLE;
- Speaker at Criminal Law 101 CLE;
- Speaker at SC Solicitors Association Conference;
- Speaker at Jury Trial Charges CLE;
- Speaker at Horry County Bar Association on Civility in the Courtroom CLE;
- Speaker at Hot Topics in Civil Trial Practice CLE;
- Speaker at Round Table Discussions CLE;
- Speaker at Judges Panel Discussions CLE;
- Speaker at Horry Bar Association on Fast Track Jury Trials.

Judge Seals reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Judge Seals did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Seals did not indicate any evidence of a troubled financial status. Judge Seals has handled his financial affairs responsibly.

The Commission also noted that Judge Seals was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

- (5) Reputation:
Judge Seals reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV.

Judge Seals reported that he has not served in the military.

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Judge Seals reported that he has never held public office other than judicial office.

- (6) Physical Health:
Judge Seals appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Seals appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Seals was admitted to the South Carolina Bar in 1990.

He gave the following account of his legal experience since graduation from law school:

1987-1989, during summer months of law school, I worked for my father's law firm, Seals and Brogdan. 1990-1993, worked for my father's partner, Jim Brogdan (my father deceased). During this time I practiced all areas of law, as Seals and Brogdan continued being a general practice law firm. 1993-2009, I opened my own practice, Seals Law Firm, and maintained a general practice of the law. 1996-2009, I was elected by the Marion City Council as Municipal Court Judge. I held this position while continuing my law practice. During this time, I received the Marion City Anonymous Committee Award in 2011, for my service as Municipal Court Judge. 2009 to present, I was elected to the position of Circuit Court Judge, At-Large, Seat 6. I have been appointed Chief Administrative Judge of both the civil and criminal in both the 15th and 12th circuit's numerous times. Also, I have been appointed by the Chief Justice to serve as a business court judge. I have also volunteered when needed to take exclusive jurisdiction for complex civil litigation. In addition to the above, I am a current board member on the South Carolina Supreme Court Commission on CLE's and Specialization.

Judge Seals reported that he has held the following judicial office(s):

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Marion Municipal Court Judge, elected by City Council Marion South Carolina, (1996-2009), with jurisdiction for criminal and traffic misdemeanors. Circuit Court At-Large Seat 6 (2009-present) which is a court of general jurisdiction.

Judge Seals provided the following list of his most significant orders or opinions:

- (a) *Nationwide Insurance Company of America v. Kristina Knight, individually and as Personal Representative of the Estate of Daniel P. Knight* (Appellate Case No. 2017-001348. This was a declaratory judgment action to determine whether underinsured motorist (UIM) coverage exists under a family automobile policy. In this case, Knight seeks to collect UIM coverage even though the decedent was expressly excluded from coverage. Knight argues to deny this coverage would violate public policy. The court found that an insurance policy is a contract. UIM coverage is additional optional coverage. S.C. code section 38-77-340 allows for the intentional exclusion of a resident's relative from liability coverage. The Court of Appeals, COA, thus found that not to allow same for UIM would impose forced construction of the statute regardless of public policy. The COA stated that any statute must be given its plain and ordinary meaning without resorting to subtle or forced construction. The purpose of the statute is to alleviate the owner of a family policy who has a good driving record from being forced to pay a high premium because of another family member with a bad driving record. This case involved the analysis of a S.C. statute in conjunction with public policy.
- (b) *The Spriggs Group, PC v. Gene R. Slivka* (Appellate Case No. 2015-001457). This case was an action for foreclosure of a mechanics lien and breach of contract. In this case, The Spriggs Group prevailed on the mechanics lien. Thus pursuant to S.C. statute, it moved for an award of attorney's fees which were ordered by the court in a large sum. The Order of attorney's fees was reversed based on the large amount, but then was subsequently reversed and the Court ordered sum affirmed. The Order allowed same stating that the Court did not abuse its discretion as it properly analyzed the 6 factors as set out in *Jackson v. Speed*, 326 S.C. 289.

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- (c) *The State v. Myrone A. Cannon* (Appellate Case No. 2016-001954). In this case, Cannon argues that the Court erred by denying his motion for a directed verdict stating that there was not enough substantial circumstantial evidence for the jury to convict, and that the Court erred by allowing Sgt. William Joe Nida to testify as to the street value of drugs into evidence. The COA found that there was substantial circumstantial evidence. However, of most interest, was the fact that the COA found that the issue regarding the testimony of Sgt. Nida was not preserved at trial. At trial the attorney objected on the grounds of relevance. On appeal the attorney argued that it was improper character testimony. The COA stated that a party may not argue one ground at trial and an alternative ground on appeal.
- (d) *Christy Byrd, as Next Friend of Julia B, a minor v. McLeod Physician's Associates II & Dr. John B. Browning* (Appellate Case No. 2016-001551). In this medical malpractice case Byrd argued that the Court erred in denying her motion for a new trial and/or judgment notwithstanding the verdict (JNOV). Specifically the Court erred in declining to find the obstetric emergency statute inapplicable as a matter of law. This statute states if the physician can prove that the claim arises out of a genuine emergency situation, and that the patient is not medically stable, and that the patient was under an immediate threat of death or serious bodily injury then the plaintiff's burden of proof rises to the level of gross negligence. The COA found some evidence of all three thus submitting same to the jury was proper as was denying the post-trial motions.
- (e) *The State v. Darrell Lee Burch* (Appellate Case No. 2012-213215). In this case, the law enforcement executed a search warrant on a particular location. Burch was present with his hands in his pockets. When asked to remove his hands he declined thus officers forcefully removed his hands and he was frisked. Drugs were found on his body. Burch argues that this was beyond the scope of the search warrant to search the house – not his person. The COA stated that when executing a search warrant the police may detain the occupants until the search is complete. Also the police may use reasonable force to effectuate detention of occupants during the execution of the search. Thus order and safety are

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effectuated during the search. The COA stated that the drugs were properly obtained by law enforcement pursuant to these parameters when Burch refused to comply.

Judge Seals reported no other employment while serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Seals' temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Seals to be "Qualified" in the areas of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the areas of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. In the related comments, the Pee Dee Citizens Committee wrote that "Judge Seals is, without a doubt, one of the most liked and respected judges that we interview. The feedback from the community was glowing and one person finished his comments with 'Five Stars. Give him whatever he asks for.'"

Judge Seals is married to Phoebe Anderson Richardson Seals. He has one child.

Judge Seals reported that he was a member of the following Bar and professional associations:

- (a) Marion County Bar (1990 –present) (no offices);
- (b) South Carolina Bar Association (1990-present) (no offices);
- (c) South Carolina Circuit Court Judges Association (1990 - present) (secretary).

Judge Seals provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

Judge Seals further reported:

I have participated in high school mock trials as a judge. In that regard, I used my influence to further the students' interest in the law, and promote civility in the courtroom. Furthermore, I have

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participated on the Civil Docket Task Force in hopes of using my influence to improve the civil dockets in S.C. Also I raised a work force of other judges and lawyers to partner with SCDOT, and the National Guard, at the request of Col. David S. Gayle, to volunteer as a part of the Floodwater Commission's National Security Task Force on cleaning ditches and canals to improve water drainage in Nichols, S.C.

- (11) Commission Members' Comments:
The Commission commented that Judge Seals has the reputation of being a fair and impartial judge. They noted that his demeanor is the gold standard.
- (12) Conclusion:
The Commission found Judge Seals qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 6.

**The Honorable J. Cordell Maddox Jr.
Circuit Court, At-Large, Seat 7**

Commission's Findings: QUALIFIED AND NOMINATED

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Judge Maddox meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Maddox was born in 1958. He is 62 years old and a resident of Anderson, South Carolina. Judge Maddox provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

- (2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Judge Maddox.

Judge Maddox demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Judge Maddox reported that he has not made any campaign expenditures.

Judge Maddox testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Maddox testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Judge Maddox to be intelligent and knowledgeable.

Judge Maddox reported that he has taught the following law-related courses:

I was a general panelist on discussion related to trial tactics.

Judge Maddox reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Judge Maddox did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Maddox did not indicate any evidence of a troubled financial status. Judge Maddox has handled his financial affairs responsibly.

The Commission also noted that Judge Maddox was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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- (5) Reputation:
Judge Maddox reported that his last available rating by a legal rating organization, Martindale Hubbell, was BV in 2002.
- Judge Maddox reported that he has not served in the military.
- Judge Maddox reported that he has held the following public office:
House of Representatives; 1996-2000; Report was timely filed.
- (6) Physical Health:
Judge Maddox appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Maddox appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Maddox was admitted to the South Carolina Bar in 1983.
- He gave the following account of his legal experience since graduation from law school:
- (a) 1983-1986 Welborn & Maddox: Predominantly civil matters and general real estate practice.
 - (b) 1986-1994 Jones, Spitz, Moorehead, Baird & Maddox; Predominantly civil matters with some real estate and criminal matters.
 - (c) 1994-2002 Glenn, Haigler & Maddox; Predominantly civil matters with some criminal matters.
- Judge Maddox reported that he has held the following judicial office(s):
2002 to Present; Circuit Court at Large #7; Elected.
Judge Maddox reported no other employment while serving as a judge.
- (9) Judicial Temperament:
The Commission believes that Judge Maddox's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Judge Maddox to be “Well-Qualified” as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee left no additional comments.

Judge Maddox is married to Dr. Donna Watts Maddox, M.D. He has four children.

Judge Maddox reported that he was a member of the following Bar and professional associations:

- (a) SC Bar Association
- (b) Anderson Inn of Court

Judge Maddox provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Maddox further reported:

After 18 years as a judge, I continue to learn daily. I also believe my experience has made me a better judge. On the negative side...I am old.

(11) Commission Members’ Comments:

The Commission commented on Judge Maddox’s excellent temperament and years of experience with complicated cases before him. The Commission was particularly impressed with his letters of reference.

(12) Conclusion:

The Commission found Judge Maddox qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 7.

**The Honorable David Craig Brown
Circuit Court, At-Large, Seat 8**

Commission’s Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Brown meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Brown was born in 1969. He is 51 years old and a resident of Florence, South Carolina. Judge Brown provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Brown.

Judge Brown demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Brown reported that he has not made any campaign expenditures.

Judge Brown testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Brown testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Brown to be intelligent and knowledgeable.

Judge Brown reported that he has taught the following law-related courses:

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- (a) Francis Marion University – Adjunct Professor – Business Law. August 1999 – May 2005.
- (b) Florence-Darlington Technical College – Adjunct Professor – Business Law. March 2000 – May 2000.
- (c) The Investigation and Prosecution of Criminal Domestic Violence and Criminal Sexual Conduct Crimes – Lectured on Bonding Issues – May 2010.
- (d) Panelist – Sporting Clays CLE: Ethics with Judges – April 2011.
- (e) Lecturer – Orientation School for New Judges – July 2011.
- (f) Panelist – Sporting Clays CLE: Ethics with Judges – October 2011.
- (g) Panelist – Sporting Clays CLE: Ethics with Judges – October 2012.
- (h) Panelist – Sporting Clays CLE: Ethics with Judges – April 2013.
- (i) Panelist – Sporting Clays CLE: Ethics with Judges – October 2013.
- (j) Panelist – Sporting Clays CLE: Ethics with Judges – April 2014.
- (k) Lecturer – Criminal Law Practice Essentials – "What Judges Want from Lawyers – May 2015.
- (l) Panelist – Sporting Clays CLE: Ethics with Judges – October 2015.
- (m) Lecturer – 2016 Ethics lecture at RPWB Litigation Seminar – April 2016.
- (n) Panelist – Twelfth Circuit Tips from the Bench: What Your Judges Want You to Know – October 2016.

Judge Brown reported that he has not published any books or articles.

(4)

Character:

The Commission's investigation of Judge Brown did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Brown did not indicate any evidence of a troubled financial status. Judge Brown has handled his financial affairs responsibly.

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The Commission also noted that Judge Brown was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Brown reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Brown reported that he has not served in the military.

Judge Brown reported that he has held the following public office:

Florence County Voter Registration and Election Commission. Appointed March 2007 and resigned February 5, 2008. I timely filed my report with the State Ethics Commission while serving on this Commission.

(6) Physical Health:

Judge Brown appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Brown appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Brown was admitted to the South Carolina Bar in 1998.

He gave the following account of his legal experience since graduation from law school:

- (a) Judicial Law Clerk for the Honorable M. Duane Shuler, South Carolina Circuit Court. August 1997 – Summer 1998.
- (b) Bridges, Orr, Derrick & Ervin – August 1998 – April 2001. Engaged in the practice of civil litigation, primarily defense, as an associate.
- (c) The Law Office of D. Craig Brown, P.C. – May 2001 – March 2010. Engaged in the practice of civil litigation (plaintiff and defense) and criminal defense (state and federal). Handled all of the administrative and financial

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management, including the management of the firm's trust account.

- (d) Florence County Public Defender – Part-time – July 2006 – August 2007. Criminal defense.
- (e) Marion County Public Defender – Part-time – July 2006 – March 2010. Criminal defense.
- (f) South Carolina Circuit Court Judge, At-Large Seat No. 8 – Elected February 2010 and reelected February 2015.

Judge Brown reported that he has held the following judicial office(s):

I was elected to the South Carolina Circuit Court, At-Large, Seat 8 on February 3, 2010, and reelected to this same seat on February 4, 2015.

Judge Brown provided the following list of his most significant orders or opinions:

- (a) *State of South Carolina v. Brenda Bratschi*, 413 S.C. 97, 775 S.E.2d 39 (2015).
- (b) *Affirmative Insurance Services, Inc., v. Salvador Cruz Campos*, Op. No. 12-UP-308 (Ct. App., filed May 16, 2012).
- (c) *Mark Fountain v. First Reliance Bank, et. al.*, 398 S.C. 434, 730 S.E.2d 305 (2012).
- (d) *State of South Carolina v. Antwan Jamal Jett*, 423 S.C. 415, 814 S.E.2d 635 (2018).
- (e) *Julian Young v. State of South Carolina*, 2015-CP-38-00298.

Judge Brown reported no other employment while serving as a judge:

Judge Brown further reported the following regarding unsuccessful candidacies:

I was previously an unsuccessful candidate for South Carolina Circuit Court, At-Large, Seat 1. The screening process took place in the fall of 2008. The Judicial Merit Selection Commission found that I was qualified and nominated me for election. The election for this seat took place in February 2009. I withdrew as a candidate on the morning of the election.

I was previously an unsuccessful candidate for South Carolina Supreme Court, Seat 2. The screening process took place in the fall

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of 2015. I withdrew as a candidate prior to any candidates being qualified and nominated.

(9) Judicial Temperament:

The Commission is concerned with negative comments relating to Judge Brown's judicial temperament raised by the members of the Bar through the Commission's BallotBox survey.

While anonymous and not subject to further scrutiny by the Commission, the negative comments are of great concern to the Commission. At the public hearing, these criticisms were addressed with Judge Brown in detail. The Commission was assured by Judge Brown that he understands the importance of civility in the courtroom and that he will continue to work on improving his demeanor towards maintaining a proper judicial temperament.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Judge Brown to be to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee did not have any related comments.

Judge Brown is married to Kay Hunt Brown. He has three children.

Judge Brown reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association.
- (b) Florence County Bar Association.

Judge Brown provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delmae Baseball League Board Member – 2015-2020.
- (b) City of Florence Junior Football Board Member – 2015.
- (c) Delmae Baseball League Coach – 2015-2020.
- (d) City of Florence Junior Football Coach – 2015.

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- (e) Volunteer of the Year – Delmae Youth Athletic Organization – 2014.

Judge Brown further reported:

The values of honesty, integrity, hard work, and treating others with dignity and respect were instilled within me from a very young age by my parents. They are values that I relied upon as a practicing attorney and now rely upon as a judge. The importance of these values were confirmed when practicing law and have now been confirmed as a judge. I will continue to rely upon them in carrying out my job responsibilities as a judge.

(11) Commission Members' Comments:

As previously noted in the discussion of the evaluative criteria of judicial temperament, the Commission remains concerned by Judge Brown's temperament. The Commission recognizes and appreciates the judge's work ethic; however, it cautions Judge Brown to be cognizant of the need to continue to improve his demeanor towards attorneys and to maintain a proper judicial temperament in the courtroom

(12) Conclusion:

The Commission found Judge Brown qualified, and nominated him for re-election to Circuit Court, At-Large, Seat 8.

**The Honorable Jennifer Blanchard McCoy
Circuit Court, At-Large, Seat 9**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McCoy meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge McCoy was born in 1980. She is 40 years old and a resident of Charleston, South Carolina. Judge McCoy provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

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The Commission's investigation did not reveal any evidence of unethical conduct by Judge McCoy.

Judge McCoy demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McCoy reported that she has not made any campaign expenditures.

Judge McCoy testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McCoy testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McCoy to be intelligent and knowledgeable.

Judge McCoy reported that she has taught the following law-related courses:

- (a) I spoke to the Charleston Lawyers' Club at a CLE in 2019. The segment was "Tips from the Bench" to a group of young lawyers about general practice pointers in circuit court.
- (b) I served on a Q&A panel for the Charleston County Bar in 2019.

Judge McCoy reported that she has not published any books or articles.

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- (4) Character:
The Commission's investigation of Judge McCoy did not reveal evidence of any founded grievances or criminal allegations made against her.
- The Commission's investigation of Judge McCoy did not indicate any evidence of a troubled financial status. Judge McCoy has handled her financial affairs responsibly.
- The Commission also noted that Judge McCoy was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.
- (5) Reputation:
Judge McCoy reported that her last available rating by a legal rating organization, Martindale-Hubbell, was AV Preeminent.
- Judge McCoy reported that she has not served in the military.
- Judge McCoy reported that she has never held public office other than judicial office.
- (6) Physical Health:
Judge McCoy appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Judge McCoy appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Judge McCoy was admitted to the South Carolina Bar in 2007.
- She gave the following account of her legal experience since graduation from law school:
- (a) Upon graduating from law school in 2007, I clerked for the Honorable R. Markley Dennis, Jr. While his chambers are in Moncks Corner, Berkeley County, we traveled all over the state during my tenure, including Charleston County, Hampton County, and Florence

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County. Judge Dennis was the chief administrative judge for both Common Pleas and General Sessions during my clerkship. This involved extra duties as his clerk, including scheduling status conferences, communicating with counsel on cases, preparing scheduling orders, and reviewing filings.

- (b) From August 2008 until June 2011, I worked as an associate attorney for Carlock, Copeland & Stair, LLP, a civil litigation firm in Charleston. I had a varied case load, but my experience there was generally insurance defense work. I handled car wrecks, declaratory judgment actions, dram shop cases, construction negligence cases, and various types of professional negligence cases including architects, engineers, doctors, and lawyers. I was responsible for the handling of files, supervised when necessary by a partner.
- (c) From September 2011 through June 2015, I served as an assistant solicitor at the Ninth Judicial Circuit Solicitor's Office in Charleston. I handled mainly narcotic cases from the North Charleston area, and also various other crimes including burglary, armed robbery, domestic violence, and attempted murder cases. On average, I managed about 300-400 open warrants at a time. I tried several cases to verdict before a jury.
- (d) From June 2015 until April 2018, I served as a Part-time Magistrate Judge in Charleston County. I heard evictions, claim and delivery actions, small claims cases, public sales, and criminal matters arising from the College of Charleston Office of Public Safety. Administratively, I was responsible for the day-to-day activity of the court and I managed two clerks and two constables in the office. I am also responsible for supervising the court accounts, including daily deposits and record keeping.
- (e) In November of 2015, I started my own firm, the Law Office of Jennifer McCoy, LLC. Generally, I handled criminal defense cases that arose outside of Charleston County as well as Federal cases.
- (f) Since April of 2018, I have served as a Circuit Judge. I hear civil and criminal matters, and I am currently

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serving as the Chief Administrative Judge for Civil purposes for the Ninth Judicial Circuit.

Judge McCoy reported that she has held the following judicial office(s):

Currently, I am a circuit court judge, occupying At-Large Seat 9. I was elected by the South Carolina Legislature on February 7, 2018. My chambers are in Charleston County, where I reside, but I travel throughout the state as directed by Court Administration. I hear both criminal and civil matters, and I am currently serving as the Chief Judge for Administrative Purposes for the Ninth Judicial Circuit (Charleston and Berkeley Counties).

I also served as a part-time magistrate judge in Charleston County from 2015-2018. I was appointed by Governor Nikki Haley with South Carolina Senate confirmation. As a magistrate, I set bonds for criminal offenses, heard evictions, claim and delivery actions, small claims cases valued up to \$7,500, public sales, and misdemeanor-level criminal matters arising from the College of Charleston Office of Public Safety.

Judge McCoy reported the following regarding her employment while serving as a judge:

While serving as a part-time magistrate from 2015-2018, I operated the Law Office of Jennifer McCoy, LLC. I only handled cases that did not interfere with my duties as a magistrate. I registered this LLC in 2015 and I was the sole proprietor.

(9) Judicial Temperament:

The Commission believes that Judge McCoy's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge McCoy to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and

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“Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee noted, “Great judge, works well [with] the attorneys, good empathy, good legal mind, very capable, has become a well respected, well liked judge very quickly.”

Judge McCoy is married to Peter Michael McCoy, Jr. She has three children.

Judge McCoy reported that she was a member of the following Bar and professional associations:

- (a) Member, American Bar Association.
- (b) Member, South Carolina Bar Association.
- (c) Member, Charleston County Bar Association.
- (d) Member, South Carolina Circuit Court Judges’ Association

Judge McCoy provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Circuit Court Judges’ Association (2018-present)
- (b) Medical University of South Carolina Board of Visitors (2014-2016)
- (c) Former President, Charleston Lawyers Club (2014-2015)
- (d) South Carolina Summary Court Judges’ Association (2015-2018)

Judge McCoy further reported:

My father was a WWII Marine Veteran and homebuilder and my mother worked as a school teacher and administrator. A strong work ethic has been instilled in me as a result. I worked hard in school in order to obtain jobs that would enable me to learn and make connections to the legal world. My experience working for two judges I admire has shaped my judicial personality. From Judge Blatt, I learned to treat all who appear before me with courtesy and respect. Judge Dennis taught me to appreciate the positions of the attorneys before me and the delicate balance between clients, attorneys, and a fair decision. My most humbling and educational life experience to date is motherhood. Being a parent has given me better insight into intrinsic

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personality differences, as well as patience, perspective, and the ability to prioritize the most important things in life.

(11) Commission Members' Comments:

The Commission commented that Judge McCoy is smart, judicious, energetic, and kind. They noted that she has become an asset to the judiciary in her short time on the bench.

(12) Conclusion:

The Commission found Judge McCoy qualified and nominated her for re-election to Circuit Court, At-Large, Seat 9.

**The Honorable Jocelyn Newman
Circuit Court, At-Large, Seat 10**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Newman meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Newman was born in 1977. She is 43 years old and a resident of Columbia, South Carolina. Judge Newman provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2004.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Newman.

Judge Newman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Newman reported that she has not made any campaign expenditures.

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Judge Newman testified she has not:

- a) sought or received the pledge of any legislator prior to screening;
- b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Newman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Newman to be intelligent and knowledgeable.

Judge Newman reported that she has taught the following law-related courses:

- (a) I participated as a panelist at the South Carolina Bar's Colors of Justice program for middle and high school students in February 2016.
- (b) In July 2016, I was a lecturer on evidence during the Orientation School for Magistrates and Municipal Judges, presented by South Carolina Court Administration.
- (c) At the Auntie Karen Foundation's Young Entrepreneurs Conference in October 2016, I led a discussion panel regarding the practice of law.
- (d) In July 2017, I spoke to a group of practicing attorneys as part of the Richland County Bar Association's "Big Dogs" program.
- (e) I gave brief introductory remarks to attorneys attending the Richland County Bar Association's Annual Free Ethics Seminar in October 2017.
- (f) In November 2018, I, along with several other Circuit Court judges, participated in a panel discussion about recent appellate decisions in criminal cases at the Solicitors' Conference.
- (g) In October 2019, I made a short presentation and acted as a mock trial judge for at a workshop held for young

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lawyers by the South Carolina Bar's Trial and Appellate Advocacy Section

- (h) I made a presentation at the General Sessions Breakfast held by the South Carolina Bar's Young Lawyers Division in October 2019.

Judge Newman reported that she has published the following:

- (a) "Standing Your Ground" in Civil Actions, The Defense Line (South Carolina Defense Trial Attorneys' Association, Columbia, SC), Fall 2013, Author.
- (b) C. Tyson Nettles, Unsung Hero, S.C. Young Lawyer, Aug. 2011, Author
- (c) Judicial Profile of The Honorable Clifton Newman, The Defense Line (South Carolina Defense Trial Attorneys' Association, Columbia, SC), Spring 2009, Author

(4) Character:

The Commission's investigation of Judge Newman did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge Newman did not indicate any evidence of a troubled financial status. Judge Newman has handled her financial affairs responsibly.

The Commission also noted that Judge Newman was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Newman reported that she is not rated by any legal rating organization.

Judge Newman reported that she has not served in the military.

Judge Newman reported that she has never held public office other than judicial office.

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- (6) Physical Health:
Judge Newman appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Judge Newman appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Judge Newman was admitted to the South Carolina Bar in 2004.

Judge Newman was admitted to the District of Columbia Bar, from January to September, 2004, under a limited license for student practice in the D.C. Court of Appeals.

She gave the following account of her legal experience since graduation from law school:

- (a) Judicial Law Clerk for the Honorable G. Thomas Cooper, Jr., 2004-05 – For approximately the first half of my clerkship year, Judge Cooper served as Chief Administrative Judge for the Court of General Sessions in the Fifth Judicial Circuit. Therefore, my job duties included conducting research on criminal and constitutional questions as well as observing a variety of criminal procedures. I also assisted with the evaluation, trial (which ultimately became a guilty plea), and sentencing in a death penalty matter. During the remainder of my time with Judge Cooper, he began to hear civil cases as well. I assisted him by preparing jury charges and verdict forms, researching important issues, preparing Orders, and communicating with counsel. While I handled certain administrative matters (such as scheduling), no financial management was involved.
- (b) Assistant Solicitor in Richland County, 2005-07 – I served under then-Solicitor W. “Barney” Giese, acting as lead (and often sole) prosecutor for a variety of misdemeanor and low-level felony crimes. I tried cases and presented guilty pleas in both Summary and Circuit Courts. I also participated as co-counsel in several serious and most serious felony cases, including murder, arson and armed robbery. No financial management of any kind was involved.

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- (c) Associate Attorney at Richardson Plowden & Robinson, P.A., 2007-2015 – From 2007 until mid-2008, I worked in the “Lobbying and Governmental Affairs” practice group as a registered lobbyist. I also represented both plaintiffs and defendants in litigation and administrative matters related to governmental regulation. Beginning in 2008, I moved to the firm’s litigation practice group and began doing insurance defense work. At that time, I represented defendants in matters concerning personal injury, construction defects, civil rights violations, and real property. I also did a limited amount of criminal defense work and served as appointed counsel in Family Court and Post-Conviction Relief actions. In this position, I did not handle administrative matters; and although I reviewed billing statements to be sent to clients, I did not participate in collection of monies or have any role with the firm’s finances.
- (d) Attorney at The DeQuincey Newman Law Firm / JT Newman, LLC), 2015-16 – During this time, I represented plaintiffs in personal injury actions as well as defendants in criminal matters, both in Summary and Circuit Courts across the State of South Carolina. This career move began as a joint venture but soon became a solo practice. During this time, I maintained a trust account and an operating account. Both accounts were open for approximately four months only and were closed soon after my election to the bench.

Judge Newman reported that she has held the following judicial office(s):

I was elected to the Circuit Court, South Carolina’s court of general jurisdiction, on February 3, 2016. I took the oath of office in February 2016 and have served continuously since that time.

Judge Newman provided the following list of her most significant orders or opinions:

- (a) *Robert Durden Inglis v. The South Carolina Republican Party*, No. 2019-CP-40-05486, Order Denying Plaintiffs’ Motion for Injunctive Relief (Dec. 11, 2019)
- (b) *South Carolina Association of Public Charter Schools v. South Carolina High School League*, No. 2020-CP-40-

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02721, Order Granting Plaintiffs' Motion for Temporary Injunction (June 22, 2020)

- (c) *State of South Carolina v. Hykeem Dontavious Golson*, No. 2017-GS-40-01921 – In this matter, I accepted a guilty plea and imposed sentence on Defendant, who burned a puppy in a church parking lot, ultimately causing its death. This case drew the largest number of spectators of any case I have handled and was of particular interest to animal rights activists and media outlets even outside the State of South Carolina.
- (d) *State of South Carolina v. Rickey Dean Tate*, No. 2018-GS-46-03992 – I presided in the trial of this case, where Defendant was charged with several drug offenses. The forty-one-year-old was convicted only of possession with intent to distribute crack cocaine. However, that conviction was the third of “three strikes,” with both of the other convictions being drug offenses. This was the first and only time that I sentenced someone to serve life without the possibility of parole.
- (e) *State of South Carolina v. William S. Crump, Jr.*, No. 2018-GS-24-00386 – I presided in the trial of this case, where Defendant was accused of sexually abusing and neglecting his minor children. Despite both children giving credible testimony, Defendant was acquitted of the sexual abuse charges. While speaking to the jurors afterwards, I learned of jurors' strong need for forensic evidence.

Judge Newman reported no other employment while serving as a judge.

Judge Newman further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Court Judge in Fall 2012 and Fall 2014, but was unsuccessful in both attempts.

(9) Judicial Temperament:

The Commission believes that Judge Newman's temperament has been, and would continue to be, excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Newman “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee made the following comment, “Excellent interview.”

Judge Newman is not married and has no children.

Judge Newman reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar, member
- (b) American Bar Association, member
- (c) John Belton O’Neill Inn of Court, member and former treasurer (2014-16)

Judge Newman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
American Mensa

Judge Newman further reported:

Every day I try to be a knowledgeable, approachable judge. While I know that I don’t always get things right, I make every effort to ensure that everyone in the courtroom knows that they are important, from the alleged murderer to the bailiff. Having been a litigation attorney before my election to the bench, I am mindful of the attorneys’ point of view, and I hope to always be considerate of that.

(11) Commission Members’ Comments:

The Commission commented that Judge Newman is an excellent jurist. They noted her keen intellect and noted that she demonstrates excellent preparation, temperament and demeanor.

(12) Conclusion:

The Commission found Judge Newman qualified and nominated her for re-election to Circuit Court, At-Large, Seat 10.

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**H. Steven DeBerry IV
Circuit Court, At-Large, Seat 12**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. DeBerry meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. DeBerry was born in 1980. He is 40 years old and a resident of Pamplico, South Carolina. Mr. DeBerry provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. DeBerry.

Mr. DeBerry demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. DeBerry reported that he has made \$392.10 in campaign expenditures.

Mr. DeBerry testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. DeBerry testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Mr. DeBerry to be intelligent and knowledgeable.

Mr. DeBerry reported that he has taught the following law-related courses:

I taught Business Law for a number of years at Florence Darlington Technical College. The course consisted of basic principles of law and how the law interacts with business.

- (4) Character:
The Commission's investigation of Mr. DeBerry did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. DeBerry did not indicate any evidence of a troubled financial status. Mr. DeBerry has handled his financial affairs responsibly.

The Commission also noted that Mr. DeBerry was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

- (5) Reputation:
Mr. DeBerry reported that he is not rated by any legal rating organization.

Mr. DeBerry reported that he has not served in the military.

Mr. DeBerry reported that he has held the following public office:

I was elected to Florence County Council in November of 2013. My first term began on January 1, 2014 and expired December 31, 2018. I was re-elected to a second term in November 2018 and began my second term in January 2019. I currently hold this office. I have timely filed my reports with the State Ethics Commission during the time I have held office.

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- (6) Physical Health:
Mr. DeBerry appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. DeBerry appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. DeBerry was admitted to the South Carolina Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

- a. Law Clerk for the Honorable R. Ferrell Cothran, Jr. 2006-2007
- b. Attorney at The Whisenhunt Law Firm, Florence, SC 2007-2008
- c. Assistant Solicitor for the Twelfth Judicial Circuit 2008-2011
- d. DeBerry Law Firm, LLC 2011-present

As an attorney at the Whisenhunt Law Firm I handled domestic and criminal cases. I was not in control of any trust accounts and simply worked as an employee.

When I began working as an assistant Solicitor for Ed Clements, I was a DUI prosecutor. At first, I handled primarily DUI cases and other traffic related cases that were charged by the South Carolina Highway Patrol. Later, I prosecuted crimes of all levels.

Upon opening DeBerry Law Firm, LLC, I began handling cases in Magistrate's Court, Family Court, Probate Court, and Circuit Court. I began primarily handling domestic cases, criminal cases, real estate matters, and personal injury cases. Early on I stopped handling domestic cases and have focused on the remaining practice areas listed.

I am the only attorney that has ever practiced law at the DeBerry Law Firm, LLC. I have been solely responsible for all of the administrative and financial duties of this law firm. My firm has two trust accounts, one for real estate matters, and the other for all other matters that requires holding monies in trust.

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Mr. DeBerry further reported regarding his experience with the Circuit Court practice area:

Criminal Experience:

Since entering private practice as a sole practitioner in September of 2011, I have been retained in well over 900 criminal matters, many involving multiple warrants and or indictments. The level of charges varies from violent crimes to magistrate level offenses, including pardon representation.

I have also been a contract attorney through South Carolina Indigent Defense. I have been appointed on more than 100 criminal matters as a result of the public defender's office having conflicts with certain defendants. Most of these cases involve violent crimes and some have required jury trials in order to resolve them.

My criminal experience also involves representing juvenile defendants in Family Court.

Before entering private practice, I worked as an assistance solicitor in the Twelfth Judicial Circuit. I began as a DUI prosecutor and before leaving to enter private practice I had a full case load of all levels of crimes. My case load included violent crimes, including but not limited to armed robberies, assault and battery, burglaries, and murder.

I have made many pre-trial, during-trial, and post-trial motions on behalf of my clients in all courts including but not limited to issues involving; jury selection, sequestration of witnesses, suppression of evidence, identification, hearsay, rules of evidence, stand your ground, motions for directed verdicts, and motions for resentencing subject to *Aiken v. Byars*, 410 S.C. 534, 765 S.E.2d 572 (S.C., 2014).

Civil Experience:

Since entering private practice in September of 2011, I have represented approximately 285 clients involving some type of personal injury. Most of these cases involve car accidents, but others include, but are not limited to; slip and fall, farm

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accidents, dog bites, premise liability, and workers compensation. Approximately 35 of these cases have been in suit and litigated to various degrees.

I have argued motions on behalf of these cases in many instances involving issues including but not limited to; motions to dismiss, motions for summary judgement, evidentiary motions, motions to change venue, action for declaratory judgement, and motions for directed verdicts.

My solo law practice has opened and handled approximately 525 real estate related files since opening in September of 2011. I have dealt with many real estate and property law related issues including but not limited to; the probating of estates in order to achieve clear title to real property, handling liens and encumbrances on real property, litigation of landlord tenant matters, evictions, foreclosures, claims and deliveries in Circuit and Magistrate level Courts, quit claim, warranty, and other deeds, determination of heirs, litigating division of real property suits, and other real property related issues. My civil experience also includes litigation in Probate and Magistrate Court including matters of law and equity.

My appearance in Circuit Court in the past five years has been extremely frequent. I estimate that on average I appear in Circuit Court about once per week, or about 50 to 55 times per year. These appearances are naturally much more frequent during terms of court in the Twelfth Judicial Circuit, and especially during terms of General Sessions Court. Conversely, during times of holidays and other periods of no court being in session, my appearances are less or not at all. Since Covid-19 my court appearances have been drastically reduced because the amount of court being held is extremely minimal.

Mr. DeBerry reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: None;
- (b) State: I have appeared in circuit court, magistrates court, and administration law court on average weekly in the past five years.

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Mr. DeBerry reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 25%
- (b) Criminal: 65%;
- (c) Domestic: 0%;
- (d) Other: 10% (Real Estate/Property Law, Probate Matters)

Mr. DeBerry reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 95%;
- (b) Non-jury: 5%

Mr. DeBerry provided that during the past five years he most often served as sole counsel.

The following is Mr. DeBerry's account of his five most significant litigated matters:

- (a) *State v. Hill*. In this matter my client was indicted for Assault and Battery of a High and Aggravated Nature in connection with an altercation at his job as a night club manager. I was able to obtain a dismissal of his charges pursuant to the "Protection of Persons and Property Act," specifically, referencing Section 16-11-440 of the South Carolina Code of Laws, which is commonly referred to as the "Stand Your Ground" law. There was no appeal.
- (b) *Johnny A. Stabolitis v. William E. Turner, Bill Haire, National Striped Bass Ass., INC, National Striped Bass Associations of America, INC and Striped Bass Conservation Coalition, INC*. This matter involved complex issues of law regarding corporations and piercing the corporate veil. This matter was tried before a jury, and prior to jury deliberation the Honorable Donald Hocker made it known that there was more than sufficient evidence in the record to support a motion to pierce the corporate veil according to the actions of the Defendant's. At that time a favorable settlement was able to be reached on behalf of my client, Mr. Stabolitis.
- (c) *Lo Co Manufacturing Housing, INC. v Denise Wells, AKA Denise McCrea, AKA Robin Denise McCrae, AKA Robin*

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Wells. This matter involved legal issues material to the verbiage and legal meaning of a lease or a lease to own, legal document. Further at issue, was the plaintiff's and defendant's right of possession of a certain home that was subject of this lawsuit. Also affected by this action was a third-party property owner who was leasing a lot of land that the home was situated on. I represented the Plaintiff in this matter at trial before the Honorable George McFadden in Clarendon County. I was successful in winning on the position that my client was entitled to possession of the home without legal necessity of filing a foreclosure action based on the facts of the case. The third-party landowner also received relief in this matter as a result of the ruling.

- (d) *State v. Reaves*, 414 S.C. 118- 777 S.E.2d 213 (S.C., 2015)

In this matter I was working as assistant solicitor in the Twelfth Judicial Circuit when I was assigned this murder case. At the time I was assigned the case, the Defendant had been incarcerated for three years in the Marion County Detention Center without bond. A speedy trial motion was made, and the case was called for trial shortly thereafter. During the first trial, it was learned that the lead detective in the matter had evidence in his possession that was not turned over to the State, and therefore not provided through discovery to the Defense. I agreed and consented that a mistrial was proper, and the Honorable William Seals declare a mistrial. At the second trial it was determined that many items of evidence were mishandled, misplaced, or otherwise spoiled. There was also an issue of a second, unidentified shooter, evidenced by the fact that the victim was shot by two different guns, There was expert testimony that the fatal shot was fired by a revolver, and that the non-fatal shot was fired by an automatic pistol. Despite all of the legal, factual, and evidentiary issues that occurred during this trial, I was able to obtain a guilty verdict for Voluntary Manslaughter against the defendant and he was sentenced to 25 years in prison. This matter survived an appeal to the South Carolina Supreme Court and was upheld as a lawful conviction.

- (e) *Mark Severance v. Charles B. Severance as Personal Representative of the Estate of Elsie L. Severance*. At issue in this trial were matters of law and equity. This matter was

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significant as my client, an heir of his mother's estate, had been given a house on family property that he believed was to be included in his inheritance. Over time, my client spent monies and time in the upkeep and remodeling of the home for use for he and his family. After the death of his mother, the personal representative of her estate sought to include the home in question as a part of the rest, residue and remainder of the estate, and to not treat the home as a specific devise according the Last Will and Testament of the mother. After trial, it was ordered by the Probate Judge that the home was a specific devise and that the Plaintiff in the matter prevailed. There was no appeal.

Mr. DeBerry reported that he has not personally handled any civil appeals.

The following is Mr. DeBerry's account of one criminal appeal he has personally handled:

- (a) *State v. Baxley*, heard September 21, 2017 by the Honorable D. Craig Brown, in the Twelfth Judicial Circuit. The appeal by the State was denied.
- (b) As an Assistant Solicitor I was in charge of handling Magistrate level criminal appeals that were heard in Circuit Court. I do not have records that include dates and case names.

Mr. DeBerry further reported the following regarding unsuccessful candidacies:

I ran in 2019 for Judge of South Carolina Circuit Court At-Large Seat 13 and was not elected.

- (9) Judicial Temperament:
The Commission believes that Mr. DeBerry's temperament would be excellent.
- (10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Mr. DeBerry to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional

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qualifications, physical health, and mental stability. The Committee had no related comments.

Mr. DeBerry is married to Jessica Lynn White DeBerry. He has two children.

Mr. DeBerry reported that he was a member of the following Bar and professional association:
Florence County Bar, I have held no offices.

Mr. DeBerry provided that he was not a member of any civic, charitable, educational, social, or fraternal organizations.

Mr. DeBerry further reported:

Fairness, integrity, patience, equality, and impartiality are virtues and attributes that should accompany every judge. I care about our justice system operating as it is designed to do, which is to provide justice for all. Without the best judges possible, the State of South Carolina and our system of justice will not be the best it can be.

When elected, I will make out judiciary better. I will bring my life experiences and virtues of fairness, integrity, patience, equality, and impartiality to the bench with me. I will do so to ensure that justice is done, and done above all else, fairly.

During the opening argument of every trial I have tried in my legal career, I have always first thanked the jury for their services, and then asked them for a fair and impartial trial for all involved. In many cases I have harped on fairness excessively as it is important for a judge and a jury to understand the significance of an individual's day in court and their right to a fair and impartial trial. In my opinion, a fair trial is far more important than any verdict or outcome.

Integrity in our judicial system is imperative for fairness and impartiality to strive. My time spent earning my degree from The Citadel instilled in me a sense of integrity that I will never stray from. My time there taught me that doing the right thing, in all circumstances and situations, to the best of my ability, is the honorable and fair thing to do. I live my life by these values every day. I raise my children by these values every day. And

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when elected, I will carry out my duties as a Circuit Judge in the same way.

I have always felt a sense of duty to provide public service. I have served, and currently serve as a member of the Florence County Council. I do so to give back to my community, to represent the people of my district and the people of Florence County, and to provide them with representation that ensures fairness, impartiality, and integrity as it relates to County Government in Florence County. I have enjoyed my service and take pride in what I have been able to accomplish for my district and for Florence County as a whole. I have strived to provide this service solely for the purpose of bringing my constituents a sense of inclusion and fairness, and not for any personal gain.

I am also a contract attorney with South Carolina Indigent Defense. I have remained in this capacity for a number of years. Although I am compensated for these cases, the fees paid are minimal in relation to the nature and level of many of the crimes. My time spent on these files varies according to the complexity of the matters, some of these conflict cases have been days and even weeklong jury trials, where others have been resolved by way of plea or dismissal. I often get questioned by the local bar as to why I remain on the conflict list, subjecting myself to complex cases for a small flat fee. The truth is that I enjoy the challenge, but above all else I feel that my remaining on the list is a form of serving the public. I feel that my experience and expertise can be used to help people that otherwise could not afford equivalent services. It is for the public service aspect, and the ability to help people in need to get a fair and impartial journey through our legal system, that I remain on the conflict list.

In conclusion, I believe that my life and career experiences make me the best possible candidate for the position that I seek. I come from a family of legal professionals that have helped mold me into the lawyer that I am today. I have vast experience in the court room on both sides of the criminal bar. My civil litigation experience is robust, and I have handled many kinds of civil actions as Plaintiff and Defense council, in cases ranging from personal injury to property disputes. My frequent appearances in Circuit Court through out my entire career give me the invaluable experience to be a great Circuit Court judge. However, the greatest attributes that I bring as a judicial

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candidate are my integrity, fairness, equality, impartiality, and a sincere and humble demeanor.

(11) Commission Members' Comments:

The Commission commented that Mr. DeBerry has the appropriate experience and they believe he would be an asset to the judiciary. The Commission also commented that they feel Mr. DeBerry's demeanor is well-suited to the bench.

(12) Conclusion:

The Commission found Mr. DeBerry qualified, and nominated him for election to Circuit Court, At-Large, Seat 12.

**B. Alex Hyman
Circuit Court, At-Large, Seat 12**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Hyman meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Hyman was born in 1980. He is 41 years old and a resident of Conway, South Carolina. Mr. Hyman provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Hyman.

Mr. Hyman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Hyman reported that he has not made any campaign expenditures.

Mr. Hyman testified he has not:

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- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Hyman testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Hyman to be intelligent and knowledgeable.

Mr. Hyman reported that he has taught the following law-related courses:

- (a) Intro to Criminal Justice, Horry Georgetown Technical College – adjunct professor
- (b) Constitutional Rights, Charges affecting College students and the ramifications of a Conviction, Coastal Carolina University Seminar

Mr. Hyman reported that he has not published any books or articles.

- (4) Character:
The Commission's investigation of Mr. Hyman did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Hyman did not indicate any evidence of a troubled financial status. Mr. Hyman has handled his financial affairs responsibly.

The Commission also noted that Mr. Hyman was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

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- (5) Reputation:
Mr. Hyman reported that his rating by a legal rating organization, AVVO Legal Rating, is 10; his rating by American Academy of Trial Lawyers, is Premier 100 Trial Attorney; and his rating by American Institute of DUI/DWI, is 10 Best.

Mr. Hyman reported that he has not served in the military.

Mr. Hyman reported that he has held the following public office:
I was elected to City Council for the City of Conway in January, 2020. I have timely filed my reports.

- (6) Physical Health:
Mr. Hyman appears to be physically capable of performing the duties of the office he seeks.

- (7) Mental Stability:
Mr. Hyman appears to be mentally capable of performing the duties of the office he seeks.

- (8) Experience:
Mr. Hyman was admitted to the South Carolina Bar in 2006.

He gave the following account of his legal experience since graduation from law school:

- (a) Law Clerk to the Honorable Judge Edward B. Cottingham August 2006 – July 2007
- (b) Associate Lawyer at The Law Office of Larry B. Hyman Jr. August 2007 – January 2008
- (c) Owner B. Alex Hyman Attorney at Law, PA January 2008 – January 2014 (fully responsible for administrative and financial management)
- (d) Owner Hyman Law Group, PA January 2014 – Present (fully responsible for administrative and financial management)

Mr. Hyman further reported regarding his experience with the Circuit Court practice area:

I began my legal career as a solo general practitioner.
My practice was probably what you would expect from a smaller

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community general practitioner. I have handled everything from mechanic lien foreclosures, property disputes, auto accidents, real estate closings as well as a multitude of criminal cases ranging from drug offenses to murder. Additionally, I have served extensively as a mediator and arbitrator.

My criminal experience has allowed me to spend an extraordinary amount of time in the courtroom. Over the past 13 years I have defended clients in over twenty five murders or attempted murders and hundreds of other criminal matters in both State and Federal Courts. I have argued to a jury verdict numerous cases where my client could receive a punishment of life in prison. Generally, I appear before a Circuit Judge for criminal court 4-5 times a month.

My civil experience has ranged from all across the spectrum. In the majority of my civil cases, I have represented the plaintiff, but I have also, on occasion, defended local businesses. The bulk of my civil practice has generally been related to auto accidents, but I have also tried cases arising out of property disputes, construction defects, breach of contract, as well as other causes of action. In the past four years I have been blessed enough to hire two associates, allowing me to concentrate more on my criminal litigation practice. I still handle ten to twenty civil cases a year, but the majority of my time is now spent on criminal matters.

Mr. Hyman reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Depending on my case load it ranged from just a couple of times a year to monthly;
- (b) State: Generally, I am in court on an almost weekly basis.

Mr. Hyman reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 25%;
- (b) Criminal: 70%;
- (c) Domestic: NA%;
- (d) Other: 5% (wills, real estate, etc.).

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Mr. Hyman reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 20%;
- (b) Non-jury: 80%.

Mr. Hyman provided that during the past five years he most often served as sole counsel.

The following is Mr. Hyman's account of his five most significant litigated matters:

- (a) *State of South Carolina v. Bridgett Lamon Moore* – Criminal – I served as sole counsel on this case, and my client was charged with murder, in the killing of a local drug dealer. The case was never a “who done it” but instead was a question of whether he acted in self-defense. Prior to trial he was offered to plea to Voluntary Manslaughter with a negotiated sentence of 25 years. After a four-day trial, the jury found him not guilty of Murder but guilty of Voluntary Manslaughter and he was sentenced to 12 years. He was recently released from the Department of Corrections and is doing well.
- (b) *State of South Carolina v. Heather Causey Sims* – Criminal – I served as co-counsel on this case. Our client was charged with murdering her husband. After a four-day stand your ground hearing and a five-day trial the jury found her not guilty of Murder and guilty of Manslaughter. She was sentenced to 10 years. The case was appealed, and the Court of Appeals overturned her conviction.
- (c) *State of South Carolina v. James Richard Rosenbaum* – Criminal – I served as sole counsel on this case and my client was charged with the murder of a man, he believed to be an intruder in his home. It was discovered in trial that the victim was a guest of his girlfriend. We argued that he was unaware of this and that he was acting upon a reasonable belief and should be protected by not only the “castle doctrine” but also the theory of self defense. He was given a 25-year plea offer but turned it down. We tried a multi-day stand your ground hearing and then a five-day trial. The jury found him not guilty of Murder but guilty of Voluntary Manslaughter. He was sentenced to 15 years and his case has been appealed.

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- (d) *Johnny Anderson, et al. v Southeastern Investors Associates Limited Partnership et al.* 2008CP2601514 – Civil – I served as sole counsel on this case, and it was originally brought as a mechanics lien foreclosure. By the time the pleadings had been answered the case had morphed into an extremely technical construction litigation involving out of state experts and attorneys. Pursuant to the contract the case was transferred to an arbitrator and we spent four days arguing the case. My client was awarded a judgment in his favor.
- (e) *David Rankine v. Cox Equipment Repair LLC et al.* 2013CP2606632 – Civil – I served as sole counsel on this case. My client bought a CNC machine, and had it shipped from Ohio to his home. He contracted with a man claiming to work for Cox Equipment Repair LLC to move the CNC machine from the shipping trailer into his shop. The defendant dropped the machine rendering it a total loss. The defendant, Cox Equipment Repair LLC then claimed that the defendant did not work for them. It was shown at trial that while the man did not in fact work for the company, they were aware of him and allowed him to use their equipment. A jury awarded my client judgments against both of the defendants.

The following is Mr. Hyman's account of the civil appeal he has personally handled:

I am currently handling *Jimmy A. Richardson v. Travis Green* Case No. 2017-CP-26-07411 Appellate Case No. 2020-000092

Mr. Hyman reported that he has not personally handled any criminal appeals.

- (9) Judicial Temperament:
The Commission believes that Mr. Hyman's temperament would be excellent.
- (10) Miscellaneous:
The Pee Dee Citizens Committee on Judicial Qualification found Mr. Hyman to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well-Qualified" in the evaluative criteria of

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ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee did not have any related comments.

Mr. Hyman is married to Tammi Leigh (Barfield) Hyman. He has two children.

Mr. Hyman reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
- (b) Horry County Bar
- (c) SC Association for Justice
- (d) SC Association for Criminal Defense Lawyers
- (e) National College for DUI Defense
- (f) Coastal Inn of Courts

Mr. Hyman provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Waccamaw Sertoma Club President 2014 and 2020
Sertoman of the Year 2015
- (b) Trinity United Methodist Church – Church Council 2018-Present
- (c) Coastal Carolina Chrysalis – Lay Director 2013
- (d) City of Conway Board of Zoning Appeals 2009-2017
Chairman
- (e) City of Conway Downtown Alive
- (g) Conway Planning Commission 2017- 2019 Chairman

Mr. Hyman further reported:

I have been extremely blessed in my life to have parents and grandparents that pushed me to be the very best person that I can be. I was told that assets can come and go but the relationships that you cultivate are what lasts. Any positive character traits that I have developed are a direct result of the nurturing that I received. Patience, kindness, and the “golden rule” were instilled in me at a very early age, and I have always tried my best to treat my fellow man with respect and dignity.

I was taught that there is no substitution for hard work. I have built my practice and my life around that sentiment, and I try to raise my children with a similar work ethic. I often tell clients when they first meet me that “I can’t promise you that I

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will always be the smartest guy in the room, but I can promise you that I will not be outworked.” I will always go out of my way to be available to litigants, lawyers, court staff, and the law enforcement community in an effort to always keep cases moving. If elected I believe that I will be the kind of judge that goes the extra mile to ensure that our Judicial System is the best that it can be.

(11) Commission Members’ Comments:

The Commission commented that Mr. Hyman is uniquely situated in that he works in a small town and has a diverse practice that reaches across several counties. He would bring this unique experience to the bench.

(12) Conclusion:

The Commission found Mr. Hyman qualified, and nominated him for election to Circuit Court, At-Large, Seat 12

**The Honorable Dale E. Van Slambrook
Circuit Court, At-Large, Seat 12**

Commission’s Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Van Slambrook meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Van Slambrook was born in 1958. He is 62 years old and a resident of Goose Creek, South Carolina. Judge Van Slambrook provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1983.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge Van Slambrook.

Judge Van Slambrook demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte

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communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Van Slambrook reported that he has made \$149.11 in campaign expenditures for stationary and postage.

Judge Van Slambrook testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Van Slambrook testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Van Slambrook to be intelligent and knowledgeable.

Judge Van Slambrook reported that he has taught the following law-related courses:

- (a) I have lectured at the April 26, 2018 Berkeley County Bar Day Court CLE
- (b) I made presentation on the topic of Partition Actions on December 15, 2017

Judge Van Slambrook reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Van Slambrook did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Van Slambrook did not indicate any evidence of a troubled financial status. Judge Van Slambrook has handled his financial affairs responsibly.

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The Commission also noted that Judge Van Slambrook was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Van Slambrook reported that his last available rating was: BV.

Judge Van Slambrook reported that he has not served in the military.

Judge Van Slambrook reported that he has never held public office other than judicial office.

(6) Physical Health:

Judge Van Slambrook appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Van Slambrook appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Van Slambrook was admitted to the South Carolina Bar in 1983.

He gave the following account of his legal experience since graduation from law school:

From 1983 to 2000, I engaged in a General law practice. I was involved in domestic cases, divorce, child custody disputes; Workers Compensation cases; Chapter 7 and Chapter 13 Bankruptcy cases; Personal Injury Litigation; Probate; Social Security; Real Estate Closings and Real Estate Litigation. Beginning in 2000, my practice narrowed to where I was primarily involved in personal injury, Social Security, Probate and Miscellaneous Litigation.

I was hired as an Associate with The Steinberg Law Firm, LLP in 1983, became a partner in 1986. I primarily practiced in the

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Goose Creek Office but also worked in the Ashley Phosphate office and later in the Summerville office located on Main Street then Old Trolley Road as the Managing Partner of the Office until taking the Bench in November 2014. All of these positions included the operating and trust accounts.

Judge Van Slambrook further reported regarding his experience with the Circuit Court practice area.

Criminal Matters: As a part of my private practice, I defended cases in the Magistrate Court, Municipal Court and General Sessions and tried cases in all Courts in Berkeley, Charleston and Dorchester County. Most recently, I presided over Jury Trials as Municipal Court Judge for the City of Goose Creek. I handled all matters relating to these criminal Trials. Primary focus was Driving Under the Influence, Shoplifting and Criminal Domestic Violence cases. Many cases involved Pro Se Defendants and majority of cases were prosecuted by the Arresting Officer. As a Special Circuit Court Judge, I presided over Guilty Pleas and Probation Revocation Hearings.

As Judge of the Berkeley County Adult Drug Court, I have advanced my depth of knowledge of the Criminal Court System immensely.

Civil Matters: As a part of my private practice, I handled numerous Civil matters in Magistrate Court and Common Pleas. I tried approximately one hundred (100) Jury Trial cases to verdict during my private practice. Further, I practiced in Bankruptcy Court as a Debtors Attorney in Chapter 7 and Chapter 13 cases until approximately 2006. I was practiced in Federal Court presenting Social Security Disability Claimants primarily from 2008 to 2014.

As Special Circuit Court Judge concerning Civil matters, I review and signed such routine matters as Default Orders, Dismissals, Publication and Appointment of Guardians. This constant review of procedural matters has also increased my breath of knowledge as to the day to day workings of the Court System from the Judicial and Administrative perspective.

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Judge Van Slambrook reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 10 to 15 - including Social Security (per year)
- (b) State: 10 to 15 (per year)

Judge Van Slambrook reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 95% - Personal Injury, Social Security and Miscellaneous;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 5% - Probate;

Judge Van Slambrook reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 50%;
- (b) Non-jury: 50%.

Judge Van Slambrook provided that during the past five years he most often served as sole counsel.

The following is Judge Van Slambrook's account of his five most significant litigated matters:

- (a) *Ruth Atkins (Pinckney vs. Atkins 317 SC 340 (1995)*
I was retained after the Trial and filed an Appeal based upon numerous errors at the original Hearing. The published Opinion clarified numerous procedural issues relative to Real Partition Actions.
- (b) *Coleman Dangerfield vs. Rainbow Carpets, et al. (2011)*
Personal Injury Trial in Berkeley County tried in May 2011 for four (4) days. Involved significant medical causation and psychiatric issues, multiple physician depositions and liability issues.
- (c) *Tamson Susor vs. Tommy Lee Schmidt (2012)*
Personal Injury Trial in Dorchester Court of Common Pleas. Involved liability and medical causation issues. Significant due to novel issues raised regarding social media and its admissibility.
- (d) *Sheryl Elliot vs. Three D Metal, Inc., et al. (2012)*

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Personal Injury litigation case involving medical causation issues. Most significantly was the various experts regarding accident reconstruction and epidemiology. This matter was settled immediately prior to Trial during a second mediation.

(e) *Estate of Catherine Wall vs. La Hacienda, et al.* (2011)

Wrongful death premises liability claim resulting from a fall from which an eighty (80) year old woman died. Significant issues involved defective construction and proof of conscious pain and suffering. Successfully presented a video commemoration of Mrs. Wall's life to demonstrate damages. Also involved numerous Probate Court filings.

The following is Judge Van Slambrook's account of the civil appeal he has personally handled:

Ruth Atkins (Pinckney vs. Atkins 317 SC 340 (1995)

I was retained after the Trial and filed an Appeal based upon numerous errors at the original Hearing. The published Opinion clarified numerous procedural issues relative to Real Partition Actions.

Judge Van Slambrook reported that he has not personally handled any criminal appeals.

Judge Van Slambrook further reported the following regarding unsuccessful candidacies:

Unsuccessful candidate for Circuit Court Ninth Judicial Circuit, Seat 2 in 2018.

Judge Van Slambrook reported the following regarding his employment while serving as a judge: My wife and I own two (2) rental properties which are handled by a Property Management Company and we have no day to day involvement.

(9) Judicial Temperament:

The Commission believes that Judge Van Slambrook's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Judge Van Slambrook to be "Qualified" in the evaluative

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criteria of constitutional qualifications, physical health, and mental stability; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee also noted, “Extensive experience as a lawyer and judge. Has performed well as a special circuit judge. Great job as Drug Court Judge. Very well rounded; he is doing it all now. Substantial foundation for this position - natural transition for him - imminently qualified in every respect.”

Judge Van Slambrook is married to Darlene J. Van Slambrook. He has three children.

Judge Van Slambrook reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, 1983 to present
- (b) Charleston County Bar Association, 1983 to present
- (c) Berkeley County Bar Association, 1983 to present
Bar President, 2011
- (d) South Carolina Master-In-Equity, 2014 to present
- (e) Judges Association, President, 2019-2020

Judge Van Slambrook provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Goose Creek International Triathlon Club - member
- (b) St. James United Methodist Church - former Lay Leader;
former Finance Committee Chairman; former Trustee;
Chair of Administrative Council
- (c) National Rifle Association – member

Judge Van Slambrook further reported:

I have lived in Berkeley County since 1974 and graduated from Goose Creek High School, Clemson University and University of South Carolina School of Law. I practiced law with The Steinberg Law Firm, LLP for more than thirty (30) years primarily out of the Goose Creek office and later in Summerville offices.

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I began my legal career as general practitioner and handled a variety of cases including but not limited to domestic, criminal, probate, civil cases, high volume of real estate closing and real estate litigation and personal bankruptcy cases.

I have tried cases Jury and Non-Jury in various Courts in Charleston, Berkeley and Dorchester County Common Pleas, Family Court, General Sessions, Master-In-Equity, Magistrate and Municipal Courts. I have handled almost all manner of disputes in these various Courts.

For the last years of my private practice, I focused primarily on personal injury litigation and Social Security Disability.

I presided over Criminal Jury Trials as a Municipal Judge for the City of Goose Creek from 2009 to 2014.

I currently serve as Berkeley County Master-In-Equity primarily Non-Jury matters that frequently involved Pro Se Litigants during the extremely stressful Foreclosure process. I also have been able to serve as a Special Circuit Court Judge and handle routine matters and have accepted Guilty Pleas and Probation Revocations. As Judge of the Berkeley County Adult Drug Court, I interact on a weekly basis with participants and the Drug Court Team, including assistant solicitors, public defenders and health professionals.

My experience as a Master-In-Equity, Special Circuit Court Judge, Berkeley County Adult Drug Court Judge and as Municipal Court Judge has provided me an insight into the difficulties and enormous responsibilities which face every person serving on the Bench.

I believe that based upon my depth of experience as a practicing attorney, service as a Criminal Court Judge, Master-In-Equity, a Special Circuit Court Judge and as an Adult Drug Court Judge, I have the training, education and experience to effectively perform the duties of a Circuit Court Judge. I believe that I would be able to apply a common sense and practical approach to the many duties of a Circuit Court Judge.

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- (11) Commission Members' Comments:
The Commission commented that Judge Van Slambrook has an outstanding reputation amongst his peers, which is a direct reflection of the job that Judge Van Slambrook has done throughout his years as a Master-in-Equity and also a credit to his character.
- (12) Conclusion:
The Commission found Judge Van Slambrook qualified, and nominated him for election to Circuit Court, At-Large, Seat 12.

**FAMILY COURT
QUALIFIED AND NOMINATED**

**Jonathan W. Lounsberry
Family Court, Seventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Lounsberry meets the qualifications prescribed by law for judicial service as a Family Court judge.
- Mr. Lounsberry was born in 1980. He is 40 years old and a resident of Spartanburg, South Carolina. Mr. Lounsberry provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.
- (2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Lounsberry.
- Mr. Lounsberry demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

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Mr. Lounsberry reported that he has made \$236.57 in campaign expenditures on postcards, postage, business cards and a name tag.

Mr. Lounsberry testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Lounsberry testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Lounsberry to be intelligent and knowledgeable.

Mr. Lounsberry reported that he has taught the following law-related courses:

- (a) I am a moderator and course planner at the 2020 SC Bar Program "CLE Essentials: Family Law";
- (b) I was a co-presenter for the 2020 Strafford Webinars "Dividing High Value Items in Divorce";
- (c) I was a panelist for "Trial Technology: Tricks of the Trade" panel at the 2019 American Bar Association Section of Family Law Fall CLE Conference in Austin, Texas;
- (d) I was a presenter on the topic of "Rule: What's Going On?" at the 2019 SC Bar Program Hot Tips from the Coolest Domestic Law Practitioners;
- (e) I was a moderator, course planner, and lecturer at the 2019 SC Bar Program "CLE Essentials: Family Law";
- (f) I was a co-presenter for "Judge, What Do You Want to Hear? Presenting a Bench Trial" presentation at the 2019 American Bar Association Section of Litigation & Section of Solo, Small Firm, and General Practice Annual Conference in New York City, New York;

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- (g) I was a moderator, course planner, and lecturer at the 2018 SC Bar Program “CLE Essentials: Family Law”;
- (h) I was a moderator, course planner, and lecturer at the 2017 SC Bar Program “CLE Essentials: Family Law”;
- (i) I assisted with the Legal Eagle Squares Game Show presentation at the 2017 Horry County Family Court CLE seminar;
- (j) I presented on the topic of investigative tools and their uses at the 2017 SC Bar Program “Guardian ad litem Annual Training and Update”;
- (k) I participated in researching and drafting the questions for and assisting with the Hollywood Squares presentation on domestic relations and mental health issues at the 2017 Annual SC Bar Meeting;
- (l) I participated in researching and drafting the questions for and assisting with the Hollywood Squares presentation on domestic relations and procedural and evidentiary issues at the 2016 Annual SC Bar Meeting;
- (m) I lectured at all three of the 2016 SC Bar Program “Bridge the Gap” for new lawyers;
- (n) I presented on the topic of tech tips for trial lawyers at the 2015 SC Association for Justice Annual Meeting;
- (o) I presented on the topics of proper procedure for filing and serving domestic relations actions and the litigation of contempt actions at the 2015 SC Bar Program “CLE Essentials: Family Law”;
- (p) I lectured at all three of the 2015 SC Bar Program “Bridge the Gap” for new lawyers;
- (q) I presented on the topic of courtroom etiquette with the Honorable Dorothy M. Jones as part of the 2014 Professionalism Series at the Charleston School of Law;
- (r) I presented a review of recent SCOTUS rulings that affected family law at the 2014 SC Bar Program “Hot Tips from the Coolest Domestic Law Practitioners”;
- (s) I lectured at all three of the 2014 SC Bar Program “Bridge the Gap” for new lawyers;
- (t) I was a program co-chair for a presentation on the topic of the 1980 Hague Convention on the Civil Aspects of International Child Abduction and its implementation in Asia for the 2014 ABA Section of International Law

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Program “International Families: Money, Children, and Long-Term Planning”;

- (u) I was a member of the planning committee for the 2014 ABA Section of International Law Program “International Families: Money, Children, and Long-Term Planning” Program;
- (v) I assisted James T. McLaren with a presentation entitled “How Litigation Apps Can Make You a Better Trial Lawyer” at the 2013 SC Association of Justice Annual Convention;
- (w) I assisted James T. McLaren with a presentation entitled “Using Technology to Present a Complex Equitable Division Case” at the 2013 American Academy of Matrimonial Lawyers Mid-Year meeting;
- (x) I presented on the topic of marital agreements and whether parties can contract out of the jurisdiction of Family Court for a 2013 SC Bar Distance Learning CLE Program;
- (y) I presented on the topic of being appointed a Juvenile Justice matter for a 2013 SC Bar Distance Learning CLE Program; and
- (z) I assisted James T. McLaren with a presentation entitled “Technology for iPads and PC Laptops at Deposition and Trial” at the 2012 American Academy of Matrimonial Lawyers Annual meeting.

Mr. Lounsberry reported that he has published the following:

- (a) J. Benjamin Stevens and Jonathan W. Lounsberry, *Family Law Essentials: A Primer for Private Practice Before the Family Court in SC* (SC Bar CLE 2018);
- (b) Jonathan W. Lounsberry, “The Family Court’s New Uniforms: Amendments to South Carolina’s Uniform Interstate Family Support Act and Adoption of the Uniform Deployed Parent Custody and Visitation Act” (SC Lawyer January 2017);
- (c) James T. McLaren and Jonathan W. Lounsberry, “Division of Assets Held by Third Party Legal Entities in Domestic Relation Cases” (International Academy of Family Lawyers Online News, June 2016);
- (d) Jonathan W. Lounsberry, “Tips for Using Technology Inside and Outside the Courtroom” (Family Law

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Litigation Newsletter, ABA Section of Litigation, March 2016);

- (e) Jonathan W. Lounsberry, *Using Technology Inside & Outside the Courtroom: Streamlining the Litigation Process and Enhancing the Impact of Evidence* (Family Law Advocate, ABA Section of Family Law, Spring 2015);
- (f) Kathryn Barton, LBSW, et al., *SC Children's Law Manual* (Jonathan W. Lounsberry, Principal Editor, SC Bar CLE 2014); and
- (g) Jonathan W. Lounsberry, "Marital Agreements: Can You Really Contract Out of Family Court Jurisdiction?" (SC Lawyer 2013)

(4) Character:

The Commission's investigation of Mr. Lounsberry did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Lounsberry did not indicate any evidence of a troubled financial status. Mr. Lounsberry has handled his financial affairs responsibly.

The Commission also noted that Mr. Lounsberry was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Lounsberry reported that he is a Fellow with the International Academy of Family Lawyers (2020 - present).

Mr. Lounsberry reported that his rating by a legal rating organization, Martindale-Hubbell, is AV (2015 - present).

Mr. Lounsberry reported that he is listed in Super Lawyers, Rising Star, Family Law (2019 and 2020).

Mr. Lounsberry reported that he has not served in the military.

Mr. Lounsberry reported that he has never held public office.

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- (6) Physical Health:
Mr. Lounsberry appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Lounsberry appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Lounsberry was admitted to the South Carolina Bar in 2009.

He gave the following account of his legal experience since graduation from law school:

- (a) Curphey & Badger, P.A. (Contract Attorney/Associate) (2009-2010): The general character of my practice was conducting real estate closings throughout the State of South Carolina. I was not involved in the administrative and financial management of the firm.
- (b) Hire Counsel (Contract Document Review Attorney) (2010): The general character of my practice was working on two document review projects for Nelson Mullins in Columbia, South Carolina between July 2010 and December 2010. I was not involved in the administrative and financial management of the firm.
- (c) Carolina Legal Associates (Contract Document Review Attorney) (2011): The general character of my practice was working on a document review project for Motley Rice Charleston, South Carolina in January 2011. I was not involved in the administrative and financial management of the firm.
- (d) McLaren & Lee (Contract Attorney/Associate) (2011-2013): The general character of my practice was assisting James T. McLaren and C. Dixon Lee, III, in litigating complex Family Court matters, including divorce, child custody, equitable division of property, multi-jurisdictional issues, 1980 Hague Convention matters, international family law issues, and the like. I was not involved in the administrative and financial management of the firm.
- (e) Melissa F. Brown, LLC (Associate Attorney) (2014): The general character of my practice was assisting

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Melissa F. Brown in litigating complex Family Court matters, including divorce, child custody, equitable division, multi-jurisdictional issues, and the like, as well as litigating my own Family Court matters. I was not involved in the administrative and financial management of the firm.

- (f) The Stevens Firm, P.A. (Senior Associate Attorney) (2015-present): The general character of my practice is assisting J. Benjamin Stevens in litigating and trying complex Family Court matters, divorce, child custody, equitable division of property, multi-jurisdictional issues, 1980 Hague Convention matters, 2007 Hague Convention matters, international family law issues and the like, as well as litigating my own Family Court matters. I am not involved in the administrative and financial management of the firm.

Mr. Lounsberry reported regarding his experience with the Family Court practice area:

- (a) Divorce: I have acted as lead counsel and associate and/or co-counsel in matters involving divorce, as a single issue and as part of matters that involve alimony, child support, child custody, visitation, and equitable division of property. I have represented both plaintiffs and defendants in divorce actions involving statutory fault grounds, such as adultery, physical cruelty, and habitual drunkenness. I have not represented any litigants in a divorce action involving the statutory fault ground of desertion, but I have represented both plaintiffs and defendants in actions involving a divorce being granted on the statutory ground of one-year's continuous separation. In the prosecuting and defending divorce actions, I am familiar with gathering requisite evidence to meet the various burdens of proof and with working with requisite experts necessary for the same.

My representation of litigants in divorce actions has included litigants who have been involved in both short-term and long-term marriages. I have regularly appeared before a Family Court judge on this issue in the past five years.

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(b) **Equitable Division of Property:** I have acted lead counsel and associate and/or co-counsel in matters involving equitable division of property. My experience with equitable division of property spans from the division of small marital estates to multi-million-dollar marital estates. In each of these instances I have dealt with the identification and valuation of various assets, including, but not limited to, real estate, closely held corporations, complex corporate structures, retirement accounts, pension plans, military retirement, stocks, professional practices, personal property, foreign property, and the like. In identifying and valuing these assets, I am also familiar with employing the services of various experts (e.g., forensic CPAs, appraisers, etc.), as well as reviewing both personal and business tax returns.

I have also acted as lead counsel and associate and/or co-counsel in matters involving non-marital property, including, but not limited, real estate, personal property, and the like. In dealing with the issue of non-marital property, I have experience in identifying such assets, determining whether the assets have transmuted into marital property or whether a party has a special equity interest in that property. I also have experience in dealing with actions where one or both parties are the trustee and/or beneficiary of trusts.

I have regularly appeared before a Family Court judge on these issues in the past five years.

(c) **Child Custody:** I have acted as lead counsel and associate and/or co-counsel in matters involving child custody for parents (both male and female, married and unmarried) in child custody actions, including determinations of biological and legal paternity. I have also represented third parties seeking custody of children, including the complicated issues of psychological parents and de facto parents. My experience includes initial actions for child custody and modification actions of prior orders. I have dealt with child custody issues involving healthy children, children with special needs, and children ranging in ages from infancy to teenagers close to the age of emancipation. I have also prosecuted and defended litigants in matters involving the termination of parental rights.

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I have experience in dealing with multijurisdictional issues under the Uniform Child Custody Jurisdiction Enforcement Act, including determining which State would have jurisdiction over the ensuing matter and the registration and enforcement and/or modification of foreign child custody orders.

I also have experience in litigating several 1980 Hague Convention on the Civil Aspects of International Child Abduction matters in both State and Federal Court.

Throughout the various types of matters discussed above, I have had to confront and address claims of physical abuse, neglect, parental alienation, parental gatekeeping, psychological parent, de facto custodians, and various jurisdictional issues. In doing so, I have worked with professionals (e.g., physicians, therapists, and teachers) and expert witnesses (e.g., psychological and forensic custody evaluators, counselors, etc.) in connection with these issues. I have also had to cross-examine expert witnesses regarding the above-referenced issues.

I have regularly appeared before a Family Court judge on these issues in the past five years.

(d) Adoption: I have both a professional (as lead counsel and associate and/or co-counsel) and personal experience with adoption actions, which I believe gives a unique perspective on the issues involved from the perspective of a lawyer, as well as a litigant. These actions have involved both blood-relative/stepparent adoptions, as well as private adoptions. These matters have been both uncontested and contested, one of which was a trial that involved a termination of parental rights that lasted for five days (see below). I have also taken consents for several private adoptions as well.

I have appeared before a Family Court judge on several occasions regarding these issues in the past five years.

(e) Abuse and Neglect: I have not served as counsel of record in any abuse and neglect matters. However, I have gained some knowledge and experience in this area through my work in private cases where the parties have made allegations warranting the involvement of DSS. In 2014, I acted as the Principal Editor

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for the SC Children's Law Manual, which covers the statutes and procedures involved in abuse and neglect cases. However, as this area has not been a large part of my practice, I would further educate myself in this area by reviewing relevant statutes, regulations and procedures; attending CLEs; meeting with DSS staff and observing DSS proceedings; and seeking the advice of other Family Court judges experienced in this area.

(f) Juvenile Justice: I served as sole counsel of record in several Juvenile Justice matters, where I was appointed under Rule 608, SCACR. These matters ranged from issues of simple assault to criminal sexual conduct. In representing these clients, I have been successful in utilizing discovery requests and motions to either reduce the number of charges or have the matter dismissed entirely. After being appointed my first juvenile justice matter, I worked with the SC Bar to develop a distance learning CLE regarding the representation of a juvenile client in an appointed matter as there were very few resources available regarding the same. While it has not been a large part of my practice, I would further educate myself in this area by reviewing relevant statutes, regulations and procedures; attending CLEs; meeting with DJJ staff and observing DJJ proceedings; and seeking the advice of other Family Court judges experienced in this area.

Mr. Lounsberry reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 1% My appearances in federal court have been limited to the litigation of 1980 Hague Convention on the Civil Aspects of International Child Abduction matters.;
- (b) State: 99% I have regularly appeared in Family Court in the past five years regarding matters of divorce, child custody, visitation, support, and other related issues..

Mr. Lounsberry reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

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- (a) Civil: 0%;
- (b) Criminal: 0%;
- (c) Domestic: 100%;
- (d) Other: 0%.

Mr. Lounsberry reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Mr. Lounsberry provided that during the past five years he most often served as sole counsel.

During the past five years, I have carried a roster of clients where I served as sole counsel. During the past five years, I have also served as associate and/or co-counsel on various matters.

The following is Mr. Lounsberry's account of his five most significant litigated matters:

- (a) *State v. O., A Minor Under the Age of Seventeen*, Case No.: 2012-JU-18-09, 2012-JU-18-10, and 2012-18-JU-374 (Family Court, First Judicial Circuit, Dorchester County): I was appointed to represent a minor in a pending juvenile delinquency matter. My client was charged with criminal sexual conduct with a minor, lewd act on a minor, and assault and batter in the second degree. I was successful in having the charge for a lewd act on minor nol prossed, as my client did meet the statutory age requirement for that charge. There was a motion hearing to deal with evidentiary issues (e.g., whether there should be a separate hearing to suppress certain evidence and requiring DSS to provide its file on their investigation into the matter) and two adjudicatory hearings. This matter also involved my client submitting to a psycho-sexual evaluation. After the evaluation, the Solicitor and I structure a plea where my client would plead to assault and battery in the second degree and the criminal sexual conduct was nol prossed. The plea was conditioned such that if my client completed certain requirements, he would not be required to register as a sexual offender.

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- (b) *A. v. S.*, 2015-DR-42-2977 (Family Court, Seventh Judicial Circuit, Spartanburg County): I represented the defendant in this matter, which was an action instituted by a third-party seeking custody of a minor child from the biological father. Prior to retaining me as his attorney in July 2016, my client was represented by two other attorneys.

Prior to the action being filed the child's mother committed suicide while living in South Carolina. The defendant was able to obtain custody of the minor child following the mother's death, which resulted in the child's maternal grandfather first filing an action in Florida and then filing an action in South Carolina. A Temporary Hearing was held, and the Court granted the minor child's maternal grandfather temporary custody and granted the defendant limited visitation, as well as appointing a guardian ad litem.

The matter was heavily litigated, with both parties propounding discovery. In July 2016, I was hired as co-counsel after the litigation began to assist with mediation and, if necessary, the trial on the merits. The parties were unable to reach a settlement during mediation, and a Pre-Trial hearing was requested.

I made my Notice of Appearance in August 2016. At the Pre-Trial hearing, the plaintiff requested the ability to take video-taped de bene esse depositions of the majority of his witnesses who resided in Florida. I was successful in arguing that the plaintiff should only be able to take a limited number of de bene esse depositions. Ultimately, the plaintiff was able to take nine videotaped de bene esse depositions (although the plaintiff only took six of these depositions over a period of two days, which were later used during the trial on the merits). Also, as a result of the Pre-Trial Hearing, I became the defendant's sole counsel of record.

Following the taking of the depositions, there were several other motion hearings prior to the trial. From

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March 20–30, 2017, the matter was tried over a period of nine days, with the appearances of approx. 18 witnesses. The trial of this matter involved complex child custody issues (e.g., psychological parent, de facto custodian, the constitutional right to parent), complex evidentiary issues (e.g., the minor child’s mother was dead and the plaintiff sought the ability to use de bene esse depositions), and complex mental health issues (e.g., the plaintiff hired a nationally renowned mental health expert to conduct a parental fitness evaluation on the child’s maternal grandfather). The court found in favor of my client and also granted him a \$10,000.00 award in attorney’s fees and costs. The matter is currently on appeal, and I am not participating in the appeal.

- (c) *B. v. L. et al.*, Case No.: 2016-DR-42-1006 (Family Court, Seventh Judicial Circuit, Spartanburg County): J. Benjamin Stevens and I represented one of the defendants (the biological father) in this matter (the other defendant appeared pro se), which was an action for a termination of parental rights and adoption, or custody in the alternative. An Emergency Hearing was held, and the Court granted the plaintiffs temporary custody, with the defendants having visitation at the discretion of the plaintiffs, as well as appointing a guardian ad litem.

We were hired to represent the biological father following the Emergency Hearing, at which he appeared pro se. The matter was heavily litigated, and there were several motion hearings over the course of the litigation, which, among other issues, concerned the application of certain case law to the matter, as well as whether the matter should have been bifurcated. Prior to the matter being set for trial, the defendant’s father filed a motion to intervene in the action, which was granted.

From October 30, 2017–November 6, 2017, the matter was tried over a period of five days, where I acted as lead counsel for our client. The trial of this matter

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involved the testimony of one mental health expert and one counseling expert, as well as various other witnesses. The court found in favor of the plaintiffs. The matter is currently on appeal, and I am participating in the appeal.

- (d) *T. v. A.*, Case No.: 8:18-cv-02862-TMC (United States District Court for the District of South Carolina): J. Benjamin Stevens (Fellow, AAML/IAFL), Richard Min (Fellow, IAFL) and I represented the Petitioner as co-lead counsel in a 1980 Hague Convention matter seeking return of her minor child to Ireland (which was their last habitual residence).

The Petitioner is a citizen and resident of France and was married to the Respondent, who is a U.S. citizen in living in Ireland. The parties spent significant time living in both France and Ireland, and the Respondent ultimately filed a divorce action in Ireland. Prior to his filing a divorce action in Ireland, Ms. Torrent returned with the minor children to France.

As a result, the Respondent filed a 1980 Hague Convention in France seeking return on the minor children to Ireland. Following a lengthy trial-court process and appellate-court process, the minor children were ultimately returned to Ireland. Once the children were in Ireland, the Respondent absconded with the minor children to the United States, hiding in various States, until he was located in South Carolina.

After learning the minor children were in the United States, the Petitioner hired an attorney admitted to practice in New York and France, who associated Mr. Min based on his experience in trying 1980 Hague Convention matters. Mr. Min contacted Mr. Stevens and me, as he had determined that the Respondent was in South Carolina. We filed the appropriate pleadings in the U.S. District Court for the District of South Carolina, and the matter was tried over one day (December 2018), resulting in the minor children being returned to Ireland.

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The U.S. District Court also awarded the Petitioner an approximate total of \$67,247.46 in attorney's fees and travel costs.

- (e) *R. v. S.*, Case No.: 2:19-cv-02521-RMG (United States District Court for the District of South Carolina): I represented the Petitioner in a 1980 Hague Convention Matter seeking return of minor child to Germany.

This matter consisted of one pre-trial hearing, the filing of several motions, including Motions to Make a Determination of German Law; Motion for Expedited Consideration and Issuance of Show Cause Order; and Motion for Summary Judgment.

The Court, *sua sponte*, sealed the record in this matter and appointed a Guardian ad Litem. The matter was resolved by a 1-day trial (November 2019), where, after the direct and cross-examination of my client, the Respondent settled the matter by agree to return the minor child.

Following Respondent's agreement to return the minor child, she subsequently refused to comply with the U.S. District's Order and obtained German counsel, who advised the U.S. District Court that Respondent did not need to return the minor child to Germany. This resulted in several telephonic hearings following the issuance of the final order; and, as a result, the Court allowed the Petitioner to come to South Carolina and pick-up the minor child.

The following is Mr. Lounsberry's account of two civil appeals he has personally handled:

- (a) *Burke v. Lusk*, Appellate Case No.: 2018-000377, South Carolina Court of Appeals, (Unpublished Opinion).
- (b) I acted as a consultant on *Grano v. Martin*, Case No.: 20-940-cv, which is pending in the United States Court of Appeals for the Second Circuit.

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Mr. Lounsberry reported he has not personally handled any criminal appeals.

Mr. Lounsberry further reported the following regarding unsuccessful candidacies:

I was a candidate in 2018 judicial race for Family Court, Seventh Judicial Circuit, Seat 2, but withdrew from the race for personal reasons. Shortly after I withdrew from the race, my mother's battle with Stage 4 Pancreatic Cancer ended in December 2018.

(9) Judicial Temperament:

The Commission believes that Mr. Lounsberry's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Mr. Lounsberry to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee stated in a related comment, "Based on comments from members of the Bar and the community, the committee is concerned that the candidate does not yet have the experience needed. While his current experience is vast, the candidate has only been practicing law approximately 11 years."

Mr. Lounsberry is married to Liza Juliet Lounsberry (Malone). He has two children.

Mr. Lounsberry reported that he was a member of the following Bar and professional associations:

(a) South Carolina Bar

1. Delegate, Seventh Judicial Circuit, House of Delegates (2017-present)
2. Chair, Practice & Procedure Committee (2016-2020)
3. Chair, NextGen Committee (2018-2019)
4. Co-Chair, Technology Committee, Young Lawyer's Division (2017-2018)

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5. Member, Young Lawyer's Division (2009-2018)
 6. Member, Practice & Procedure Committee (2009-Present)
 7. Member, Family Law Section (2009-present)
 8. Member, South Carolina Bar Leadership Academy Committee (2016-2019)
 9. Member, Judicial Qualifications Committee (2015-2017)
 10. Member, International Law Committee (2014-present)
- (b) American Bar Association
1. Vice-Chair (Membership), Family Law Committee, ABA Section of International Law (2018-present)
 2. Member, Section of International Law (2018-present)
 3. Subcommittee Chair/Newsletter Editor, Family Law Litigation Committee, ABA Section of Litigation (2016-present)
 4. Member, Section of Litigation (2015-present)
 5. Member, Section of Family Law (2010-present)
- (c) Spartanburg Bar Association; and
- (d) Greenville Bar Association

Mr. Lounsberry provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Leadership Spartanburg (2016-2017)
- (b) Board of Regents, Leadership Spartanburg (2017-2019)
- (c) Vestry, Episcopal Church of the Advent Spartanburg (2020-Present)
- (d) Liturgy Commission, Episcopal Church of the Advent Spartanburg (2020-Present)
- (e) Children and Young Families Commission, Episcopal Church of the Advent (2020-Present)
- (f) Seventh Judicial Circuit Pro Bono Committee (2017-2019)
- (g) Self-Represented Litigation Family Committee, South Carolina Access to Justice Commission (2017-2018)
- (h) I was awarded a Merit Award from the Charleston School of Law in 2008.

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- (i) I have been invited to and attended the 2016, 2017 and 2018 Fall Leadership Meetings and Editor's Symposiums for ABA Section of Litigation. I was unable to attend the 2019 Fall Leadership Meeting and Editor Symposium, and I am not sure of the status of the 2020 Fall Leadership Meeting and Editor Symposium due to the COVID-19 pandemic.
- (j) I have been selected to participate in the ABA Collaborative Bar Leadership Academy and plan on attending an upcoming session.
- (k) I participated in the South Carolina Lawyer Mentoring Program in 2016-2017.
- (l) I participated in the 2016 MDA Lock-Up which raised funds for children with muscle-debilitating diseases.

Mr. Lounsberry further reported:

Throughout my career, I have been fortunate to work for very accomplished Family Court attorneys. Doing so has allowed me to improve my knowledge and experience of Family Court law and the rules of procedure and evidence. As a result, my practice focuses on litigation of difficult, complex, and, sometimes, novel Family Court issues. It has also required me to stay abreast of changes and trends in family law, which in turn has allowed me to develop a passion for and a deep understanding of the same.

I have set high standards for myself and my practice, and I strive to attain these standards every day with every client. If elected, I would continue to stay abreast of changes and trends in family law, with the goal of increasing my passion for and deepening my understanding of family law.

Early on in my career, a mentor gave me the following maxim: If you take care of the law, then the law will take care of you. After being given that instruction, I have devoted a significant portion of my time to writing about and presenting on substantive family law issues and family court litigation. As a result of this work, I have served as Chair of the South Carolina Bar Practice and Procedure Committee (2016-2020) and continue to as Vice-Chair and Subcommittee Chair for two separate American Bar Association committees. I feel very

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honored and humbled by these experiences. If elected, I plan to remain committed to bettering and/or improving the practice of law.

(11) Commission Members' Comments:

The Commission commented that Mr. Lounsberry is extremely intelligent, and that he has been highly recommended by members of the Family Court Bar who are very well-respected state-wide. The Commission feels like he would be an excellent family court judge.

An affidavit was filed against Mr. Lounsberry by Mr. Wayne Keith Smith, Senior. The Commission reviewed the complaint and extensive documents provided by Mr. Smith. Mr. Lounsberry provided a written response, which the Commission also studied. Upon a thorough consideration of all of the material and testimony provided, the Commission does not find a failing on the part of Mr. Lounsberry in the nine evaluative criteria.

(12) Conclusion:

The Commission found Mr. Lounsberry qualified, and nominated him for election to Family Court, Seventh Judicial Circuit, Seat 1.

**The Honorable Erika L. McJimpsey
Family Court, Seventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge McJimpsey meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge McJimpsey was born in 1970. She is 50 years old and a resident of Boiling Springs, South Carolina. Judge McJimpsey provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1996.

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(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge McJimpsey.

Judge McJimpsey demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge McJimpsey reported that she has not made any campaign expenditures.

Judge McJimpsey testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge McJimpsey testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge McJimpsey to be intelligent and knowledgeable.

Judge McJimpsey reported that she has taught the following law-related courses:

- (a) Classical Conversations, Home School Association, Mock Trial Judge (May 2020)
- (b) Spartanburg High School, Women's History Speaker (March 2020)
- (c) Church of the Advent, Introduction to Homeless Court, Speaker (March 2020)
- (d) Together-A Women's Day Celebration, Panelist (March 2020)
- (e) Dorman High School, Black History Program, Speaker (February 2020)

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- (f) South Carolina Bar, Mock Trial, Presiding Judge (February 2020)
- (g) Adidas Lunch and Learn, Speaker (February 2020)
- (h) Youth Institute, Role of Summary Court, Speaker (January 2020)
- (i) Business and Professional Women Breakfast, Homeless Court, Speaker (January 2020)
- (j) Dorman High School, Government Class, Due Process, Speaker (November 2019)
- (k) City of Spartanburg's Podcast, Introduction to Homeless Court (October 2019)
- (l) Spartanburg Citizens Academy, Municipal Court, Speaker (September 2019)
- (m) Garnard Middle School, Graduation Program, Speaker (May 2019)
- (n) Spartanburg Community College, Early College Students, Speaker (April 2019)
- (o) Spartanburg Community College, Induction Ceremony Phi Theta Kappa, Speaker (April 2019)
- (p) Fairforest Elementary School, Career Day, Speaker (March 2019)
- (q) Cowpens Middle School, Black History Program, Speaker (February 2019)
- (r) EP Todd Middle School, Black History Program, Speaker (February 2019)
- (s) Mary H. Wright, Black History Program, Speaker (February 2019)
- (t) South Carolina Bar, Mock Trial, Scoring Judge (February 2019)
- (u) Carver Middle School, Veteran's Day Program, Speaker (November 2018)
- (v) Spartanburg Citizens' Academy, Municipal Court, Speaker (October 2018)
- (w) Dorman High School, Government Class, Due Process, Speaker (April 2018)
- (x) Cowpens Middle School, Black History Program, Speaker (February 2018)
- (y) Criminal Justice Institute, Role of Summary Court, Speaker (January 2018)
- (z) Carver Middle School, School Assembly, Speaker (January 2018)

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- (aa) Spartanburg Citizens' Academy, Municipal Court, Speaker (October 2018)
- (bb) SAIYL, Summer Program for City youth, Speaker (June 2017)
- (cc) Youth Empowerment, Speaker, (June 2017)
- (dd) Jesse Boyd Elementary, Graduation Speaker,(May 2017)
- (ee) Spartanburg Preparatory School, Volunteer Banquet, Speaker (April 2017)
- (ff) Leadership Spartanburg, Speaker (March 2017)
- (gg) Greenville County School District, Career Fair (May 2016)
- (hh) Classical Conversation, Home School Association, Mock Trial, Judge (May 2016)
- (ii) Carver Junior High School, Mock Trial Presentation (May 2016)
- (jj) Martin Luther King Day, Guest Speaker (January 2016)
- (kk) 11th Annual Interpersonal Violence Conference, Domestic Violence, Speaker (October 2015)
- (ll) Spartanburg High, Constitution Day, Speaker (September 2015)
- (mm) Spartanburg Chamber of Commerce Junior Leadership, Role of Municipal Court, Speaker (March 2012)
- (nn) Wofford College's Externship, Municipal Court System, Speaker (February 2012)
- (oo) Girls, Inc., Juvenile Justice System, Speaker (September 2009)
- (pp) Cherokee Trail Elementary School, Black History Program, Speaker (February 2009)
- (qq) Martin Luther King, Jr. Holiday Celebration, Speaker (January 2009)
- (rr) Old English Symposium, Jessica's Law/Confidentiality (October 2008)
- (ss) South Carolina Public Records Association, Juvenile Records (October 2008)
- (tt) Law School for Non Lawyers, Juvenile Justice/Child Protection Hearings (April 2008)
- (uu) Law School for Non Lawyers, Juvenile Justice/Child Protection Hearings (August 2007)
- (vv) Crime Victims' Ombudsman Best Practices Training(March 2007)

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- (ww) Solicitor's Association Conference, Legislative Update, Juvenile Law (September 2006)
- (xx) SC Public Defender's Conference, Jessica's Law (September 2005)

Judge McJimpsey reported that she has published the following:

- (a) Law School for Non Lawyers, 2012,2013,2014, Juvenile Law Publication Materials
- (b) Juvenile Justice; Legal Lessons: A Series for the Public: update materials (2011)
- (c) Juvenile Justice: Law School for Non Lawyers; update materials (2010)
- (d) Truancy Guide, A Training Resource Manual for Truancy Intervention; Editorial Advice (2009)
- (e) Juvenile Justice; Law School for Non Lawyers: update materials (2009)
- (f) Juvenile Justice: Law School for Non Lawyers, Co-editor (2008)

(4) Character:

The Commission's investigation of Judge McJimpsey did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Judge McJimpsey did not indicate any evidence of a troubled financial status. Judge McJimpsey has handled her financial affairs responsibly.

The Commission also noted that Judge McJimpsey was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge McJimpsey reported that she is not rated by any legal rating organization.

Judge McJimpsey reported the following military service:

United States Army Reserves, Judge Advocate General, Captain, August 1999-2010

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Judge McJimpsey reported that she has never held public office other than judicial office.

- (6) Physical Health:
Judge McJimpsey appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Judge McJimpsey appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Judge McJimpsey was admitted to the South Carolina Bar in 1996.

She gave the following account of her legal experience since graduation from law school:

- (a) Pyatt Law Firm, Law Clerk, August 1996-November 1996,
I worked as a law clerk prior to my admission to the South Carolina Bar. I conducted client interviews and drafted pleadings under the supervision of an attorney
- (b) Seventh Judicial Circuit Solicitor's Office, Assistant Solicitor(December 1996-June 2005) I was the first(1st) full-time Criminal Domestic Violence prosecutor in Spartanburg County. I served under a Violence Against Women grant. I served in this capacity for almost 18 months. Thereafter, for the next three years, I prosecuted various kinds of cases ranging from violence crimes, drug offenses, property crimes, and sexual assaults. I also served as the Chief Family Court prosecutor from 2000-2005. I handled juvenile matters ranging from misdemeanor and status offenses, to homicide and sexual assault cases. I worked very closely with several state agencies and non-profit agencies. These agencies are: the Department of Social Services, the Department of Disabilities and Special Needs, the Department of Mental Health, and the Spartanburg Children's Advocacy Center to name a few.
- (c) United States Army Reserves, Judge Advocate General Corp) February 1999-September 2010) I served as a Judge Advocate for eleven years. In my part-time capacity, I have held a number of positions and served in many capacities. I

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conducted numerous administrative separation boards for Reserve soldiers who were charged with having committed various acts of misconduct, illegal drug use, and conviction of crimes in civilian courts. I have provided legal assistance to over one thousand soldiers and their dependents in the areas of estate planning, debtor/creditor law, family law, and administrative law.

- (d) Spartanburg Methodist College, Adjunct Instructor, (August 2001-May 2003) I served as an instructor in the Criminal Justice Department for the following courses: criminal law and criminal procedure
- (e) Converse College, Paralegal Certificate Program, Adjunct Instructor (October 2002- January 2003) I served as an instructor teaching legal writing and research to paralegal students.
- (f) Spartanburg Methodist College Paralegal Program, Adjunct Instructor, (January 2005-July 2005; May 2012-August 2016) I have taught the following courses to students seeking a certificate in this program: juvenile law, family law, criminal law, and an independent study course which analyzed recent court cases).
- (g) South Carolina Department of Juvenile Justice, Assistant Legal Counsel (July 2005-July 2009). I served as an attorney representing the Department of Juvenile Justice. I provided legal advice to the county offices. The Department of Juvenile Justice has 46 offices throughout the State. In addition, I served as the liaison with the State Law Enforcement Division in regard to the issue of dealing with DNA samples. I also served as the Agency's liaison with the Attorney General's Office of Human Resources, South Carolina Human Affairs Commission, and the Equal Employment Opportunity Commission. Many of these issues were resolved through mediation. In addition, I worked closely with lawyers hired by the South Carolina Insurance Reserve Fund who represented the Agency in lawsuits filed based on alleged violations of state and federal laws. I assisted in compiling records, depositions, mediation hearings, and other pre-trial and trial matters.
- (h) Greenville Technical College, Adjunct Instructor, (January 2008-July 2009). I served as an instructor teaching legal ethics based on South Carolina Appellate Court Rule 407.

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- (i) City of Spartanburg Municipal Court, Associate Municipal Judge,(July 2009-June 2011). I presided over criminal, traffic, and quality of life cases. In addition, I presided over jury trials held four times a month. I worked a minimum of fifteen hours per week.
- (j) Greenville Technical College, Instructor, (July 2009-August 2011). I served as an instructor in the Paralegal and Criminal Justice Departments. In the paralegal department, I taught Legal Ethics and Legal Writing. I was the lead instructor for the Legal Ethics class. The primary focus of the class was the study and analysis of South Carolina Appellate Court Rule 407. I served as lead instructor for the following courses in the criminal justice department: criminal law, criminal evidence/procedure, and juvenile law.
- (k) City of Spartanburg, Municipal Court, Chief Municipal Judge (July 2012-present) I preside over the management of the court's docket. In addition, I handle misdemeanor criminal and traffic offenses, quality of life court, and jury trials. I also determine probable cause for the issuance of arrest and search warrants. In 2019, I worked to help institute a Homeless Court in the City of Spartanburg.

Judge McJimpsey further reported regarding her experience with the Family Court practice area:

I have had the privilege of gaining experience in a variety of legal arenas. I believe the depth and the breadth of my professional and personal experiences make me uniquely qualified to serve as a Family Court Judge. As a prosecutor, I excelled in the courtroom as a prosecutor in the Family Court. I was known as a principled, compassionate, fair and skilled attorney. I was able to balance a large caseload and worked well with fellow lawyers, judges, and others who played a role in the matters heard within the jurisdiction of the Family Court. I worked extensively with lay persons to include non-lawyer guardian ad litem, school officials, Department of Social Services, Department of Mental Health, education representatives just to name a few. As a judge, former prosecutor, attorney for the Department Juvenile Justice, military lawyer, mother, wife, therapeutic foster parent, and a member of the clergy, I have gained and developed a sensitivity,

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and a well-balanced perspective to the needs of children and families. I have the ability to relate and understand people from all walks of life. While I have limited experience in matrimonial cases, with the exception of my military service drafting separation agreements and determining financial responsibility of soldiers' to spouses and or children during a divorce, I believe that the length and the diversity of my legal career as an attorney and judge will assist me in gaining added competency in these areas. I am well-versed in fundamental legal principles and in procedural and evidentiary rules. I am honest, and always endeavor to operate with integrity in my personal and professional life. I am a committed public servant, and I would be honored to serve on the Family Court bench.

Judge McJimpsey reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal: 2%;
- (b) State: 98%.

Judge McJimpsey reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

- (a) Civil: 20%;
- (b) Criminal: 60%;
- (c) Domestic: 0%;
- (d) Other: 20%.

Judge McJimpsey reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Judge McJimpsey provided that during the past five years prior to her service on the bench she most often served as sole counsel.

The following is Judge McJimpsey's account of her five most significant litigated matters:

- (a) *In the Matter of Shaquille O'Neal, 385 SC 243(2009)* I represented the Department of Juvenile Justice in the Family Court where the defendant, who was the underage of seventeen at the time of the hearing, was

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seeking to remove his name from the sex offender registry. The Family Court ruled that he should be placed on the registry, but the Supreme Court reversed this decision. The defendant was registered as a sex offender in the State of North Carolina. The issue was whether the offense was comparable to an offense in South Carolina which would require registry. Although, the Supreme Court reversed the lower court's ruling it was the first ruling to provide the State Law Enforcement Division and other state agencies with guidance regarding how to determine when an out-of-state resident juvenile should be subject to registration.

- (b) *In re C.J.*- I represented the State of South Carolina in a waiver hearing where the juvenile was charged with Murder and Armed Robbery. The juvenile shot the victim while he was in his car. Several days after the murder was committed, the juvenile robbed a pawn shop and stole four guns. This is significant because it was my first waiver hearing, I had to establish through witnesses' testimony whether the offender's charges should be waived to the Court of General Sessions based on the landmark Supreme Court case of Kent v. US, 383 U.S. 541(1966).
- (c) *In re DH.*- I represented the State of South Carolina in the Family Court in a case where a fifteen-year-old boy was charged with committing a sexual battery on his seven year old cousin. The victim went to the hospital after the assault because of vaginal bleeding. She had to have emergency to repair a vaginal tear that was causing significant bleeding. This case made a lasting impact on my life. I spent several months preparing this child victim for trial. This offender was placed on the sex offender registry. During this time period, there was influx in child sexual assault cases in Spartanburg. In (2002-2003), there were 173 children reported as victims of sexual assault, and 43 were assaults by other children. Dean, Sullen, Sexual Abuse: Juvenile Offenders show increase, Spartanburg Herald Journal, 27, April 2003. I was the sole prosecutor assigned to the Family Court during this time.

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- (d) *In re: Juvenile, minor under the age of 17*- I represented the State of South Carolina in a Family Court case where a fourteen-year-old boy, who was a client at a group home facilitated by the Charles Lee Center (serves children and adults with mental and physical disabilities), was allowed in the community for a home visit. During this time, he went to a neighbor's house and asked for a drink of water, and later stabbed the neighbor in the back with a pair of scissors. The offender was dually evaluated by the Department of Mental Health and the Department of Disabilities and Special Needs (DDSN). He was ruled incompetent to stand trial. I filed the paperwork to have him judicially committed through the Family Court. The court committed him into the custody of DDSN. This case is noteworthy because less than a year later he was charged with sexually assaulting his caregiver while at the group home. A subsequent evaluation was conducted and he was deemed incompetent and a judicial admission hearing was conducted. He was, again, involuntarily committed to the custody of DDSN. A guardian ad litem was appointed in this case, and upon the State's recommendation the family court judge ordered that he be committed to a secured facility and that he not be allowed home visits. He was committed until his twenty-first birthday. This case displays the intricacies in dealing with issues in Family Court. It is unusual to have a juvenile civilly committed twice. Unfortunately, it was only after the court ordered a high-management facility that the public was kept safe from this juvenile.
- (e) *State of South Carolina v. Jeff Greer*- I represented the State of South Carolina in a Magistrate Court case where an off duty police officer was charged with an assault and battery against his former girlfriend. The defendant was found guilty and his employment was terminated. The victim in this case was very hostile and did not want to go forward because of outside pressures. It showed how important it is to respect the feelings of domestic violence victims, but how it is equally important that the State hold offenders accountable. It reaffirmed the principle that no one is above or beyond the law

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regardless of his/her position. The defendant appealed his case to the Circuit Court, but the appeal was later dismissed.

Judge McJimpsey reported she has not personally handled any civil or criminal appeals.

Judge McJimpsey reported that she has held the following judicial offices:

- (a) City of Spartanburg, Municipal Court, Associate Judge, (July 2009-June 2011) appointed
- (b) City of Spartanburg, Municipal Court, Chief Judge, (July 2011-until present) appointed

Judge McJimpsey reported the following regarding her employment while serving as a judge:

- (a) Greenville Technical College, Instructor, Criminal Justice and Paralegal Departments (July 2009-August 2011) I served as a full-time instructor at the college. I taught the following courses: criminal law, criminal procedure, juvenile law, legal writing, and legal ethics. In addition, I served as an academic coach for the college's Shining Star Merit Program which was designed to enhance the African American college experience by providing a comprehensive and focused program including, service learning, tutoring, and intrusive advising with an educational plan. I met with students on a weekly basis. I was actively involved on several hiring committees.
- (b) Spartanburg Methodist College Paralegal Program, Instructor (contractual position)(May 2012). I taught Juvenile Law, and an Independent Study Class

Judge McJimpsey further reported the following regarding unsuccessful candidacies:

- (a) Family Court, Seat 4, At-Large, August 2012(qualified but not nominated)
- (b) Municipal Judge, City of Spartanburg, November 1999
- (c) Family Court, At- Large, August 2016(withdrew)

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- (9) Judicial Temperament:
The Commission believes that Judge McJimpsey's temperament would be excellent.
- (10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Judge McJimpsey to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Judge McJimpsey is married to Ryan Valdez McJimpsey. She has two children.

Judge McJimpsey reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar (1996-Present)
- (b) South Carolina Women Lawyers Association, Member (2012-Present)
- (c) Municipal Court Homeless Court Committee, Chairwoman (2019-Present)
- (d) South Carolina Bar Speaker's Bureau (2007-Present)
- (e) South Carolina Bar's Children's Law Committee (2007-2009)
- (f) South Carolina Upstate Paralegal Association (2009-2011)

Judge McJimpsey provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delta Sigma Theta Sorority, Inc, (April 1990-Present)
- (b) SOAR Leadership and Mentor Summit, Founder (August 2018-Present)
- (c) Spartanburg County Foundation, Community Leadership Committee (2018-Present)
- (d) Municipal Court Homeless Court Committee, Chairwoman (2019-Present)
- (e) United Way Homeless Committee Task Force, Member (2019-Present)
- (f) Spartanburg Business and Professional Women, Member (2020-Present)

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- (g) Ernest F. Hollings Award for Excellence in State Prosecution-Family Court (2004)
- (h) Lucas Foundation, Upstate Change Maker Award (2013)
- (i) Woman of Value Award Recipient (2016)
- (j) Beauty Marks 4 Girls Award Recipient (2019)
- (k) Mary L. Thomas Award for Civic Change, Recipient (2019)

Judge McJimpsey further reported:

One of the most critical and vital components of any society is the family. I am grateful that the value of serving others was instilled in me by my parents at an early age. I stand on the shoulders of a “village” who made tremendous sacrifices to make sure that I received a quality education, but most of all that I understood the importance of honesty and integrity. I have been blessed to be a member of the legal profession for almost 25 years, and I’m still as excited about my journey in this profession as I was on the day of my swearing in ceremony. It has been an amazing journey. I believe the quality and diversity of my experiences in the criminal, family, military, and educational arenas would be an asset to this Court. I have learned the importance of patience and kindness; hard work and diligence; and the importance of fairness, truthfulness, and integrity. It is my desire to continue growing, learning, and serving in this noble profession as a Family Court judge.

(11) Commission Members’ Comments:

The Commission noted that Judge McJimpsey is known for her strong work ethic. They also recognized that her years spent as a JAG officer and her current service as a city judge would serve her well on the family court bench.

(12) Conclusion:

The Commission found Judge McJimpsey qualified, and nominated her for election to Family Court, Seventh Judicial Circuit, Seat 1.

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**Angela J. Moss
Family Court, Seventh Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Moss meets the qualifications prescribed by law for judicial service as a Family Court judge.

Ms. Moss was born in 1968. She is 52 years old and a resident of Inman, South Carolina. Ms. Moss provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1994. She was also admitted to the Georgia Bar in 1994.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Moss.

Ms. Moss demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Moss reported that she has not made any campaign expenditures.

Ms. Moss testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Moss testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Ms. Moss to be intelligent and knowledgeable.

Ms. Moss reported that she has taught the following law-related courses:

I have made presentations regarding legal practice to high school students at Spartanburg Christian Academy and High Point Academy.

Ms. Moss reported that she has not published any books or articles.

- (4) Character:
The Commission's investigation of Ms. Moss did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Moss did not indicate any evidence of a troubled financial status. Ms. Moss has handled her financial affairs responsibly.

The Commission also noted that Ms. Moss was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

- (5) Reputation:
Ms. Moss reported that she is not rated by any legal rating organization.

Ms. Moss reported that she has not served in the military.

Ms. Moss reported that she has never held public office.

- (6) Physical Health:
Ms. Moss appears to be physically capable of performing the duties of the office she seeks.

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- (7) Mental Stability:
Ms. Moss appears to be mentally capable of performing the duties of the office she seeks.

- (8) Experience:
Ms. Moss was admitted to the South Carolina Bar in 1994.

She gave the following account of her legal experience since graduation from law school:

- (a) Albert V. Smith, P.A.; Associate; 1/95-11/96; General practice of law concentrating in civil, criminal and Family Court cases. No management responsibilities.
- (b) Seventh Judicial Circuit Solicitor's Office; Assistant Solicitor I, Assistant Solicitor II, Assistant Solicitor III; 11/96-11/00; Prosecution of General Sessions felony and misdemeanor caseloads; Prosecution of juvenile defendants in Family Court; Supervised/managed Cherokee County office (1998-1999).
- (c) Phillip K. Sinclair, LLC; Associate; 2000-2006; General practice of law, concentrating in civil, criminal and Family Court cases. Limited management responsibilities. No management of trust accounts.
- (d) Seventh Judicial Circuit Public Defender's Office; Senior Assistant Public Defender II; 11/00-present; Defending accused adults in Magistrate, Municipal and Transfer Courts. Defense of juveniles in Family Court and Juvenile Drug Court. No management responsibilities.
- (e) South Carolina Family Court Mediator; 2018-present; guardian ad litem; 2006-present; Mediation of Family Court cases and serving as guardian ad litem for children and adults in Family Court and Probate Court. Responsible for trust account.

Ms. Moss further reported regarding her experience with the Family Court practice area:

My experience in Family Court includes divorce (fault and separation grounds) and equitable division (simple and complex issues). Additionally, I have represented parents and guardians in child custody matters, including abuse and neglect cases, and served as guardian ad litem for children in private actions. I have

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also served as guardian ad litem for incompetent adults in Family Court. Regarding adoptions, I have served as guardian ad litem on uncontested as well as complex and vehemently contested cases. Early in my career, I prosecuted juveniles in Family Court. Currently, I am employed as an Assistant Public Defender representing juveniles in Family Court. These cases range from misdemeanors to the most serious felonies. Throughout all of these areas of Family Court, I have gained extensive trial experience.

As no week is the same in the practice of law, it is difficult to give an exact number regarding the frequency of appearances before a Family Court Judge. However, I am before a Family Court Judge regularly, approximately three to five times each week.

Ms. Moss reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: none;
- (b) State: Approximately 140 court appearances each year.

Ms. Moss reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 60% (including juvenile defense in Family Court);
- (c) Domestic: 39%;
- (d) Other: 1%.

Ms. Moss reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Ms. Moss provided that during the past five years she most often served as sole counsel.

The following is Ms. Moss's account of her five most significant litigated matters:

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- (a) *The State v. Dantae M.*, Appellate Case No. 2020-000465, is a juvenile matter currently pending before the South Carolina Court of Appeals. I was co-counsel in this matter for the waiver hearing and for the trial. My client, Dantae M. was ultimately convicted of Criminal Sexual Conduct with a Minor 1st Degree in Family Court and ordered to register as a sex offender. This young man had no prior record, was a student in good-standing at a local high school and worked over twenty (20) hours per week at night while attending high school. Forensic psychologist, Dr. Geoffrey McKee evaluated the juvenile and found, among other positive findings, that the juvenile was in the lowest risk category for re-offending and also found that testing suggested that there were no “quantitative or empirical grounds” for the child to be placed on the registry. Dr. Danielle Atkinson, Upstate Community Psychology Supervisor for the South Carolina Department of Juvenile Justice, agreed with Dr. McKee. However, the State attempted to transfer the juvenile to General Sessions Court. At the waiver hearing, Judge Usha Bridges denied the State’s Motion to Transfer and ordered that the juvenile’s case remain in Family Court. At trial, Dr. McKee and Danielle Atkinson testified, and expanded their testimony to include evidence regarding the substantial and significant differences between juvenile and adult sexual offenders. It is my hope that the South Carolina appellate courts will acknowledge this evidence regarding the differences between juvenile and adult sexual offenders and rule accordingly. This case is significant as it has the potential to affect the sex offender registry requirement for juveniles in South Carolina. I, along with co-counsel, spent countless hours preparing and pouring over the case law, searching for a novel approach to this issue.
- (b) Greer Municipal Court traffic case: I do not remember the caption of this case, but this case is one of the most significant cases in my career. At the time, I was a part-time Assistant Public Defender and my client was charged with a traffic charge in Greer Municipal Court. Early on, my client had requested a jury trial. On the date of the jury trial, my client did not appear. To this day, I do not know why he was not there. The Court denied my motion for continuance. Thus, I tried his case before a jury with an empty chair

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beside me. I gave my best effort, despite my absent client. Before the trial began, I really thought it was hopeless, but gave it my all anyway. Almost unbelievably, the jury returned with a “not guilty” verdict. I learned a lesson that day that has stayed with me and served me well through the years – treat every case like it is the most important one. There are no minor cases.

- (c) *Watson v. Watson*, 2017-DR-42-2411, was a divorce action complicated by the fact that the wife was incompetent. I was ordered to serve as guardian ad litem for the wife. There were numerous challenges throughout the case. The financial issues were complex and my ward was uncooperative. The case required almost daily attention on my part. However, working closely with the wife’s counsel, we were able to come to the best resolution possible in the situation. This case was significant as it involved uncommon issues, complicated financial issues, contact with the Probate Court and the involuntary commitment process.
- (d) Stepparent adoption case: I cannot recall the exact caption of this case and do not have access to the closed files as the firm I worked with at the time has been dissolved. However, this case was memorable and what happened in the courtroom at the final hearing has stayed with me since. In this case, the stepfather was adopting the wife’s elementary school aged son. As it was an uncontested matter, the child attended the hearing. Before the Judge ruled, being friendly, he asked the child what he thought of the stepfather adopting him and changing his last name. The little boy looked right at the Judge and began to slowly clap. Then he said, “I feel so special.” And he was - as is each child who is touched by our Family Courts.
- (e) *SCDSS v. Stapleton/Jane and John Doe v. SCDSS*, 2018-DR-42-1647, was a case wherein the foster parents sought to adopt the minor child who had been in their care since infancy. Both of the alleged biological parents were incarcerated. The alleged biological father’s relative eventually sought to adopt the child. The child was bonded to the foster parents and did not have a relationship with the relative. I was appointed to serve as guardian ad litem for the child. When I became involved in the case, I reviewed the facts and realized that it was questionable as to whether

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the alleged biological father was actually the child's father as he was incarcerated at or about the time the child was most likely conceived. I asked the Court to order a paternity test. The testing revealed that the defendant was not the child's biological father. The alleged relative eventually dropped from the case and the child was adopted by the foster parents. The child is thriving in their care. This case reminded me that, as an attorney, I should always go back to the beginning -to the basics. If the foundation of a case is weak, the case will crumble.

Ms. Moss reported she has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Moss's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Ms. Moss "Well-Qualified" in the following evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Ms. Moss is married to Danny Winfred Moss. She has two children.

Ms. Moss reported that she was a member of the following Bar and professional associations:

- (a) Spartanburg County Bar
- (b) SCACDL

Ms. Moss provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:
Boiling Springs First Baptist Church – student/children
volunteer

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Ms. Moss further reported:

With the exception of being a Judge, I have worked in practically every aspect of Family Court. From prosecution to defense, representing parties in divorce and custody actions and serving as guardian ad litem, I have had the unique experience of seeing the Family Court through various lenses. Although the types of cases vary, there is a common thread throughout Family Court. The decisions in Family Court have a real and significant impact on those involved, regardless of the case. I have had the privilege of practicing under extraordinary Judges who weave a knowledge of the law seamlessly with compassion, respect and common sense. I have learned from them, and day by day, case by case, I have steadily accumulated life experience that will be invaluable if selected for the Bench.

(11) Commission Members' Comments:

The Commission commented that Ms. Moss has excellent letters of reference, diverse experience, and is known as having a great temperament and a good reputation in the local legal community.

An affidavit was filed against Ms. Moss by Mr. Wayne Keith Smith, Senior, and the Commission reviewed the extensive documents regarding an on-going case. Ms. Moss provided a written response, which the Commission also reviewed. Upon reviewing the complaint, the response, and the documents provided, the Commission does not find a failing on the part of Ms. Moss in the nine evaluative criteria.

(12) Conclusion:

The Commission found Ms. Moss qualified, and nominated her for election to Family Court, Seventh Judicial Circuit, Seat 1.

**ADMINISTRATIVE LAW COURT
QUALIFIED AND NOMINATED**

**Stephanie N. Lawrence
Administrative Law Court, Seat 3**

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Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Lawrence meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Ms. Lawrence was born in 1974. She is 46 years old and a resident of Columbia, South Carolina. Ms. Lawrence provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Lawrence.

Ms. Lawrence demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Lawrence reported that she has made \$173.04 in campaign expenditures, for candidate post cards, business cards, and postage.

Ms. Lawrence testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Lawrence testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Ms. Lawrence to be intelligent and knowledgeable.

Ms. Lawrence reported that she has taught the following law-related courses:

I have made presentations on the topic of South Carolina Workers' Compensation for insurance representatives, third-party administrators, and employers. These were client driven for annual updates, team training, and/or to satisfy continuing education requirements for insurance adjusters. The presentations generally included an overview of SC Workers' Compensation law, management of cases from inception to closure, forms training, best practices, case law updates and question/answer sessions.

Ms. Lawrence reported that she has not published any books or articles.

- (4) Character:
The Commission's investigation of Ms. Lawrence did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Lawrence did not indicate any evidence of a troubled financial status. Ms. Lawrence has handled her financial affairs responsibly.

The Commission also noted that Ms. Lawrence was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

- (5) Reputation:
Ms. Lawrence reported that she is not rated by any legal rating organization.

Ms. Lawrence reported that she has not served in the military.

Ms. Lawrence reported that she has never held public office.

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- (6) Physical Health:
Ms. Lawrence appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Ms. Lawrence appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Ms. Lawrence was admitted to the South Carolina Bar in 2006.

She gave the following account of her legal experience since graduation from law school:

(a) BOYKIN & DAVIS, L.L.C., Columbia, SC
Associate (Aug 2006 – July 2008) Senior Associate (August 2008 – February 2011)

- Practiced in the areas of Employment and Education Law with a client base consisting mainly of public entities. These include public school districts, public colleges and technical colleges, small towns, and municipalities.
- Advised clients on responsibilities under Title VII, Americans with Disabilities Act, Age Discrimination in Employment Act, Family Medical Leave Act, and other federal and state employment statutes.
- Responded to various federal and state agencies in connection with discrimination-based investigations, including preparation of position statements to the EEOC, S.C. Human Affairs Commission, and the U.S. Department of Justice.
- Conducted training for school districts regarding various personnel and student-related issues including teacher dismissal proceedings.

(b) MCANGUS, GOUDELOCK & COURIE
Senior Associate (February 2011 – February 2012)

- Practiced in the area of South Carolina Workers' Compensation law.
- Managed litigation of cases before the South Carolina Workers' Compensation Commission and the South Carolina Court System.

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- Advised employers, insurance providers and Third-Party Administrators on responsibilities under the SC Workers' Compensation Act.

(c) MILLER LAWRENCE, L.L.C.

Owner/Partner (February 2012 –August 2013)

- Operated a boutique style litigation defense firm that provided legal representation in the areas of South Carolina Workers' Compensation law and liability defense to employers, insurance providers and Third-Party Administrators.
- Managed and litigated cases before the South Carolina Workers' Compensation Commission and the South Carolina Court System.
- Advised employers, insurance providers and Third-Party Administrators on responsibilities under the SC Workers' Compensation Act.
- Direct and daily involvement with the administrative and financial management of this firm, including management of its trust account.

(d) DICKIE, MCCAMEY & CHILCOTE, P.C.

Of Counsel (August 2013 – December 2017) Shareholder
January 2018 – January 2020)

- Practiced primarily in the area of South Carolina Workers' Compensation law, with some Employment law and Insurance Defense.
- Managed and litigated cases before the South Carolina Workers' Compensation Commission and the South Carolina Court System.
- Advised employers, insurance providers and Third-Party Administrators on responsibilities under the SC Workers' Compensation Act as well as some state and federal employment statutes.
- Direct and daily involvement with the administrative and financial management of the South Carolina office, with no involvement in any of the firm's trust accounts.

(e) AFR HEARING SERVICES, LLC

Owner (January 2020 – Present)

- Provide service as an attorney hearing officer to state and local entities in various due process/grievance proceedings.

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- Analyze pre-hearing submissions to include Pre-hearing statements and proposed exhibits.
- Preside over full evidentiary hearings in accordance with South Carolina Rules of Civil Procedure and Evidence.
- Prepare Report and Recommendation(s) for final decision by authorizing agency.
- Direct and daily involvement with the administrative and financial management of the business.

Ms. Lawrence further reported her experience with the Administrative Law Court practice area:

I was second chair in a couple of matters before the Administrative Law Court while employed with Boykin & Davis LLC. These entailed prosecuting OSHA citations on behalf of the South Carolina Department of Labor Licensing and Regulation. The issues discussed were analysis of serious versus other than serious violations relating to excavation and proper slope calculations. I have had no appearances within the last five years as my practice has been solely before the South Carolina Workers' Compensation Commission.

Ms. Lawrence reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: None;
- (b) State: 149 matters before the South Carolina Workers' Compensation Commission.

Ms. Lawrence reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 100% Workers' Compensation Matters.

Ms. Lawrence reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 0%;

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- (b) Non-jury: 100% before a South Carolina Workers' Compensation Commissioner.

Ms. Lawrence provided that during the past five years she most often served as sole counsel.

The following is Ms. Lawrence's account of her five most significant litigated matters:

- (a) *Karen Wilson, individually and as Personal Representative of the Estate of John Paul Taylor v. Horry Georgetown Technical College, et al.*

This was a wrongful death and survival action involving a 14-year-old student who drowned in a hotel swimming pool during a field trip to Ashville, North Carolina. The issues were many, but the most salient I recall was identification of the proper beneficiaries, recoverable damages, negligence standards in student supervision (Tort Claims Act), and evidence supporting conscious pain and suffering. There were also informal parenting designations and relationships that considerably impacted the case dynamics.

This case was significant for me because it was my first death case and because of the decedent's age. Also, the impact of the application of the Tort Claims Act on limitation of liability, evidentiary requirements, and damages.

- (b) *Strickland v. J. Frank Baker, et. al*

This was an employment discrimination action filed under Title VII of the Civil Rights Act of 1964. The claim was brought against multiple defendants including two school districts, and several named employees. The matter was initially filed with the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission. After the EEOC issued a Dismissal and Notice of Rights, the Plaintiff

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filed suit in the United States District Court for the District of South Carolina

The case hinged on timeliness of the claim. The merits, though many, were never really addressed by the Courts. This case was significant for me because of the experience in litigating a claim beginning at a state level agency up to the United State Supreme Court.

(c) *Donte Riddick v. Carolina Cannery*

This was a denied, then later admitted back claim which ultimately morphed into a denied death claim before the Workers' Compensation Commission. The Claimant received some initial conservative treatment and was returned to work light duty, while awaiting a pending orthopedic evaluation. The Claimant engaged in light duty activities for half a day before complaints, which resulted in his return to out of work status the same day. The next day he died. The cause of death listed on the death certificate was diabetes mellitus. The issue was whether the half day of light duty work activities aggravated the Claimant's diabetic condition thereby causing or contributing to his death.

This case hinged on the medical evidence and expert endocrinologist testimony, which ultimately supported long-term noncompliance with diabetic treatment and a completely different non work-related cause of death – cardiac arrest with hypercholesterolemia. The case was significant for me because of the details involved in establishing whether a death is related or unrelated under the Workers' Compensation Statute. It was also a great lesson in medical expert strategy.

(d) *Travis L. Severson v. Pactiv Corporation*

This matter started out as what seemed like a standard admitted back claim where the Claimant sustained a T-spine fracture when he was using a pry bar to remove a gear box to repair a seal. The Claimant received

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orthopedic treatment and was eventually referred for oncological evaluation in response to his delayed healing and oncological history. He was ultimately diagnosed with multiple myeloma (bone cancer) and a tumor was identified in the fracture. The issue became one of obligation for continued medical treatment as the Claimant required pain management for his back but was pending a stem cell transplant for the cancer. The case turned on the medical reports and testimony of the oncologist and orthopedic specialists. They were unable to opine to a reasonable degree of medical certainty that the Claimant's continued pain management needs were caused by the work injury versus the underlying cancer condition, which causes bone pain.

Unfortunately, the Claimant's condition progressed rather quickly forcing him and his family to make difficult choices concerning the continued litigation of his claim. The case was ultimately worked out through an agreement of the parties concerning continued treatment obligation and permanency for back injury. This case was significant to me because of the underlying cancer issues which permeated the case. This required more robust discovery, substantial research on the subject matter, and a good amount of coordination across medical specialties in different states. That said, most noteworthy was witnessing the impact of life changing health conditions on litigation.

(e) *Joseph Black v. Miles Road Paint & Body, Inc.*

This was initially a right knee injury with a later included back claim that was straight forward in terms of acceptance and causally related medical care. The Claimant ultimately required surgery for his knee and physical therapy for the back. The prevalent issue concerned temporary disability payments. Defendants issued required weekly payments, but later requested a credit covering a four-month period when it was discovered the Claimant was also receiving wages from his employer.

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The Claimant alleged he never received the temporary disability checks. After Defendants produced evidence showing the checks were cashed, then Claimant maintained the checks were stolen from his mailbox by his ex-wife who suffered a drug addiction. Ultimately, the credit issue was determined in favor of Defendants as there was no evidence to support the Claimant's allegations outside of his own testimony. The Commissioner also concluded the allegation of the Claimant's stolen checks should be pursued in a criminal court setting as the Commission lacked subject matter jurisdiction over such matters. This case is significant to me because it was the first time in a hearing where I had to actively work to manage my frustration with a witness and maintain a straight face in the midst of the testimony.

The following is Ms. Lawrence's account of two civil appeals she has personally handled:

- (a) *Sheila Hogan v. Culp, Inc. D/B/A Culp Woven Velvets, Inc., and Farming Casualty Company C/O Travelers* (W.C. C. File No: 1021103)
South Carolina Workers' Compensation Commission
Appellate Panel, October 24, 2011
- (b) *Strickland v. J. Frank Baker, et. al*
United States Court of Appeals for the Fourth Circuit,
April 27, 2010

Ms. Lawrence reported that she has not personally handled any criminal appeals.

- (9) Judicial Temperament:
The Commission believes that Ms. Lawrence's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Ms. Lawrence to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and

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“Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee stated in its summary statement: “Very extensive experience of ALC.”

Ms. Lawrence is married to Anthony T. Lawrence. She has two children.

Ms. Lawrence reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Richland County Bar Association
- (c) South Carolina Workers Compensation Education Association
- (d) South Carolina Black Lawyers Association

Ms. Lawrence provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Gamma Nu Omega Chapter of Alpha Kappa Alpha Sorority, Inc.
(Parliamentarian 2016 – 2018)
- (b) Ridgeview High School Improve Council
(Vice Chair 2018 -2019)

Ms. Lawrence further reported:

It would be my honor and pleasure to serve on the South Carolina Administrative Law Court. I see my service as a member of our judiciary to be the pinnacle of my legal career and how I wish to continue my contributions to our community until retirement. I feel my personality and temperament is well suited to the bench. My legal background evidences my ability to transition across practice areas, which will be necessary to successfully maneuver the learning curve of the Administrative Law Court given the scope of its jurisdiction. I am also confident I have the drive and work ethic to efficiently manage a docket and return decisions in a timely manner.

(11) Commission Members’ Comments:

The Commission commented that Ms. Lawrence has a reputation for a strong work ethic. In addition, the Commission

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was impressed that Ms. Lawrence shifted her practice to test her suitability for this position.

(12) Conclusion:

The Commission found Ms. Lawrence qualified, and nominated her for election to Administrative Law Court, Seat 3.

Robert L. Reibold
Administrative Law Court, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Reibold meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Mr. Reibold was born in 1970. He is 50 years old and a resident of Columbia, South Carolina. Mr. Reibold provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Reibold.

Mr. Reibold demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Reibold reported that he has made \$295.30 in campaign expenditures on a name tag, business cards, postage, and paper/envelopes.

Mr. Reibold testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;

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- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Reibold testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Reibold to be intelligent and knowledgeable.

Mr. Reibold reported that he has taught the following law-related courses:

- (a) I made a presentation as a speaker at the Automobile Torts CLE in the Fall of 2000; and
- (b) I make a presentation as a speaker at the Masters in Equity CLE in October of 2010.

Mr. Reibold reported that he has published the following:

- (a) "The Unfair Trade Practices Act – Is It Time for a Change?" (SC Lawyer, May 2013) (Author);
- (b) *South Carolina Equity, A Practitioner's Guide*. (SC Bar Association, 2010) (Co-Author);
- (c) "Hidden Dangers of Using Private Detectives" (SC Lawyer, July 2005) (Author);
- (d) "Cutting the Fishing Trip Short: Protecting an Adjuster's Claim File" (SC Lawyer, July/August 2000) (Author); and
- (e) "The Big Catch: An Adjuster's Claim File." (SC Lawyer, July/August 2005) (Author).

I am currently co-writing the 2nd Edition of South Carolina Equity, A Practitioner's Guide.

(4) Character:

The Commission's investigation of Mr. Reibold did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Reibold did not indicate any evidence of a troubled financial status. Mr. Reibold has handled his financial affairs responsibly.

The Commission also noted that Mr. Reibold was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Reibold reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Reibold reported that he has not served in the military.

Mr. Reibold reported that he has never held public office.

(6) Physical Health:

Mr. Reibold appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Reibold appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Reibold was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

<u>Year</u>	<u>Firm/Employer Role</u>
(a) 1996	Honorable J. Ernest Kinard, Jr. Law Clerk
	Circuit Court Judge
(b) 1996-2000	Swagart & Walker, P.A. Associate
(c) 2000-2002	Swagart, Walker & Reibold Partner
(d) 2002-2005	Swagart, Walker, Martin & Reibold Partner
(e) 2005-2008	Walker, Martin & Reibold Partner
(f) 2008-2017	Walker & Reibold, Partner

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(g) 2017-present Haynsworth, Sinkler, Boyd. P.A.
Shareholder

Following my judicial clerkship, I entered private practice, where I have remained. My practice has primarily involved litigation. I have not been responsible for these firms' trust accounts.

Mr. Reibold further reported regarding his experience with the Administrative Law Court practice area:

I have experience in the field of administrative law. I have assisted clients with a variety of matters before state agencies, including: (1) obtaining licenses to operate from state agencies; (2) resolving complaints against clients' licenses made with the Department of Labor Licensing and Regulation; (3) resolving complaints against a clients' licenses made with the Department of Motor Vehicles; and (4) appearing before hearing officers and appellate panels in state agencies.

I have assisted another attorney in my firm with two cases pending before the Administrative Law Court in the past year.

I have not personally argued a case in the Administrative Law Court, but I have also recently attended certain matters in the Administrative Law court to observe the proceedings.

Mr. Reibold reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: approximately 10 cases;
- (b) State: approximately 100 cases.

I entered appearances in these cases, but not all cases required physical appearances before a court.

Mr. Reibold reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 100% (including administrative matters);
- (b) Criminal: 0%;

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- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Reibold reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 80%;
- (b) Non-jury: 20%.

Mr. Reibold provided that during the past five years he most often served as sole counsel.

I served most often as sole counsel, but also commonly serve as co-counsel.

The following is Mr. Reibold's account of his five most significant litigated matters:

- (a) *Michael Ritz v. Taylor Toyota*. In this matter, my former law partner and I represented an automobile dealership accused of charging documentation or procurement fees in violation of South Carolina. Plaintiff represented a group or class of thousands of customers attempting to recover allegedly improper fees. The case took almost six years to reach trial, and was tried in Aiken County. Plaintiff sought a total judgment of approximately \$25,000,000. After a three-day trial, the jury returned a verdict in favor of the defense. This case was significant because it threatened the survival of my client's business, and a matter of public importance which was ultimately addressed by legislation.
- (b) *Roberts v. LaConey*. 375 S.C. 97, 650 S.E.2d 474 (2007). I sought permission to file an amicus brief in this case which was filed in the original jurisdiction of the South Carolina Supreme Court. The case was decided in favor of the parties represented by my firm and was significant because it helped define what constitutes the unauthorized practice of law in South Carolina.
- (c) *Brown v. Stewart*. 348 S.C. 33, 557 S.E.2d 626 (Ct.App. 2001). One issue involved in the case was the question of when a corporate shareholder may maintain a breach of fiduciary duty action against corporate board members or directors. I was co-counsel at trial of this case and argued the appeal. This case is significant because it helped to clarify an uncertain area of South Carolina law.

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- (d) *Fournil v. Turbeville Insurance Agency*. In this matter, I represented a small start-up company. The founder of the company had split off from a larger insurance agency, which became involved in litigation with my client. If the larger company's claims had been successful, the suit would have crushed the business. We succeeded in striking down the larger company's noncompete agreement and successfully resolved the case. This case is significant to me because I was able to help preserve my client's business.
- (e) *Butler v Ford Motor Company, et al.* 724 F.Supp.2d 575 (D.S.C. 2010). In this case, I represented a small tire company from Georgia which had been improperly sued in South Carolina. I sought and succeeded in getting the case dismissed and relocated to a proper forum. This case was significant to me because it prevented what appeared to be forum shopping and resulted in a published decision.

The following is Mr. Reibold's account of five civil appeals he has personally handled:

- (a) *Brown v. Stewart, et al.*, South Carolina Court of Appeals, November 19, 2001, 348 S.C 33, 557 S.E.2d 676 Ct.App. 2001);
- (b) *Hall v. Fedor*, South Carolina Court of Appeals, March 25, 2002, 349 S.C. 169, 561 S.E.2d 654 (Ct.App. 2002);
- (c) *Optimum Path, LLC. V. Belkin, et al*, Patent appeal before the United States Court of Appeals for the Federal Circuit in Washington, D.C., May 7, 2012;
- (d) *Sign N Ryde v. Larry King Chevrolet*, South Carolina Court of Appeals, December 9, 2011;
- (e) *Diane Henderson v. Summerville Ford-Mercury*, South Carolina Supreme Court, September 11, 2013, 405 S.C. 440, 748 S.E.2d 221 (2013).

Mr. Reibold reported that he has not personally handled any criminal appeals.

Mr. Reibold further reported the following regarding unsuccessful candidacies:

I have previously been a candidate for circuit court in 2011, 2012, 2014, 2015, 2016, and 2017.

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- (9) Judicial Temperament:
The Commission believes that Mr. Reibold's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Mr. Reibold to be "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee stated in summary, "Concerns about his previous 6 attempts at being elected to the Circuit Court bench."

Mr. Reibold is married to Shealy Boland Reibold. He has one child.

Mr. Reibold reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, House of Delegates 2008 to 2014 and 2018 to present;
- (b) Richland County Bar Association;
- (c) National Association of Dealer Counsel; and
- (d) S.C Defense Trial Attorneys Association.

Mr. Reibold provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Salvation Army of the Midlands, Member Advisory Board
- (b) Leadership South Carolina, Class of 2020

Mr. Reibold further reported:

Over the past 25 years, I have been and remain involved in community affairs. I began simply volunteering at public and charity events. I raised money for the American Cancer Society. I am a graduate of the 2002 Leadership Columbia class. Since that time, I have served as a board member for Keep the Midlands Beautiful. I received an award for board member of the year for all of the Keep America Beautiful affiliates in South Carolina. I have served on the City of Columbia's Tree and Appearance Commission. I currently serve as an Advisory

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Board Member for the Salvation Army of the Midlands. Finally, I am a recent graduate of the 2020 Leadership South Carolina class.

I have also given to my profession. Initially, I volunteered as South Carolina Bar Association activities. Since then, I have gone on to publish several articles and am the co-author of a legal reference textbook published by the South Carolina Bar. The 2nd edition of this book will be published in 2021. I served on the Bar Association's Practice and Procedure Committee for years. I am currently a member of the Bar Association's House of Delegates.

These activities demonstrate my commitment to public service. I have previously run for the office of Circuit Court judge on a number of occasions, and I continue to believe that service as a member of the judiciary is my calling. My focus on public service also shapes my attitude toward the bench. I feel that putting on the robe is putting on a mantle of responsibility and stewardship.

(11) Commission Members' Comments:

The Commission noted that while Mr. Reibold had less involvement with administrative law than other legal matters, he had sought out knowledge and practical experience since filing for this position and expressed a desire to work diligently to learn more about the Administrative Law Court process.

(12) Conclusion:

The Commission found Mr. Reibold qualified, and nominated him for election to Administrative Law Court, Seat 3.

Debra Sherman Tedeschi
Administrative Law Court, Seat 3

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Tedeschi meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

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Ms. Tedeschi was born in 1967. She is 53 years old and a resident of Columbia, South Carolina. Ms. Tedeschi provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1998. She was also admitted to the Pennsylvania Bar in 1997.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Tedeschi.

Ms. Tedeschi demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Tedeschi reported that she has not made any campaign expenditures.

Ms. Tedeschi testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Tedeschi testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Tedeschi to be intelligent and knowledgeable.

Ms. Tedeschi reported that she has taught the following law-related courses:

- (a) At a CLE entitled JAG Grab Bag, hosted by the SC Attorney General's Office on August 16, 2019, I presented on the

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Uniformed Services Employment and Reemployment Rights Act (USERRA).

- (b) I presented at the annual South Carolina Administrative and Regulatory Law Association (SCAARLA) CLE in February 2018. My presentation was entitled: "The "DISH" on DEW, Overview of the Agency & A Short Primer on Unemployment Insurance Appeals."
- (c) At the July 2017 Employment Law Essentials CLE, I gave the following presentation: "Unemployment Insurance (UI) Claims and Appeals - Background on UI and Practical Tips".
- (d) I lectured about administrative appeals in June 2016 at a summer course on Administrative Law at the University of South Carolina School of Law.
- (e) I organized and presented at a CLE sponsored by the South Carolina Attorney General's Office entitled "Do the DEW" in August 2015. The CLE covered an overview of the Department of Employment and Workforce (DEW) and information about Unemployment Insurance Claims and Appeals.
- (f) I lectured on the topic of Unemployment Insurance and Drug Testing at the annual conference for the National Association of Unemployment Insurance Appeals Professionals (NAUIAP) in June 2014.
- (g) I lectured on the prosecution of Internet Crimes Against Children (ICAC) at the South Carolina Solicitors' Association annual Conference in September 2004.
- (h) I taught Legal Writing to first year law students as an Adjunct Professor at the University of South Carolina School of Law for the 1999-2000 and 2005-2006 school years.

Ms. Tedeschi reported that she has published the following:

- (a) "Identity Theft: A Primer," 19 S.C. Lawyer 20 (March 2008)
- (b) "The Predicament of the Transsexual Prisoner," 5 Temp. Pol. & Civ. Rts. L. Rev. 27 (1995)
- (c) "Federal Rule of Evidence 413: Redistributing 'The Credibility Quotient,'" 57 U. Pitt. L. Rev. 107 (1995)

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- (4) Character:
The Commission's investigation of Ms. Tedeschi did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Tedeschi did not indicate any evidence of a troubled financial status. Ms. Tedeschi has handled her financial affairs responsibly.

The Commission also noted that Ms. Tedeschi was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

- (5) Reputation:
Ms. Tedeschi reported that she is not rated by any legal rating organization.

Ms. Tedeschi reported that she has not served in the military.

Ms. Tedeschi reported that she has never held public office.

- (6) Physical Health:
Ms. Tedeschi appears to be physically capable of performing the duties of the office she seeks.

- (7) Mental Stability:
Ms. Tedeschi appears to be mentally capable of performing the duties of the office she seeks.

- (8) Experience:
Ms. Tedeschi was admitted to the South Carolina Bar in 1998.

She gave the following account of her legal experience since graduation from law school:

Litigation Associate in Private Sector, 1996-1998

(a) Upon my graduation from the University of Pittsburgh School of Law in 1996, I joined Pittsburgh's largest law firm, Kirkpatrick & Lockhart, as a litigation associate. This large,

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international law firm is now known as K&L Gates. While an associate, I assisted in several commercial litigation matters, including cases involving employment law, intellectual property, and insurance coverage issues.

(b) In 1997, my husband accepted a job as a Physics Professor at the University of South Carolina, and we moved from Pittsburgh, Pennsylvania to Columbia, South Carolina. I became a litigation associate with Nelson Mullins Riley & Scarborough. From 1997-1998, I assisted in several commercial litigation matters, with a focus on product liability litigation.

Staff Attorney/Judicial Law Clerk at South Carolina Supreme Court, 1998-2004

(c) I joined the South Carolina Supreme Court's Staff Attorney office in 1998 and served as a staff attorney for two years. My responsibilities included researching a wide variety of legal issues related to direct criminal appeals, petitions for writs of certiorari, and appellate motions. I drafted memoranda, opinions, and orders for the Court's review.

(d) In 2000, I began my service as a judicial law clerk for Associate Justice John H. ("Johnny") Waller, Jr. I analyzed issues in all areas of law for cases on appeal and in original jurisdiction matters. The cases included matters of civil, criminal, domestic, and administrative law. I reviewed the records on appeal and the advocates' legal briefs, performed additional research, and then drafted bench memoranda for Justice Waller with recommendations on the legal issues. These memoranda were distributed to the other Court Justices for their review. In addition, I attended oral arguments, and drafted majority, concurring, and dissenting opinions for Justice Waller's review.

Dedicated Prosecutor for Internet Crimes Against Children Task Force, 2004-2005

(e) In 2004, I was hired by South Carolina Attorney General Henry McMaster to be South Carolina's first dedicated prosecutor of Internet Crimes Against Children (ICAC). In this role, I developed procedures to assist South Carolina law

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enforcement officers and prosecutors with effectively investigating and prosecuting ICAC matters. As a member of the Attorney General's Prosecution and State Grand Jury divisions, I prosecuted both child pornography and internet criminal solicitation cases. I provided specialized legal advice to SLED at the Computer Crime Center, trained law enforcement, and did public speaking as part of the community outreach function of the ICAC Task Force.

Adjunct Legal Writing Instructor, 2005-2006 (and also part-time 1999-2000)

(f) I taught first-year law students at the University of South Carolina's School of Law legal writing and reasoning skills. The course topics included teaching students how to: (1) analyze and brief legal cases; (2) draft objective memoranda and persuasive briefs; and (3) effectively present an oral argument in court. Judicial Law Clerk at South Carolina Supreme Court, 2006-2009

(g) I returned to Justice Waller's chambers and worked again as a judicial law clerk until Justice Waller's retirement at the end of 2009. For duties, see subsection (d) above.

Member of South Carolina Supreme Court's Committee on Character and Fitness, 2010-present

(h) Appointed by the Justices of the South Carolina Supreme Court. This Committee provides recommendations to the Court on whether applicants have the requisite qualifications and character to be admitted or reinstated to practice law in South Carolina.

Solo Practitioner, 2010-2012

(i) At the beginning of 2010, I started my own law firm, The Tedeschi Law Firm, P.A. I focused my practice on Appellate Law, Administrative Law, Veterans' Disability Law, and Civil Litigation. As the only employee at my firm, I was fully involved with the administrative and financial management of this entity, and was fully responsible for the management of the Firm's trust account.

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Assistant/Deputy General Counsel and Director of Appeals at
the South Carolina Department of Employment & Workforce,
2011-2018

(j) At the end of 2011, I returned to the public sector/State employment when I was hired as Assistant General Counsel for the South Carolina Department of Employment and Workforce (DEW). I was promoted to Deputy General Counsel in 2012, and in 2015, I was given supervisory/management duties. As an attorney with DEW's Office of General Counsel (OGC), I handled an appellate case load before the Administrative Law Court (ALC), which involved defending DEW's final agency decisions when they were appealed to the ALC. These cases on occasion were further appealed to the Court of Appeals and Supreme Court. For these appellate cases, I drafted briefs, motions, petitions for certiorari (or returns to petitions), and delivered oral arguments on behalf of DEW. Additionally, as Deputy General Counsel, I provided a wide variety of legal advice to the executive leadership team and other internal DEW clients on different matters including: state and federal regulatory/statutory compliance; information technology (IT) contracts and related issues, to include contract negotiation and management; legislation; and data privacy/confidentiality issues.

(k) In February 2017, I was promoted to be the Director of Appeals. In that position, I was the head manager and supervisor of DEW's internal unemployment Appeals Department. I also served as Contract Manager for a multi-state consortium IT project.

Attorney-Adviser for the United States Army at Fort Jackson,
2018 – present

(l) In July 2018, I became an Army Civilian with the Judge Advocate General (JAG) Corps. In this position, I serve as a civilian attorney alongside active duty JAG attorneys and paralegals in the Fort Jackson Office of the Staff Judge Advocate (OSJA) in the Administrative Law division. I provide legal advice and representation on federal employment and labor law matters affecting the Civilian workforce at Fort Jackson. These

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administrative law matters include Equal Employment Opportunity (EEO) issues related to allegations of discrimination, collective bargaining, and grievance matters, Merit Systems Protection Board (MSPB) cases, and various other federal employment and administrative law issues. I serve as Agency representative in proceedings litigated before the EEO Commission (EEOC) and the MSPB, as well as in mediation proceedings. In addition, I frequently provide legal counsel directly to the commanders at Fort Jackson; negotiate and draft settlement agreements; and work closely with Human Resource personnel on employee discipline matters.

Ms. Tedeschi further reported regarding her experience with the Administrative Law Court practice area:

From 2011 through 2017, I appeared frequently and consistently before all the current judges of the Administrative Law Court (ALC). These cases primarily involved appellate review of final DEW unemployment insurance (UI) decisions. Most of these were related to UI benefits, but some also involved businesses litigating an appeal on UI tax issues. I argued a wide range of issues at the ALC, both factual and legal. Additionally, on behalf of DEW, I litigated a Setoff Debt Act contested case hearing and appeared for a public hearing before the ALC on a DEW regulation that was being amended. As a result of this experience, I am familiar with the ALC Rules, which were also the frequent subject of motions filed in these cases. Also, when I was in solo practice, I litigated an appeal before Judge McLeod involving a social worker's license which was regulated by the South Carolina Department of Labor, Licensing, and Regulation.

Since 2018 as a civilian Army lawyer, I have appeared before federal Administrative Law Judges, including ALJs with the EEOC and the MSPB.

Ms. Tedeschi reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: ongoing appearances with federal administrative law judges since 2018 in

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- labor and employment matters for the Army;
- (b) State: frequent appearances before the SC ALC judges from 2011-2017, as well as occasional oral arguments at the SC Court of Appeals and SC Supreme Court.

Ms. Tedeschi reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil:
(b) Criminal:
(c) Domestic:
(d) Other: 100% Administrative Law

Ms. Tedeschi reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 0%;
(b) Non-jury: 100%.

Ms. Tedeschi provided that during the past five years she most often served as sole counsel.

The following is Ms. Tedeschi's account of her five most significant litigated matters:

- (a) *Rest Assured, LLC v. S.C. Dep't of Emp. & Workforce*, Mem. Op. No. 2015-MO-072 (S.C. Sup. Ct. filed Dec. 9, 2015).

In this unemployment insurance (UI) tax liability matter, the issue was whether Rest Assured's home health care assistants were misclassified as independent contractors by the business. At the agency level, DEW held the workers to be employees, and therefore, their wages were subject to UI tax contributions. This matter is significant to me because it was one of my first assignments when I began working at DEW. I litigated many procedural aspects of this case in the circuit court, ALC and the Court of Appeals. Then, the substantive matters were heard by the ALC, which upheld DEW's decision. The business appealed, and the Court of

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Appeals reversed in an unpublished decision. I drafted the petition for writ of certiorari, which was promptly granted by the Supreme Court. I then subsequently briefed and argued the case at the Supreme Court, where DEW's decision prevailed.

- (b) *Nucor Corp. v. S.C. Dep't of Emp. & Workforce*, 410 S.C. 507, 765 S.E.2d 558 (2014).

This case is significant because it reinforces the important principle of administrative law that when an appellate court is reviewing an agency's final decision under the substantial evidence rule, the appellate court is constrained to affirm when reasonable minds could reach the same result -- even if the appellate court itself would have come to a different decision as factfinder.

- (c) *AnMed Health v. S.C. Dep't of Emp. & Workforce*, 404 S.C. 224, 743 S.E.2d 854 (Ct. App. 2013).

In this case, a hospital discharged a human resources employee for failing to get a flu shot under the hospital's mandatory flu shot policy. When the employee applied for unemployment insurance (UI) benefits, DEW found her eligible for benefits. The hospital appealed to the ALC which affirmed DEW's decision. The hospital then appealed to the Court of Appeals. The Court of Appeals found that the hospital's policy was reasonable, but also found that the substantial evidence supported DEW's decision holding the UI claimant was eligible for benefits. This decision is significant for UI law because it establishes that even while an employer may properly discharge an employee pursuant to its reasonable health and safety policy, the employee may nevertheless be entitled to UI benefits if the employee's reason for non-compliance with the policy was reasonable under the circumstances. This is significant decision for me personally because it was one of the first times I argued to the Court of Appeals.

- (d) *Jackson v Sanford*, 398 S.C. 580, 731 S.E.2d 722 (2011).

In this appeal, I (along with James E. Smith, Jr.) represented Petitioner Darrick Jackson, Mayor of the Town of Timmonsville. This was a declaratory judgment action brought in the South Carolina Supreme

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Court's original jurisdiction to determine whether Governor Mark Sanford's veto of certain appropriations was unconstitutional. The Court held in favor of Mayor Jackson, finding that a Governor's line-item veto power allows a governor to veto "items," which comprise both the designated funds and the object and purposes for which the appropriation is intended." Therefore, where the Governor had vetoed only the funds-related part of an item, that veto was held unconstitutional. This matter is significant to me because it involved an issue of major public importance -- the interpretation of a constitutional power of the executive branch. It also was the first time I argued a case in front of the South Carolina Supreme Court -- I presented the Reply portion of Petitioner's argument.

- (e) *Yonemura v. Tom Sawyer Productions, Inc.*, Case Number: 2010-CP-40-01188.

This case is significant to me because the plaintiffs, two young women, were my very first clients when I hung a shingle in 2010. It is also significant because it became my first (and only) civil jury trial. My clients ultimately did not prevail at trial, but they were pleased with my representation because they truly felt they had their day in court.

The following is Ms. Tedeschi's account of five civil appeals she has personally handled:

- (a) *Rest Assured, LLC v. S.C. Dep't of Emp. & Workforce*, Mem. Op. No. 2015-MO-072 (S.C. Sup. Ct. filed Dec. 9, 2015).
- (b) *AnMed Health v. S.C. Dep't of Emp. & Workforce*, 404 S.C. 224, 743 S.E.2d 854 (Ct. App. 2013).
- (c) *Nucor Corp. v. S.C. Dep't of Emp. & Workforce*, 410 S.C. 507, 765 S.E.2d 558 (2014).
- (d) *Lippincott v. S.C. Dep't of Emp. & Workforce*, Op. No. 2013-UP-056 (S.C. Ct. App. filed Jan. 30, 2013).
- (e) *Jackson v Sanford*, 398 S.C. 580, 731 S.E.2d 722 (2011)

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Ms. Tedeschi reported that she has not personally handled any criminal appeals:

During my almost ten years of employment with the South Carolina Supreme Court as a staff attorney/judicial law clerk, I reviewed probably hundreds of criminal appeals matters, including direct appeals and state habeas corpus actions in death penalty cases. However, I have not personally litigated any criminal appeals.

Ms. Tedeschi reported the following regarding an unsuccessful candidacy:

In 2016, I applied for Administrative Law Court, Seat # 2. The JMSC found me qualified and nominated me as one of the three candidates. On January 26, 2017, I withdrew, and the Honorable Milton G. Kimpson ultimately won that seat.

- (9) Judicial Temperament:
The Commission believes that Ms. Tedeschi's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Ms. Tedeschi to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified" as to the evaluative criteria of constitutional qualifications, physical health and mental stability. The Committee commented that Ms. Tedeschi is "Very well qualified. Some concern as to whether she could not let her political views influence her decisions."

Ms. Tedeschi is married to David John Tedeschi. She has two children.

Ms. Tedeschi reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
 - Served on the SC Bar's Professional Potential Task Force (2008-2011)

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(b) South Carolina Women's Law Association

Ms. Tedeschi provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Columbia Jewish Federation, current Board Member and co-chair of the Jewish Community Relations Council
- (b) Tree of Life Congregation, Member; served on Board of Directors (2016-2019, and previously 2002-2013)

Ms. Tedeschi further reported:

My parents grew up in Brooklyn, New York, and I myself was born and raised in New Jersey. My dad never went to college; my mom went to community college to become a teacher after my two older brothers and I were all enrolled in school. I never imagined that someday I would move to South Carolina and plant my family roots here. I certainly never entertained the thought that I would become a South Carolina lawyer who would someday apply to become a judge. But, in 1992, after living and working for several years in New York City as a computer professional, I decided I wanted to change my life. I set my sights on going to law school, with the long-term goal of serving the public in some manner. That was the first step in a journey that led me to living in, and serving, the great state of South Carolina.

In 1993, I moved to Pittsburgh, Pennsylvania, and began law school. I thoroughly enjoyed law school. This is not always an easy thing to do given the rigor and competition inherent in the law school experience. However, I thrived in the environment and succeeded academically. Meanwhile, on a personal level, my boyfriend (who coincidentally also grew up in New Jersey) became my fiancé and then my husband during those three years of law school. After graduation, I began practicing as a lawyer in the private sector at the largest Pittsburgh law firm (K&L Gates). During my first year of practicing law, my husband was offered a job as an Assistant Professor in the Physics Department at the University of South Carolina. I was so happy and proud that he was fulfilling his career aspirations. Plus, I got a great job with Nelson Mullins, so we happily moved to Columbia, South Carolina in the summer of 1997.

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One of the first things I learned about Columbia is how General Sherman burned it down on February 17, 1865. Well, with a middle/maiden name of Sherman, I started to wonder if I would fit in as a transplant in South Carolina. A wonderful thing happened though -- my husband and I embraced South Carolina and South Carolina embraced us. Within a year of moving to Columbia, I was working for the South Carolina Supreme Court, and I had attained my goal of practicing law and serving the public in some fashion.

Over the years, I learned to really live the state motto of "Dum spiro spero." South Carolina taught this Jersey girl to slow down a little bit and generally just be more optimistic about life. My law career has predominantly been focused on trying to use my law license to do good work. After having the honor and privilege of serving the S.C. Supreme Court for about six years, I left and began working as a dedicated prosecutor for the Attorney General's Office with the Internet Crimes Against Children (ICAC) Task Force. The Attorney General at the time, Henry McMaster, wanted to tackle this tough issue and make quick and steady progress. I wanted to combine my background in computer science with being a lawyer. The idea that I would be protecting children also appealed to me given that I was now a mother of two young boys. Even though my work at the AG's office was over many years ago, I am extremely proud of the abundance of good work we got done in my relatively brief tenure as the first dedicated ICAC prosecutor.

From there my legal career took some more turns, all good ones. I taught legal writing, returned to the Supreme Court to again clerk for Justice Waller, and then after Justice Waller retired, I opened my own law firm. This certainly was another step in my journey that I had not envisioned even a couple of years earlier. Being a solo practitioner taught me so much about how wonderful the members of the South Carolina Bar are -- collaborative, professional, and helpful. I became a better attorney, a more resourceful and confident lawyer. I was able to help our veterans get the disability benefits they deserved, and also continued developing as an appellate advocate. Yet I missed serving the State of South Carolina, and at the end of 2011, I happily returned to state employment with the South Carolina

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Department of Employment and Workforce (DEW). This new cabinet agency, statutorily created in 2010, had formerly been the Employment Security Commission. My new job required a variety of legal skills -- appellate work, some criminal prosecution, and a variety of "general counsel" on other issues, many involving computer technology. All the steps of my legal career started to make sense to me, and I threw myself into working for DEW.

At DEW, I was promoted from Assistant General Counsel, to Deputy General Counsel, and ultimately became Director of Appeals. My many years of service to DEW enhanced my skills as an appellate advocate and further developed my proficiency in Administrative Law. In 2018, I was offered a new way to publicly serve and became an Army Civilian Attorney-Adviser with the Office of Staff Judge Advocate (OSJA) at Fort Jackson. Since becoming an Army lawyer, I have continued to hone my skills as a practicing attorney in federal sector Administrative Law.

Having worked with many of this State's top judges for a good portion of my legal career, I am aware that being a judge is no easy task. Yet it would be a tremendous honor and privilege to be appointed as an Administrative Law Judge, thereby allowing me again to serve the great State of South Carolina.

(11) Commission Members' Comments:

The Commission commented that Ms. Tedeschi has a strong legal background. They noted that her great intellect, excellent writing skills and sense of humility would make her an outstanding addition to the Administrative Law Court.

(12) Conclusion:

The Commission found Ms. Tedeschi qualified and nominated her for election to the Administrative Law Court, Seat 3.

**The Honorable S. Phillip "Phil" Lenski
Administrative Law Court, Seat 6**

Commission's Findings: QUALIFIED AND NOMINATED

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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Lenski meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Judge Lenski was born in 1963. He is 57 years old and a resident of Columbia, South Carolina. Judge Lenski provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1995. He was also admitted to the Colorado Bar in 1989.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Lenski.

Judge Lenski demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Lenski reported that he has not made any campaign expenditures.

Judge Lenski testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Lenski testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Lenski to be intelligent and knowledgeable.

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Judge Lenski reported that he has taught the following law-related courses:

- (a) Limestone College and St. Leo University, (1996 – 2015) – Taught undergraduate criminal law, Constitutional law, business law, labor law, and street law courses.
- (b) Bridge the Gap, (2012 – 2016), Lectured on Administrative Law;
- (c) University of SC School of Law, (2014 - present) Annual lecture on Administrative Law to Administrative Law class;
- (d) SCAARA Annual Conference (2020) – Presentation on practice tips before ALC;
- (e) U.S. Army Reserves (1996 – 2014) – taught courses in military law, military justice, international law of war, and Geneva Conventions;
- (f) Paralegal Association Conference (2014) – Lectured on Administrative Law;
- (g) SC Homeschool Network (2016 – 2019) – presided over mock-trial competition for high school students.
- (h) SC Dept of Health and Human Services, Division of Appeals (April 2015) – Lectured on administrative law.

Judge Lenski reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Lenski did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Lenski did not indicate any evidence of a troubled financial status. Judge Lenski has handled his financial affairs responsibly.

The Commission also noted that Judge Lenski was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problem with his diligence and industry.

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- (5) Reputation:
Judge Lenski reported that he is not rated by any legal rating organization.
- Judge Lenski reported the following military service:
I was a Judge Advocate in the US Army from 1990 – 1995 (active duty), and then in the Army Reserves from 1996 through June of 2014, when I retired. I retired at the rank of Lieutenant Colonel. I retired (was not discharged) honorably.
- Judge Lenski reported that he has never held public office other than judicial office.
- (6) Physical Health:
Judge Lenski appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Lenski appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Lenski was admitted to the South Carolina Bar in 1995.

He gave the following account of his legal experience since graduation from law school:

- (a) Judge Advocate, U.S. Army (active duty) (1990 – 1995). I served as both a trial counsel (prosecutor) and trial defense service (public defender) during those years. I also was an administrative law attorney for the Army for two of those five years. I tried dozens of courts-martial involving misdemeanor type offenses (larceny, tardiness for duty) to felony offenses (murder, illegal drug distribution, fraud). My position did not involve the administration or management of funds or trust accounts.
- (b) Judge Advocate, U.S. Army Reserves (reserve duty) (1996 – 2014). After leaving active duty I served as a Judge Advocate in the Reserves until my retirement in 2014. During that time, I taught courses in military law and international law, assisted Soldiers with legal issues to include family matters, financial matters, trust and estate planning, etc. I also served as a

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training officer for a military unit, ensuring that the members completed all mandatory military training each year. During my time in the Reserves, I was mobilized to active duty twice. Once, I was mobilized and deployed to Iraq (2003) for nine months at the beginning of Operation Iraqi Freedom. I served as a trial counsel there, trying the first five courts-martial in a combat theater since Vietnam. I prosecuted cases involving assault, prisoner abuse, attempted murder, larceny, and manslaughter. Then, in 2011, I was mobilized a second time to Fort Bragg, North Carolina, where I and 19 other Reserve Judge Advocates replaced the active duty officers who went to Iraq for one year. During that year, I was the Chief of Administrative Law for the 18th Airborne Corps, handling all legal matters surrounding the operation of Fort Bragg, the second largest Army post, with a population of sixty thousand soldiers, dependents and federal employees. I supervised an office of 12 attorneys and staff. My position did not involve the management or administration of funds or trust accounts.

- (c) Staff Attorney, South Carolina Department of Insurance (1995 – 1997). I worked in the General Counsel office of the Department of Insurance for approximately eighteen months. I prosecuted insurance agents and brokers for violations of the law, and I handled insolvencies and other licensing issues for insurance companies. My position did not involve the administration or management of funds.
- (d) Staff Attorney, South Carolina Department of Labor, Licensing, and Regulation (1997 – 2002). I worked as a litigation counsel for the Department of Labor, Licensing and Regulation, prosecuting at state boards various licensed professional accused of violating the laws governing their profession. These included, real estate agents and brokers, real estate appraisers, contractors, accountants, engineers, architects, nurses, doctors, cosmetologists, residential builders, etc. I handled the cases from the trials before boards all the way through the appellate process. My position did not involve the administration or management of funds or trust accounts.
- (e) Counsel to the Clerk, South Carolina Senate, and Senior Staff Attorney, South Carolina Senate Judiciary Committee, (2002 – 2010). I served first as the counsel to the Senate Clerk, and then moved to become the senior staff attorney on the Judiciary Committee of the South Carolina Senate. During

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those years, I conducted legal research, drafted legislation and amendments, prepared summaries of bills and amendments for Senators, and served on various committees and subcommittees. During that time, my position did not involve the management or administration of funds or trust accounts.

- (f) Administrative Law Judge, South Carolina Administrative Law Court (2010 – present). Since 2010, when I was elected to the bench, I had the honor to serve as an Administrative Law Judge on the court. My duties involve hearing and deciding cases assigned to me by the Chief Judge that involve matters that fall under the jurisdiction of this court. Those cases include hearings involving most state agencies in South Carolina with the exception of Worker’s Compensation cases and public utility matters. In my position, I sometimes sit in a trial capacity, and sometimes in an appellate capacity, depending upon the agency and type of case involved.

Judge Lenski reported that he has held the following judicial office(s):

I am currently an Administrative Law Judge on the South Carolina Administrative Law Court. I have held this position since being elected in 2010. The jurisdiction of the Administrative Law Court is statutory, and the limits of its jurisdiction are found in Chapter 23 of Title 1 of the South Carolina Code of Laws.

Judge Lenski reported five of his most significant orders or opinions:

- (a) *SC Department of Revenue v. BI-LO, LLC, d/b/a BI-LO Store #5612*, Docket Nos. 160-ALJ-17-0221-CC; 17 ALJ-17-0113-CC (S.C. Admin. Law Ct. Nov. 21, 2017), appeal filed, No. 2017-002568 (S.C. Ct. App. Aug 2, 2017). This was a beer and wine violation case where I exercised my discretion and did not revoke the licensee’s permit;
- (b) *J. Annette Oakley v. Beaufort County Assessor*, Docket No. 18 ALJ-17-0233-CC (S.C. Admin. Law Ct. Nov 7, 2019), appeal filed, No. 2018-002153 (S.C. Ct. App. Dec 6, 2018). A residential tax assessment case involving an ambiguous provision in state law.
- (c) *Richard J. Hook v. S.C. Dept. of Health and Envtl. Control and Phillip Patterson*, Docket No. 17-ALJ-07-0085-CC (S.C.

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Admin. Law Ct. July 2, 2019) appeal filed, No. 2019-001282 (S.C. Ct. App. Aug 2, 2019). A dock permitting case where I held that the Department had willfully disobeyed this court's prior order and awarded damages to the aggrieved party.

- (d) *MRI at Belfair, LLC, d/b/a 3T MRI at Belfair v. S.C. Dep't of Health and Env't'l. Control and St. Joseph's/Candler Imaging Ctr. – Bluffton*, Docket No. 17-ALJ-07-0144-CC (S.C. Admin. Law Ct. July 31, 2019). A Certificate of Need case involving numerous novel procedural issues. Not appealed.
- (e) *Amisub of SC, Inc. d/b/a Piedmont Medical Center d/b/a Fort Mill Medical Center v. S.C. DHEC and Charlotte Mecklenburg Hospital Authority d/b/a Carolinas Medical Center – Fort Mill*, Docket No. 11-ALJ-07-0575-CC (S.C. Admin Law Ct. December 15, 2014). The matter involved competing hospital systems seeking a Certificate of Need to construct a hospital in Fort Mill. The matter has been to the South Carolina Supreme Court, which remanded the matter to the South Carolina Court of Appeals, which again affirmed my decision. (424 S.C. 80, 817 S.E.2d 633 (Ct. Appeals 2018), cert. denied February 20, 2019).

Judge Lenski further reported the following regarding unsuccessful candidacies:

Prior to being elected to the Administrative Law Court bench in 2010, I was an unsuccessful candidate for the Administrative Law Court in 2008.

(9) Judicial Temperament:

The Commission believes that Judge Lenski's temperament has been, and would continue to be, excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Judge Lenski "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in

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summary, “[Judge Lenski’s] experience on the Administrative Law Court makes him well-qualified.”

Judge Lenski is married to Laura Brant Lenski (nee Laura Ann Brant). He has three children.

Judge Lenski reported that he was a member of the following Bar and professional associations:

- (a) Richland County Bar Association, member since 1996;
- (b) Colorado Bar Association, member since 1990;
- (c) American Bar Association, member since 1987.

Judge Lenski provided that he is not a member of any civic, charitable, educational, social, or fraternal organizations.

Judge Lenski further reported:

I have spent virtually my entire professional career in public service. First, in the service of my nation as a Judge Advocate for the U.S. Army. Then as an attorney for various state agencies in South Carolina. Finally, for the last ten years, I have had the great honor to serve as an Administrative Law Judge. I still remember, when I first began working as an attorney, the words of my first supervisor, who told me that public service is a public trust requiring all who engage in it to place loyalty to the Constitution and laws, and to ethical principles, above private gain. I have worked my entire career to live by that admonishment. I have also come to understand, especially now that I am an Administrative Law Judge, that a civil servant must adhere to all laws and regulations and ensure that they are applied equally and fairly to all Americans regardless of race, color, religion, sex, national origin, age, or disability. I spend every day trying to live up to these principles, and I hope to be given the honor to do so for another term.

(11) Commission Members’ Comments:

The Commission commented that Judge Lenski has an outstanding reputation. They noted his great intellect, which has

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ably served him in discharging his responsibilities as an Administrative Law Court judge.

(12) Conclusion:

The Commission found Judge Lenski qualified, and nominated him for re-election to Administrative Law Court, Seat 6.

QUALIFIED, BUT NOT NOMINATED

**Steven Edward Buckingham
Circuit Court, Thirteenth Judicial Circuit, Seat 3**

**Commission's Findings: QUALIFIED, BUT NOT
NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Buckingham meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Buckingham was born in 1981. He is 39 years old and a resident of Greer, South Carolina. Mr. Buckingham provided in his application that he has been a resident of South Carolina for at least the immediate past five years, and he has been a licensed attorney in South Carolina since 2006.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Buckingham.

Mr. Buckingham demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Buckingham reported that he has not made any campaign expenditures.

Mr. Buckingham testified that he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Buckingham testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Buckingham to be intelligent and knowledgeable.

Mr. Buckingham reported that he has taught the following law-related courses:

- (a) Furman University, Trial Advocacy (Greenville, SC, each May, 2011-2016) (undergraduate course designed to teach students the basic aspects of trial advocacy);
- (b) South Carolina Bar Association, It's All a Game: Top Trial Lawyers Tackle Evidence (Columbia, SC, February 2018) (lecturer on trial strategy of evidentiary objections);
- (c) South Carolina Bar Association, Law School for Non-Lawyers (Greenville, SC, March 2012) (lecturer on structure, organization, and jurisdiction of state and federal courts);
- (d) Association of Corporate Counsel, Privatizing Public Business: Ethics in Pursuing & Contesting Government Contracts (Greenville, SC, February 2012) (ethics lecturer);
- (e) SCDTAA Corporate Counsel, Joint Defense Agreements: Strategy, Ethics & Practicality (Greenville, SC, September 2011) (ethics lecturer).

Mr. Buckingham reported that he has published the following:
"The Kelo Threshold: Private Property & 'Public Use' Reconsidered," 39 U. Rich. L. Rev. 1279 (2005).

- (4) Character:
The Commission's investigation of Mr. Buckingham did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Buckingham did not indicate any evidence of a troubled financial status. Mr. Buckingham has handled his financial affairs responsibly.

The Commission also noted that Mr. Buckingham was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Buckingham reported his rating by legal rating organizations: for Martindale-Hubbell, it is AV (Preeminent); and for Super Lawyers, it is Rising Star.

Mr. Buckingham also reported recognition by the following organizations:

- (a) Best Lawyers, 2019-Present;
- (b) U.S. News & World Report, Best Law Firms, South Carolina, 2020;
- (c) Greenville Business Magazine, Legal Elite, 2016-Present;
- (d) America's Top 100 Bet-the-Company Litigators, South Carolina, 2019-Present;
- (e) America's Top 100 High-Stakes Litigators, South Carolina, 2019-Present.

Mr. Buckingham reported that he has not served in the military.

Mr. Buckingham reported that he has never held public office.

(6) Physical Health:

Mr. Buckingham appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Buckingham appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Buckingham was admitted to the South Carolina Bar in 2006.

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He gave the following account of his legal experience since graduation from law school:

- (a) September 2006-September 2007: Served as a law clerk to the Honorable James R. Spencer, Chief United States District Judge for the Eastern District of Virginia, in Richmond, Virginia. Advised as to the disposition of civil and criminal motions and criminal sentencing matters; analyzed memoranda filed in furtherance of pending civil and criminal matters and conducted independent research of applicable law; prepared orders and opinions of the court.
- (b) September 2007-June 2008: Employed as an associate attorney with Nelson, Mullins, Riley & Scarborough, LLP in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.
- (c) June 2008-August 2008: Served as a temporary law clerk to the Honorable Henry M. Herlong, Jr., United States District Judge for the District of South Carolina, in Greenville, South Carolina. Advised as to the disposition of civil and criminal motions and criminal sentencing matters; analyzed memoranda filed in furtherance of pending civil and criminal matters and conducted independent research of applicable law; prepared orders and opinions of the Court.
- (d) September 2008-February 2011: Employed as an associate attorney with Nelson, Mullins, Riley & Scarborough, LLP in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.
- (e) March 2011-December 2013: Employed as an associate attorney with Gallivan, White & Boyd, P.A. in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes.
- (f) December 2013-September 2014: Employed as a partner with Gallivan, White & Boyd, P.A. in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes. Upon election to partner, I took on some, but not significant, management functions, as those functions were largely handled by the Firm's executive committee.

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- (g) September 2014-December 2015: Employed as an attorney with the Perkins Law Firm, LLC in Greenville, South Carolina. Practice focused mainly on civil litigation, with particular emphasis on business and commercial disputes. Had some, but not significant, management functions, as those functions were largely handled by Mr. Perkins.
- (h) January 2016-Present: Self-employed as an attorney with the Law Office of Steven Edward Buckingham, LLC. Practice focuses mainly on civil litigation, with particular emphasis on business and commercial disputes. I exercise total oversight of all management functions, including but not limited to management of the firm's trust account.

Mr. Buckingham further reported regarding his experience with the Circuit Court practice area:

Criminal Experience

The vast majority of my direct criminal experience was acquired during the time that I spent as a law clerk to Judge Spencer and Judge Herlong, through which I participated in several criminal trials and dozens of criminal sentencings.

In terms of direct criminal experience as a practicing attorney, that is limited primarily to my participation in the appeal of *State v. Graddick*, Appellate Case No. 2013-2665, which I handled in connection with the Office of Indigent Defense's Appellate Practice Project. The case involved the appeal of a conviction for armed robbery, and presented issues involving the federal Sixth Amendment right to cross-examination of adverse co-conspiratorial witnesses (who were unavailable to testify due to invoking their Fifth Amendment right to refrain from providing self-incriminating testimony), as well as Rules 403 and 404, SCRE, pertaining to evidence that is substantially more prejudicial than probative and propensity for criminal conduct, respectively.

In terms of indirect criminal experience as a practicing attorney, I have litigated several business cases involving embezzlement, theft of property, and theft of trade secrets, which have intersected with the criminal bar. I have also been appointed,

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primarily by federal courts, on several occasions to represent indigent defendants (generally incarcerated) in their civil claims against the South Carolina Department of Corrections for circumstances arising from their incarceration.

Civil Experience

The vast majority of my experience as a private practitioner has involved civil litigation. Beginning with my clerkship in 2006, I have personally participated in hundreds of civil cases at various stages of their lifespan, including more than a dozen trials, many of which I have personally conducted. As a law clerk, the most significant case in terms of amount in controversy that I have participated in involved several billion dollars; as a private practitioner, several tens of millions. Presently, and for the past five years, most of my cases involve amounts in controversy ranging between \$50,000-\$500,000. However, I regularly litigate cases—and presently have several cases—where the amount in controversy exceeds \$1 million. Because of the nature of business litigation, I routinely represent both plaintiffs and defendants.

Over the course of my career thus far, I have handled civil cases from as early as their inception to as late as perfecting appeals with the South Carolina Supreme Court. Relatedly, on the federal side, I have litigated dozens of cases, and have personally taken one appeal of a case I tried to the Fourth Circuit. In both state and federal court, I have prepared and filed pleadings, preliminary motions, motions for temporary and preliminary injunctive relief, and for summary judgment; I have also conducted extensive amounts of written discovery and depositions; I have participated in more mediations than I can remember. I have also conducted six mediations for which I served as the mediator.

In terms of trial experience, in 2013, I personally tried a case in York County before Judge Kimball, in which my client—a bank—was litigating with another bank over which had priority in a mortgage foreclosure action. In 2015, I personally tried a case in Horry County before Judge Howe, in which my client—who sold a restaurant—was seeking to collect the balance due

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on the transaction from the buyer. The primary issue in this case was the imputation of contractual liability from the buyer (an LLC) to its sole member. Both of these cases were tried without a jury.

In 2016, I personally tried a case in federal court in Greenville County involving the religious freedom rights of an inmate who was, at the time of the wrongful conduct complained of, incarcerated at Kershaw Correctional Institution. At that time, to the best of my knowledge, I was the only lawyer in the United States who had ever tried a case under the federal Religious Land Use & Institutionalized Persons Act, as these types of cases are typically resolved at summary judgment. Later in 2016, I was lead trial counsel in a case tried in federal court in Buncombe County, North Carolina involving trademark infringement under the federal Lanham Act. Both of these cases were tried to a jury.

More recently, if the cases I handle are not resolved through mediation (which are the vast majority), they tend to be referred to arbitration. In 2019, I litigated a case involving a South Carolina public charter school from inception to the final arbitration hearing, and am presently challenging the legitimacy of those proceedings in South Carolina Circuit Court. The issues I am challenging involve whether and to what extent a South Carolina state actor—like a public charter school—is subject to the jurisdiction of an arbitration panel. I have three other business cases that will be arbitrated between now and the end of the second quarter in 2021.

With regard to my presence in Circuit Court, I am there frequently. Pre-COVID, it was not unusual for me to be in Circuit Court in Greenville County several times a month. I have appeared before each Circuit Court judge on multiple occasions. I am in federal court less frequently, not because I have fewer cases there, but generally because federal judges tend to hold fewer hearings on motions.

Additional Relevant Experience

I have spent a significant amount of time both learning how to try cases effectively and teaching others how to do so. In 2010,

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I attended the South Carolina Defense Trial Attorneys week-long Trial Academy. In 2013, I attended the week-long Trial Academy hosted by the International Association of Defense Counsel at Stanford University. From 2007 until 2013, I coached Furman University's award-winning college mock trial teams. And, each May from 2011 until 2016, I taught an undergraduate course at Furman on Trial Advocacy.

More recently, I have endeavored to hone my negotiation and dispute-resolution skills. In 2017, I completed the South Carolina Bar's week-long mediator certification program. In 2018, I attended the three-day intensive Advanced Negotiation Strategies workshop hosted through the Harvard Extension School in Cambridge, Massachusetts.

Further Experience

On balance, and without question, I have less relevant direct experience as a criminal practitioner. In the event I am elected to serve as a judge, I would endeavor to learn as much about the practice of criminal law and procedure in South Carolina as I reasonably could. Not only would I read every respectable treatise available through the South Carolina Bar, I would spend time talking with my friends in the criminal bar—both solicitors and defense attorneys—to understand how criminal law is practiced in our State.

Mr. Buckingham reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: Despite having cases fairly consistently in federal court, I would only be required to appear for hearings in federal court once every few months.
- (b) State: Generally several times per month

Mr. Buckingham reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 99%;
- (b) Criminal: <1%;
- (c) Domestic: <1%;

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- (d) Other: 0%.

Mr. Buckingham reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: <1%;
(b) Non-jury: <2%.

He noted that all of his other cases were resolved by mutual agreement prior to trial or arbitration, whether through mediation or otherwise.

Mr. Buckingham provided that during the past five years he almost always served as sole counsel.

The following is Mr. Buckingham's account of his five most significant litigated matters:

- (a) In re: [Anonymous]. In this case, the client—a 4 year old—witnessed his father brutally murder his mother. The family were Indian immigrants. Because of immigration regulations, upon mother's death, the father and child were subject to immediate deportation. Through the representation, and in coordination with federal offices and agencies, the father's parental rights with respect to the child were terminated, the child was placed in the home of his maternal uncle, who had just attained U.S. Citizenship, and the child was ultimately adopted and attained his own U.S. Citizenship.
- (b) In re: [Anonymous]. In this case, the clients were the wife and step-daughter of a local law enforcement officer who specializes in drug interdiction. Wife and daughter immigrated from a Latin American country legally, where they were threatened with execution at the hands of a certain drug cartel, but subsequently lost their lawful status and were facing deportation. Had they been deported, husband would have followed, which would likely have resulted in the execution of all three individuals. Through the representation, and in coordination with federal offices and agencies, the wife and daughter attained lawful status as U.S. residents, and the husband continues to interrupt drug and human trafficking in South Carolina.

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- (c) *Plummer v. Riley*; rights of religious freedom in penal institutions. Plaintiff, an inmate at a South Carolina correctional institution, brought suit under the First Amendment and a separate federal religious freedom statute to declare that the prison's chaplain violated his rights of religious freedom by unreasonably restricting his ability to attend the worship services and religious study groups of his choosing.
- (d) *Ahmad v. Belangia*; voting rights. Plaintiffs were students at a local university who were prohibited from registering to vote in the 2016 general election by the Greenville County Election Commission. On behalf of Plaintiffs, I obtained a preliminary injunction directing the Commission to register the Plaintiffs to vote.
- (e) *Newton v. James*; First Amendment. Plaintiff was the branch manager of a local library system who was terminated from his employment for failing to prohibit a group of citizens from using library facilities. Suit was filed, and a settlement was reached shortly thereafter.

The following is Mr. Buckingham's account of five civil appeals he has personally handled:

- (a) *Theisen v. Theisen*, 394 S.C. 434, 716 S.E.2d 271 (2011);
- (b) *Hollman v. Woolfson*, 404 S.C. 385, 745 S.E.2d 105 (2013);
- (c) *Plummer v. Riley*, Case No. 16-6340 (4th Cir. Jan. 31, 2018);
- (d) *Granatino v. SCDOT*, Case No. 2018-2166 (S.C. Ct. App.) (pending);
- (e) *Associated Receivables Funding, Inc. v. Classic Indus. Servs. Inc.*, Case No. 2020-320 (S.C. Ct. App.) (pending).

The following is Mr. Buckingham's account of the criminal appeal he has personally handled:

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State v. Graddick, Op. No. 2017-UP-201 (S.C. Ct. App. May 17, 2017)

- (9) Judicial Temperament:
The Commission believes that Mr. Buckingham's temperament would be excellent.
- (10) Miscellaneous:
The Upstate Citizens Committee on Judicial Qualification found Mr. Buckingham to be "Well-Qualified" in the evaluative criteria of experience, judicial temperament, ethical fitness, professional and academic ability, character, and reputation; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Mr. Buckingham is married to Caitlin Elizabeth Buckingham (nee Coyle). He does not have any children.

Mr. Buckingham reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, Nov. 2006-Present
Member, House of Delegates, June 2018-June 2020
- (b) Greenville County Bar Association, Nov. 2006-Present
- (c) American Inns of Court / Haynsworth-Perry Chapter, Apr. 2013-Present
President, Sept. 2019-Present
Treasurer, Sept. 2017- Sept. 2019
Programs Chair, Jan. 2015- Sept. 2017
Young Lawyer Liaison, Apr. 2013-Dec. 2015

Mr. Buckingham provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Greater Greenville Chamber of Commerce, Member of the Board of Directors & General Counsel;
- (b) Greenville Chamber Foundation, Inc., Member of the Board of Directors;
- (c) Leadership South Carolina, Participant in Class of 2016;
- (d) Leadership South Carolina Alumni Association, Member of the Board of Directors;

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- (e) Leadership Greenville, Chairman of the Class Selection Committee, Vice-Chairman of the Class Selection Committee;
- (f) Riley Institute, Diversity Leaders Initiative, Member, Class XXIII;
- (g) The Warehouse Theatre, Member of the Board of Directors;
- (h) Rebuild Upstate, Member of the Board of Directors & Past Chairman;
- (i) American Inns of Court / Haynsworth-Perry Chapter, Member, President, Treasurer, Programs Chairman, and Young Lawyer Liaison;
- (j) South Carolina Bar Association, Member and Member of the House of Delegates;
- (k) Greenville County Bar Association, Member;
- (l) All Good Things, Inc., Member of the Board of Directors, Vice-President, and Secretary;
- (m) Federal Bar Association, Member;
- (n) South Carolina Lawyers Weekly, Leadership in Law Award;
- (o) Greenville Business Magazine, Best & Brightest 35 & Under;
- (p) Dancing with the Carolina Stars, Competitor;
- (q) Honorable Order of the Kentucky Colonels;
- (r) Honorable Order of the Tennessee Aides de Camp;
- (s) Greater Greenville Chamber of Commerce, Chairman's Award.

Mr. Buckingham further reported:

As I read the Judicial Merit Selection Commission's memorandum on evaluative criteria, I was surprisingly moved by its description of the qualities that an ideal judicial candidate should possess. I was moved not so much by the comprehensive list of characteristics that the Commission seeks, but much more so by the fact that I have had the privilege of knowing judges who lived up to those lofty aspirations. In fact, I worked for one, and was friends with another. Candidly, I had forgotten how much those experiences meant to me until I was in the midst of completing this application.

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As a judge, I would hope that I could give younger lawyers a fraction of the inspiration those judges gave me, just by watching them work. I would hope that I could command a courtroom so quietly, as they did, by my mere presence. I would hope that I could project a sense of unshakeable fairness to those who appeared before me. I would hope that I, like them, could give a sense of peace to folks in their darkest hours, even as I may impose significant terms of incarceration. I would hope that I, too, could build a family of clerks and colleagues who will go on to lead noble lives in the law.

I may never live up to the Commission's aspirations and the examples that were set for me. But that is not a reason not to try. I appreciate your consideration of this application, and am grateful for the opportunity provided.

- (11) Commission Members' Comments:
The Commission noted Mr. Buckingham's strong letters of recommendation from pillars of the legal community. The Commission commented that Mr. Buckingham is an extraordinary person and a great lawyer in his own right at a young age.
- (12) Conclusion:
The Commission found Mr. Buckingham qualified, but did not nominate him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 3.

**Will Grove
Circuit Court, Thirteenth Judicial Circuit, Seat 3**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Grove meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Grove was born in 1983. He is 37 years old and a resident of Greenville, South Carolina. Mr. Grove provided in his

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application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2009.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Grove.

Mr. Grove demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Grove reported that he has not made any campaign expenditures.

Mr. Grove testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Grove testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Grove to be intelligent and knowledgeable.

Mr. Grove reported that he has taught the following law-related courses:

I worked on the faculty for PD 103, a multi-day CLE for assistant public defenders aimed at improving trial advocacy, in 2019.

Mr. Grove reported that he has not published any books or articles.

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- (4) Character:
The Commission's investigation of Mr. Grove did not reveal evidence of any founded grievances or criminal allegations made against him.
- The Commission's investigation of Mr. Grove did not indicate any evidence of a troubled financial status. Mr. Grove has handled his financial affairs responsibly.
- The Commission also noted that Mr. Grove was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.
- (5) Reputation:
Mr. Grove reported that he is not rated by any legal rating organization.
- Mr. Grove reported that he has not served in the military.
- Mr. Grove reported that he has never held public office.
- (6) Physical Health:
Mr. Grove appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Grove appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Grove was admitted to the South Carolina Bar in 2009.
- He gave the following account of his legal experience since graduation from law school:
- (a) November 2009 – August 2010. Litigation Attorney, Anastopoulo & Clore, LLC. I worked on civil cases which were in active litigation. I participated fully in the discovery process by requesting and responding to interrogatories, conducting depositions, etc. I filed and argued motions, and argued a case to verdict.

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- (b) August 2010 – April 2012. Assistant Public Defender, Fourth Judicial Circuit. I represented some clients in each county of the Fourth Judicial Circuit, but my office and the majority of my clients were in Marlboro County. I handled all manner of General Sessions' offenses and represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc.
- (c) April 2012 – July 2015. Assistant Public Defender, Twelfth Judicial Circuit. I represented some clients in both counties of the Twelfth Judicial Circuit, but my office and the majority of my clients were in Florence County. I handled all manner of General Sessions' offenses and represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc.
- (d) July 2015 – February 2019. Assistant Public Defender, Thirteenth Judicial Circuit. Representing clients in Greenville County in both General Sessions' and Magistrate Court. Represented clients at a variety of proceedings: bond hearings, preliminary hearings, motions hearings, arraignments, pleas, trials, etc. Mentored incoming Assistant Public Defenders to the practice of law and, specifically, the intricacies of public defense.
- (e) February 2019 – May 2020. Senior Level Lawyer, Thirteenth Judicial Circuit. In addition to the duties described in section (d), I worked toward improving the efficiency with which our office handled court activities to include coordinating with the Thirteenth Judicial Circuit Solicitor's Office and the members of the judiciary for the Thirteenth Judicial Circuit. Served as a team leader on a team with up to 5 lawyers and a legal assistant. Teams were created to improve intra-office efficiency with collaboration through regular meetings and better organizational structure.
- (f) May 2020 – present. Deputy Public Defender, Thirteenth Judicial Circuit. In addition to the duties described in sections (d) and (e), I now work in a managerial capacity and handle some administrative tasks. Through regular meetings with the Circuit Defender, an administrative assistant, our office manager, and the Deputy Public Defender for Pickens County, we discuss, manage, and plan for the future of the

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office circuit-wide and try to anticipate needs while maintaining a client-centered approach. I provide input on administrative and budgetary decisions.

Mr. Grove further reported regarding his experience with the Circuit Court practice area:

My career for the past ten years has been dedicated exclusively to the practice of criminal law. In the past five years, I have defended hundreds of clients, including many trials in General Sessions Court. I have tried a number of cases as sole counsel, and others as lead counsel or co-counsel. I have had the opportunity to present a number of different issues to the Circuit Court, including but not limited to: challenging the admissibility of clients' statements under *Jackson v. Denno*; arguing for suppression based on violations of the Fourth Amendment; arguing for (and having granted) a mistrial based on inappropriate comments by a solicitor during closing arguments, and; preparing expert witnesses to testify. I have tried several cases to verdict in the past five years, and resolved more cases mid-trial or on the morning trial was scheduled to begin. Over the course of my ten-year criminal law career, I have tried cases to verdict as sole or lead counsel with charges including: murder; armed robbery; burglary first degree; burglary second degree; criminal sexual conduct second degree; criminal domestic violence of a high and aggravated nature; felony DUI resulting in great bodily injury; reckless homicide; pointing and presenting a firearm; trafficking in cocaine base; and distribution of cocaine base, among others.

While my past ten years has been dedicated to the practice of criminal law, my first year of practice was dedicated exclusively to the practice of plaintiff civil litigation. I had the opportunity to practice in the Circuit Court by arguing motions and trying a case to verdict. In my civil litigation practice, I also spent a significant amount of my time preparing files for litigation. I responded to discovery and conducted depositions. I interacted with opposing counsel and discussed strategic legal decisions with co-counsels.

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My practice in both civil and criminal law has created a multitude of different scenarios through which I have had to navigate. My experience has created opportunities for me to establish an expansive base of knowledge from which I can draw while serving on the Circuit Court. I have also proven to myself, my colleagues, and my co-counsels, I have the work ethic and the intelligence to identify those things which I do not know and then learn and apply those things quickly.

My practice over the past five years has required an appearance before the Circuit Court two to five times per week during terms of General Sessions Court. The Thirteenth Judicial Circuit's terms of General Sessions Court in Greenville County are typically the first two weeks of a month. This means I appear in front of a Circuit Court judge anywhere from four to ten days per month.

Mr. Grove reported the frequency of his court appearances during the last five years as follows:

- (a) Federal: I have never made an appearance in federal court.
- (b) State: I appeared several times a week, almost every week, during the past five years. In Greenville County, General Sessions Court operates two weeks per month, on average. A public defender can expect to appear in court at least two or three days out of those weeks, if not all five. In weeks when General Sessions Court is not operating, Transfer Court, preliminary hearings, bonds, motions, and dispositions in Magistrate Court are all potential appearances which could be expected to occur multiple times per week.

Mr. Grove reported the percentage of his practice involving civil, criminal, and domestic matters during the last five years as follows:

- (a) Civil: 0%
- (b) Criminal: 100%

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- (c) Domestic: 0%
- (d) Other: 0%

Mr. Grove reported the percentage of his practice in trial court during the last five years as follows:

- (a) Jury: 5%
- (b) Non-jury: 95%

Mr. Grove provided that he most often served as sole counsel. Sole counsel, though on more significant cases it is common for sole counsel to select a second chair, so I have also frequently acted as either chief counsel or co-counsel on matters in the past five years.

The following is Mr. Grove's account of his five most significant litigated matters:

- (a) *State v. William Charles Chapman*, 2014-GS-23-05820. This case was originally charged, indicted, and tried as Attempted Murder. Based on a prior conviction for a Most Serious offense, Mr. Chapman had been noticed by the State of their intent to pursue Life Without Parole (LWOP) were he to be convicted of Attempted Murder. Midway through the trial, Mr. Chapman and I were able to negotiate an agreement for the State to withdraw their LWOP notice and allow him the opportunity to enter a guilty plea to Assault and Battery of a High and Aggravated Nature with no recommendation from the State as to sentencing. After hearing mitigation on behalf of Mr. Chapman and hearing input from the victim of the assault, the Court sentenced Mr. Chapman to ten years of active incarceration. This case was significant in that, had Mr. Chapman not entered his plea, the defense was prepared to qualify an expert witness to present testimony regarding the credibility of eye-witness testimony, which was a significant portion of the State's case. This case was also served as a reminder that advocacy for a suitable resolution should not end simply because a trial has begun. A lawyer can both zealously represent a person in a trial and simultaneously advocate on their behalf for a reasonable compromise.
- (b) *State v. Estella Ruiz Gomez*, 2019-GS-01771A. This case involved an undocumented immigrant from a rural part of

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Mexico who was charged in the homicide of her newborn child. She was directly indicted for Voluntary Manslaughter and eventually entered a guilty plea and received an eleven year sentence. This case was significant as it was incredibly complex from many different angles: her native language was an indigenous Central American dialect which originally presented many challenges in communication; the nature of her original charge (Homicide by Child Abuse) is an incredibly sensitive charge with high emotions on every side, and; her undocumented status in this country created another challenge in advocating a suitable resolution for her and another layer of complexity to consider in terms of mitigation presented to the Court. As the father of young children, I could have easily been overcome with emotion at the facts or circumstances of this case. Instead, this case proved I have the ability to not allow my personal life to interfere with my duties at work, a trait that I will gladly bring with me to the bench if elected.

- (c) *State v. Jason Lamont Andrews*, 2013-GS-21-0726. A case which began as a Felony DUI Resulting in Death went to trial as a Reckless Homicide where I acted as sole counsel. I inherited this case from an assistant public defender who left to enter private practice. A great amount of effort had already been put into this case prior to my assignment, and Mr. Andrews and I built upon that work. We were ultimately successful in convincing the solicitor he would be unable, due to evidentiary issues, to successfully present the case as a FDUI and it was directly presented as a Reckless Homicide. Mr. Andrews elected to proceed to trial and, after a trial which lasted several days, he was acquitted. This case allowed me my first opportunity into the complex realm of DUI case law and the procedures required to acquire, preserve, and present evidence in a DUI case. This case also required me to call a witness and qualify him as an expert for the purposes of entering the victim's toxicology report into evidence, which proved critical to our defense. My client in this case expressed continued confidence in my abilities, even as we waited on pins and needles for the verdict to be delivered, which in turn gave me confidence in myself as a trial lawyer.

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- (d) *State v. Wayne Albeon Scott, Jr.*, 2013-GS-21-0391. Mr. Scott was charged, indicted, tried, and convicted of murder. As sole counsel on this case, I raised a claim of immunity under the Protection of Persons and Property Act (the Act). At the time of the pre-trial hearing, there was very little case law available regarding the Act, which proved challenging. Ultimately, our motion for immunity under the Act was denied and we proceeded to trial. At a trial which lasted several days, we were able to present a self-defense claim and were able to block the State's request to charge for Voluntary Manslaughter, effectively creating an "all or nothing" scenario for the jury in its deliberation. This case was significant as it gave me experience in researching and presenting to a judge a defense in a then-new area of the law. It also provided an opportunity for creativity and critical thinking, to anticipate how the State would respond to our actions in presenting their case and simultaneously making sure Mr. Scott's defense was as clearly presented to the jury as possible.
- (e) *State v. Elisha Townsend*, 5102P0062867. Ms. Townsend was charged with Driving Under the Influence, .16 or more, 2nd Offense. After a review of the evidence and some negotiation, I filed a motion to dismiss the DUI case for the State's violation of 56-5-2953 of the S.C. Code. The Court heard argument, took the case under advisement, and ultimately dismissed the charge for the reasons set forth in my motion and argument. This case was a reminder that even with charges which may not carry lengthy prison sentences, it is imperative to ensure statutes are complied with and the law is followed. This case was also an opportunity to see a judge who, faced with a potentially unpopular ruling of dismissing a DUI charge, did not hesitate to apply the law as it is written.

Mr. Grove reported he has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Grove's temperament would be excellent.

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(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Mr. Grove to be “Well-Qualified” in the evaluative criteria of ethical fitness, character, professional and academic ability, reputation, experience, and judicial temperament; and “Qualified” in the evaluative criteria of constitutional qualification, physical health, and mental stability. The Committee had no related comments.

Mr. Grove is married to Kathleen Lyall Grove. He has two children.

Mr. Grove reported that he was a member of the following Bar and professional associations:

- (a) Greenville County Bar Association, Member 2015-present, Legislative Liaison, 2018-present
- (b) South Carolina Bar Association, House of Delegates, Member, 2020-present
- (c) South Carolina Association of Criminal Defense Lawyers, Member 2010-present
- (d) Public Defender Association, Board Member 2019-present
- (e) Haynesworth Perry American Inns of Court, Member, 2019-present.

Mr. Grove provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Christ Church Episcopal Parish Choir
- (b) The Poinsett Club

Mr. Grove further reported:

As a general rule, if you are involved in Circuit Court, you are likely there for an unpleasant reason. You might have been injured in or are alleged to be at fault in an accident, are involved in a contract dispute, are either charged with a crime, alleging a crime has occurred against you, or are some sort of witness to either the alleged criminal or civil incident. The past eleven years have afforded me hundreds, and likely thousands, of opportunities to help resolve such disputes. On their face, some cases may appear small; perhaps the dollar amount in question is relatively low or the potential punishment for an alleged crime

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carries little-to-no jail time. In these instances, it would be easy to treat a case and, by extension, a party to such a case, flippantly. Over the past eleven years, I have always remained mindful that, even if a criminal case may not end up as a headline or if the value at stake in a civil case might appear insignificant to the untrained eye, to the parties involved the case is fiercely important and often personal. With that in mind, I have made a concerted effort to treat each case, whether it involved \$50 or \$50,000 and whether it involved the possible punishment of a small fine or life in prison, with diligence, empathy, and an abiding appreciation for the impact it will have upon my client. I intend to take this same approach with all parties appearing before the Circuit Court if I am fortunate enough to be found worthy of a seat on the bench.

(11) Commission Members' Comments:

The Commission commented that Mr. Grove has given a tremendous amount of service to the Bar through his engagement in the profession which has led to collegial growth in the practice of law. The Commission further noted that the survey responses included a lot of positive comments that go beyond his eleven years of practice.

(12) Conclusion:

The Commission found Mr. Grove qualified, but did not nominate him for election to Circuit Court, Thirteenth Judicial Circuit, Seat 3.

**Erin E. Bailey
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Bailey meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Bailey was born in 1980. She is 40 years old and a resident of Mt. Pleasant, South Carolina. Ms. Bailey provided in her

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application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Bailey.

Ms. Bailey demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Bailey reported that she has not made any campaign expenditures.

Ms. Bailey testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Bailey testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Bailey to be intelligent and knowledgeable.

Ms. Bailey reported that she has taught the following law-related courses:

- (a) Winter 2012- co-led a small group at the Prosecutors Bootcamp program, sponsored by the South Carolina Commission on Prosecution Coordination.
- (b) February 5, 2016, Panel member for a round table discussion at the Criminal Law 101 seminar sponsored by the South Carolina Association of Criminal Defense Lawyers.

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- (c) January 19, 2018, Course planner and moderator for Criminal Law Part I section of the South Carolina Bar Convention.
- (d) January 19, 2018, Course planner, moderator, and presenter for Criminal Law Part II section of the South Carolina Bar Convention. This section was both a continuing legal and continuing judicial education program. I presented on social media and its potential use and admissibility as evidence in the courtroom.
- (e) August 2018, Presented to the Family Court section of the South Carolina Association for Justice at their Annual Convention on Dealing with Family Court Cases when there is a companion criminal case.
- (f) Volunteer coach of Mock Trial Competition Team at Academic Magnet High School, 2007-2008.
- (g) Volunteer speaker to Mock Trial Competition Team at Georgetown School for Arts and Sciences, 2018.

Ms. Bailey reported that she has not published any books or articles.

(4) Character:

The Commission's investigation of Ms. Bailey did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Bailey did not indicate any evidence of a troubled financial status. Ms. Bailey has handled her financial affairs responsibly.

The Commission also noted that Ms. Bailey was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Bailey reported that her rating by a legal rating organization, Martindale-Hubbell, is AV Preeminent.

Ms. Bailey reported that her rating by a legal rating organization, National Trial Lawyers, is Top 40 under 40 in Criminal Defense.

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Ms. Bailey reported that she has not served in the military.

Ms. Bailey reported that she has not held public office.

- (6) Physical Health:
Ms. Bailey appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Ms. Bailey appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Ms. Bailey was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

- (a) Temporary Law Clerk, Special Project, Administrative Law Court (September 2007- February 2008). I created materials for the general public describing the function and process of the Administrative Law Court.
- (b) Law Clerk, The Hon. Larry B. Hyman, Jr. (March 2008-August 2009). I served as Judge Hyman's first law clerk. I drafted jury charges and verdict forms for General Sessions and Common Pleas trials. I performed legal research for Common Pleas non-jury terms and legal issues as they arose in a variety of contexts. I reviewed motions for default judgment for sufficiency in documentation.
- (c) Assistant Solicitor, Fifteenth Circuit, Georgetown Office (August 2009-August 2012). Handled a variety of General Sessions cases, including a wide range of issues ranging from DUI to Murder. My case load varied from 200-600 warrants at a time.
- (d) Senior Assistant Solicitor, Fifteenth Circuit, Georgetown Office (August 2012-March 2016). Continued to handle a full variety of General Sessions cases, also supervised other lawyers and their caseloads. Handled a variety of other matters for the office including probate commitment proceedings for incompetent defendants, civil forfeiture proceedings, and brief writing (including Horry County) when complex legal issues arose. In 2013, I earned the

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award for Prosecutor of the Year for the Fifteenth Circuit Solicitor's Office.

- (e) Owner and sole attorney, The Law Office of Erin E. Bailey LLC (March 2016-present). I handle a variety of private pay and appointed criminal cases in the magistrate, municipal, and General Sessions courts. I contract with the South Carolina Commission on Indigent Defense to provide conflict representation to indigent clients in Georgetown County. I contract with the Georgetown County Public Defender to provide representation to indigent clients. I contract with the City of Georgetown to provide representation to indigent clients in the municipal court. I represent clients in injury claims including automobile collisions and premises liability. I represent clients in the Court of Common Pleas in civil forfeiture cases and general litigation. I represent clients in small business disputes. I represent a Homeowners Association in filing liens, collecting dues, and updating Covenants and Restrictions. I serve as a guardian ad litem in the Probate Court and have represented clients in involuntary commitment proceedings in the Probate Court. I draft and execute simple wills and other end of life documents. I have litigated an appeal arising out of a civil forfeiture matter. I am currently litigating a criminal appeal. I represent clients in Post-Conviction Relief hearings in the Court of Common Pleas. I have one associate to assist me in all of these matters. I am solely responsible for the administrative and financial management of this firm, including the trust account.

Ms. Bailey further reported regarding her experience with the Circuit Court:

In General Sessions Court, I have litigated cases from start to finish as both a prosecutor and defense attorney, having handled thousands of warrants, ranging from Driving Under the Influence and property crimes to Murder. I have been sole counsel in twenty-two jury trials in General Sessions, and lead counsel in one jury trial in General Sessions Court. I have assisted in over thirty other trials as a Senior Assistant Solicitor. As a prosecutor, I handled fourteen murder charges, three of which required a trial; eleven resulted in a guilty plea. All three

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murder trials resulted in a conviction. As a Defense attorney, I have handled three additional murder charges, two of them resulting in a plea, and one of them in a trial, with a not-guilty verdict. I currently have three pending murder cases. I have also litigated nearly every type of crime for both sides, including but not limited to: white collar crimes, felony driving under the influence, sexual assault of both minors and adults, property crimes, armed robbery, home invasions, and embezzlement. As a prosecutor, I appeared before a Circuit Court Judge at least five days every month. As a defense attorney, I appear before a Circuit Judge at least one day every month.

I also regularly appear in magistrate and municipal courts in multiple jurisdictions in South Carolina. I have tried six cases before juries in the lower courts.

As Judge Hyman's law clerk, I became well versed in the minimum and maximum sentences under South Carolina law. I also drafted jury charges and verdict forms for thirty-seven terms of General Sessions Court in eight different counties.

In Common Pleas Court, I handled a civil forfeiture on behalf of the Solicitor's office that resulted in a bench trial. I have represented one Defendant in a civil forfeiture action, which is currently pending, and have argued a motion before a Circuit Court Judge in that case. I represented a client who was a Defendant in Common Pleas court in a Claim and Delivery action, argued motions in that case before a Circuit Court Judge, and represented my clients at a six hour mediation that successfully resolved the case. I represented a client at a Post-Conviction Relief bench trial in Common Pleas Court before a Circuit Court Judge.

I have represented plaintiffs who have been injured as a result of negligent premise owners and automobile collisions in their claims with insurance companies.

I became a Certified Circuit Court mediator in 2016. In that capacity, I mediated one case involving an automobile collision. My practice has grown since that time, and in 2018, I let my certification lapse so that I could focus on my caseload.

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As Judge Hyman's law clerk, I assisted with legal research and order preparation for eleven terms of Common Pleas Non-Jury Court. I also assisted with legal research, drafted jury charges and verdict forms, and observed fourteen terms of Common Pleas Jury Court, resulting in three jury trials and numerous bench trials and damages hearings.

Ms. Bailey reported the frequency of her court appearances during the last five years as follows:

- (a) Federal: 0%
- (b) State: 100%

Ms. Bailey reported the percentage of her practice involving civil, criminal, and domestic matters during the last five years as follows:

- (a) Civil: 25%
- (b) Criminal: 70%
- (c) Domestic: 0%
- (d) Other: 5%

Ms. Bailey reported the percentage of her practice in trial court during the last five years as follows:

- (a) Jury: 15%
- (b) Non-jury: 85%

Ms. Bailey provided that she most often served as sole counsel.

The following is Ms. Bailey's account of her five most significant litigated matters:

- (a) *State v. [REDACTED]*, 2015-GS-26-0250, 2016-GS-26-00343 (S.C. Cir. Ct. Feb. 15, 2018). I served as sole counsel for the Defendant at this murder trial in Horry County. The trial lasted 4 days. I successfully argued a *Batson* Motion, requiring that the jury be re-drawn. I successfully argued a *Jackson v. Denno* motion, requiring that portions of my client's statement be excluded. I secured a not guilty verdict for my client.
- (b) *State v. Terron Dizzley*, 2009-GS-22-00778 (S.C. Cir. Ct. Apr. 3, 2014). I served as sole counsel at this murder trial for the State. The trial lasted 5 days. This was the second murder trial on this charge for Mr. Dizzley. The first trial

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was handled by the then Deputy Solicitor, and resulted in a mistrial due to a hung jury. The Deputy Solicitor was then promoted to Chief Deputy for the Circuit, and I was assigned the case for a re-trial. I started over from scratch in my preparation, investigation, and trial strategy. In this second trial, Mr. Dizzley was convicted of Murder. As sole counsel in this case I handled over twenty witnesses and admitted over 350 pieces of evidence. Mr. Dizzley is currently serving a 35 year sentence.

- (c) *State v. Rondell Carter*, 2009-GS-22-00557, 2009-GS-22-00556, 2009-GS-22-00560, 2009-GS-22-00561, 2011-GS-22-00645 (S.C. Cir. Ct. Jun. 29, 2011), *aff'd State v. Rondell Carter*, Op. No. 2013-UP-157 (S.C. Ct. App. Filed April 17, 2013). I served as sole counsel for the State in this trial for Armed Robbery, Burglary, Assault with Intent to Kill, and Kidnapping. Mr. Carter, along with three other co-defendant's were accused of breaking into an occupied home, shooting a woman in the leg, and holding the residents hostage for over twelve hours. Mr. Carter had a previous conviction for Manslaughter, so as an agent of the state, I sought a sentence of Life Without Parole under our state's "two strikes" law. Mr. Carter was convicted after a 3 day jury trial and is serving a sentence of Life Without Parole.
- (d) *State v. Tamar Bryant*, 2011-GS-22-00495 (S.C. Cir. Ct. Mar. 13, 2013), *aff'd State v. Tamar Bryant*, Op. No. 2014-UP-440 (S.C. Ct. App. Filed Dec. 3, 2014). I served as sole counsel for the State in this trial for Murder. Mr. Bryant, along with four co-defendants, was accused of a murder at a nightclub in the Plantersville community of Georgetown County. After a three day trial, Mr. Bryant was convicted of murder, and is currently serving a 35 year sentence.
- (e) *State v. Eric Perry*, 2017-GS-22-01104, 2017-GS-22-01105 (S.C. Cir. Ct. July 22, 2019). I served as sole counsel for the Defendant in this Murder and Arson case. This was a very high profile case as it involved the live streaming of a boat chase in Murrells Inlet, and the murder of the owner of a popular bait and tackle shop. Mr. Perry was accused of murdering his ex-wife and the mother of his children and attempting to burn down the bait and tackle shop. The details of the case were such that the State considered seeking the

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death penalty. I negotiated a sentence of 45 years on the charges of Arson and Murder for this client.

The following is Ms. Bailey's account of the civil appeal she has personally handled:

Jimmy Richardson v. Michael Hatten, 2018-UP-316 (S.C. Ct. App. July 11, 2018).

The following is Ms. Bailey's account of the criminal appeal she has personally handled:

The State v. Daemon M. Crim, 2018-001915 (S.C. Ct. App. pending).

Ms. Bailey further reported the following regarding unsuccessful candidacies:

Circuit Court, At-Large Seat 13, 2019.

(9) Judicial Temperament:

The Commission believes that Ms. Bailey's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizen's Committee on Judicial Qualification found Ms. Bailey to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee stated in summary, "excellent criminal trial experience; level headed; committed; not much civil experience; passionate about the law."

Ms. Bailey is married to T. David Hoyle. She has two children.

Ms. Bailey reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association, Member (2007-present); Member, House of Delegates, representing the Fifteenth Circuit (2010); Secretary, Criminal Law Council (2014-2015), Vice-Chair, Criminal Law Council (2015-2016), Chair-Elect, Criminal Law Council (2016-2017), Chair,

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Criminal Law Council (2017-2018), Immediate Past Chair, Criminal Law Council (2018-2019), Section delegate to the House of Delegates, Criminal Law Council (2019-2020).

- (b) Georgetown County Bar Association, Member (2009-present).
- (c) South Carolina Association of Criminal Defense Lawyers. Member (2016-present).
- (d) South Carolina Association for Justice, Member (2016-present).
- (e) South Carolina Women Lawyers Association, Member (2009-present).
- (f) Council of Parent Attorneys and Advocates, Member (2016-present).

Ms. Bailey provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) St. Stephen's Episcopal Church. Member, 2008-present. Chair, Rector Search Committee, 2016-2017. Vestry Member, 2009-2011.
- (b) The Episcopal Church in South Carolina. Member, Standing Committee 2013-2016. Member, Constitutions and Cannons Committee, 2018-present.

Ms. Bailey further reported:

I grew up middle class. I worked and borrowed my way through my undergraduate degree and law school. I have held a job since I was 16 years old. Every bit of success I have achieved in my career I owe to hard work and my deep, abiding faith in God.

I spent my formative intellectual years as a competitive debater. In fact, after debating for all four years of high school, and winning the North Carolina state championship in policy debate, I was recruited to debate for the University of South Carolina, and awarded a scholarship. While an undergraduate at the University of South Carolina, I fell in love with this beautiful state, and knew it would be my home. For three years, I represented the Gamecocks at intercollegiate debate tournaments all over the country. The format used for competitive debate required that in alternating rounds, debaters advocate for the opposite side of the same topic. Practicing this

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intellectual exercise for seven years gave me a unique ability that has served me well as a practicing lawyer. I am able to see beyond my own advocacy to consider both sides of the issues. These abilities will serve me well if I am elected.

As I have spent my days in busy courtrooms for the last 13 years, I have noticed that court personnel, including solicitors, public defenders, private bar lawyers, bailiffs, judges, and all those who report there for work every day, often forget the sanctity and solemnity of the courtroom. Each person who works in court every day is concerned with efficiency and outcome of the courtroom proceedings. But to the average person in this state - - the victim whose home was burglarized, the claimant injured in an automobile collision, the mother of a murder victim, the debtor whose manufactured home is being repossessed, the young offender who made a terrible choice -- court is formal, frightening, and foreign. This will likely be the only time in their entire life that these citizens appear in a courtroom. As important as it is for Judges to efficiently dispense with the caseload before them, the highest duty of a Judge is to give every matter the attention to detail and respect it deserves. While some matters may seem insignificant to the Judiciary given the grave matters Judges are asked to undertake each day, every matter is significant to its litigants. If elected, I intend to be a Judge who never forgets that fact, and gives every single matter before the court a full and fair hearing. Faith in the Judiciary and the Judicial system is essential to our functioning Democracy, and adherence to the rule of law.

I am not only a lawyer, but as a small firm lawyer, I am also a small business owner. I understand the pressures placed on the bar by the roster system that expects many lawyers to be in three places at once. If elected, I intend to treat lawyers who are doing their best to diligently represent their clients with dignity and respect, to let them make their record, and argue their case.

In many cases, the role of a Judge in the courtrooms is that of a referee. The Judge makes the calls in procedural and evidentiary disputes, serves as neutral facilitator of the proceedings, and starts and stops the clock. But it's the lawyers' courtroom, and the litigants' case. The lawyers and litigants are the players on

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the field. They are the ones that win or lose. They should be able to present their case as they see fit so long as their presentation comports with the rules.

As Chief Justice John Roberts so eloquently said, in his opening statement during his nomination hearings before the United States Senate Judiciary Committee:

Judges and justices are servants of the law, not the other way around.

Judges are like umpires. Umpires don't make the rules; they apply them. The role of an umpire and a judge is critical. They make sure everybody plays by the rules. But it is a limited role. Nobody ever went to a ball game to see the umpire. Judges have to have the humility to recognize that they operate within a system of precedent, shaped by other judges equally striving to live up to the judicial oath. And judges have to have the modesty to be open in the decisional process to the considered views of their colleagues on the bench.

Confirmation Hearing on the Nomination of John G. Roberts, Jr. to be Chief Justice of the United States, 109th Cong. 55-56 (2005) (statement of nominee, John G. Roberts, Jr.).

I do not intend to be a Judge who lectures or gives long speeches. I believe that a Judge cedes the floor to the lawyers when they seek election to the other side of the bench.

Finally, if elected, I intend to be a Judge who serves as a neutral arbiter of the cases before me. I would conduct myself, both inside and outside of the courtroom, in a way that gives no appearance of impropriety, both professionally and personally.

(11) Commission Members' Comments:

The Commission commented that Ms. Bailey has a wealth of experience in both civil and criminal issues and that is exactly

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what the Commission is looking for in a judicial candidate. Unfortunately, many attorneys do not often get the opportunity to gain experience in both areas and it is a special thing that Ms. Bailey is a person who has both.

(12) Conclusion:

The Commission found Ms. Bailey qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 12.

Brett H. Bayne
Circuit Court, At-Large, Seat 12

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Bayne meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Bayne was born in 1986. He is 34 years old and a resident of Blythewood, South Carolina. Mr. Bayne provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2011.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Bayne.

Mr. Bayne demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Bayne reported that he has not made any campaign expenditures.

Mr. Bayne testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Bayne testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Bayne to be intelligent and knowledgeable.

Mr. Bayne reported that he has taught the following law-related courses:

- (a) I teach Trial Advocacy at the USC School of Law. I have taught this course since 2013 and have taught more than 200 students through this course. This course focuses on the elemental learning related to the art of trial advocacy. I train students on the trial process from start to finish—complaint to verdict. We spend majority of our time focused on opening statements, direct examination, cross examination, closing arguments, evidentiary arguments, pre-trial motions, mid-trial motions, and expert witnesses.
- (b) I am the Director/Head Coach of the USC Law Mock Trial Program. The program is comprised of 40-50 2L and 3L students each year who go through intensive trial advocacy training and competition.
 - a. We accept 2L students in the fall of their 2L year and then I spend the next four semesters training them through their graduation. By the time my students graduate, they will spend on average more than 400 hours training in the art of trial advocacy. The average student will try more than 10 trials to “verdict” in a full competition setting and more than 50 trials in a scrimmage/practice setting. This is in addition to hundreds of practices, lessons, and trainings. Through the program. I have trained and graduated dozens of solicitors, public defenders, and assistant attorneys general. In addition, about half of our 3L graduates each year receive judicial clerkships and our bar passage rate

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as a program is over 99%. The program is intensive and complex but the students who choose to participate gain experience that is not available anywhere else in the law school. I believe that our alumni are courtroom-ready the day they graduate. As I have noted in other portions of this application, about 75% of our training is criminal based because of the fact patterns and cases we receive. Because of that, a majority of my time spent training students (more than 900 hours per year) is spent teaching and training law students the art of criminal trial practice and advocacy.

- b. The USC Law Mock Trial Program is currently ranked #4 in the country out of more than 200 law schools. In the past several years, we have brought home five national championships, six regional championships, and had numerous finalist and semifinalist finishes. In addition, we've had eighteen students receive awards for "best overall" or "outstanding" advocate at competitions.
- (c) Cont. Education Speaker for Columbia, SC Adjuster's Organization on the topic of Mediation and Arbitration
- (d) The Art and Science of Trial Objections, CLE Speaker, South Carolina Bar (2016, 2017, 2018)
- (e) SCDTAA Trial Academy – Speaker and Trainer on Cross-Examination Techniques, Group Leader (2017-2019)
- (f) Emory Law KEPTT Trial Advocacy Training Program – Presenter and Faculty Member (2018, 2019, 2020)
- (g) South Carolina School of Law Admitted Students Day – Speaker on Trial Advocacy (2017 and 2018)
- (h) NBI Civil Trial Practice CLE – Speaker on Direct and Cross Examination (2020)
- (i) American WCL Coaches Conference – Presenter (2019)

Mr. Bayne reported that he has published the following:

- (a) *Winning the Battle and Losing the War: Sending Subpoenas Across State Lines* (WCI 360, Published on December 5, 2012), Author
- (b) "South Carolina's 1,000 Year Flood" (CLM Magazine December 2015), Co-Author

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- (4) Character:
The Commission's investigation of Mr. Bayne did not reveal evidence of any founded grievances or criminal allegations made against him.
- The Commission's investigation of Mr. Bayne did not indicate any evidence of a troubled financial status. Mr. Bayne has handled his financial affairs responsibly.
- The Commission also noted that Mr. Bayne was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.
- (5) Reputation:
Mr. Bayne reported that his rating by a legal rating organization, Martindale-Hubble, is AV Preeminent.
Mr. Bayne reported that he was rated by a legal rating organization, Best Lawyers in America on the Ones to Watch 2021 list.
- Mr. Bayne reported that he has not served in the military.
- Mr. Bayne reported that he has never held public office.
- (6) Physical Health:
Mr. Bayne appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Bayne appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Bayne was admitted to the South Carolina Bar in 2011.
- He gave the following account of his legal experience since graduation from law school:
- (a) Judicial Law Clerk – The Honorable G. Thomas Cooper, Jr.
August 2011-July 2012

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I served as a judicial law clerk for Judge Cooper in the year following graduation from law school. During this time, Judge Cooper was the Chief Administrative Judge for General Sessions in the Fifth Judicial Circuit. The entirety of the time that Judge Cooper was the Chief Administrative Judge was spent managing the criminal docket and handling criminal matters including, but not limited to, pleas, bond setting, criminal jury trials, and motions. During this time Judge Cooper presided over two murder trials and we were preparing to preside over a death penalty trial when the parties reached a plea agreement prior to jury selection. We also heard numerous PCR and multiple SVP hearings. In the latter part of my term, Judge Cooper completed his term as Chief Administrative Judge for General Sessions and we resumed both civil and criminal dockets including Common Pleas Non Jury motions and Common Pleas Jury trials in Richland, Kershaw, York, and other counties.

(b) Attorney – McAngus, Goudelock, & Courie

- a. Workers' Compensation – July 2012-June 2014
 - i. I started my career representing employers and their insurance carriers in contested workers' compensation matters. In just under two years of work in this field, I tried more than two dozen contested worker's compensation matters to conclusion through Commission hearings, Full Commission appeals, Circuit Court appeals, and any appeals to the Court of Appeals and Supreme Court. This practice included numerous depositions and mediations.
- b. Civil Litigation – June 2014-Present
 - i. In June 2014 I transitioned to our litigation team and began work exclusively on civil litigation matters ranging from liability claims, auto accident, premises liability, class action defense, and a variety of other matters including trademark litigation, equine immunity litigation, and

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construction defect litigation. In December 2019, I became a partner in the firm. In the past six years, I have tried twenty-two jury trials. Eighteen of these trials went to jury verdict, three of these trials settled before closing, and one resulted in a mistrial. I have tried two additional cases to bench trial verdict for a total of twenty four trials in six years. I am a certified Circuit Court Arbitrator and have been called upon to preside over one arbitration. While the majority of my practice has been defense based, I have also handled several plaintiff side matters including a qui tam case and several plaintiff side business and personal disputes.

Mr. Bayne further reported regarding his experience with the Circuit Court practice area:

(a) Civil Matters

- a. My civil litigation practice is diverse in subject matter. While I most often work on cases involving personal injury arising from automobile accident and premises liability claims, I also engage in civil litigation practice in the areas of construction defect, contract/business disputes, class action, toxic tort, HOA/property matters, and trademark litigation. While a majority of my practice is defense based, I have handled several plaintiff side matters involving business disputes, property damage, personal injury counterclaims, and a qui tam claim.
- b. I have tried twenty-four total cases to jury or bench trial. Twenty-two of these cases were jury trials and two were bench trials. Of those twenty-two cases, eighteen obtained a jury verdict and four resulted in either settlement during trial but before verdict (three) or a mistrial during closing argument (one).
- c. I have extensive practice in numerous Circuit Courts within the state as well as federal courts. I have handled trials in Richland, Charleston, Anderson, Newberry, Orangeburg, Abbeville,

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York, City of Columbia, and the United States District Court.

- d. In addition to extensive trial work, I have participated in multiple appeals involving the Court of Appeals and Supreme Court. I have participated in these appeals both as primary counsel and as supervisory/contributory counsel following the appeal from the trial court level. These matters include workers' compensation appeals, declaratory judgments, discovery appeals, and verdict/dismissal appeals. One of these appeals was a federal appeal to the Fourth Circuit Court of Appeals.
- e. Finally, as noted above, I spent approximately two years handling workers' compensation matters from inception to conclusion. This involved handling dozens of contested hearings, Full Commission appeals, Circuit Court appeals, and Court of Appeals/Supreme Court appeals.

(b) Criminal Matters

- a. My criminal experience is unique among judicial candidates. I have not had the honor of serving as a Solicitor or Public Defender. However, I have spent thousands of hours training law students, solicitors, public defenders, and assistant attorneys general in the art and skill of criminal trial advocacy.
- b. First, during my time in law school I participated in the Criminal Trial Clinic and took a course called "Criminal Trial Practice." The Criminal Trial Practice course was taught by Lee Coggiola and Kat Hudgins and involved intensive training in handling criminal trials from start to finish with an emphasis on South Carolina courts. More importantly, I participated in the Criminal Trial Clinic. The Clinic is a functional criminal defense law firm and each student is assigned criminal clients to assist with low level offenses in City and Magistrate Court. I handled two criminal domestic violence defendants. One case was dismissed and the other was tried to verdict. I obtained a "not guilty" verdict on behalf of my client. In the process of representing my clients in the Clinic, I met with clients, victims, family members, and court

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officers. It was an invaluable experience that provided a glimpse into the realities of our criminal justice system including work related issues, victim issues, and family interplay issues.

- c. Second, during my time as a Judicial Law Clerk for Judge Cooper, he served as the Chief Administrative Judge for General Sessions in the Fifth Judicial Circuit. This was a fully immersive experience from day one. Judge Cooper managed the docket, accepted pleas, set bonds, interacted with law enforcement on warrant related issues, conducted bond revocation hearings, presided over criminal trials, and sentenced defendants. As his clerk, I handled or was involved in many of those matters including managing and coordinating the docket and interacting day to day with solicitors, public defenders, private criminal defense attorneys, and pro se defendants. These matters ran the gamut from scheduling trial, arranging pleas, and coordinating motions. During my time, we tried two murder trials and we were preparing for a death penalty trial when the parties reached a plea agreement. I learned an immense amount watching how Judge Cooper patiently and empathetically listened to cases, heard from victims and families of both victims and defendants, and accommodated all parties in a manner that was fair, equitable, and just.
- d. Finally, since January 2013 I have served as an Adjunct Professor of Trial Advocacy and the Director/Head Coach of the USC School of Law Mock Trial Bar. For anyone who is unaware of the program, I teach and train forty to fifty 2L and 3L students each year in the art of trial advocacy. By the time a student graduates from the program, the average student has conducted ten full trials in a competitive setting, more than fifty trials in a scrimmage setting, and spent more than four hundred hours learning, honing, and perfecting their trial skills. In any given year, I spend more than 1,250 hours training my students—from lessons to practices to competitions. Roughly 75% of the fact patterns used for training and competition are criminal in

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nature. In a given year I spend more than 900 hours training law students specifically in the art of criminal trial advocacy and criminal trial practice. This includes handling various issues in a criminal case from start to finish after the initial arrest. Many of these include dealing with arrest, interview, constitutional rights, investigation, and other matters elemental to criminal trial practice. All of these include handling pre-trial motions and criminal trial practice. Since 2013, I estimate I have spent more than 5,000 hours teaching criminal trial practice and training future lawyers in the art of criminal trial practice. In that time, I have trained more than three dozen solicitors, prosecutors, public defenders, private criminal defense attorneys, and assistant attorneys general. I am regularly contacted by my solicitor and public defender alumni to give advice, vet or bounce ideas, and generally assist them with their criminal practice—usually as trial is approaching. I view my obligation to my current and former students as an obligation to help with any matter at any time, to the extent I am able. While I am aware that “teaching” is not the same as “doing”, I believe that my extensive experience and dedication to teaching and training our next generation of lawyers in the art of criminal trial advocacy and criminal trial practice is material and qualifies me to serve as a Circuit Court judge.

- e. As an additional point of consideration, in preparation for the bench and after taking the bench, I have taken several and plan to continue participating in as many criminal law based CLEs and programs as I can. I believe the job of a judge is to never stop learning, improving, and growing and one way of showing that is by continually gaining new knowledge, learning new skills, and hearing new viewpoints.

Mr. Bayne reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 10%;
- (b) State: 90%.

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Mr. Bayne reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 100%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Mr. Bayne reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 98%;
- (b) Non-jury: 2%.

Mr. Bayne provided that during the past five years he most often served as chief counsel.

The following is Mr. Bayne's account of his five most significant litigated matters:

- (a) *Patrick Mohan v. Crockett Facilities Services, Inc.*, 4:15-cv-04268-RBH. This case involved a slip and fall by a bankruptcy court clerk at the federal bankruptcy courthouse in Columbia, South Carolina. My client (the defendant) was the maintenance company responsible for cleaning and maintaining the courthouse. During Thanksgiving, Defendant removed a number of stair treads from the marble staircases in the courthouse and failed to replace them prior to employees returning to the courthouse. As a result, Plaintiff slipped and fell going down the stairs. This case is significant to me for the course it took and, specifically, the trial, cross examinations, and resolution prior to jury verdict. Plaintiff presented medical bills and future treatments in excess of \$2,000,000. Following cross examination of Plaintiff and before closing argument, the case settled for \$750,000. My client was a veteran and minority owned business and any verdict, judgment, or resolution in excess of \$1,000,000 would have crippled or, most likely, shuttered their business. The end goal was to ensure that their business was not bankrupted by one error and I was able to accomplish that while also providing fair compensation to Plaintiff.

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- (b) *Haley A. Gulley v. Anne Aull*, 2015-CP-38-01251. This case involved an injury to Plaintiff arising from horseback riding and the breaking of a “green broke” horse. The horse in question belonged to Defendant, who also happened to be Plaintiff’s mother. Defendant asked Plaintiff to assist in the training and breaking of a rescue horse on the family farm. This case implicated the South Carolina Equine Immunity Act as well as unusual theories and principles of negligence related to animals. There are no cited or reported cases in South Carolina utilizing the Equine Immunity Act and handling of this case required a nationwide survey and analysis of Equine Immunity Act jurisprudence. This matter was tried to jury verdict in Orangeburg County and the jury returned a verdict reflecting a 50/50 split of liability between Plaintiff and Defendant and a verdict that ultimately reflected the cost of medical bills only. My client only had minimal coverage on her homeowner’s insurance policy and any full liability result would have bankrupted her including likely having to sell her farm and/or other assets. The resulting jury verdict meant my client was protected from a personal and excess verdict and was able to keep her farm and horses.
- (c) *Allison Colter, on behalf of herself and all others similarly situated vs. Omni Insurance Company and Omni Indemnity Company*, 3:15-cv-4171-JMC. This was a class action case arising out of the deduction of “betterments” from property damage claims to automobiles. Plaintiff asserted that my client (Omni) illegally deducted “betterments” for property damage repairs. Specifically, Omni would adjust a property damage claim and deduct any betterment like new tires or other new items that were depreciable (in other words if a car had bald tires and new ones were put on through the repair, they would reduce the valuation of the repair by the original value of the tires because South Carolina law requires repairs of like value). This matter was heavily litigated in federal court. Eventually, the court rejected all of the proposed classes and dismissed the claims pursuant to Rule 12(b)(6). The dismissal and

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rejection was granted because Plaintiff's property damage claims had not been reduced and, therefore, Plaintiff did not meet the class definitions or have any justiciable claims sufficient to confer Article III standing. I also obtained recognition, through the decisions of the court, that the practice of deducting "betterment" is not illegal and is consistent with South Carolina law. An adverse ruling on that matter would have resulted in a class action case involving tens of thousands of parties over matters specifically authorized by South Carolina law and bargained for in contract.

- (d) *Fast Growing Trees, LLC vs. TYTY Plant Nursery, LLC*, 0:19-cv-00464-MGL. This was a trademark litigation case involving disputes over the phrase "fast growing trees." Plaintiff is a large plant nursery in South Carolina who attempted to trademark the phrase "fast growing trees" on four occasions. They were rejected each time. In response, Plaintiff sought to establish its claim to the phrase "fast growing trees" by suing competitors in the market place. My client, TyTy, is a much smaller nursery located in Georgia. The resulting litigation was complex and extensive. I had the pleasure of representing my client who, while financially strained, felt it important to stand up to a larger competitor. Giving in would have materially harmed his business as a majority of his sales and customers came to him searching for trees that "grow fast." Through the course of the litigation, we engaged an expert to perform nationwide trademark survey work and were able to show the phrase "fast growing trees" was, in fact, generic and/or merely descriptive. In addition, we were able to identify instances of copyright theft by Plaintiff and filed a comprehensive cancellation petition with the USPTO. The case settled after a lengthy mediation where Plaintiff agreed to drop all of its claims rather than continue to pursue the case and risk losing any claims to the phrase "fast growing trees". Plaintiff also agreed to stop using my client's stolen copyrighted materials. My client was able to keep his website, business, and marketing program and continues to grow

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- his sales. This case was about the “little guy” being able to stand up and defend himself in the face of long odds.
- (e) *Samuel Stevenson v. Home Depot*, WC555-889736, 2014-CP-23-04780. This matter was originally a workers’ compensation claim that turned into a Circuit Court civil contempt proceeding. This case is important to me because it involved a novel area of law and a series of statutes that had no prior precedent in South Carolina. Plaintiff sought to enforce a workers’ compensation order through Circuit Court civil contempt proceedings. Essentially, Plaintiff wanted the court to take jurisdiction of medical provision orders from the Workers’ Compensation Commission and use the contempt powers of the Circuit Court to require the authorization of medical care. This matter was tried in a multiday bench trial. The resulting verdict reflected a positive outcome for my client and the value of the judgment was a fraction of the damages being sought by Plaintiff.

The following is Mr. Bayne’s account of five civil appeals he has personally handled:

- (a) *Allison Colter, on behalf of herself and all others similarly situated vs. Omni Insurance Company and Omni Indemnity Company*, No. 17-1071(L), 17-1104 (4th Cir. 2018). Decided February 15, 2018.
- (b) *Clarence Winfrey v. Archway Services*, Appellate Case Nos. 2017-002251, 2014-001788, 2014-001815; 2014-001816; Opinion Nos. 2017-UP-336 (S.C. Ct. App. August 2, 2017, cert. denied March 29, 2018), 2017-UP-337 (S.C. Ct. App. August 2, 2017), 2017-UP-338 (S.C. Ct. App. August 2, 2017)
- (c) *Sharon Denise Anderson vs. Linda Jenkins Holmes*, Appellate Case No. 2015-002074; Case settled prior to decision by Court of Appeals and the appeal was dismissed by Order of the Court of Appeals on June 20, 2017.
- (d) I am presently handling two other active appeals in the Court of Appeals at the time of this application.

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Mr. Bayne reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Bayne's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Mr. Bayne to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. In related comments, the Committee commented, "Young and needs more experience-very pleasant with good temperament."

Mr. Bayne is married to Laura Joanne Bayne. He has three children.

Mr. Bayne reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar
 - a. South Carolina Bar Trial and Appellate Advocacy General Council Elected Member (2020 to present)
 - b. South Carolina Bar Law Related Education Committee (2014 to present)
 - c. South Carolina Bar Practice and Procedure Committee (2014 to present)
- (b) Richland County Bar Association
- (c) American Board of Trial Advocates
- (d) South Carolina Defense Trial Attorneys' Association
- (e) Defense Research Institute
- (f) Claims & Litigation Management Alliance
- (g) American Association for Justice

Mr. Bayne provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) South Carolina Bar Trial and Appellate Advocacy Award – 2018
- (b) South Carolina Lawyer's Weekly Lawyer of the Year – 2019

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- (c) South Carolina Lawyer's Weekly Leadership in Law – 2019
- (d) Columbia Business Monthly Best and Brightest Under 35 – 2018
- (e) Midlands' Legal Elite – Insurance Law – Top Attorney Vote – 2017, 2018, 2019
- (f) Upstate Legal Elite – Insurance Law – 2018
- (g) South Carolina Bar Leadership Academy – 2019
- (h) American Washington College of Law Ethical and Professional Coach Award – 2019
- (i) NMRS Mentoring USC School of Law Mentor Program for 1L and 3L students (2012-Present)
- (j) South Carolina Bar First Year Attorney Mentor (2019-Present)
- (k) SC Bar LRE Middle School Mock Trial Volunteer Coach
- (l) SC Bar LRE Middle and High School Mock Trial Volunteer Judge
- (m) Wills for Heroes Volunteer
- (n) Legal Eagles Scouting Day Speaker (2019)
- (o) Eagle Scout
- (p) Order of the Arrow, Brotherhood Honor and Outstanding Arrowman Recipient
- (q) Eastminster Presbyterian Church, Member 2014-Present
- (r) Westminster Presbyterian Church, Member 2009-2014

Mr. Bayne further reported:

Since a young age, I have wanted to do something to serve the public. For a long time, I believed that would be serving my country through military service. My grandfather was a Brigadier General in the Army Air Corps and Air Force and my father was a Lieutenant Colonel and JAG Officer in the Air Force. Accordingly, I set the goal of getting accepted to the United States Air Force Academy. However, in 2003 I fractured three vertebrae in five places playing high school football. Despite this setback, I applied to the Academy and earned a congressional nomination to begin at the Academy in fall of 2004. Unfortunately, as a result of the multiple vertebral fractures, I was ultimately medically disqualified by DODMERB just a few weeks before I was set to leave for the Academy. In response, I pivoted and was able to accept my prior admission offer from Baylor University where I graduated four years later with two degrees in Sociology and Political Science.

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While at Baylor, I set a goal to pursue a law degree. I had spent summers growing up at my father's office and immersed, as much as a child could, in the practice of law. I also was able to attend court on many occasions with him and realized I had fallen in love with the law and becoming a lawyer. I made the decision to move to South Carolina and attend USC School of Law where I made it a priority to involve myself in every course, clinic, program, and opportunity to learn trial advocacy. I wanted to be in a courtroom and I made that my goal. I have accomplished that goal so far in my career with more than 20 trials to date and through my work with the School of Law.

During my time both in high school and throughout college, I worked full time or nearly full time. In high school I worked at a hardware store and refereed youth soccer games on the weekends. I spent my final summer as a camp counselor for youth with the YMCA. In college, I worked full time in two jobs while maintaining a full school schedule. This balance of work and school instilled in me the ability to balance an often overfull plate at all times. For better or worse, I have taken this skill into my professional life as an attorney and professor.

In a given week, I meet all of my duties and responsibilities as a partner at MGC including interacting with clients, attending hearings and depositions, and managing young associates. When I finish my "day job", from August to May, I spend my evenings and weekends teaching at the law school and training law students in the art of trial advocacy. In any given week, I will spend 50+ hours with my students between training and scrimmages until 10 or 11 PM or working on editing and marking up their latest drafts until 1 or 2 AM. They routinely get emails from me well into the night with notes for the next day or next meeting. I don't do this because I loathe sleep but, rather, because I firmly believe in my obligations to my students and to the legal community to do everything I can to make it better than it was the day before—to leave it better than when I found it.

In between all of those various activities, I cherish time with my three daughters and my wife. She is a rock who cheerfully handles our home while maintaining her own successful career in state service. Without her, everything that I have been able to

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and accomplish in my career and for our legal community would not be possible.

As a final point, I am someone who is curious by nature—especially when it comes to the law. If I don’t know something, I go and find out. I am usually not satisfied with just an answer—I need to understand it and master it. By way of example, when I was first asked to handle a trademark matter for my client, I offered to bring in an IP firm to assist. My client, through our relationship, wanted me to handle the matter. In response, I bought a two volume trademark textbook and over the next five days read it cover to cover—twice. I took copious notes and learned every bit of case law and precedent related to the specific issues facing my client. I used that knowledge gained to prepare cancellation pleadings and other pleadings and documents. Some of those documents I prepared have been borrowed from by a large, national firm engaged in similar litigation. I share this because this is exactly how I will handle anything that comes before me that I do not know. I will seek to learn as much as possible about the issue through education by the parties and a review of relevant case law and secondary sources. Any gap I may have in a substantive area of law, I will make up for in the same way I learned how to handle trademark litigation—through a tireless effort to learn the intricacies and nuances of the subject matter in as little time as possible.

(11) Commission Members’ Comments:

The Commission commented that Mr. Bayne has an abundance of experience and great judicial temperament. The Commission further commented that Mr. Bayne has extensive knowledge of the law.

(12) Conclusion:

The Commission found Mr. Bayne qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

**The Honorable Daniel McLeod Coble
Circuit Court, At-Large, Seat 12**

Commission’s Findings:	QUALIFIED, BUT NOT NOMINATED
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(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Coble meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Judge Coble was born in 1987. He is 34 years old and a resident of Columbia, South Carolina. Judge Coble provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2012.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Coble.

Judge Coble demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Coble reported that he has made campaign expenditures in the amount of \$776.84, including, postage, mailers/postcards and letters/envelopes.

Judge Coble testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Coble testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Judge Coble to be intelligent and knowledgeable.

Judge Coble reported that he has taught the following law-related courses:

- (a) I filmed a CLE with the S.C. Bar in conjunction with my published article on the rules of evidence. It is called *Ever Evolving Evidence* (1 MCLE).
- (b) No-Knock Search Warrants: On-Demand CLE – S.C. Bar (June 2020)
- (c) 2020 SCSCJA Staff Seminar: Evidence (*Postponed due to COVID-19*)
- (d) 2020 It's All a Game: Top Trial Lawyers Tackle Evidence: Evidence in Magistrates Court (February 2020)
- (e) South Carolina Impaired Driving Assessment: Adjudication of DUI Cases (October 2019)
- (f) Leadership Columbia: South Carolina Judicial Systems (October 2019)
- (g) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (September 2019)
- (h) A Guide to Prelims: On-Demand CLE – S.C. Bar (Fall 2019)
- (i) S.C. Victims' Rights Week: The Bond Hearing Process – A Creative Approach (April 2019)
- (j) South Carolina Bar Leadership Academy: Attorneys in Public Service (Running for Office) (March 2019)
- (k) Orientation School for Magistrates and Municipal Judges: Landlord/Tenant (March 2019)
- (l) Direct Examination Podcast: Episode 3: Judge Daniel Coble (March 2019)
- (m) Midlands Tech, Guest Speaker: Judicial Systems CRJ 220 (October 2018)
- (n) 2018 SCSCJA Judge's Seminar: Discovery (Brady/Rule 5) (September 8, 2018)
- (o) S.C. Victims' Rights Week: A Walk Through the Criminal Justice System (April 2018)
- (p) 2018 SCSCJA Staff Seminar: Criminal/Civil Trial Objections (March 2018)
- (q) Columbia Homeless Court Training, Panelist (December 2014)

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- (r) Columbia Rotary Club, Guest Speaker: Columbia Homeless Court (June 2014)

Judge Coble reported that he has published the following:

- (a) Published Books
- i. *Pocket Prelims: A guide book to preliminary hearings in South Carolina* (S.C. Bar Publications, 2019)
 - ii. *Florida Rules of Evidence: Annotated for State and Federal Court* (Lawyers & Judges Publishing, 2020) (I am also working on two more books for L&J Publishing: *South Carolina Rules of Evidence* and *Texas Rules of Evidence*)
 - iii. *Precedents: Annotated and Abridged Cases from the Supreme Court 1793-2019* (Submitted for publication)
- (b) Self-Published Books
- iv. *Federal Rules of Evidence: An Introduction to Trial Evidence* (Harvard Law School's Library Innovation Lab H2O, 2020)
 - v. *Federal Rules of Evidence: Annotated for the Fourth Circuit* (Independently published 2018)
 - vi. *South Carolina Rules of Evidence: Annotated* (Independently published 2019)
 - vii. *The 4th: Fourth Amendment Law in South Carolina* (Independently published 2018)
 - viii. *Everyday Evidence: State Court* (Independently published 2018)
 - ix. *Everyday Evidence: Federal Court* (Independently published 2018)
 - x. *Deconstructing the DUI: A guide book to DUI law in South Carolina* (Independently published 2018)
 - xi. *Traffic Court in South Carolina: Offenses and Definitions* (Independently published 2018) (Terry Leverette is coauthor)
 - xii. *Court Rules of South Carolina: A Compilation of Legal Rules 2020* (Independently published 2020)
- (c) Published Articles, Essays, and Book Reviews
- xiii. "Ever Evolving Evidence S.C. Lawyer" (Forthcoming September 2020)
 - xiv. "@Posner_Thoughts - The Verified Account: A Review of Judge Posner's The Federal Judiciary: Strengths and Weaknesses" 41 La Verne Law Rev. 2 (2020)

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- xv. “Not Your Scalia’s Textualism JOTWELL (July 9, 2019) (reviewing Jeffrey Bellin, Fourth Amendment Textualism, Mich. L. Rev. (2019), available at SSRN)
- xvi. “A Prosecutor’s Credo, Robed Oracles, and Gideon’s Angels: A Review of Doing Justice” Harvard L. & Pol’y Rev. Notice and Comment Blog (May 28, 2019)
- xvii. “Discretionary Life Sentences for Juveniles: Resolving the Split Between the Virginia Supreme Court and the Fourth Circuit” 75 Washington & Lee Law Rev. Online 101 (2019)
- xviii. “The Time in Between: A Response to A Theory of Civil Problem-Solving Courts” 67 Buff. Law Rev. D1 (2019)
- xix. “Severing the Severability Doctrine: Why It’s Time the Supreme Court Finally Acknowledges, Clarifies, and Severs this Doctrine” 88 UMKC Law Rev. (2020)
- xx. “Permissible Inference or Impermissible Burden Shift: How the Supreme Court Could Decide State v. Glover” Washburn L.J. Blog (Mar. 18, 2019)
- xxi. “Following Friendly or Running to Rehnquist? A Review of Joan Biskupic’s ‘The Chief’” 52 Ind. Law Rev. Blog (April 19, 2019)
- xxii. “Heart-Wrenching, Yet Hopeful: A Review of Judge William Alsup’s ‘Won Over’” The Recorder on Law.com (April 5, 2019)
- xxiii. “I Recommend: Theodore Roosevelt for the Defense Judicature” Bolch Judicial Institute, Duke Law School (May, 2020)
- xxiv. “Chasing the Chiefs: A Review of ‘The Chief Justices’ by Daniel A. Cotter” Everyday Evidence Legal Blog (May 13, 2019) (From my personal blog)
- xxv. “A Letter from the Editor: When Can a Judge Write?” 1 Cts. & Just. L.J. 9 (2019) (From my law journal)
- (d) I write extensively for my legal blog, Everyday Evidence, which focuses on the rules of evidence, Fourth Amendment, civil/criminal case law, and more. I am also the founder and editor of the Courts & Justice Law Journal.
- (e) Magistrate Court Series Judge Kenneth Southerlin (SC Bar Publications forthcoming 2020), Editorial Board.

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- (4) Character:
The Commission's investigation of Judge Coble did not reveal evidence of any founded grievances or criminal allegations made against him.
- The Commission's investigation of Judge Coble did not indicate any evidence of a troubled financial status. Judge Coble has handled his financial affairs responsibly.
- The Commission also noted that Judge Coble was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.
- (5) Reputation:
Judge Coble reported that he is not rated by any legal rating organization.
- Judge Coble reported that he has not served in the military.
- Judge Coble reported that he has never held public office other than judicial office.
- (6) Physical Health:
Judge Coble appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Judge Coble appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Judge Coble was admitted to the South Carolina Bar in 2012.
- He gave the following account of his legal experience since graduation from law school:
- (a) From July 2012 to November 2012, I was a law clerk for the Fifth Judicial Circuit.
 - (b) From November 2012 to July 2017, I was an assistant solicitor for the Fifth Judicial Circuit. I handled a wide range of cases ranging from drug offenses and DUIs to armed

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robbery and kidnapping. I co-counseled three murder cases and tried several other felony and misdemeanor cases. From 2014 until 2017, I was the lead prosecutor for the Columbia Homeless Court. I also organized a committee of health care professionals to address the chronically homeless in seeking solutions for their recovery, which was called Homeless Coordination.

- (c) From July 2017 until the present time, I have been appointed as a full-time Magistrate Judge in Richland County. In this capacity, I handle both civil and criminal cases, which includes bond settings, preliminary hearings, mediation, civil and criminal jury trials, transfer court, and more. In June 2018, I was appointed as the Associate Chief Judge for Richland County. As the Associate Chief Judge, I handle the majority of administrative issues at our Central Court. I was appointed as the Municipal Judge for Arcadia Lakes in May 2020.

Judge Coble further reported regarding his experience with the Circuit Court practice area:

As an assistant solicitor, I spent nearly every single week in the court room handling criminal cases. In criminal court, I managed different cases from beginning to end – from bond settings, to preliminary hearings, to guilty pleas and motions, to jury trials. I tried three murder cases with co-counsel, and I also co-counseled a “castle hearing” to determine immunity from prosecution of a murder. I tried multiple other cases to verdict.

The most rewarding experience of my time as an assistant solicitor was being part of the creation of South Carolina’s first Homeless Court. This partnership among prosecutors, judges, public defenders, and many more, helped folks transition out of homelessness and back into society. Because of the great work the court did, I worked with local health officials to create Homeless Coordination, which was focused on the top homeless folks in the City of Columbia. Our group coordinated together to create a list of the 20 most frequently arrested and hospitalized homeless people and to help them get off the streets and give them an opportunity to seek treatment.

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As a full-time Magistrate Judge, I also handle criminal cases from beginning to end. I preside over both jury trials and bench trials for criminal court, bond settings, preliminary hearings, guilty pleas, and motions. As a Magistrate, I also handle civil cases. This ranges from civil motions, mediation, bench trials and jury trials. I have presided over dozens of full-length jury trials with attorneys on both sides. These trials require knowledge of the rules of evidence and an efficient application of those rules.

In addition to the civil experience from Magistrate Court, I have received almost 50 CLE hours in civil credits over the past three years of reporting. I also taught a Magistrate CLE on criminal and civil trial objections.

Whether I am presiding over a summary judgment motion, castle hearing, guilty plea, etc., I have come to understand that a judge might not have all the answers, but they need to be able to know where to find the answers, and do so quickly. Every day in court, I have to say no, yes, guilty, not guilty, and much more. Being decisive and making decisions that upset people is not easy, but I have been doing this for over three years as a Magistrate.

I think it is extremely important for all judges to be very knowledgeable about the court rules and also empathetic to attorneys appearing before them. One area I constantly focus on is understanding what an attorney is going through as they represent a client. I am always aware of the issues that arise with attorneys and running a law practice. This includes uncooperative clients, the family of clients, running a small business, and many other issues. By understanding and seeing the attorney's position, I will be a better judge and make the system as a whole more effective and judicious.

I am extremely fortunate to have some of the most respected lawyers in our state as both close friends and mentors. They have taught me since my first day as an assistant solicitor to treat other attorneys with respect and understand where they are coming from. This advice and mentoring will continue for the rest of my career.

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Judge Coble reported the frequency of his court appearances prior to his service on the bench as follows:

- (a) Federal: 0%
- (b) State: 100%

Judge Coble reported the percentage of his practice involving civil, criminal, domestic and other matters prior to his service on the bench as follows:

- (a) Civil: 30%;
- (b) Criminal: 70%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Judge Coble reported the percentage of his practice in trial court prior to his service on the bench as follows:

- (a) Jury: 75%;
- (b) Non-jury: 25%.

Judge Coble provided that during the past five years prior to his service on the bench he most often served as co-counsel.

The following is Judge Coble's account of his five most significant litigated matters:

- (a) *State v. William Wallace*, 2013GS4004554; 4/5/14. I was second seat in this double murder case. It was a weeklong trial that involved dozens of witnesses and lengthy motions.
- (b) *State v. Frankie Brown*, 2012GS4001088; 10/24/13. This was my first trial as first chair. I was able to strategize about the trial and make the final decisions. The jury deliberated for several hours, but we worked out a plea deal with the defense attorney before the jury returned a verdict.
- (c) *State v. Adrian Lawrence*, 2012GS4006014; 7/6/15. I second seated this castle hearing with the Deputy Solicitor, where the defendant was charged with murder. We were successful with the castle hearing and the defendant ultimately ended up pleading to a reduced charge.

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- (d) *State v. Nickolas Richardson*, 2013GS4006592; 10/31/16. I second seated this murder trial and gave opening statement and handled many witnesses.
- (e) *State v. Frank Singleton*, 2013GS2800251; 3/12/14. I second seated this murder trial and gave opening statement and handled many witnesses.

Judge Coble reported that he has not personally handled any civil or criminal appeals.

Judge Coble reported that he has held the following judicial office(s):

I was appointed as a full-time Magistrate Judge for Richland County in July, 2017, and I am serving presently. Magistrates generally have jurisdiction in criminal cases that do not carry more than a \$500 fine or 30 days in jail. In civil cases, Magistrates are generally limited to cases not exceeding \$7,500 in the amount in controversy.

Judge Coble provided the following list of his most significant orders or opinions:

Because Magistrate Court operates very quickly, I usually rule from the bench and place any orders on the record from there. Over the past years as a judge, it is rare that I write orders, however these are a few significant ones.

- (a) *State v. Haggins*, Order 5469-2017-3 (Not Reported). The public defender filed a motion to dismiss for failure to comply with a speedy trial motion, Langford violation, and Rule 5 violation. I held a hearing and ultimately denied the motion to dismiss.
- (b) *State v. Andrzejewski*, Order 5469-2018-3 (Not Reported). In this case, I held a castle hearing on an assault charge. I wrote an order denying immunity under the Protection of Persons and Property Act.
- (c) *Rodriguez v. McDaniel*, Order 5469-2017-5 (Not Reported). After a civil trial, one party moved for sanctions against the other claiming that they violated ADR Rules. I denied the motion.
- (d) *Rowe v. Osbourne*, Order 5469-2018-14 (Not Reported). After a restraining order hearing, I granted the restraining

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order against the defendant. The defendant moved for a new trial based on new evidence. I denied the motion for a new trial after analyzing the required factors. This order was overturned on appeal by the Circuit Court Judge.

- (e) *Neil v. Edelmayer*, 2018CV4010600603 (Order from the bench). In this claim and delivery action, I awarded a judgment of \$200 to the plaintiff.

Judge Coble reported no other employment while serving as a judge:

Judge Coble further reported the following regarding unsuccessful candidacies:

In 2012, I ran unsuccessfully for Columbia City Council District Three.

(9) Judicial Temperament:

The Commission believes that Judge Coble's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Judge Coble to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, experience and mental stability; and "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation and judicial temperament. The Committee stated in summary that Judge Coble is "well qualified but young with limited experience."

Judge Coble is married to Kristen Karr Coble. He has one child.

Judge Coble reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Richland County Bar Association
- (c) S.C. Bar: CLE Publications Committee
- (d) S.C. Bar: Ethics Advisory Committee
- (e) South Carolina Summary Court Judges Association, Member
- (f) Richland County Magistrate Association, Treasurer

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Judge Coble provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Summary Court Judge Mentoring Program (mentoring three new judges)
- (b) S.C. Bar: CLE Publications Committee (Present)
- (c) S.C. Bar: Ethics Advisory Committee (Present)
- (d) 1L Mentoring Program (2016, 2017, 2018, 2019)
- (e) UofSC Mock Trial Judge (2019, 2020)
- (f) Affordable Housing Resources
- (g) Midlands Housing Trust Fund
- (h) United Way Financial Stability Council
- (i) Community Relations Council
- (j) Chair of CRC Young Contemporaries
- (k) Animal Mission
- (l) Shandon Neighborhood Council
- (m) Tarantella Club
- (n) Richland County Magistrate Association, Treasurer
- (o) Purple Ambassador, Mayor's Walk Against Domestic Violence
- (p) Trial Advocacy Certification, NDAA

Judge Coble further reported:

Since the summer of 2016, I have known that I would like to one day run for a Circuit Court seat. In the winter of that same year, I was fortunate enough to be approached by Senator John Courson about my interest in replacing Judge Kirby Shealy upon his retirement as a full-time Richland County Magistrate. At the time, I was considering the daunting task of starting a solo firm so that I could broaden my experience and become a better candidate for Circuit Court. However, I knew that an appointment as a full-time Magistrate Judge was the best opportunity for me to not only receive judicial experience and preside over jury trials but also to continue to serve in the public sector.

It was extremely humbling for Senator Courson to think of me for this position, and even more humbling that he believed that I could follow in the footsteps of such a respected judge. Knowing the high bar that Judge Shealy set, I have tried hard to work every single day to improve myself personally as a judge. There are

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many qualities that make a great judge, but I believe some of the most important ones are to know the court rules, have extensive trial experience, and to be empathetic and understanding to attorneys who appear before them. Over the past four years, I have focused every day on improving these qualities.

After a few jury trials as a presiding judge, I quickly learned that the judge keeps the trial moving and that they must know the court rules fluently. Especially the rules of evidence. I began to heavily study these rules and understand them as fluidly as possible. I first started a legal blog, www.EverydayEvidence.org, so that I could blog about the rules of evidence and share it with other judges. I then self-published four separate books on the rules of evidence (two for state and two for federal). These books are meant to simplify the rules of evidence and be used for trial attorneys: quick and easy references. Working with a book publisher, I have now written and published a book on the rules of evidence, *Florida Rules of Evidence Annotated for State and Federal Court*. I am also working with this publisher to write books for South Carolina and Texas on their rules of evidence. When it comes to the rules of evidence, I am most proud of being invited last year by Justice Few to present at his annual CLE *It's All a Game: Top Trial Lawyers Tackle Evidence*. I have self-published several other books on court rules, search and seizure, DUI and more. I use these books to constantly improve my knowledge, understanding, and capability in court matters. During these past few years, I have also published nearly a dozen legal articles on a wide range of issues.

Knowing the court rules by heart doesn't mean much if you cannot apply them in an efficient and timely manner. While I tried many cases as an assistant solicitor, it was a complete shift to preside over a jury trial. Presiding over a jury trial is an entirely different experience, and one that takes time and repetition. I have presided over dozens of trials to verdict, both criminal and civil, with attorneys representing at least one side. I have presided over hundreds of bench trials, usually rendering verdicts immediately, but other times taking them under advisement. I am the mentor to three new summary court judges for the Supreme Court's Mandatory Mentoring Program, and the

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first thing I talk to them about is moving trials along. You won't always get it right, but you need to be efficient and knowledgeable so that every litigant has a fair day in court.

But what I believe is most important, more important than knowing the rules or the law, is the character and temperament of a judge. This means having empathy for attorneys who appear before you. I am fortunate to have some of the best and most experienced mentors surrounding me, and they taught me from the first day not to forget what it's like to be on the other side of the bench and how quickly a judge can develop "robitis." Many attorneys are in a solo firm, which means not only do they have to deal with the law and its application, but also with running a small business. I believe a judge should always be mindful of that, and I have. One year after my appointment, I was promoted to the Associate Chief Judge for Richland County in the summer of 2018. This means that I handle a majority of the administrative duties for our Central Court. And I am personally in charge of every single continuance request that comes through Central Court. Whether it is law enforcement, attorneys, solicitors, or anyone else, I have to decide whether to continue the case or deny the continuance request. Before COVID-19, I received continuance requests on a daily basis and I saw firsthand many of the issues that arise for private attorneys that can prevent them from making a court appearance. Handling continuances, legal issues, and other administrative issues that arise can often times be more difficult and time consuming than presiding over actual court cases. But a judge needs to be able to do both in order to run an efficient and competent court system.

It is an honor and privilege to serve as a Magistrate Judge, and I am humbled to be considered for a Circuit Court Judgeship.

- (11) Commission Members' Comments:
The Commission commented that Judge Coble was extremely accomplished at a young age and his intellect and temperament would make him an excellent Circuit Court judge.
- (12) Conclusion:
The Commission found Judge Coble qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

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**Meredith Long Coker
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Coker meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Ms. Coker was born in 1973. She is 47 years old and a resident of Charleston, South Carolina. Ms. Coker provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2003. She was also admitted to the Virginia Bar in 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Coker.

Ms. Coker demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Coker reported that she has not made any campaign expenditures.

Ms. Coker testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Coker testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Ms. Coker to be intelligent and knowledgeable.

Ms. Coker reported that she has taught the following law-related courses:

- (a) I was an Adjunct Professor at the College of Charleston from 2007 through 2011. I taught Advanced Mock Trial, offered by the department of Political Science. Selected students prepared a single case each year, provided by the American Mock Trial Association, for purposes of competing in several mock trial tournaments throughout the Southeast.
- (b) I was an instructor for the Washington DC Metro Police Academy, teaching court procedure to officer trainees and using and used a mock trial scenario in order to prepare them as future witnesses in criminal matters.
- (c) I drafted the written materials, compiled examples, and lectured at the 2007 CLE program, "Real Estate Transactions Made Painless and Efficient."

Ms. Coker reported that she has not published any books or articles.

- (4) Character:
The Commission's investigation of Ms. Coker did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission's investigation of Ms. Coker did not indicate any evidence of a troubled financial status. Ms. Coker has handled her financial affairs responsibly.

The Commission also noted that Ms. Coker was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

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- (5) Reputation:
Ms. Coker reported that she is not rated by any legal rating organization.
- Ms. Coker reported that she has not served in the military.
- Ms. Coker reported that she has never held public office.
- (6) Physical Health:
Ms. Coker appears to be physically capable of performing the duties of the office she seeks.
- (7) Mental Stability:
Ms. Coker appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Ms. Coker was admitted to the South Carolina Bar in 2003.

She gave the following account of her legal experience since graduation from law school:

- (a) Judicial Clerk for the Honorable J.M.H. Willis, Jr., Court of Appeals of Virginia, 1998-2000. I reviewed and analyzed cases assigned to the relevant judicial panel for purposes of drafting bench briefs and conferring with the Judge, drafted opinions and edited opinions drafted by others for content and merit.
- (b) Associate, The Falk Law Firm, 2000-03. I returned to this law firm after having been its summer associate for two summers during law school. Clients included international manufacturers, government contractors, owners associations for sports leagues, and small and large corporations. Due to the size of the firm, I was immediately given a tremendous amount of responsibility and access to complex litigation matters, international antitrust matters, Winstar plaintiff committee meetings, collective bargaining, government contract disputes, and NLRB matters. I also researched and prepared presentations to the National Institute of Justice relating to the constitutionality of a variety of matters.

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- (c) Associate, Finkel and Altman, LLC, 2003-06. My practice focused on commercial litigation and complex civil litigation including trust litigation and government takings.
- (d) Member, Altman & Coker, LLC (f/k/a Coker Law Firm LLC), 2006-March 2019. I am managing member of the firm, in charge of all financial operations to include IOLTA accounts. I have a diverse practice that includes commercial litigation, property rights litigation, and other civil matters. My practice also includes significant transactional work, including corporate formation and commercial and residential real estate.
- (e) Member, The Coker Firm LLC, August 2019 – present. I am sole member of the firm, in charge of all financial operations to include IOLTA accounts. I have a diverse practice that includes commercial litigation, property rights litigation, and other civil matters. I also provide support with regard to pretrial and trial matters to both civil and criminal counsel. My practice also includes significant transactional work, including corporate formation and commercial and residential real estate. I am currently working on a variety of landlord / tenant, probate, and litigation matters.

Ms. Coker further reported regarding her experience with the Circuit Court practice area:

In the past five years, I have handled a wide variety of cases. These matters have included large construction defect matters, complex commercial matters, property rights and property association issues, title disputes, landlord / tenant disputes, insurance coverage matters, and professional negligence claims. While I am proud to say that many of these matters were satisfactorily resolved, I have appeared often in Circuit Court, US District Court, and in front of Masters in Equity.

I commenced the practice of law in the “rocket docket” of the Eastern District of Virginia, as well as in state courts which followed the same basic tenets of judicial economy. As such, I have been able to structure my time and practice to personally handle a large number of matters concurrently while maintaining a high level of professionalism and preparedness. Examples of cases handled in the past five years include:

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- (a) *CresCom Bank v. Terry*, No. 2:12-cv-00063-PMD. This suit was brought for breach of multiple notes and guaranties in the District Court. The matter involved numerous substantive and procedural motions. During the pendency of the action, one of the defendants filed bankruptcy, and the guarantor moved for stay, which stay was denied. See *CresCom Bank v. Terry, et al.*, 499 B.R. 494 (D.S.C. 2013). Plaintiff was awarded summary judgment, which award was substantially upheld by the Fourth Circuit Court of Appeals.
- (b) *Anchorage Plantation Homeowners Association v. Walpole*, CA No. 2010-CP-10-00482. This suit was brought by a homeowners association against neighboring property owners arising from the use of a roadway and certain amenities. The matter is currently pending appeal.
- (c) *Daniel Island Riverside Developers, LLC, et al., v. Weather Shield Manufacturing, Inc., et al.*, multiple cases consolidated under CA No. 2009-CP-08-1068. Multiple lawsuits were filed alleging construction defects, which were consolidated with the construction manager's suit against certain manufacturers and contractors. This matter was an extremely complex litigation; *the matter was partially resolved prior to trial and is currently pending appeal.*
- (d) *Daniel Island Riverside Developers, LLC, et al., v. The Oaks at Rivers Edge Property Owners Association, Inc., et al.*, CA No. 2010-CP-08-4318. This matter arose from insurance coverage issues resulting from the matter above. Plaintiffs successfully defeated removal to District Court and were able to partially resolve the matter prior to trial. Plaintiffs have been awarded judgment (to include punitive damages), pending the trial court's determination of post-trial motions.
- (e) *Walbeck, et al., v. I'on Company, LLC, et al.*, CA No. 2010-CP-10-10490. This matter was brought by a homeowner against the HOA, developer, purchaser of certain parcels in the community, and related entities and individuals. Issues which arose included development law, association law, title claims, and other contractual and tortious claims. We were able to successfully resolve claims against our clients subsequent to the jury empanelment.
- (f) *Church of God, et al., v. Estes, et al.*, CA No. 2013-CP-10-01686. We were successful in assisting co-counsel in

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obtaining summary judgment in favor of the defendant lender, which has been upheld on appeal. This matter is related to an ongoing declaratory judgment action in District Court in which I am primary counsel representing lender with regard to insurance coverage issues. The District Court matter has been stayed pending final remand to the trial court of the underlying matter.

I am a prior member of the Practices and Procedures Committee of the South Carolina Bar. Due to the size of my law firm, I handle all facets and stages of litigation, from commencement through discovery and pretrial, trial, and appeal. In the past five years, I have appeared in front of Circuit Court judges dozens of times, and have prepared matters for the appearance by others just as often.

With regard to criminal matters, I have handled no criminal matters as primary counsel while in private practice. Due to the structure of the Virginia appellate courts, however, most of my caseload as a judicial clerk involved criminal matters. I have taught criminal procedure and analyzed substantive criminal law in my positions with the DC Metro Police Academy and the College of Charleston. I have substantial background in researching constitutional issues, including those arising from innovative and developing law enforcement technology, for work performed for the National Institute of Justice and other clients. I have conducted substantial research relating to constitutionality of school resource officers, public use of facial recognition technology and Title IX. Further, I have researched and drafted advisory papers on liability and constitutionality issues arising from the use of less than lethal technologies by domestic police forces and the military.

In direct response to inquiries relating to my level of criminal trial experience, I have been assisting a local criminal defense attorney, James Falk, who has been gracious enough to allow me to do so. I have assisted Mr. Falk in felony jury matters and pretrial matters. I have prepared and attended pre-trial hearings, to include successfully arguing a motion for separate trials in a murder trial; prepared for and participated in jury selection; attended trial; and attended plea hearings. I have also attended

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various procedural and pretrial matters in criminal court and consulted with criminal defense attorneys and judges to refresh my knowledge as to procedural and statutory matters.

Ms. Coker reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: 2-10 times per year;
- (b) State: 5-30 times per year

Ms. Coker reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 60%;
- (b) Criminal: 5% (this does not include my recent experience as more fully set forth above);
- (c) Domestic: 0%;
- (d) Other: 35% (includes transactional corporate and real property matters).

Ms. Coker reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 30%;
- (b) Non-jury: 70%.

Ms. Coker provided that during the past five years her practice has been evenly divided among serving as chief counsel, co-counsel, and associate counsel (or other similar support role).

The following is Ms. Coker's account of her five most significant litigated matters:

- (a) *Walbeck, et al., v. I'on Company, LLC, et al.*, CA No. 2010-CP-10-10490. We were able to resolve claims against our clients the evening before opening statements due to the intense efforts of the parties, legal counsel, and the presiding judge. Prior to such resolution, however, this matter was complex due not only to the legal issues but also to the disparate roles of various defendants, insurance counsel, private counsel, property owners, and lender. I never ceased to be impressed by the sheer preparedness and legal acumen

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of all of the attorneys involved with this matter and our ability to work together while in direct conflict with one another throughout the pendency of the matter.

- (b) *Fuisz v. Biovail Technologies, Ltd.*, No. Civ.A. 18004 (Court of Chancery of Delaware). I was associated with this case after plaintiff retained The Falk Law Firm, LLC, to substitute as counsel for Manatt, Phelps & Phillips, LLP. The case arose from the acquisition of a pharmaceutical company by a large multi-national company, and spawned additional lawsuits relating to non-competition agreements and intellectual property rights. I was responsible for all pre-trial discovery review and analysis, to include extensive document review in Virginia and Delaware, and all motions practice in a related matter brought in the Fairfax (Virginia) Circuit Court. The total amount of claimed damages by all parties was in excess of half a billion dollars. We were nevertheless able to satisfactorily resolve all claims against all parties.
- (c) *CresCom Bank v. Terry*, No. 2:12-cv-00063-PMD. I represented plaintiff creditor in District Court and at the Fourth Circuit Court of Appeals. The matter was intensely contested due to the size of the outstanding debt and the sheer complexity of the defendant guarantor's corporate holdings. Service on the individual defendant even proved difficult and costly. Through perseverance and extensive research, as well as the ability to deduce certain relationships, we were able to personally serve the individual, defend successfully numerous motions filed by defendants related to both substantive and procedural matters, and prevail on our motion for summary judgment. Plaintiff substantially prevailed at the Fourth Circuit Court of Appeals and we were able to obtain judgment against the debtor and guarantors. We were also able to assist in an informal way with counsel retained to execute the judgment thereafter. This matter recently finally concluded with a settlement agreement between the parties.
- (d) *Cambridge Lakes Condominium Homeowners Association, Inc., et al., v. Bostic Brothers Construction, Inc., et al.* CA No. 2008-CP-10-03506. This case arose

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from alleged construction defects in a condominium project converted from apartments. The sheer number of defendants added to the complexity of the matter. Discovery in the matter was extensive, as was motions and pleadings practice. We were able to keep litigation defense costs reasonable for our clients, however, by focusing on the issues relating to our position. We were able to resolve all claims against our clients efficiently and satisfactorily.

- (e) *Hammond v. The Pacific Mutual Life Insurance Company*, No. Civ.A. 01-386-A (E.D. Va.). This matter arose after the death of Marjorie Hammond and was brought by her Personal Representatives alleging breach by the life insurance company for failure to pay life insurance benefits. This matter is significant to me as Professor Stephen A. Saltzburg was associated with our firm representing the plaintiffs. While I primarily drafted all pleadings and motions, Professor Saltzburg was chief counsel at trial. While I had worked on other jury trials prior, I had the distinct honor of learning from no less than a master of evidence, procedure, argument, and litigation. In granting partial summary judgment to the plaintiffs, the District Court was able to narrow the contested issues of fact to one: whether a portion of the policy was attached at either issuance or delivery, and as such whether it was part of the contract. Plaintiffs prevailed in the trial court, and I was fortunate enough to witness Professor Saltzburg's argument at the Fourth Circuit Court of Appeals, which was successful.

The following is Ms. Coker's account of five civil appeals she has personally handled:

- (a) *CresCom Bank v. Terry*, Appeal No. 13-2467, United States Court of Appeals, Fourth Circuit. Decided May 21, 2015. Unreported decision may be found at 610 Fed.Appx. 221; 2015 WL 2405232.
- (b) *Fine Housing, Inc., v. Sloan*, South Carolina Court of Appeals. Case No. 2017-002517. While this matter remained with my prior firm for hearing, it has been heard and is pending decision by the Court of Appeals..

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- (c) *Anchorage Plantation Homeowners Association v. Walpole*, South Carolina Court of Appeals. Decided July 25, 2018. Unpublished Opinion No. 2018-UP-337.
- (d) *Hammond v. The Pacific Mutual Life Insurance Company*, United States Court of Appeals, Fourth Circuit. Decided January 23, 2003. Unreported decision may be found at 56 Fed.Appx. 118 (slip op.); 2003 WL 152823.
- (e) *Deep Keel, LLC, v. Atlantic Private Equity Group, LLC, et al.*, South Carolina Court of Appeals. Case No. 2017-000487. Decided July 24, 2019. Unpublished Opinion No. 2019-UP-270

Ms. Coker reported that she has not personally handled any criminal appeals.

Ms. Coker further reported the following regarding unsuccessful candidacies:

I was found qualified but not nominated for Judge of the Circuit Court, At-Large, Seat 9, for which the election was held in 2018. I was found qualified and nominated for Judge of the Circuit Court, Ninth Judicial Circuit, Seat 2. I withdrew prior to the election held in 2019

(9) Judicial Temperament:

The Commission believes that Ms. Coker's temperament would be excellent.

(10) Miscellaneous:

The Lowcountry Citizens Committee on Judicial Qualification found Ms. Coker to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience. In related comments, the Committee stated that Ms. Coker has "broad civil experience - has handled complex civil cases; smart; able; not much criminal experience; intellectual approach."

Ms. Coker is married to P. Cooper Coker IV. She has one child.

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Ms. Coker reported that she was a member of the following Bar and professional associations:

- (a) Virginia Bar (I currently hold Associate Member status).
- (b) South Carolina Bar. I am a past member of the Practices and Procedures Committee (2005-06).
- (c) Charleston County Bar.
- (d) American Land Title Association.

Ms. Coker provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Member, Grace Cathedral Church
- (b) United States Equestrian Federation
- (c) United States Hunter Jumper Association
- (d) In 2018, I served as a board member for my neighborhood HOA.
- (d) For the past five years my primary volunteer efforts have focused toward contributing my time to my daughter's schools, church groups, and activities.

Ms. Coker further reported:

Education is extremely important to my family and I am grateful that my parents, an elementary school teacher and naval officer, prioritized my education throughout my childhood. I received multiple academic scholarships to both college and law school. In college I was a varsity athlete and an officer for my sorority and the Panhellenic Executive Board, while participating in various other extracurricular activities; nevertheless I was able to complete two majors and a minor. I have been inducted as a member in the academic honor societies Phi Eta Sigma; Omicron Delta Epsilon; and, Pi Sigma Alpha.

My law school curriculum included significant practical experiences and courses. I was afforded the chance to work with and learn from several practicing attorneys in a variety of fields. My judicial clerkship exposed me to issues primarily relating to criminal, domestic relations, and administrative matters, as these cases were the purview of the Virginia Court of Appeals. I have had a unique career path which enabled me to take an active role in a wide array of complex matters from the very start of my career in private practice. I have had the opportunity to work with and learn from immensely talented and capable attorneys,

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and I strive to live up to their examples. My practice has ranged from small collections matters to multinational corporate disputes. My research and analysis has been relied upon by local and international CEO's, government officials, and policy makers. I relish the chance to learn and have been fortunate in the opportunities presented to me.

I have been fortunate enough as well to have varied life experiences which have augmented my empathy as well as my resolve. I have had colleagues, acquaintances, and friends from virtually every conceivable social, economic, cultural and professional background. I aspire to treat everyone with respect, grace, and integrity. While I invite intellectual challenges and look forward to the overall view of and ultimate solution to an issue, I have never shirked from rolling up my sleeves and dealing with the necessary minutiae that often make the resolution work. I believe both traits are necessary for an efficient, professional, and courteous courtroom. I would be honored and humbled for this opportunity to use everything that I have learned and everything that I hope to learn.

(11) Commission Members' Comments:

The Commission commented that Ms. Coker had received "high remarks" from the Lowcountry Citizens Committee and had endeavored to gain more criminal experience. The Commission encouraged her to gain more criminal experience. They also noted she has a calm demeanor and is very intelligent.

(12) Conclusion:

The Commission found Ms. Coker qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 12.

**Regina Hollins Lewis
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Ms. Lewis meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

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Ms. Lewis was born in 1964. She is 56 years old and a resident of Columbia, South Carolina. Ms. Lewis provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000. She was also admitted to the Maryland Bar in 1987.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Lewis.

Ms. Lewis demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Lewis reported that she has made \$813.83 in campaign expenditures for thank you gifts for references, flyer design, envelopes and labels, postage and printing of flyers.

Ms. Lewis testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Lewis testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Lewis to be intelligent and knowledgeable.

Ms. Lewis reported that she has taught the following law-related courses:

- (a) I presented at the 2019 SC Defense Trial Attorneys' Association Program, "Trial Superstars" at which a mock trial was presented.

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- (b) I presented at the 2019 SC Bar Program of the Employment and Labor Law Section, “Recent Developments in Employment Law.”
- (c) I presented at the 2019 Office of United States Attorney Law Enforcement Coordinating Committee and South Carolina Law Enforcement Officers’ Association and South Carolina Criminal Justice Academy Narcotics Commanders School Program, “Employee Relations (Grievances and Supervisory Liability).”
- (d) I presented at the 2019 Morris College Faculty-Staff Institute Program, “An Overview of Employment Discrimination Laws.”
- (e) I presented at the 2018 Program of the National Association of Minority and women Owned Law Firms Trial Practice Group Webinar, “Putting a Face on the Company in Litigation: Successful Strategies for Maneuvering the Minefield of Employee Depositions.”
- (f) I presented at the 2018 SC Bar Employment Law Seminar, “Recent Developments in Employment Law.”
- (g) I presented at the 2018 Conference of Federal Trial Judges sponsored by the SC Federal Bar Association and the ABA National Conference of Federal Trial Judges at which a mock hearing was presented pursuant to *Daubert v. Merrell Dow Pharmaceuticals, Inc.*
- (h) I presented at the 2018 Strafford Webinar, “Managing Jurors in Catastrophic Personal Injury Claims.”
- (i) I presented at the 2017 Program, “Reducing the Risk of Liability: What Not to Say and Do.”
- (j) I presented at the 2014 (approximate year) SC Bar Program, “Top Lawyers Tackle Evidence.”
- (k) I presented at the 2013 SC Bar Program, “Rainmaking Bootcamp for Attorneys.”
- (l) I presented at the 2013 SC Bar Program Dispute Resolution Section Seminar, “Mediating Money: Managing the Realities of Traditional Bargaining.”
- (m) I presented at the 2010 SC Bar continuing legal education (“CLE”) program, “It’s All a Game: Top Trial Lawyers Tackle Civil Procedure.”
- (n) I presented at the 2010 Trial Advocacy Program co-sponsored by the South Carolina Bar and the National Institute of Trial Advocacy

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- (o) I presented at the 2009 (approximate date) – Presentation (upon information and belief the presentation was made at conference of South Carolina Magistrate Court Judges), “When Electronic Communications Come Back to Bite: Or Can They?”
- (p) I taught Domestic Relations in the Spring 1993 semester as an adjunct professor at the University of Maryland School of Law.
- (q) I taught and supervised students in the Spring 1992 and Fall 1992 semesters at the University Baltimore School of Law Family Law Clinic.
- (r) I taught Trial Advocacy in the Fall 2014, Fall 2015 and Fall 2016 semesters at the University of South Carolina School of Law.

Note: This list includes all presentations for which I have documentation, but is not all-inclusive. I have presented numerous times over the past 30 years, including presentations to clients and other organizations and no longer have documentation or recollection of all presentations.

Ms. Lewis reported that she has published the following:

Labor and Employment Law for South Carolina Lawyers, Fifth Edition, Vol. II (South Carolina Bar – CLE Division Bar 2019), Contributing Author, “Alternative Dispute Resolution;”

“The Battered Woman Syndrome: Justice Through Expert Testimony,” Vol. 5, No. 10 National Bar Association Magazine 12 (October 1991)

(4) Character:

The Commission’s investigation of Ms. Lewis did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Ms. Lewis did not indicate any evidence of a troubled financial status. Ms. Lewis has handled her financial affairs responsibly.

The Commission also noted that Ms. Lewis was punctual and attentive in her dealings with the Commission, and the

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Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Lewis reported that her rating by a legal rating organization, Martindale-Hubbell, is AV Rated. Ms. Lewis reported that she was a member of Super Lawyers 2017-2020, as well as Legal Elite of the Midlands, 2014, 2017.

Ms. Lewis reported that she has not served in the military.

Ms. Lewis reported that she has held the following public office: I served as a Commissioner on the State of South Carolina State Ethics Commission from April 2014 through March 2017. I was appointed to the position by Governor Nikki Haley. I timely filed all required reports with the Commission during the period that I held public office.

(6) Physical Health:

Ms. Lewis appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Ms. Lewis appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Ms. Lewis was admitted to the South Carolina Bar in 2000.

She gave the following account of her legal experience since graduation from law school:

(a) Law Clerk, Orphans' Court of Baltimore City (September 1987 to October 1988).

Served as law clerk to Three Judge Panel. I was not involved with the administrative or financial management of this agency.

(b) Associate, Venable, Baetjer, and Howard, Baltimore, Maryland (October 1988 to September 1989).

Assisted in defense of large products liability actions, including asbestos litigation. I was not involved with the

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- administrative or financial management of this entity, including management of trust accounts.
- (c) Adjunct Professor of Law, University of Maryland School of Law (Spring 1993 semester).
Instructed approximately 75 students in the course, Domestic Relations. I was not involved with the administrative or financial management of this agency.
 - (d) Adjunct Professor Law, University of Baltimore School of Law (Spring 1992 and Fall 1992).
Taught and supervised third year law students in the Family Law Clinic. I was not involved with the administrative or financial management of this agency.
 - (e) Staff Attorney, House of Ruth Domestic Violence Legal Clinic (September 1989 to May 1992).
Represented victims of domestic violence in civil protective order, divorce, and custody proceedings; participated in clemency project on behalf of incarcerated battered women who killed or assaulted abusive partners/spouses and successfully obtained clemency on behalf of eight such women; conducted training of pro bono attorneys as well as community education and training. In this position, I was not involved with the administrative or financial management of this agency.
 - (f) Director, House of Ruth Domestic Violence Legal Clinic (May 1992 to July 1994).
Directed clinic staff of 12 attorneys, legal advocates, pro bono coordinator and assistants in Baltimore and Prince George's County offices. Hired, supervised and trained staff; supervised clinic litigation; managed budget and reports to the Maryland Legal Services Corporation, authored and reviewed grant proposals on behalf of the Legal Clinic; advocated on behalf of victims of domestic violence with members of the Maryland Legislature. As Director, I was responsible for the administrative and financial management of the Clinic, including supervising attorneys and staff, budgeting and managing compliance with federal and state agencies including the Legal Services Corporation.
 - (g) Assistant Attorney General, Civil Litigation Division and Criminal Appeals Division, Office of the Attorney

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General, State of Maryland (August, 1994 - August 1999).

Civil Litigation Division - Represented State of Maryland, its agencies and employees in civil jury and bench trials and civil and criminal appeals, habeas corpus litigation in federal and State courts, including drafting and filing of pleadings, taking and defending depositions, preparation of clients and witnesses and presentation of cases in court. Defended claims of race, sex, age, and disability discrimination, alleged inmate Eighth Amendment violations, and other constitutional and tort claims. I was not involved with the administrative or financial management of this agency.

Criminal Appeals Division – Represented State of Maryland in criminal appeals and federal habeas corpus proceedings; conducted research; wrote briefs, filed and argued motions; presented oral argument in Court of Special Appeals and Court of Appeals of Maryland and United States Court of Appeals for the Fourth Circuit; reviewed and edited briefs for all divisions of the Office. I was not involved with the administrative or financial management of this agency.

- (h) Member, Nexsen Pruet Adams Kleemeier, LLC, Columbia, South Carolina (January 2003 – June 2007). Special Counsel, Nexsen Pruet Jacobs & Pollard, LLC, Columbia, South Carolina (July 2000 – January 2003). Represented corporations and other organizations in various employment litigation matters in federal and state court, including claims of age, race, and gender discrimination, breach of contract and other claims; engaged in negotiation and participated in mediation of disputes; argued cases in the South Carolina state and federal courts and in the United States Court of Appeals for the Fourth Circuit; represented clients in jury trials in federal court; prepared position statements on behalf of employer clients for submission to the South Carolina Human Affairs Commission and Equal Employment Opportunity Commission in response to charges of discrimination; reviewed and revised employee handbooks; provided legal advice and counsel in employment and other matters; conducted training on

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employment law issues including Title VII, the Family Medical Leave Act, and the Fair Labor Standards Act. I was involved in administrative management only to the extent that I managed the staff who worked with me. I was not involved in financial management of the entity.

- (i) Member, GaffneyLewis, LLC (formerly Gaffney Lewis & Edwards, LLC), Columbia, South Carolina (June 2007 – present).

Represent national retailers in premises liability, false imprisonment, pharmacy professional liability and other tort causes of action in state and federal courts; advise and represent individual and business clients in tort and employment related matters in state and federal court including Title VII claims of discrimination, and claims of wrongful termination and defamation; represent clients in administrative proceedings before the Equal Employment Opportunity Commission and/or South Carolina Human Affairs Commission; conduct internal investigations on behalf of organizations related to claims of discrimination and harassment; act as mediator in civil litigation matters, primarily in the areas of tort and employment. I am involved in the administrative and financial management of the law firm, including the management of the firm's trust account along with my partners.

- (j) Adjunct Professor, University of South Carolina School of Law (Fall 2014, Fall 2015 and Fall 2016 Semesters). Taught Trial Advocacy to class of 12 to 16 students; developed syllabus and instructed students on all phases of presenting a case at trial; provided feedback on mock trial exercises performed by students. I was not involved with the administrative or financial management of this agency.

Ms. Lewis further reported regarding her experience with the Circuit Court practice area:

Criminal Experience: As an assistant attorney general, I represented the state of Maryland in criminal appellate cases from in or around mid-1996 until in or around July 1999. My practice consisted of writing approximately eight appellate briefs per month and appearing before the Maryland appellate

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courts for oral argument an average of two to three times per month when the courts were in session. The appeals addressed a broad range of issues arising from the trials of criminal cases, including rulings by the trial court on motions to suppress evidence, the admissibility and sufficiency of evidence at trial to support convictions, preservation of issues for appellate court review and assessment of harmless error.

Civil Experience: During the past twenty years, I have primarily represented corporations in a broad range of civil matters, including negligence, wrongful death, professional negligence, defamation, false arrest, and malicious prosecution and employment causes of action in the South Carolina state and federal trial and appellate courts. I have also represented individuals in actions for negligence, wrongful termination, breach of employment contracts, and discrimination pursuant to Title VII of the Civil Rights Act of 1964.

Ms. Lewis reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: I am currently lead counsel in a wrongful death case pending in federal court and am counsel of record along with other lawyers in my firm in approximately five other federal court matters. I have appeared in federal court for motions practice or engaged in motions practice via teleconference approximately five to seven times during the past five years as my practice in these cases has consisted primarily of conducting discovery, including written discovery and depositions and mediation of the matters to settlement.
- (b) State: I am counsel of record in an average of approximately fifty state court matters at any given time. I have appeared in state court an average of seven to ten times during the past five years, including appearances at a bench trial that I tried to conclusion along with co-

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counsel, and a jury trial that I commenced trying along with co-counsel and was resolved during trial. My practice in these cases has consisted primarily of conducting discovery, including written discovery and depositions, and mediation of the matters to settlement.

Ms. Lewis reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 60%;
- (b) Criminal: 0%;
- (c) Domestic: 0%;
- (d) Other: 40% (Alternative Dispute Resolution – Mediation)

Ms. Lewis reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: No cases went to a jury in the last five years as all cases scheduled for jury trials were resolved prior to trial. One matter proceeded to trial but was resolved on the second day of trial and thus did not proceed to a jury.
- (b) Non-jury: I have tried one bench trial in Circuit Court in the past five years.

Ms. Lewis provided that during the past five years she most often served as chief and co-counsel:

I have served as chief counsel in matters on which I've worked with a junior partner or associate and have also worked as co-counsel with my partner with whom I founded the firm.

The following is Ms. Lewis's account of her five most significant litigated matters:

- (a) *Estate of Dorinda Williams v. Walmart* – Court of Common Pleas, Horry County.
This case arose out of the death of Plaintiff's decedent at the Walmart store in Horry County after loss

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prevention associates attempted to detain Decedent and her daughter after they shoplifted. Decedent and her daughter fought the loss prevention associates and Decedent suffered a heart attack and died during the incident. I represented the loss prevention associates along with my partner. In January 2013, the case was tried to a jury and defense verdicts were entered in favor of all defendants. The case was significant because it was a wrongful death case and our clients were very concerned about the possibility of personal liability. It was meaningful and fulfilling to me to have been able to work with the young men to prepare for and present at trial and to ultimately obtain exoneration on their behalves.

- (b) *In the Matter of the Complaint C2014-156, J. Samuel Griswold, Ph.D. v. Curtis M. Loftis, Jr.* Before the South Carolina Ethics Commission

I handled this matter as Chair of a Hearing Panel while serving on the South Carolina Ethics Commission. The matter arose out of the hiring on an attorney who was a close friend of the State Treasurer to represent the State of South Carolina as co-counsel in litigation in which substantial claims by the State were pending against a bank in which millions of dollars were in dispute. The issue presented was whether the respondent violated South Carolina ethics laws by using his official position to affect the economic interest of the hire attorney/friend when he authorized the employment of the attorney and sought the approval of the Attorney General of South Carolina. I chaired the hearing of the matter at which the panel heard pre-hearing motions and received testimony and other evidence from the parties.

Thereafter, I deliberated along with the other members of the panel and wrote the opinion on behalf of the panel. We conclude that the respondent violated State ethics law and issued a public reprimand. As Chair of the panel, I was the primary author of the opinion. This matter was significant because it allowed me to act in a quasi-judicial role and to, as a neutral, hear and assess both sides of a matter, to make findings of fact and to

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apply the law to reach a conclusion in the same manner that judges must assess the matters before them. It was an interesting and challenging process and the experience would benefit me if elected to the position of judge.

- (c) *Webb v. Sowell*, 387 S.C. 328 (2010), overruled, 396 S.C. 647 (2012) – Supreme Court of South Carolina
This case presented the constitutional question of whether a Family Court order directing a non-custodial parent to pay college expenses violated the Equal Protection Clauses of the United States and South Carolina constitutions. I was associated in this appeal by a family court practitioner to write the brief. The case was significant because it presented an interesting constitutional question and the argument on behalf of our client was against precedent. The research for and writing of the brief was both interesting and challenging. It was most exciting to receive the opinion, in which the Supreme Court of South Carolina found in our client's favor and held that the requirement was unconstitutional. Although the decision was ultimately overruled in a subsequent decision of the Supreme Court of South Carolina, it was a fascinating experience to have participated in the appeal.
- (d) *Matter of Tyrone Gilliam*, Review and Report to Governor Parris N. Glendening. This matter arose out of a sentence of death that was imposed upon defendant Tyrone Gilliam for a murder committed in 1993. In 1998, while I was an assistant attorney general for the state of Maryland, I was assigned to assist the Governor in assessing Gilliam's appeal for clemency by reviewing the case and advising the Governor regarding the record, including the sufficiency of the evidence. I conducted the review and provided my findings to the Governor, after which the death sentence was upheld and Mr. Gilliam was executed. The case is significant because it was a death penalty case and the gravity of the assignment was tremendous for me. For my work on the matter, I received the Attorney General's Exceptional Service Award in or around 1999.

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- (e) *Knott v. State*, 349 Md. 277 (1998). As an assistant attorney general in Maryland, I handled this appeal, which arose from the trial of a defendant in an orange jumpsuit after the trial court denied a request by the defendant's counsel for a continuance to allow the defendant to obtain civilian clothing. The defendant was convicted and appealed the conviction, arguing that he was deprived of the presumption of evidence by being compelled to proceed in prison garb. The intermediate appellate court upheld the conviction, finding that the issue was not preserved for appeal. The case was assigned to me after the Court of Appeals of Maryland granted certiorari. As a young attorney, I suggested that the issue be conceded as I anticipated that there was a strong likelihood that the intermediate appellate court would be reversed given the precedent holding that requiring a defendant to be tried in prison garb deprives him of the presumption of innocence. I was concerned that there would be no viable argument to support the conviction if the preservation argument was not successful. The chief of the division declined to concede and I proceeded with the appeal. After much research, I identified supporting case law and was able to submit a brief that presented viable arguments on both the preservation and substantive issues. Although the Court of Appeals reversed the decision below and held that the defendant was entitled to a new trial, the process was a valuable one. It taught me the importance of thoroughly analyzing an issue before making a determination regarding the viability of a position.

The following is Ms. Lewis's account of five civil appeals she has personally handled:

- (a) *Solanki v. Wal-Mart Store #2806*, Court of Appeals of South Carolina, August 20, 2014, 410 S.C. 229 (2014);
- (b) *Jones v. Wal-Mart Stores, Inc.*, Court of Appeals of South Carolina, November 28, 2012, 2012 S.C.App.Unpub. LEXIS 782;
- (c) *Doe v. Wal-Mart Stores, Inc.*, Supreme Court of South Carolina, June 27, 2011, 393 S.C. 240 (2011);

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- (d) *Guider v. Churpeyes, Inc.*, Court of Appeals of South Carolina, August 14, 2006, 370 S.C. 424 (2006);
- (e) *Charleston v. Young Clement Rivers & Tisdale, LLP*, Court of Appeals of South Carolina, June 21, 2004, 359 S.C. 635 (2004).

The following is Ms. Lewis's account of five criminal appeals she has personally handled:

- (a) *Fischer v. State*, Court of Special Appeals of Maryland, September 26, 1997, 117 Md.App. 443 (1997);
- (b) *Pappaconstantinou v. State*, Court of Special Appeals of Maryland, January 6, 1998, 118 Md.App. 668 (1998);
- (c) *Knott v. State*, Court of Appeals of Maryland, April 14, 1998, 349 Md. 277 (1998);
- (d) *Mora v. State*, Court of Special Appeals of Maryland, November 25, 1998, 123 Md.App. 699 (1998);
- (e) *Skrivanek v. State*, Court of Appeals of Maryland, October 12, 1999, 356 Md. 270 (1999).

(9) Judicial Temperament:

The Commission believes that Ms. Lewis's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Ms. Lewis to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, experience, and mental stability. The Committee stated in its summary statement, "Ms. Lewis has limited criminal experience but is otherwise well qualified."

Ms. Lewis is married to Irving Lionel Lewis. She has two children.

Ms. Lewis reported that she was a member of the following Bar and professional associations:

- (a) John Belton O'Neal Inn of Court-President Elect, 2020-21;
- (b) South Carolina Bar;

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Chair, Judicial Qualifications Committee (in or about 2006 -2007);

Member, Board of Governors (2008-2009);

Newsletter Editor, Employment and Labor Law Section (in or about 2004-2006);

- (c) South Carolina Black Lawyers Association;
- (d) National Bar Association;
- (e) Claims and Litigation Management Alliance;
- (f) National Association of Minority and Women Owned Law Firms;
- (g) National Academy of Distinguished Neutrals;
- (h) Fellow, American College of Trial Lawyers;
Diversity Liaison, State Committee.

Ms. Lewis provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Delta Sigma Theta Sorority, Incorporated;
Chair, Cotillion Workshop Committee
Co-Chair, Anniversary Gala Committee
- (b) South Carolina Legal Services, Board of Directors:
2018-present
- (c) John Belton O'Neal Inn of Court, President-Elect 2020-21
- (d) Fellow, Liberty Fellowship

Ms. Lewis further reported:

After inwardly considering the pursuit of a judicial appointment for many years, I have decided to take the opportunity now for many reasons. First, I have been fortunate to have accomplished the career goals on which I focused during the 32-plus years that I have been practicing law. My practice has included both public service and private sector work and I have experience in civil, criminal and appellate areas of the law. I am ready to re-enter public service and give back to the legal profession in a way that capitalizes on my personal experience.

Second, my life experiences over nearly fifty-six years have allowed me to develop and apply the values that my parents worked hard to instill in me during their lifetimes and those values would enable me to be an asset to the bench. My parents taught me many things, among them that: 1) anything worth

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doing is worth doing right; 2) hard work, dedication and determination are not negotiables; 3) I should always know that I am as good as everyone else but never better than anyone else; and 4) in all things to do my best and then let go and let God.

My parents did not only speak of these values, but exemplified them. My mother was a hairdresser for many years. When I was three years old, my brother, who was six, was floundering in first grade so much so that his teacher told my mother he would likely have to repeat first grade. My mother would not hear of it. She became laser focused and began to work with my brother every day while I watched and learned from it all. Not only did my brother successfully pass the first grade, but I also learned to read at three through her efforts.

My mother's work with us inspired her to pursue a degree in Early Childhood Education in her mid-forties. It took many years and often meant that she had to take me with her to her night classes but she persevered. She obtained her bachelor's degree in the same year that my brother graduated high school and dedicated the rest of her life to educating children.

My father was a brick mason but had skills far beyond masonry. When I was eight years old, he took me and my brother to a piece of property he had inherited in Blythewood, South Carolina. He had dug a foundation and he told us that this was the site for our new home that he was going to build.

For the next five years, my father worked construction jobs while my mother worked as a teacher's aide. When he had enough money saved, he would take a break from the construction job and would work on building our house and would then return to work. When I was thirteen, the house was completed and we moved. My parents proudly announced that they had no mortgage and that the house had been "built cash." I did not really understand what that meant at the time and was simply excited to have moved to a big, beautiful new home. It was not until I was an adult that I understood and appreciated the magnitude of what my parents had done. These examples of work ethic and determination have remained with me throughout my life and I have tried to replicate them in my legal career.

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I began my legal career in Maryland (where I had attended law school). I have worked in public service, both as an advocate for victims of domestic violence and as a government attorney, representing the state of Maryland in civil and criminal matters. My father passed away while I was living in Maryland. Thereafter, I returned to South Carolina along with husband and two young daughters to be close to my mother. After taking time to study for the South Carolina bar, I obtained a position as special counsel at Nexsen Pruet law firm. Tragically, my mother died suddenly and unexpectedly on my second day at the firm. This was the most devastating loss I had ever experienced and it was difficult to manage the debilitating grief while working to establish myself with what I hoped would be an excellent reputation at a new firm. I credit those values that my parents instilled in me with being able to move forward through that grief and to ultimately make partner at the firm in 2003 and believe that this experience of pushing through a most difficult time will also benefit me if I am elected.

I worked with great lawyers and enjoyed my years at Nexsen Pruet, but always held the dream of owning my own firm and so in 2007, I joined two dear friends and formed the law firm in which I practice today. After thirteen years, I am proud of the culture of diversity at my firm and believe my experience in operating a business and managing the law firm has afforded me experience that would be critically important to the role of a Circuit Court judge.

I would like to return to serving the public in a judicial capacity because it will allow me to apply the legal and life skills that I have acquired to help ensure equal justice under the law. If elected, I will work tirelessly to do just that.

(11) Commission Members' Comments:

The Commission commented that Ms. Lewis has an outstanding demeanor and an excellent reputation amongst the Bar. They noted she is an exceptional candidate and is an asset to the South Carolina legal community.

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(12) Conclusion:

The Commission found Ms. Lewis qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 12.

**William Vickery Meetze
Circuit Court, At-Large, Seat 12**

**Commission's Findings: **QUALIFIED,
BUT NOT NOMINATED****

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Meetze meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Meetze was born in 1968. He is 52 years old and a resident of Marion, South Carolina. Mr. Meetze provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Meetze.

Mr. Meetze demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Meetze reported that he has not made any campaign expenditures.

Mr. Meetze testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

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Mr. Meetze testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Meetze to be intelligent and knowledgeable.

Mr. Meetze reported that he has taught the following law-related courses:

I have taught the Law School at Palmetto Boys State for the past eighteen years.

Mr. Meetze reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Meetze did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Meetze did not indicate any evidence of a troubled financial status. Mr. Meetze has handled his financial affairs responsibly.

The Commission also noted that Mr. Meetze was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Meetze reported that he is not rated by any legal rating organization.

Mr. Meetze reported that he has not served in the military.

Mr. Meetze reported that he has never held public office.

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- (6) Physical Health:
Mr. Meetze appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Meetze appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Meetze was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

- (a) Judicial Law Clerk for the Honorable James E. Brogdon, Jr.
During the year that I clerked for Judge Brogdon, he was Chief Administrative Judge in both the Twelfth Judicial Circuit and the Third Judicial Circuit. I was able to research many issues involving both General Sessions and Common Pleas. I was able to see many trials from each branch. Also, Judge Brogdon was assigned two complex litigation civil cases while I clerked for him and that provided valuable experience in dealing with pre-trial matters such as discovery issues and summary judgment motions.
- (b) Assistant Solicitor Sixteenth Judicial Circuit, York County
I prosecuted a variety of criminal cases for just under three years. I handled both felony and misdemeanor cases. Began trying cases early on and served as lead attorney from the start.
- (c) Assistant Public Defender Sixteenth Judicial Circuit, York County
I began my career as a criminal defense lawyer in June of 2002. I worked in that office for a little more than four years. In that job I represented criminal defendants charged with all manner of offenses from misdemeanors to murder cases. I served as lead counsel in many cases and I also helped other lawyers with their cases when necessary. During my time in the Sixteenth Judicial Circuit Public defender Office, we were fortunate to have

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many experienced attorneys to work with and gain experience from.

- (d) Assistant Public Defender Twelfth Judicial Circuit, Florence County
My job responsibilities were the same in the Twelfth Judicial Circuit as they had been in the Sixteenth Judicial Circuit.
- (e) Assistant Public Defender Twelfth Judicial Circuit, Florence & Marion County
In the fall of 2011 my responsibilities expanded to where I worked as a public defender in both counties of the Twelfth Judicial Circuit. That meant more cases, more trials and more time in court in general. It was at that time that was appointed lead counsel on a death penalty case.
- (f) Deputy Public Defender for the Twelfth Judicial Circuit
In August of 2014 I was promoted to Deputy Public Defender for the Twelfth Judicial Circuit. I still have the same kind of case load but have also taken on some administrative duties and working with and advising younger attorneys in our office.

Mr. Meetze further reported regarding his experience with the Circuit Court practice area:

I have been practicing criminal law in General Sessions Court since August of 1999. I was a prosecutor in the Sixteenth Judicial Circuit for a little under three years and during that time I prosecuted individuals charged with non-drug related criminal offenses that carried a penalty of up to fifteen years in prison. In June of 2002 I began work as an Assistant Public Defender in York County. As an Assistant Public Defender I represent indigent defendants charged with anything from lower level misdemeanors all the way up to armed robbery, burglary first degree and murder. In 2006, I was given an opportunity to come back home and work in the Twelfth Judicial Circuit. I accepted a position in the Florence County Public Defender's. In 2011 I expanded my responsibilities by also serving as a public defender for Marion County and I have served both Florence and Marion Counties in that capacity since that time. In 2014 I was promoted to the position of Deputy Public Defender for the

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Twelfth Judicial Circuit and I have served continuously in that capacity for the past six years. I have continued defending indigent defendants charged with all types of offenses; however, I have a much larger concentration of A, B, and C felonies at this point. I have defended people in cases involving all levels of criminal activity including major drug trafficking, criminal sexual conduct and murder.

My civil experience from a practical standpoint has been through my involvement in post-conviction relief matters. As a criminal defense lawyer in a public defender's office I have been involved in a number of those hearings in the past five years. Also, as a trial attorney I am very familiar with the rules of evidence which are applicable to both branches of Circuit Court. Other than that I have taken two viewed two CLE's, one on E-Discovery and the other being the 2016 Tort Law Update. I have also viewed a civil trial from start to finish and have worked hard studying the Rules of Civil Procedure. I have also served as Co-Dean of the law school at Palmetto Boys State for the past eighteen years where the instruction includes civil court matters.

In the past five years I have appeared in Circuit Court before a Circuit Court Judge approximately twenty-six weeks a year.

Mr. Meetze reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: I have not appeared in Federal Court any during the past five years
- (b) State: I have appeared in General Sessions Court at least twenty-six weeks a year for the past five years.

Mr. Meetze reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 0%;
- (b) Criminal: greater than 99%;
- (c) Domestic: less than 1%;
- (d) Other: 0%.

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Mr. Meetze reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 5%;
- (b) Non-jury: 95%.

Mr. Meetze provided that during the past five years he most often served as sole counsel.

The following is Mr. Meetze's account of his five most significant litigated matters:

- (a) *State v. Syllester D. Taylor* (736 S.E. 2d 663, 2013): I handled this case at the trial level. It was trial in absence where I preserved all motions and eventually the conviction was reversed by the Court of Appeals. (694 S.E. 2d 60, 2010) The Supreme Court subsequently reversed the Court of Appeals in the above referenced site. However, even though Mr. Taylor eventually lost his appeal in the Supreme Court by a 3-2 decision, this case is an example of our legal system at work and even though Mr. Taylor was absent from his trial he was represented effectively and was not denied any opportunity or due process of law in spite of his absence.
- (b) *State v. Tavario Brunson*: This was a very high profile case in Florence County that I tried along with another attorney. The evidence against Mr. Brunson was quite overwhelming to include a recorded confession and a positive DNA match. Mr. Brunson was convicted of murder and that result was never really in question. I believe this is an important case because it is an example of our Constitution at work. Mr. Brunson exercised his right to a Jury trial and even though the evidence was overwhelming he was provided an excellent defense and to this day I believe it is one of the most well tried cases that I have had the opportunity to be involved.
- (c) *State v. Montez Barker*: This is a death penalty case in which I was appointed lead counsel. It is important by the nature of the offense and the fact that a man's life was literally on the line. Death Penalty cases take an extreme amount of work and dedication. You are working as a team with another attorney that has been appointed as second chair as well as fact and mitigation investigators not to mention my client's

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family was heavily involved as well. We were able to work hard and in the end were able to spare Mr. Barker's life by negotiating a plea for him where he would not face the death penalty. It takes a lot of work and relationship building to get a capital client to trust you enough to eventually agree that pleading guilty where you will be receiving a life sentence is in his best interest. That is what happened in this case and it is one of the most satisfying results I have ever had in a case.

- (d) *State v. Tyquan Jamar Johnson*: This was a case in Florence County that was tried in December of 2018. Mr. Johnson was charged with murder. This was a case where my client maintained his innocence throughout this process. The State had made what I considered a very favorable offer to Mr. Johnson and I advised him that it would be in his best interest to take the offer. He stood his ground and said he didn't do it and he wouldn't plead guilty to something he didn't do. At trial another attorney in my office made our opening statement and I examined all of the witnesses, did the closing argument and made all motions. Mr. Johnson was found not guilty in the face of an eye witness who identified Mr. Johnson as the shooter. Mr. Johnson's cell phone was recovered within a few feet of the deceased. I knew that I had worked hard on the case and that I was prepared and could try a great case; however, in our humbling business that doesn't guarantee a favorable result. There were no lesser included offenses charged to the jury so it was all or nothing once the jury got the case. The jury returned a verdict of not guilty. I believe this case is significant because it is an example why it is the client's decision as to whether or not to plead or go to trial. Had Mr. Johnson taken my advice, he would be in prison for a considerable length of time. Even when I was advising him that he should take his deal, I also made sure I reiterated that it is his decision and not mine. Many times clients don't stand their ground. Mr. Johnson did and it worked in his favor.
- (e) *State v. Calvin Jermaine Pompey* Unpublished Opinion Number 2015-UP-280:
This was a case where Mr. Pompey was charged with murder in a shooting outside of a night club in Marion, SC.

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There had been an altercation inside the club and Mr. Pompey and the people he came with left and went to their car. An individual from the club who was involved in the altercation ran towards Mr. Pompey's vehicle and appeared to be reaching under his shirt giving the appearance of reaching for a weapon. Mr. Pompey was sitting in the passenger seat but had not had the opportunity to close the door. The deceased began entering the car to attack Mr. Pompey. Mr. Pompey got a handgun out of the glove compartment of the car and fired one shot, killing the individual. I made a motion to dismiss based under the Protection of Persons and Property Act. A hearing was held before The Honorable D. Craig Brown and Judge Brown found that Mr. Pompey was justified in his actions and that the state was barred from prosecuting him pursuant to the act. The state appealed and the Court of Appeals upheld Judge Brown's ruling in the above referenced unpublished opinion.

Mr. Meetze reported he has not personally handled any civil or criminal appeals.

Mr. Meetze further reported the following regarding unsuccessful candidacies:

- (a) Candidate for Twelfth Judicial Circuit Public Defender, January 2008
I was not nominated for the position.
- (b) Candidate for Twelfth Judicial Circuit Public Defender, December 2011
I was not nominated for the position
- (c) Candidate for Judge, Circuit Court At-Large, Seat 16, fall of 2012
Qualified but not nominated.
- (d) Candidate for Judge, Circuit Court At-Large, Seat 9, fall of 2014
Qualified but not nominated.
- (e) Candidate for Judge, Circuit Court, At-Large, Seat 10, fall of 2015
Withdrew.
- (f) Candidate for Judge, Circuit Court At-Large, Seat 1, fall of 2016

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Qualified but not nominated.

- (g) Candidate for Judge, Circuit Court At-Large, Seat 13, fall of 2019

Qualified but not nominated.

(9) Judicial Temperament:

The Commission believes that Mr. Meetze's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualification found Mr. Meetze to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability.

Mr. Meetze is married to Anna Braddock. He does not have any children.

Mr. Meetze reported that he was a member of the following Bar and professional associations:

Public Defender's Association: At-Large Representative 2014-present

Mr. Meetze provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) President: United Methodist Men, First United Methodist Church, Marion, SC.

(b) Member: Finance Committee, First United Methodist Church, Marion, SC.

Mr. Meetze further reported:

I grew up in a very supportive family and was fortunate to associate myself with friends that served as very positive influences. These influences from my friends and family played a significant role in shaping me as a person. They have taught me patience, respect and have instilled in me a tremendous work ethic. Most important, these influences and role models from my parents and family as well as friends both inside and out of the legal profession, taught me how to treat people. I have always believed that the best judges

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are the ones that treat people with respect and display the proper temperament for the job. I truly believe that these are the qualities that best lend themselves to effective judicial service. If I were to be elected, I would be the kind of judge that worked hard, made decisions on a timely basis and treat everyone that either appeared before me or worked in the court system with the respect they all deserve.

(11) Commission Members' Comments:

The Commission noted that Mr. Meetze presented as extremely intelligent with an excellent temperament and a wealth of trial experience.

(12) Conclusion:

The Commission found Mr. Meetze qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

**David W. Miller
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Miller meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Miller was born in 1972. He is 48 years old and a resident of Aiken, South Carolina. Mr. Miller provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Miller.

Mr. Miller demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to

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judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Miller reported that he has not made any campaign expenditures.

Mr. Miller testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Miller testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Miller to be intelligent and knowledgeable.

Mr. Miller reported that he has taught the following law-related courses:

- (a) I have lectured at the S.C. Prosecution Commission's Prosecution Boot Camp each year since 2012. At the Boot Camps, Senior Assistant and Deputy Solicitors are given specific topics to cover during instructional periods and all instructors participate in discussion and performance workshops. Instructors critique students on their performances with assigned fact patterns and lead group discussions. I taught the following individual classes to the participants over the years listed: Hearsay (2013, 2014, 2015) Sentencing Fundamentals (2013, 2014), Guilty Pleas: Negotiations, Agreements and Procedure (2016, 2017, 2018).
- (b) I made two presentations for the S.C. Bar's pro bono project, Legal Lessons: A series for the Public in 2012. The Legal Lessons series was a program to introduce members of the public to specific areas of the law by providing classes taught by lawyers with experience in

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that practice area. The courses were scheduled at the local technical college over the course of several consecutive weeks and included a one hour class on each subject along with a question-and-answer period afterward. I presented an “Overview of the South Carolina State Courts” (09/17/2012) and “Criminal Law” (10/29/2012).

- (c) I have lectured at the S.C. Solicitor’s Association Annual Conference since 2017. I have conducted classes covering several evidence-related topics. In 2017, I presented a lecture titled “Obtaining Evidence Lawfully” that focused on unusual or technical situations where prosecutors are called upon to obtain evidence in cases using specific types of court orders. This lecture was presented in coordination with Senior Deputy Attorney General Don Zelenka, who presented a companion lecture titled “Getting and Using Evidence- Problems, trends, and the Appellate Courts”. In 2018, I presented a lecture titled “Investigating and Prosecuting Animal Abuse Cases” that focused on the unique aspects of investigating and prosecution of animal abuse cases including societal attitudes that impact presentation of evidence to juries and the impact of social media and public outcry on courts’ sentencing. I also presented a “follow-up” to the 2017 lecture called “Using Search Warrants, Subpoenas, and Court Orders”. This lecture discussed the appropriate use of search warrants and court orders to obtain evidence in criminal prosecutions, focusing on ethical and procedural concerns and how those concerns impact communication with law enforcement agencies.
- (d) Following my lecture at the SCSA Annual Conference, I was invited to be a guest facilitator for a workshop on Investigating and Prosecuting Animal Abuse cases at the Southeast Animal Alliance Annual Conference in Augusta, Georgia. The workshop took law enforcement personnel through the process of investigating and documenting a complaint to testifying at trial, where I served alternately as the prosecutor and the defense attorney for various witnesses.

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- (e) In 2019, I was a co-presenter in a two hour block of training focused on issues concerning animal cruelty for the South Carolina Summary Court Judges' annual training.

Mr. Miller reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Miller did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Miller did not indicate any evidence of a troubled financial status. Mr. Miller has handled his financial affairs responsibly.

The Commission also noted that Mr. Miller was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Miller reported that his rating by a legal rating organization, Martindale-Hubbell, is A/V.

Mr. Miller reported the following military service:
1991-95 U.S. Marine Corps Active Duty, Corporal, Honorable Discharge
1995-96 SMC Reserve, Corporal, Honorable Discharge

Mr. Miller reported that he has never held public office.

(6) Physical Health:

Mr. Miller appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Miller appears to be mentally capable of performing the duties of the office he seeks.

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(8) Experience:

Mr. Miller was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) 2001-2002 Law Clerk for The Honorable Rodney A. Peebles
- (b) 2002-2004 Robert J. Harte, P.C. - Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants.
- (c) 2004-2009 Smith, Massey, Brodie, Guynn & Mayes, P.C. - Associate attorney involved in general litigation matters representing plaintiffs and criminal and civil defendants.
- (d) 2009-2013 Office of the Solicitor, 2nd Judicial Circuit - Assistant Solicitor prosecuting felonies and misdemeanors in the General Sessions and Magistrate courts, and handling appeals from magistrate and municipal courts.
- (e) 2013-2015 Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Aiken County prosecuting felonies and misdemeanors in General Sessions, coordinating prosecution/docket management for Aiken County, and working special Information Technology projects for the Office. In this position my administrative tasks included management of staff and oversight of dockets for individual court terms.
- (f) 2015-Present Office of the Solicitor, 2nd Judicial Circuit - Deputy Solicitor for Barnwell and Bamberg Counties prosecuting felonies and misdemeanors in the General Sessions and Magistrate courts, continuing to work as needed on cases in Aiken County, and continuing implementation of technology initiatives throughout the Second Judicial Circuit. Administrative duties in this position increased to include input with the elected Solicitor on office personnel, budgetary needs, equipment and space issues, preparation of performance appraisals of employees, complete management of criminal dockets in both counties, and coordination of terms of court with incoming judges and other court personnel. Additionally, I coordinate training for law

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enforcement personnel throughout the circuit and in other jurisdictions while continuing to train other lawyers under my supervision.

Mr. Miller further reported regarding his experience with the Circuit Court practice area:

My first job as a member of the South Carolina Bar was working as a law clerk for The Honorable Rodney A. Peeples. I then practiced as a private attorney for seven years before becoming an Assistant Solicitor and, later, a Deputy Solicitor in charge of two counties in our circuit. Through this experience, I have handled many different types of cases, both civil and criminal. Before joining the Solicitor's Office, I defended numerous criminal cases involving defendants charged with everything from murder and criminal sexual conduct to Driving Under the Influence. Additionally, I represented both plaintiffs and defendants in civil matters while in private practice. As an associate attorney in a medium sized firm, I handled diverse civil litigation matters ranging from personal injury cases to contract disputes in Common Pleas and Magistrate courts. I was personally involved in the litigation involving the Estate of James Brown before leaving private practice. My civil practice was necessarily diverse because of my firm's limited market. Our firm did not advertise for personal injury cases, and most of the civil matters I handled were taken on an hourly fee basis. I handled contract disputes between businesses, land disputes and nuisance claims, will contests, mechanic's lien cases, and condemnation claims. I was also occasionally appointed by the Circuit Court as a Special Referee to hear non-jury civil claims. I have prosecuted hundreds of cases as an Assistant, and now Deputy Solicitor, in the Second Judicial Circuit. Many of these cases were violent felonies including multi-defendant armed robbery cases, murders and home invasions. In the past five years, I have practiced exclusively in criminal court. During that time I have handled over one thousand cases, including several jury trials. In those cases, and cases that resulted in resolutions prior to trial, I have dealt with motions to suppress evidence, *Neil v. Biggers* hearings, *Jackson v. Denno* hearings, motions in limine, as well as other motions. I have been responsible for presenting expert witness testimony and have been called upon

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to cross examine expert witnesses called by the defense. I have frequently been asked to draft Orders for the Court following rulings on complex factual or legal issues.

My experience as a criminal defense attorney has shaped the way I prosecute cases throughout my career as a prosecutor. Lengthy, sometimes life-long, prison sentences can be necessary to protect society from a particular person, but those situations are, fortunately, extremely rare. I pride myself in my ability to work with the defense bar and judges to come up with fair and just resolutions to cases. I also take pride in my reputation as a capable trial attorney if a resolution cannot be reached.

Mr. Miller reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: 0%
- (b) State: 100%

Mr. Miller reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 1% (Post-Conviction Relief Actions)
- (b) Criminal: 84%
- (c) Domestic: 0%
- (d) Other: 15% (Administrative)

Mr. Miller reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 80%
- (b) Non-jury: 20%

Mr. Miller provided that during the past five years he most often served as lead counsel:

I most often serve as chief counsel in jury trials in Barnwell and Bamberg Counties, but have also frequently appeared as associate counsel when one of the junior lawyers under my supervision is trying a case.

The following is Mr. Miller's account of his five most significant litigated matters:

- (a) *David Mark Hill v. State of SC*, 377 S.C. 462, 661 S.E.2d 92 (2008). This case was a Capital PCR where the Petitioner

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ultimately waived his rights to appeal and was put to death. This case is significant to me for many reasons. It was the first, and only, time I argued a case before the South Carolina Supreme Court. I was criticized for helping Hill waive his appeals and proceed with imposition of the death sentence by other lawyers that handled capital litigation. Although I disagreed with Hill's decision to waive his appeals, I had no doubt Hill was competent to make that decision, so I was obligated to assist him seeking the waiver. But the most impactful thing about the case was that my client requested that I be one of his witnesses when the sentence was carried out, so I ultimately watched my client be put to death on June 6, 2008.

- (b) *State of SC v. Honorio Gurrero*, 382 S.C. 620, 677 S.E.2d 603. This was an extremely complex case logistically because it involved four defendants (none of whom spoke English) and four different defense attorneys. All of the defendants were tried together. This case is also significant to me because it was the first criminal case I ever defended in General Sessions Court. It was also the first case that I had overturned on appeal when the South Carolina Supreme Court agreed with me that a directed verdict in favor of my client should have been granted at the close of the State's case.
- (c) *State of SC v. Michael Paul Buckmon*. Michael Paul Buckmon and Matthew Bolen sexually assaulted and killed Donna Dempsey in Barnwell County on November 1, 2013. Her home was set on fire in an attempt to conceal the sexual assault and subsequent burglary of the residence. The SLED investigation of the crime spanned from Allendale County to Pickens County and resulted in a nearly 800 page investigative report. The SLED arson investigator and several SLED analysts were qualified as experts in the case and offered testimony concerning the evidence collected during the investigation. There were very few lay witnesses in the case because many people were fearful of Buckmon. He had previously been convicted of murder and sentenced to life but later had his conviction overturned by the Supreme Court. The case was very difficult to organize and present to the jury in a logical fashion because of the sheer volume of evidence to be presented. Buckmon was

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convicted of murder, arson in the first degree, and criminal sexual conduct in the first degree at trial and sentenced to life.

- (d) *State of SC v. Leon Amos Jason James*. This was a multi-defendant armed robbery in Bamberg County. I tried the case against two of the most respected lawyers in Bamberg and was able to obtain a conviction on all charges. The Defendant was sentenced to life pursuant to S.C. Code §17-25-45 because he had prior convictions for armed robbery. I also convicted one of the co-defendants in a separate trial. He was given a life sentence because he had several prior armed robbery convictions. The third co-defendant in the case pled guilty but did not testify in either trial for the State.
- (e) *State of SC v. Demetrius Boyd*. This was a home invasion case where I was appointed to represent the Defendant. He was charged with Burglary 1st Degree, Kidnapping, and Assault and Battery with Intent to Kill. The case is significant to me because the Defendant was one of the most difficult criminal defendants I ever represented, but I was convinced he was not guilty of the crimes he was charged with. Less than two weeks before the trial, I received the State's notice of intent to seek life without parole. We tried the case and the jury found the defendant not guilty on all charges.

The following is Mr. Miller's account of the civil appeal he has personally handled:

David Mark Hill v. State of SC, 377 S.C. 462, 661 S.E.2d 92 (2008). South Carolina Supreme Court, April 28, 2008.

Mr. Miller reported that he has not personally handled any criminal appeals.

Mr. Miller further reported the following regarding unsuccessful candidacies:

I was a candidate for Circuit Judge, At-Large Seat 14, in the Fall of 2012. I was found to be qualified but not nominated by the Judicial Merit Selection Commission.

I was a candidate for Circuit Judge, At-Large Seat 1, in the Fall of 2016. I withdrew from the race before the Judicial Merit Selection Commission reported on my candidacy.

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I was a candidate for Resident Circuit Court Judge for the Second Judicial Circuit, Seat 1, in the Spring of 2019. I withdrew from the race after being found qualified and nominated by the Judicial Merit Selection Commission.

(9) Judicial Temperament:

The Commission believes that Mr. Miller's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Mr. Miller to be "Well-Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament; and "Qualified in the evaluative criteria of constitutional qualifications, physical health, and mental stability. The Committee stated in its summary statement, "Mr. Miller has excellent qualifications based on vast experience."

Mr. Miller is married to Christian Morton Miller. He has two children.

Mr. Miller reported that he was a member of the following bar and professional associations:

- (a) South Carolina Bar 2001 - Present;
- (b) Aiken County Bar, 2001 - Present, President 2004-06;
- (c) South Carolina Trial Lawyer's Association, 2001 - 2008, Member, Board of Governors 2005-08;
- (d) South Carolina Association for Justice, 2014-Present (Public Sector Member)

Mr. Miller provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

2020 Ernest F. Hollings Award for Excellence in State Prosecution in General Sessions Court.

Mr. Miller further reported:

There are several moments in my career that have helped shape who I am. In 2006, I was appointed lead counsel on the Post-Conviction Relief Application for David Mark Hill, who was sentenced to death after he murdered three people in

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Aiken County in 1996. Ultimately, Hill decided to waive his appeals and asked that his death sentence be imposed. Following our appearance on the case before the South Carolina Supreme Court, Hill asked that I be present as his witness at his execution. I spent the last twelve hours of David Hill's life with him in a small cell at the Capital Punishment Facility of the South Carolina Department of Corrections. I witnessed his execution that evening.

In November of 2008, Strom Thurmond was elected Solicitor of the Second Judicial Circuit. In late December, he asked me to become an Assistant Solicitor for his office. It was a difficult decision for me because I had gotten married just a few weeks after his election. In less than ninety days, I went from a single, relatively successful private attorney living in a rented townhouse, to a married Assistant Solicitor living in my first home with my new wife and two children. In retrospect, there is no question I made the right decision when I joined Solicitor Thurmond's staff. Working as an Assistant Solicitor allowed me to be in the courtroom where I always dreamed I'd be. In addition to my prosecutorial duties, I was allowed to work with new attorneys in the office and formally mentor several of our lawyers through the SC Bar's lawyer mentoring program.

In December of 2011, Aiken Department of Public Safety Master Public Safety Officer Edward Scott Richardson was shot and killed by Stephon Carter. Two months later, Aiken Department of Public Safety Master Corporal Sandra Rodgers was shot and killed by Joshua Jones. These murders devastated our community. Solicitor Thurmond assigned me as the lead counsel in the Stephon Carter case and assigned Deputy Solicitor Beth Ann Young as the lead counsel in the Joshua Jones case. In November of 2012, Solicitor Thurmond determined our office would seek the death penalty against Stephon Carter.

For the next two and a half years, I was the lead attorney dealing with all matters involved in the case. Ultimately, we offered a plea agreement to Carter that would require him to spend life in prison without the possibility of parole. The decision to make the plea offer, and the defense's decision to accept the offer, was only possible because of the countless

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hours spent working the case and communicating with the officers at ADPS and family members of Officer Richardson.

During my time as an Assistant Solicitor and now as a Deputy Solicitor, I have taken on more administrative functions. Since May of 2015, I have been in charge of our “lowcountry” offices in Barnwell and Bamberg Counties. I have developed strong relationships with the defense bar, court personnel, and law enforcement agencies there. I have also managed the criminal dockets in both counties. For several months now, Barnwell and Bamberg have been two of only a handful of counties in South Carolina that meet the Supreme Court’s mandate that at least 80% of the pending cases are less than a year old.

When I ran for Circuit Court Judge previously, I was asked many questions about my tenure as the law clerk for Judge Rodney Peeples. Judge Peeples was an incredible judge and remains an amazing person. I continue to love and respect him; he is like a father to me, as he is for all of his former clerks. He had a style that was not unique when he came to the bench, but the world changed a lot in the three decades on the bench. Unfortunately, he did not always change the way he did things with the times. As much as I love and respect him, I would have a different demeanor on the bench. Academically, Judge Peeples had few equals. Some of the most influential and ground-breaking cases in South Carolina over the last half century have his name attached to them. In my experience, he dispassionately applied the facts to the law, and when the result wasn’t fair, he said so, but he still followed the law. Occasionally, that resulted in the law changing, but his decision was going to be based on the law and the facts of the case as he understood them. This is the influence I hope Judge Peeples would have on me as judge. I know that I will be faced with tough decisions, but I will always do what I believe the law requires, even if I am not happy about the result. Judges should apply the law, not seek to change it.

Many other Judges have influenced the demeanor I would hope to have on the bench and are a model for judges. For example, Judge Thomas W. Cooper of Manning is the ultimate “lawyer’s judge” to me. He commands control of the courtroom

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without anger or intimidation. He is fair to all litigants, and their lawyers. He makes informed, timely decisions without unnecessarily commenting on the matters before him. He is kind and courteous, and that civility extends from him to the opposing parties in the courtroom. As I have worked as a solicitor, and before in private practice, I have had the opportunity to appear before dozens of circuit court judges. The best of them have similarities that I have noticed and hope to emulate. Of particular note is the judicial demeanor of Judge William Keesley, Judge Clifton Newman, Judge Early and Judge Casey Manning. Each of them, in their own way, display the best of judicial demeanor and temperament and watching them has prepared me for the challenge of becoming a circuit court judge.

My desire to ascend to the Circuit Court bench is driven by my desire to improve the judicial system in South Carolina. I have learned and always tried to emulate the best attributes of the lawyers and judges I have known. Being a solicitor has allowed me a great opportunity to observe many judges in the courtroom. In each judge, I looked for the things they did that I would want to do if I was in their position. I feel I am ready to take on that challenge, and to become an example to the lawyers that will follow in my footsteps. My desire to be a Circuit Court Judge is not “the next step”, it is the culmination of the career of a trial attorney. That certainly does not mean I don’t have room to grow, just that I have never been and do not seek to be an appellate lawyer or judge. I want to be the best circuit court judge in South Carolina.

(11) Commsion Members’ Comments:

The Commission commented that Mr. Miller was an exceptional attorney and was known in his position as deputy solicitor to be approachable, diligent and fair.

(12) Conclusion:

The Commission found Mr. Miller qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

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**Franklin G. Shuler Jr.
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Mr. Shuler meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Shuler was born in 1955. He is 65 years old and a resident of Columbia, South Carolina. Mr. Shuler provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1986. He was also admitted to the Alabama Bar in 1983, and the Florida Bar in 1984.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Shuler.

Mr. Shuler demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Shuler reported that he has made \$1,781 in campaign expenditures for fingerprints, stationary, envelopes, stamps, photography, post cards, CLE fees, and 2 SC Bar books on Criminal law.

Mr. Shuler testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

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Mr. Shuler testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Shuler to be intelligent and knowledgeable.

Mr. Shuler reported that he has taught the following law-related courses:

I have made numerous presentations on employment, ethics and mediation related topics on the local, state and national basis. This is not a complete list, as I stopped keeping track of all the seminars and programs I taught. It does not include the occasions I spoke to business classes at USC about harassment and non-discrimination.

- (a) Stress, Mental Disorder and Other Invisible Disabilities: What You Don't See Can Hurt You, February 10, 1998, Council On Education in Management ("COEM");
- (b) Employee Handbooks March 6, 1998, National Business Institute;
- (c) Employers Alert! Negotiating the Hidden Hazards of Employee in the Contingent Workforce, August 19, 1998, COEM;
- (d) State and Federal Employment Laws, November 11, 1998, SC Primary Care Association;
- (e) From Mental Disabilities to Managed Diseases – Measuring The Impact of Invisible Disabilities in the Workplace, December 1, 1998, COEM;
- (f) 1999 Mid-Year SC Bar Meeting, Employment & Labor Law Section, Program Moderator;
- (g) Avoiding the Emergence of Common Exempt/Non-Exempt Classification Mistakes that Will Leave You Exposed to Back Pay and Overtime Liability, February 2, 1999, COEM;
- (h) How to Manage the Cross-Over of FMLA, ADA and Workers' Comp to Maintain a Productive, Non-Litigious Work Force April 8, 1999, COEM;
- (i) Effective Use of Alternative Dispute Resolution in Resolving Discrimination, May 5, 1999, SC Chamber of Commerce;

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- (j) SC Labor and Employment Law, Title VII – Sex Discrimination, June 25, 1999, SC Bar;
- (k) Mastering the Big Three Overlap: Effectively Managing ADA, Workers’ Comp and FMLA, August 30, 1999, COEM;
- (l) Program Moderator, 15th Annual NC/SC Labor & Employment Law Seminar October 1999, SC Bar;
- (m) Program Chair and Moderator, Defense Research Institute’s (DRI) 24th Annual Employment Law Seminar May 5, 2000;
- (n) Emerging Trends in the FLSA After *Alden v. Maine*, May 5, 2000, DRI;
- (o) Avoid the Most Common and Surprising Legal Pitfalls in Your Reference Checking Practice, June 14, 2000, COEM;
- (p) Employment Laws: A Primer for Municipal Attorneys, December 1, 2000, Municipal Association of SC;
- (q) Exempt or Non-Exempt: Why Is the FLSA So Confusing and Legally Devastating if Your Classification is Wrong, September 17, 2001, COEM;
- (r) Ethics of Mediation, Arbitration & Negotiation, Employment Law Section of the SC Bar November 30, 2001, SC Bar;
- (s) The Very Basics of Labor and Employment Law, October 21, 2002, South Carolina Workers’ Compensation Educational Association;
- (t) The Very Basics of Employment Policies, October 25, 2002, S.C. Library Association/Southeastern Library Association Conference;
- (u) Emerging Trends Under the Fair Labors Standards Act, April 29, 2004, Defense Research Institute – Chicago, IL (1 hour);
- (w) Employment Laws: A Primer for Municipal Attorneys, December 2, 2005, Municipal Association of SC;
- (x) Employment Law Update – What is New That Affects You, April 19, 2007, Columbia Society for Human Resources Management (1 hour);
- (y) The Nuts, Bolts, Screws and Washers of Employment Law, November 3, 2007, 23rd Annual NC/SC Labor & Employment Law Seminar;

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- (z) ERISA Remedies and Mediation February 25, 2008, Litigating ERISA Claims, NBI (1 hour);
- (aa) The Nuts, Bolts, Screws and Washers of Employment Law Redux, May 21, 2008, Recent Developments in Employment and Labor Law, SC Bar (1 hour);
- (bb) The Employment Law Generalist – Navigating a Panoply of Laws, April 30, 2009, DRI Employment Law Seminar, DRI (45 minutes);
- (cc) Employment Law Update: Part 1: A Review of Significant Case Law from U.S. Supreme Court and U.S. Court of Appeals (2010-2011), ExecuSummit, Sept. 20, 2011;
- (dd) Harassment and Discrimination 101, USC business law class invited lecturer (3 times);
- (ee) Winning at Mediation, July 24, 2015, SCDTAA;
- (ff) A Pirate’s Parlay: What is New in Employment Law in 2017, moderator, 48th Annual SE RIMS Conference (September 21, 2017);
- (gg) Mediation, Settlement Agreements and Separation Agreements, July 27, 2018, Employment Law Essentials Program, SC Bar;
- (hh) Mediation, Settlement Agreements and Separation Agreements, August 16, 2019, Employment Law Essentials Program, SC Bar.

Mr. Shuler reported that he has published the following:

- (a) “Book Review: *Effective Legal Negotiations and Settlement* by Charles B. Craver,” 9 Am. J. Trial Advocacy 497 (1986);
- (b) *Employment Discrimination and Other Employment-Related Claims after Burke: When Are Amounts Received Taxable?* 9 The Labor Lawyer 189 (1993);
- (c) “Burke Revisited: Taxation of Employment Related Damages,” 4 South Carolina Lawyer 23 (March/April 1993);
- (d) *The Family and Medical Leave Act of 1993: The First Two Years*, 7 The South Carolina Policy Forum 34 (1996);
- (e) *Model Employee Policies for South Carolina Employers* (S.C. Chamber of Commerce 1996) (eight editions before becoming an online publication);
- (f) Contributing Author, *Labor and Employment Law for South Carolina Lawyers* (S.C. Bar 2007) (all five editions);

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- (g) Contributing Author, *Jury Instructions for Employment Defense Litigators* (DRI 2007);
- (h) *Privacy Interests in Employment After Quon*, For The Defense 61 (June 2011) (co-authored with Michelle Clayton).

(4) Character:

The Commission's investigation of Mr. Shuler did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Shuler did not indicate any evidence of a troubled financial status. Mr. Shuler has handled his financial affairs responsibly.

The Commission also noted that Mr. Shuler was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Shuler reported that his rating by a legal rating organization, Martindale-Hubbell, is AV.

Mr. Shuler reported being listed by the following legal rating organizations as follows:

- (a) 2014 Distinguished Lawyer Award, South Carolina Bar, Employment and Labor Law Section;
- (b) South Carolina Supreme Court, Certified Specialist, Employment and Labor Law, 1992-present;
- (c) South Carolina Supreme Court, Certified Mediator, 1999-present
- (e) South Carolina Super Lawyers, Employment Law, 2008-2020;
- (f) Best Lawyers in America, Alternative Dispute Resolution, 2008-2016;
- (g) Best Lawyers in America, Mediation, 2017-2020;
- (h) Best Lawyers in America, Litigation: Labor and Employment, 2017-2020;
- (i) Best Lawyers in America, Litigation: ERISA, 2017-2020;

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- (j) Best Lawyers in America, Employee Benefits (ERISA) Law, 2014-2020;
- (k) Best Lawyers in America, 2005-2020;
- (l) Best Lawyers' 2020 Columbia, SC Employee Benefits (ERISA) Law "Lawyer of the Year";
- (m) Best Lawyers' 2019 Columbia, SC Mediation "Lawyer of the Year";
- (n) Best Lawyers' 2018 Columbia, SC Employment Law - Management "Lawyer of the Year";
- (o) Best Lawyers' 2017 Columbia, SC Litigation - Labor and Employment "Lawyer of the Year";
- (p) Best Lawyers' 2016 Columbia, SC Litigation - ERISA "Lawyer of the Year";
- (q) Best Lawyers' 2015 Columbia, SC Employee Benefits (ERISA) Law "Lawyer of the Year";
- (r) Chambers USA: America's Leading Lawyers for Business, Employment Law, 2007, 2012-2019.

Mr. Shuler reported the following military service:
3/22/77 – 9/29/80 (active duty); 9/30/80 – 10/23/86 (Individual Ready Reserve) United States Marine Corps; Captain; Honorable. See attached Appendix A.

Mr. Shuler reported that he has never held public office.

- (6) Physical Health:
Mr. Shuler appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Shuler appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Shuler was admitted to the South Carolina Bar in 1986. He was also admitted to the Alabama Bar in 1983 and the Florida Bar in 1984.

He gave the following account of his legal experience since graduation from law school:

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- (a) Brown, Hudgens, Richardson, Whitfield & Gillion –
Mobile, Alabama
Associate in a 20-person defense litigation firm. Duties included all aspects of a civil litigation practice including trial and appellate work in state and federal court. Practice included insurance contract interpretation, property/arson litigation, and automobile accidents. (January 1983 to June 1984).
- (b) Cooper, Mitch, Crawford, Kuykendall & Whatley –
Birmingham, Alabama
Associate and then Partner in 13-person labor and employment law firm that primarily represented employees and unions. Involved in all aspects of a litigation practice including handling matters: in state and federal court; bankruptcy court; before the NLRB; and in arbitration. Primary practice areas: NLRA, LMRA, LMRDA, ADEA, FLSA, ERISA and Title VII. (June 1984 to December 1991).
- (c) Quinn, Arndt, Patterson & McIntosh – Columbia, South Carolina
Associate in small general litigation firm. Primarily worked on matters I brought with me including two class action ERISA retiree benefits cases in which I represented the retiree class. Other litigation of note included defending large class action environmental case and obtaining defense verdict (second chair) in a case involving alleged negligent reference check. (January 2, 1992 to May 14, 1993).
- (d) Turner, Padget, Graham & Laney, P.A. – Columbia, South Carolina
Associate then Shareholder in the Columbia office of approximately 80 lawyer firm. General employment law counseling to a wide range of employers. Litigation and counseling practice representing employers in state and federal courts in employment related matters and actions based on state law claims of retaliatory discharge, breach of a handbook and breach of a covenant not to compete. I was hired to develop an employment practice. During the period I was developing the practice, I handled foreclosures, collections, bankruptcies and other cases arising from the debtor/creditor relationship. Handled a number of insurance (life/disability/accidental death & dismemberment) cases. Served as outside counsel for an institution of higher

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education and a charter school. Have mediated close to 600 cases. Member, Management Committee, 1998–2001; Team Leader, 1996–2003; employment counsel the majority of the time for the firm, which was from May 17, 1993 to present. I have the authority to sign on all accounts, including trust accounts; however, the firm’s CFO actually handles the management of the accounts.

Mr. Shuler further reported regarding his experience with the Circuit Court practice area:

I have handled two criminal cases in my career: (1) an assault & battery claim arising out of a workplace incident that was tried before a jury in Allendale Summary Court on August 13, 1997, which resulted in a defense verdict; (2) a criminal contempt proceeding in Tennessee state trial court in the early 1990s. The issue arose from the alleged violation of an injunction arising from picketing. I cannot tell you the parties or court 30 years later. I do remember I got a defense verdict. My only other “criminal” experience arises in the context of civil matters, Post-Conviction Relief (PCR). I have handled at least five court-appointed PCRs, all of which “tried,” and at least one of which we took depositions and sought certiorari with the South Carolina Supreme Court. See *Kinard v. Battle*, No. 5:14-4391-BHH, 2016 U.S. Dist. LEXIS 35494 (D.S.C. Jan. 28, 2016), report and recommendation adopted, 2016 U.S. Dist. LEXIS 33617 (Mar. 16, 2016), appeal dismissed by, certificate of appealability denied, 2016 U.S. App. LEXIS 20615 (4th Cir. S.C., Nov. 17, 2016) (discussing the underlying issues in the PCR case in the context of a habeas corpus proceeding). All required me to learn criminal law to effectively represent my client.

As should be clear from any review of my PDQ, I am a labor and employment lawyer by trade since 1984; however, civil litigation has always been at the center of my practice over the years although the form has changed over time. As a central part of my litigation practice, I have written innumerable briefs. Although I attended USC Law School for only one summer semester, I had the good fortune to have Professor Thomas Haggard for a writing credit. I learned more in that course that

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has helped me during my career than any other course I took in law school. I pride myself in my ability to research and write.

My first associate position was with an insurance defense firm in Mobile, Alabama. During the year with the firm, I was able to second chair three federal court jury trials. I also tried my first solo jury trial, as well several bench trials in disputes under \$5000.

While practicing with Cooper, Mitch in Alabama from June 1984 through December 1991, I represented plaintiffs, unions, and employees. This particular position presented a unique opportunity because the firm split after I accepted the job, but before I started. I was thrust into a federal court trial practice with only one year of experience. The first case I ever tried in South Carolina – before I ever moved here – was a four-day jury trial in federal court where I was lead counsel for the defendant union. See *Smith v. Local 7898, United Steelworkers of America*, 834 F.2d 93 (4th Cir. 1987). I tried 30+ arbitrations along with several jury and non-jury trials in Alabama, Tennessee, South Carolina, and Virginia during this period, not to mention trying untold cases before the NLRB and handling more injunction hearings than I care to remember. Because of the economic downturn in the 1980s, I even tried two employment-related cases in Bankruptcy Court, one in Tennessee and the other in Texas. I argued cases in the Alabama Supreme Court, and briefed or argued cases in the Fourth, Sixth and Eleventh Circuit Courts of Appeal during this period.

Since moving to my present firm in 1993, my practice has primarily included the representation of defendants/employers. Most employment cases result in either summary judgment or settlement. This, and the fact that most cases today are subject to mandatory mediation, has limited my opportunities to try cases recently.

I have handled every kind of employment case imaginable although my present practice consists of approximately 50% ERISA cases, which are non-jury and are resolved by way of cross-briefs if not settled. Additionally, over the years I have routinely practiced in other areas of the law (unfair trade

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practices, bankruptcy, commercial litigation, debt collection and foreclosure, arson, director and officer liability, public entities).

Mr. Shuler reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: I have very few actual court appearances in the last five years. I have filed answers in more than 240 cases in the last five years, all of which were resolved by settlement (most) or motion. I can think of only three actual appearance in court for a hearing, one of which was for jury selection. That case settled on the courthouse steps. The last case I tried was in December 2014. Over the course of my career I have had more than 10 but less than 20 federal court jury trials.
- (b) State: I have not tried any cases in State Court within the last five years. Most of my appearances during this period have been related to motion hearings, of which there have probably been more than 10 but not 20. Quite frankly, the last time I tried a state court jury trial was in 2004. I have tried non-jury matters but mostly these were in family court for TPR See SCDSS v. Sarah W., 402 S.C. 324, 721 S.E.2d 739 (2013), cert. denied, 571 U.S. __ (October 7, 2013)) or PCR in Circuit Court. As with my federal court employment practice, most cases settled.

Mr. Shuler reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 85%;
(b) Criminal: 0%;
(c) Domestic: 0%;
(d) Other: 15%.

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Mr. Shuler reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 25%;
- (b) Non-jury: 75%.

Mr. Shuler provided that during the past five years, he most often served as lead counsel.

The following is Mr. Shuler's account of his five most significant litigated matters:

- (a) *SCDSS v. Sarah W.*, 402 S.C. 324, 721 S.E.2d 739 (2013), cert. denied, 571 U.S. ___ (October 7, 2013). This was a court-appointed termination of parental rights case. I argued whether section 63-7-2570(8) of the South Carolina Code is unconstitutional when it is the only basis for the termination of parental rights. I lost 3-2 at the South Carolina Supreme Court. I felt that my client should not lose her parental rights solely based on the passage of time and, therefore, unsuccessfully sought certiorari at the United States Supreme Court.
- (b) *Armistead v. Vernitron Corp.*, 944 F.2d 1287 (6th Cir. 1991) I was able to obtain lifetime insurance benefits for a class of retirees. The case has been cited 350 times. Issues included the application of equitable estoppel in the context of a collective bargaining agreement (union contract) and ERISA benefit plan, admission of extrinsic evidence, reformation, and the standard for awarding attorney's fees in an ERISA cases. The case was mentioned by the Supreme Court in *M&G Polymers, USA, LLC v. Tackett*, 574 U.S. 427 (2015).
- (c) *MacPherson v. University of Montevallo*, 922 F.2d 766 (11th Cir. 1991). This addressed the issue of disparate impact in ADEA cases, which at the time was a novel theory. Ultimately, the issue was resolved in *Smith v. City of Jackson*, 544 U.S. 228 (2005), which noted the MacPherson decision in both the majority and concurring opinions. Also, this case addressed the concept of market forces as an explanation for wage discrepancy.
- (d) *Carbis v. Transbulk System, et al.*, not reported (2004, tried in Richland County Circuit Court). I was able to obtain defense verdict in less than 30 minutes after a four-day trial.

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Claims pled against my clients were civil conspiracy, breach of fiduciary duty, misappropriation of trade secrets, breach of contract accompanied by fraudulent act, and tortious interference with contract.

- (e) Case name unknown. Case was tried in November 1988. It was tried in the Eastern District of Virginia a/k/a the Rocket Docket. It taught me about trial prep, organization for trial, and the use of exhibits. The methods I learned over 30 years ago I still use today although with the advent of courtroom technology some of it no longer applies. I obtained a directed verdict for my client. I remember the time and place of the case if not the name because while I was trying the case my wife learned she was pregnant.

The following is Mr. Shuler's account of five civil appeals he has personally handled:

- (a) *SCDSS v. Sarah W.*, 402 S.C. 324, 721 S.E.2d 739 (2013), cert. denied, 571 U.S. __ (October 7, 2013);
- (b) *Armistead v. Vernitron Corp.*, 944 F.2d 1287 (6th Cir. 1991) (I tried the case and assisted on briefs in the Circuit Court);
- (c) *Smith v. Local 7898, United Steelworkers of America*, 834 F.2d 93 (4th Cir. 1987) (I tried the case and assisted on briefs in the Circuit Court);
- (d) *Heaitley v. Brittingham, Dial & Jeffcoat*, 320 S.C. 466, 465 S.E.2d 763 (Ct. App. 1996), cert. dismissed as improvidently granted, 328 S.C. 23, 494 S.E.2d 429 (1997);
- (e) *Lewis v. Trustmark Ins. Co.*, 1999 U.S. App. Lexis 15746 (4th Cir. July 12, 1999).

Mr. Shuler reported that he has not personally handled any criminal appeals.

Mr. Shuler further reported the following regarding unsuccessful candidacies:

I have been a candidate for a United States Magistrate Judge for the District of South Carolina (2008, 2010, 2014, 2019). I have been selected for the interview (usually limited to 10) on three occasions but not selected.

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- (9) Judicial Temperament:
The Commission believes that Mr. Shuler's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Mr. Shuler to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, and reputation; and "Qualified" in the evaluative criteria of constitutional qualifications, physical health, mental stability, judicial temperament, and experience. The Committee noted, "Well qualified but lacking in criminal experiences."

Mr. Shuler is married to Jane Opitz Shuler. He has one child.

Mr. Shuler reported that he was a member of the following Bar and professional associations:

- (a) Alabama State Bar (Member, 1983 – present); Labor and Employment Law Section (Member, 1984-1992; Board Member, 1991);
- (b) Florida Bar (Member, 1984 – present);
- (c) South Carolina Bar (Member, 1986 – present); Labor and Employment Law Section (Member, 1993-present; Officer, 1998-2006; Chair 2003); Employment and Labor Specialization Advisory Board (Member, 1999; Chair, 2000–2002; Member, 2009; Chair 2010 to 2014); Alternative Dispute Resolution Section (Member);
- (e) DRI (formerly known as Defense Research Institute) (Member, 1997- present); Labor and Employment Law Committee (Program Chairperson, 2000; Co-Editor, The Job Description, 2001–2002; Committee Vice-Chair, 2002-2004; Committee Chair, 2004-2006);
- (f) Richland County Bar Association (Member);
- (g) South Carolina Defense Trial Attorneys Association (Member).

Mr. Shuler provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations: I am including more than the last five years because I believe it is my indicative of my service to the community outside of the legal profession.

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- *Eastminster Presbyterian Church*
Member of Diaconate; 1996-1997; Chair, Property Committee;
Member of Session; 1999 – 2001; Chair, Personnel Committee; Chair, Long Term Transition Team;
Member of Session; 2008 – 2010; Vice-Chair Long Term Transition Team; Chair, Personnel Committee;
President, Susan McGahee Sunday School Class (1999 – 2005);
Cub Scout Pack 10; Den Leader (1996, 1998);
Boy Scout Troop 10; Assistant Scoutmaster (2001); Troop Committee Chairperson (2002-2007);
- *Trinity Presbytery, Presbyterian Church U.S.A.*
Personnel Committee (member 2009 –2018; Chair 2013-2018);
- *Homeowners Association of Lake Katharine, Inc.*
Member of Board of Directors 2002-2005; President 2004 – 2005;
- *South Carolina Chapter of US Lacrosse*
Official – 2008 to 2018;
- *South Carolina Lacrosse Officials Association, Inc.*
Incorporator;
Recording Secretary – 2008 to 2013;
Treasurer – 2013 to 2018;
- *West Point Parents Club*
Member 2009 – 2013, Co-President, 2011-2012;
- *U.S. Yorktown CV10-Association, Inc.*
Board Member – 2013 to present.

Mr. Shuler further reported:

The greatest honor I have ever received as a lawyer came not from the various forms of recognition I have received, although to be honest the Distinguished Lawyer award from the Employment and Labor Law Section of the S.C. Bar is very special. Rather, it was a private note from a young lawyer whom I did know and to this day have never met in person,* which I received after arguing *SCDSS v. Sarah W.* in the South Carolina Supreme Court as follows:

**I obtained the permission of the lawyer who wrote me the note to use it in this response. This was my first and only occasion to speak with her.*

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I had the pleasure of watching you argue an appointed TPR in the Supreme Court today, and I had to write you. Thank you for the first-hand lesson on what being a lawyer should be about, on advocacy, and on intensity. In my admittedly short time as a member of the bar, I have encountered far too many examples of what not to do, how not to act, what not to say. Thank you for restoring my faith in our profession and reminding me why I love the law. I hope that you know how much an impressionable, young lawyer appreciates you, wants to emulate you, and learned from you today. You are a modern day Atticus.

With many thanks and admiration...

The lawyer who argued *SCDSS v. Sarah W.* is the person I will strive to be everyday as a judge: one well versed in the law but understanding that at the heart of any matter are the parties.

I was an officer in the United States Marine Corps. This provided me with the skill set of having to operate in an

environment where reasoned, independent decision making is mandatory. A Judge conducts a number of proceedings, which require virtually instant reasoned judgment.

My background of having represented individuals, employees, employers, unions, benefit plans, corporations, educational institutions, government entities, not for profits, plaintiffs and defendants provides me with a unique perspective, probably unlike that of any other attorney in South Carolina. I do not have a lot of criminal experience but I can learn this area, just as I have learned so many other areas over the course of my career. If nominated by the JMSC, I will undertake several CLEs and observe trials (if cases are being tried) to better educate myself on the intricacies of criminal law and procedure.

At this point in my career, I have learned many things, but continually look forward to new legal challenges. I am not the same lawyer or person I was 37 years ago when I started. I hope and believe I have more wisdom. I sometimes tell a story

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regarding lawyer civility. When I was a young lawyer, I did not grant an extension to answer because my client did not want me to. It made the case very contentious – I can still you who the lawyer on the other side was even though it has been 35 years and I was practicing in Alabama at the time – for its duration. I learned something. I have never refused an extension since. More importantly, I have focused on trying to being civil and working with, not against, opposing counsel while fully representing my client. These things do not have to be mutually exclusive.

When I was a young lawyer I traveled all over the South, the Virgin Islands, and Puerto Rico representing one particular client. I could do it because I had an extremely supportive and understanding wife and no children. I am at a place in time now where I can ride the circuit and sit wherever I might be directed for whatever period of time is needed because I still have that extremely supportive and understanding wife and my only child is grown.

- (11) Commission Members' Comments:
The Commission commented that Mr. Shuler is a sharp and impressive candidate with the respect of his peers and the community at-large.
- (12) Conclusion:
The Commission found Mr. Shuler qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

**Kate Whetstone Usry
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Ms. Usry meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

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Ms. Usry was born in 1982. She is 38 years old and a resident of Columbia, South Carolina. Ms. Usry provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Ms. Usry.

Ms. Usry demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Ms. Usry reported that she has made \$121.23 in campaign expenditures, for stamps and printed materials.

Ms. Usry testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Ms. Usry testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Ms. Usry to be intelligent and knowledgeable.

Ms. Usry reported that she has taught the following law-related courses:

I have had the opportunity to present numerous times to various programs, including the South Carolina Bar Association, the S.C. Commission on Prosecution Coordination, victim's advocate groups, and various law enforcement organizations,

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including law enforcement officers within the Eleventh Judicial Circuit. During the first half of my time with the Eleventh Judicial Circuit Solicitor's Office, most of these speaking engagements covered issues involving domestic violence, stalking, and intimate partner violence, and victim's rights. As my role and duties evolved, my presentations changed to focus on criminal sexual conduct, and the audience was often local law enforcement. I did not keep records of the presentations I made to local law enforcement.

I have continued to participate in continuing legal education programs in private practice. Most recently, I had the opportunity to take part in the Trial Objections Continuing Legal Education program.

Below is a nonexclusive list of some of the presentations I have given for which I have records.

- (a) I presented for the South Carolina Commission on Prosecution Coordination in a 2009 program titled "The Investigation and Prosecution of Criminal Domestic Violence." My presentation was titled "Preparation of a Criminal Domestic Violence Case: Reading Police Reports, Investigating Further, and Interviewing Witnesses."
- (b) I spoke at the 2010 South Carolina Law Enforcement Victim's Advocate Fall Conference in a program titled "Criminal Domestic Violence: The Law."
- (c) In 2011, I presented a lecture titled "Order of Protection: Issues and Enforcement" for the South Carolina Commission on Prosecution Coordination as part of their program titled "The Investigation and Prosecution of Criminal Domestic Violence."
- (d) In 2011, I presented a continuing legal education course titled "Bond Settings and Revocations: Special Issues and Considerations" for an event hosted by South Carolina Commission on Prosecution Coordination as part of their program titled "The Investigation & Prosecution of Criminal Domestic Violence."
- (e) At the 2012 South Carolina Solicitor's Association Fall Conference, I presented to the victim advocates a

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program titled “An Introduction to Victim Rights and Victim Service Responsibility.”

- (f) I made a presentation titled “Dating Violence: Addressing the Issues” at the 2013 South Carolina Solicitor’s Association Fall Conference.
- (g) In 2020, I took part in the “The Art and Science of Trial Objections” for a South Carolina Bar Association CLE in which I played the role of a plaintiff’s attorney in a civil case.

Ms. Usry reported that she has not published any books or articles.

(4) Character:

The Commission’s investigation of Ms. Usry did not reveal evidence of any founded grievances or criminal allegations made against her.

The Commission’s investigation of Ms. Usry did not indicate any evidence of a troubled financial status. Ms. Usry has handled her financial affairs responsibly.

The Commission also noted that Ms. Usry was punctual and attentive in her dealings with the Commission, and the Commission’s investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Ms. Usry reported that she is not rated by any legal rating organization.

Ms. Usry reported that she has not served in the military.

Ms. Usry reported that she has never held public office.

(6) Physical Health:

Ms. Usry appears to be physically capable of performing the duties of the office she seeks.

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- (7) Mental Stability:
Ms. Usry appears to be mentally capable of performing the duties of the office she seeks.
- (8) Experience:
Ms. Usry was admitted to the South Carolina Bar in 2007.

She gave the following account of her legal experience since graduation from law school:

- (a) Law Clerk, The Honorable R. Knox McMahon
August 2007 – August 2008

As a law clerk, I was responsible for writing legal briefs and performing legal research, scheduling hearings, communicating with counsel regarding matters before the Circuit Court, and assisting Judge McMahon with his analysis of civil and criminal legal issues. I enjoyed an intimate study of the operations of the Circuit Court and gained valuable experience observing a wide range of civil and criminal hearings and trials during my clerkship. I continue to reflect upon the experiences I had working for a Circuit Court judge in my practice today.

- (b) Assistant Solicitor, Eleventh Judicial Circuit Solicitor's Office

September 2007 – June 2019

Over the course of my eleven-year journey as an Assistant Solicitor, I handled a large, rapidly evolving case list and routinely prepared cases for trial and tried cases to verdict.

During the first half of my tenure, I was assigned to the domestic violence case docket. I acted as the sole domestic violence prosecutor, handling a docket of around 200 cases. Needless to say, each case had a victim or victims whose interests had to be considered. I was able to increase the number of cases moved each year by bringing more domestic violence cases to trial than our office had in the past. I spoke to various groups at presentations, including CLE events hosted by the South Carolina Commission on Prosecution Coordination. I also provided legal education to law

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enforcement personnel on the law of domestic violence. I was instrumental in creating laminated legal information sheets for law enforcement officers to assist them in making charging decisions. I also created pamphlets with information about protective orders and domestic abuse assistance programs that were distributed to law enforcement and local magistrate offices.

During the final five to six years of my tenure at the Eleventh Judicial Circuit Solicitor's Office, I took on the role of a supervisor. I took on additional duties, such as coordinating the setting of the Eleventh Judicial Circuit Court General Sessions calendar for the upcoming year, overseeing the selection of the yearly Grand Jury, and managing the trial roster. My duties as trial roster manager included gathering cases for trial for upcoming terms of court, and drafting and distributing the Eleventh Judicial Circuit Court General Sessions roster. During terms of court, my duties included coordinating with trial judges and ensuring all attorneys, both prosecutors and defense counsel, were informed of developments. I participated in our office's hiring process by reviewing resumes and interviewing new lawyers, paralegals, and staff members. I was also responsible for interviewing and hiring interns and law clerks, and acted as the point of contact for all of the law clerks during their clerkships.

In addition to the supervisory and managerial responsibilities I assumed, I continued to maintain a docket of 150 to 200 warrants. My cases primarily involved violent crimes such as armed robbery, criminal sexual conduct, and aggravated assault. I appeared in court frequently for motions and pleas. I tried numerous cases as first chair and second chair, including cases involving murder, attempted murder, criminal sexual conduct, and domestic violence. I mentored new attorneys in our office and assisted them in their trial preparation and at trial.

(c) Attorney, Whetstone, Perkins & Fulda, LLC
July 2019 – Present

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In July of 2019, I entered private practice and joined the firm Whetstone, Perkins, and Fulda, LLC. During my time in private practice, I have had the opportunity to work on civil cases involving a wide range of complex issues. I have worked on cases involving 42 U.S.C § 1983 claims, medical malpractice claims, class actions, the South Carolina Tort Claims Act, negligent infliction of emotional distress, false arrest, negligent hiring, and personal injury. I have drafted demands, complaints, answers, and counterclaims, responded to complex discovery requests, taken depositions, and represented my clients at mediation. I have also taken on a number of criminal defense cases, and I have been appointed to represent two defendants indicted by the statewide Grand Jury.

Ms. Usry further reported regarding her experience with the Circuit Court practice area:

My litigation experience is extensive. With respect to criminal matters, I have participated in all aspects of prosecution, from advising law enforcement about the existence of probable cause during the initial phase of the process all the way through closing argument. I am intimately familiar with evaluating legal issues and evidentiary matters in order to assess the strength of a criminal case at trial. The legal issues I have reviewed, researched, and argued before the Circuit Court include Confrontation Clause issues, warrantless searches and search warrants, prior bad acts, expert qualifications, impeachment scenarios, and multiple hearsay arguments and exceptions. During the past five years, I have tried cases and prepared cases for trial that pled prior to calling the case involving charges of murder, attempted murder, criminal sexual conduct, armed robbery, domestic violence, drug offenses, and other crimes. I would estimate that I tried or prepared for trial more than twenty cases over the past five years, and more during the six-year time period prior to that.

My experience as a judicial law clerk exposed me to a wide range of civil cases, motions, and arguments. During my time with Whetstone, Perkins, and Fulda, LLC, I have worked

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on a wide range of civil cases involving complex legal issues and discovery, including cases involving 42 U.S.C § 1983 claims, medical malpractice claims, class actions, the South Carolina Tort Claims Act, negligent infliction of emotional distress, false arrest, negligent hiring, and personal injury arising in the context of an array of different factual circumstances. Procedurally, I have drafted and filed complaints, answers, counterclaims, and confronted complex discovery issues. I have taken and participated in depositions and presented at mediation for my clients. I have prepared a civil case for trial that ultimately settled out of court, and I have participated in the trial of a civil case involving personal injuries suffered by our client.

While my experience with civil matters is not equal to my extensive criminal experience, I have spent a significant percentage of my time as a lawyer in court. The South Carolina Rules of Evidence that I researched and argued in criminal cases are the very same set of rules I would apply as a Circuit Court judge in a civil case. My knowledge and understanding of Circuit Court operations and procedures are enhanced by my experience as a law clerk, during which time the Circuit Court Judge I clerked for was the Chief Administrative Judge for the Court of Common Pleas for the Eleventh Judicial Circuit. I have observed a wide ranges of civil court motions, arguments, and trials. In addition, my responsibilities as the trial roster manager for the Eleventh Judicial Circuit Solicitor's Office gave me the benefit of working closely with many Circuit Court Judges from all over the state and provided me with a unique perspective on the various issues that can arise at the Circuit Court level. I have witnessed and participated in countless jury qualifications and pre-trial motions hearings. I understand how a docket is run by various judges and the issues that can arise on both sides of a case, both plaintiff and defense.

Ms. Usry reported the frequency of her court appearances during the past five years as follows:

- (a) Federal: I have not yet personally argued in Federal Court, but I have made an appearance via filing.;
- (b) State: While employed with the Eleventh Judicial Circuit Solicitor's Office

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between July of 2015 and July of 2019, I appeared in court every other week, and during those weeks, I appeared often. Since entering private practice, I have not appeared in court as often, but I have appeared a number of times for hearings and other matters.

Ms. Usry reported the percentage of her practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 15%;
- (b) Criminal: 85%;
- (c) Domestic: 0%;
- (d) Other: 0%.

Ms. Usry reported the percentage of her practice in trial court during the past five years as follows:

- (a) Jury: 25%;
- (b) Non-jury: 75%.

Ms. Usry provided that during the past five years she most often served as sole counsel.

During my time with the Eleventh Judicial Circuit Solicitor's Office, I most often served as sole counsel on any matter in nonjury court. When matters went to trial court, I served as chief counsel approximately half the time and co-counsel half the time. Since entering private practice, I have served primarily as co-counsel on various matters

The following is Ms. Usry's account of her five most significant litigated matters:

- (a) *State v. Bennie Golston*, 732 S.E.2d 175, 399 S.C. 393 (Ct. App. 2012)

I served as co-counsel in this domestic violence prosecution. Among the numerous legal and evidentiary arguments made throughout the trial, the two most significant were whether the defendant was a cohabitant of the victim's and whether the facts presented at trial allowed for a jury charge on a lesser included offense. The South Carolina Court of Appeals reviewed the case

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and determined that based on the specific trial record, facts did not exist which would allow a reasonable juror to convict the defendant of the lesser offense and find him not guilty of the charged offense of criminal domestic violence of a high and aggravated nature. This matter is important to me personally, because the testimony I elicited from a witness helped form the factual foundation for the opinion issued on appeal. In addition, the case provided me with insight into the important concerns that arise in the selection and application of jury charges to the facts of a case, which I have continued to expand upon in other matters that I have brought to trial.

(b) *Latara Brooks v. Gwendolyn Evette Green and Tracy Green*

This civil case settled the Thursday prior to trial. This case is significant, because I was intimately involved in preparing the case for trial. I took the deposition of the defendant, Tracy Green. Information elicited during that deposition gave us important impeachment evidence which would have been used at trial. In addition, I was involved in preparing witnesses. This case gave me insight into how certain aspects of preparing a civil trial are different, but it also confirmed for me the many similarities between presenting civil and criminal cases in Circuit Court, such as the importance of the damages suffered by personal injury clients and the harm done to victims.

(c) *State v. Kevan D. Parker*, 2018-GS-32-00399 & 400

This case involved a chronic sexual offender who abused his children over the course of many years. The case pled the Friday morning prior to trial. This case is significant because of the complexity of the legal and evidentiary issues I prepared for in the weeks leading up to the resolution. The case involved complex delayed disclosure issues and jurisdictional issues, as the abuse occurred years prior to trial at various residences in different counties. In addition to the intricacies of preparing multiple young victims for trial, I researched and prepared arguments for the introduction of prior bad act evidence, hearsay evidence, search warrant

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suppression, and expert testimony. The week prior to the trial, we engaged in telephonic pre-trial conference regarding the confidentiality of extensive counseling records of the victims.

(d) *State v. Michael Fulwiley*, 2016-GS-32-000670

The defendant in this matter was charged with shoplifting, third degree, enhanced. This case is significant because of the search issues. In this case, the law enforcement officer pulled the defendant over for a seatbelt violation and decided to arrest the defendant for shoplifting during the course of that traffic stop. Many cases that are brought before the Circuit Court in General Sessions matters involve search issues, and the law in cases involving both warrantless searches and search warrants is vast and complex. Understanding these issues and how they must be procedurally presented and argued before the court made me a better advocate.

(e) Pro Se Defendant Trial

This trial occurred in General Sessions court. I was involved in the prosecution of a pro se defendant who was successful in their defense. Since the case has been expunged, I am not listing the case name. This was a week-long trial that involved a number of complex legal issues and a pro se defendant who was very intelligent. The case is very significant to me as it taught me the extreme complexities of handling litigation against a pro se defendant. It is also my belief that some of our greatest lessons come from our losses.

Ms. Usry reported she has not personally handled any civil or criminal appeals.

(9) Judicial Temperament:

The Commission believes that Ms. Usry's temperament would be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification found Ms. Usry to be "Well-Qualified" as to the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience and judicial temperament; and "Qualified" in the evaluative criteria of constitutional

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qualifications, physical health, and mental stability. The Citizens Committee also noted that Ms. Usry was “well qualified with an excellent work ethic.”

Ms. Usry is married to Charles Edward Usry. She has two children.

Ms. Usry reported that she was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) South Carolina Association of Justice
- (c) South Carolina Women Lawyers Association
- (d) American Bar Association
- (e) Young Lawyers Association, Eleventh Judicial Circuit Representative, 2014

Ms. Usry provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Junior League of Columbia
 - Education and Development Chair, 2015 – 2016
 - Placement Committee, Communications Council, 2016 – 2017
 - Placement Committee, Finance Council, 2017 – 2018
 - Placement Committee, Communications Council, 2018 – 2019
 - Placement Committee, Community Council, 2019 – 2020
- (b) Trenholm Road United Methodist Church
 - Member of the Missions Core Committee, 2019 present
- (c) 2013 Recipient of the John R. Justice Community Leadership Award
 - This honor is bestowed annually upon one prosecutor for outstanding community leadership and exemplary citizenship.

- (11) Commission Members' Comments:
The Commission commented that Ms. Usry has an outstanding reputation as an accomplished trial attorney. They noted her suitable judicial temperament and knowledge of the law. The Commission also noted the reputation for congeniality that Ms. Usry enjoys among her colleagues.

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- (12) Conclusion:
The Commission found Ms. Usry qualified, but did not nominate her for election to Circuit Court, At-Large, Seat 12.

**S. Boyd Young
Circuit Court, At-Large, Seat 12**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Young meets the qualifications prescribed by law for judicial service as a Circuit Court judge.

Mr. Young was born in 1974. He is 46 years old and a resident of Columbia, South Carolina. Mr. Young provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1999. He was also admitted to the Georgia Bar in 2005.

- (2) Ethical Fitness:
The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Young.

Mr. Young demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Young reported that he has not made any campaign expenditures.

Mr. Young testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

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Mr. Young testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Young to be intelligent and knowledgeable.

Mr. Young reported that he has taught the following law-related courses:

- (a) I have lectured and taught at the National Criminal Defense College annually since 2009. It is a two week trial advocacy program for all levels of experience.
- (b) Since 2007, I have taught at the National College of Capital Voir Dire except for 2019 when I was in trial.
- (c) In 2010 I founded a Public Defender training program for South Carolina and it has since been turned into a mandated training program for all new public defenders. I continue to teach and lecture there each year as my schedule permits.
- (d) I am on the National Association of Criminal Defense Attorneys, Capital Committee where I serve as Co-Chair and put on an annual continuing legal education seminar about capital defense.
- (e) In or around 2009, South Carolina Solicitors and Defense lawyers received a joint multi-million-dollar grant to host training programs for Capital cases. I managed the Defense training and over the course of three years we held multiple training events around the State. This was a joint effort to drive down South Carolina's near 80% reversal rate for capital cases around the State.

Mr. Young reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Mr. Young did not reveal evidence of any founded grievances or criminal allegations made against him.

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The Commission's investigation of Mr. Young did not indicate any evidence of a troubled financial status. Mr. Young has handled his financial affairs responsibly.

The Commission also noted that Mr. Young was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Young reported that he is not rated by any legal rating organization.

Mr. Young reported the following military service:
May 1993 – February 5, 1996. United States Navy, Midshipman,
Honorable Discharge, February 5, 1996

Mr. Young reported that he has never held public office.

(6) Physical Health:

Mr. Young appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Young appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Young was admitted to the South Carolina Bar in 1999.

He gave the following account of his legal experience since graduation from law school:

- (a) 1999 - 2000 I was hired as a law clerk to A. Victor Rawl, Circuit Court Judge in Charleston, South Carolina. My duties included assisting Judge Rawl with both criminal and civil matters throughout South Carolina.
- (b) 2000 - 2005 I left the clerkship to join the Charleston County Public Defender's Office. I was an assistant Public Defender for five years and promoted to senior trial attorney prior to my departure. I handled all levels of criminal cases.

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- (c) 2005 - 2008 I left Charleston to join the newly formed Georgia Capital Defender Office in Atlanta where I handled trial level capital cases throughout the state of Georgia.
- (d) 2008 - 2017 I returned to South Carolina to help form the Capital Trial Division of the South Carolina Commission on Indigent Defense. I was initially hired as the Deputy Director of the Office.
- (e) 2017 - Present I serve as the Director of the Capital Defender Office. I supervise two attorneys and an administrative assistant. We handle trial level death penalty cases throughout the state and have been directly responsible for saving South Carolina well over \$1 Million annually.

Mr. Young further reported regarding his experience with the Circuit Court practice area:

As the Deputy and Director of the Capital Trial Division for the South Carolina Commission on Indigent Defense, I have been involved in every death penalty trial conducted in South Carolina in the past five years. I appeared before a Circuit Court judge at least on a monthly basis within those five years. Most recently I was lead counsel on the longest capital trial ever held in South Carolina, *State v. Timothy R. Jones, Jr.* in Lexington County. While this case did result in a death sentence for Mr. Jones it also involved a host of forensic issues, including DNA and an Insanity Defense. In preparation for trial there were over one hundred pretrial motions litigated and a multi-state investigation conducted over the course of several years. Witnesses from all over the county had to be coordinated and brought in by the Defense and the State for the trial. The central issue was whether Mr. Jones suffered from a mental illness and if so, was it to the extent that he could not form the criminal intent necessary to be found guilty of murder. It was an extraordinarily complicated case that involved hundreds of witnesses and several weeks of jury selection.

Throughout my career as a criminal defense attorney, I have handled every type of criminal case at all levels, from a parking ticket in Municipal Court to murder in General Sessions. I have also handled cases involving almost every type of defense, from mistaken identification to self-defense. I have also dealt with every type of forensic issue from multi-source DNA statistics to tire track comparisons.

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My civil court experience is mostly limited to quasi-criminal matters such as post-conviction relief and appeals from Magistrate Court. While my direct experience with civil matters is limited, capital cases often involve ancillary matters that must be dealt with, both for clients and their family members. I have dealt with these matters throughout my practice and I am always quick to review the rules and help guide people through the process. I feel that my extensive capital trial background makes me well suited for constantly learning and staying up to date on the law and its many changes. I would bring this same dedication to civil matters. Being a good capital trial attorney means that you have to be knowledgeable and versed in all aspects of the law - civil, criminal, appellate, domestic and administrative.

Mr. Young reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: none
- (b) State: monthly

Mr. Young reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 1%;
- (b) Criminal: 97%;
- (c) Domestic: 1%
- (d) Other: 1%

Mr. Young reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 50%
- (b) Non-jury: 50%

Mr. Young provided that during the past five years he most often served as chief counsel.

The following is Mr. Young's account of his five most significant litigated matters:

- (a) *State v. Timothy R. Jones, Jr.* This was a capital trial in Lexington, South Carolina in 2019. The case is currently pending in the South Carolina Supreme Court for direct review. This was the longest, most complicated death penalty case in recent history. This case was significant for

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a multitude of reasons, but I think it was an important example of how our mental health facilities and social institutions sometimes fail to protect our most vulnerable citizens and do not provide adequate services. While there were several open Department of Social Services investigations, Mr. Jones continued to spiral out of control and it eventually resulted in the killing of five innocent children. I was lead counsel for Mr. Jones and the experience was tremendously impactful on me, as a person and a lawyer.

- (b) *Kenneth Simons v. State*, 416 S.C. 584, 788 S.E.2d 220 (2016). This is a state Post Conviction Relief case in which I remain involved and it is currently pending in Dorchester County after reversal. This was a DNA case in which the Solicitor presented false DNA results implicating Mr. Simmons. This case is significant because it demonstrates the need for qualified experts on both sides of a case and shows the importance of attorneys being well educated on all matters that potentially impact their clients. Mr. Simmons has been incarcerated since 1997 and the victim's family members have been waiting for justice for almost 25 years. Due to a lack of transparency by the State and a lack of knowledge by the Defense, there is no closure in sight for either Mr. Simmons or the victim's family. I was specifically involved in deposing and questioning witnesses regarding the DNA issue.
- (c) *State v. Todd Kohlhepp*. This is a 2017 case involving a serial killer from Spartanburg. He was charged with seven murders and the kidnapping and sexual assault of a woman found chained in a storage container on his property. This case is significant because it confirmed that early and adequate representation for indigent defendants often leads to a better outcome for all parties. Because my office was able to get involved early in the case, we ensured that Mr. Kohlhepp's personal property went into a receivership, so that the victims in this case could recover at least some small part of their financial losses. Through the early cooperation of Mr. Kohlhepp and with the consent of the victims we were able to agree to a number of life without parole sentences for Mr. Kohlhepp saving the State of South Carolina significant expense and saving the victims further,

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unnecessary pain and hardship. I was lead counsel for Mr. Kohlhepp.

- (d) *State v. Crystal Johnson*. This was a murder case out of Spartanburg in 2016. Ms. Johnson was already in prison serving a sentence for child neglect. An investigator identified her as a suspect in a double murder that occurred shortly before she was sent to prison. A press conference was held where it was announced that the State intended to seek the death penalty. Once she was identified and warrants were drafted, I was able to get involved and investigate. My investigation led to the dismissal of all charges against Ms. Johnson and the identification of the actual murderer which I forwarded to the Solicitor's Office. This case is important to show why a thorough investigation is necessary, how devastating a rush to judgement can be, and why attention to detail is crucial.
- (e) *State v. John Edward Weik*. This was a 2016 death penalty retrial out of Dorchester County. Mr. Weik was originally tried and given a death sentence which was affirmed in 2004. However, trial counsel was found deficient for failing to investigate and present Mr. Weik's extensive mental health history to the jury. *Weik v. State*, 409 S.C. 214, 761 S.E.2d 757 (2014). I was able to provide the Solicitor with proof that Mr. Weik was an un-medicated schizophrenic and we received a plea offer of life without parole for Mr. Weik, which he accepted, and the case was resolved. This case is significant because it demonstrates how the appointment of qualified counsel to death penalty cases helps prevent trying cases more than once. Multiple trials mean unnecessary expenditures of money and resources, as well as continued hardship on victims' families. Ensuring judicious economy, case closure for victims and protection of clients' rights should always be priorities.

Mr. Young reported he has not personally handled any civil or criminal appeals.

- (9) Judicial Temperament:
The Commission believes that Mr. Young's temperament would be excellent.

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(10) Miscellaneous:

The Midlands Citizens Committee on Judicial Qualification reported Mr. Young to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, mental stability, and experience; and “Well-Qualified” in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, and judicial temperament. The Committee noted “concern of very limited civil experience.”

Mr. Young is married to Laura W. Young. He has two children.

Mr. Young reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Association of Criminal Defense Lawyers
- (b) National Association of Criminal Defense Lawyers – Capital Trial Committee – Co-chair
- (c) South Carolina Public Defender Association – Board Member

Mr. Young provided that he was not a member of any civic, charitable, educational, social, or fraternal organization.

Mr. Young further reported:

I had the great fortune of clerking for a judge that was respected by all parties on all matters that came before him. He taught me how to maintain poise even when others could not, the value of always being prepared and treating others with dignity and respect no matter the circumstances. I have spent my career as a trial lawyer in courtrooms across South Carolina applying these lessons. I have appeared in front of great jurists and some not so great, but we have always managed to get along and get the work done. I have managed the most complex cases in South Carolina and maintained a case budget that ultimately saves the citizens of South Carolina money, while at the same time maintaining good relationships with opposing counsel. If selected, I feel that I will make a good addition to the bench.

(11) Commission Members’ Comments:

The Commission commented that Mr. Young has had an impressive career and handled the most difficult of cases with

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great professionalism. The Commission noted the respect he has earned among his colleagues, including opposing counsel, while discharging his duties on behalf of the state.

(12) Conclusion:

The Commission found Mr. Young qualified, but did not nominate him for election to Circuit Court, At-Large, Seat 12.

**Robert “Rob” Rhoden
Family Court, Seventh Judicial Circuit, Seat 1**

**Commission’s Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Mr. Rhoden meets the qualifications prescribed by law for judicial service as a Family Court judge.

Mr. Rhoden was born in 1974. He is 46 years old and a resident of Spartanburg, South Carolina. Mr. Rhoden provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2001. He was also admitted to the Louisiana Bar in 1999.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Mr. Rhoden.

Mr. Rhoden demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Rhoden reported that he has not made any campaign expenditures.

Mr. Rhoden testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;

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- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Rhoden testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

- (3) Professional and Academic Ability:
The Commission found Mr. Rhoden to be intelligent and knowledgeable.

Mr. Rhoden reported that he has taught the following law-related courses:

- (a) I have lectured in Spartanburg County at the "Law School for Non-Lawyers" program promoted by the South Carolina Bar on several occasions. I have lectured on the topics of Child Protection and Juvenile Justice.
- (b) I have lectured at USC Upstate on several occasions as a guest speaker in social work classes conducted by Professor Lynn McMillan.

Mr. Rhoden reported that he has published the following:
Shadow, Light, & Steel, CreateSpace Publishing (2016) (not a legal text; a collection of fictional short stories, written as Robert Rhodes)

- (4) Character:
The Commission's investigation of Mr. Rhoden did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Mr. Rhoden did not indicate any evidence of a troubled financial status. Mr. Rhoden has handled his financial affairs responsibly.

The Commission also noted that Mr. Rhoden was punctual and attentive in his dealings with the Commission, and the

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Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Mr. Rhoden reported that he is not rated by any legal rating organization.

Mr. Rhoden reported that he has not served in the military.

Mr. Rhoden reported that he has never held public office.

(6) Physical Health:

Mr. Rhoden appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Mr. Rhoden appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Mr. Rhoden was admitted to the South Carolina Bar in 2001.

He gave the following account of his legal experience since graduation from law school:

- (a) July 1999 - June 2000: Law Clerk, Louisiana Court of Appeals, Fourth Circuit (The Hon. Stephen R. Plotkin). Completed a one-year clerkship under a distinguished appellate judge, conducting research and drafting opinions for numerous cases (predominantly criminal). No administrative or financial responsibilities.
- (b) January 2001- December 2007: Assistant Solicitor, Seventh Judicial Circuit (The Hon. Harold W. "Trey" Gowdy, III). Prosecuted thousands of criminal charges in Spartanburg County in Magistrate Court, Family Court, Drug Court, and General Sessions Court. No financial responsibilities. Administrative responsibilities included constant caseload tracking and supervision/direction of an administrative assistant. My case specialization progressed as follows:
 - 2001-2003: domestic violence and drug offenses
 - 2003-2005: economic ("white collar") crimes; Drug Court

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- 2005-2007: juvenile cases
- (c) January 2008 – present: Attorney III, South Carolina Department of Social Services (Spartanburg County). For the past eleven years, I have served as full-time, in-house counsel for Spartanburg County DSS. My practice has focused on representing the agency in child and elder welfare cases in Spartanburg Family Court.
 - I have represented the agency in thousands of Family Court hearings: probable cause; motion; merits; permanency planning; termination of parental rights (TPR); and adoption, as well as domestic/private and juvenile cases that have actual or potential DSS involvement.
 - Beginning around 2013, as the most senior attorney, I was given the newly created position of Managing Attorney, which made me responsible for supervision of our Legal unit in Spartanburg. In terms of financial responsibilities, I had to approve expenditures for transmission and approval by our regional or state office. In terms of administrative responsibilities, I became primarily responsible for the hiring and supervision of our attorneys, administrative assistants, and paralegals; managing the division of caseloads among attorneys and paralegals; orchestrating the priority and flow of cases on our dockets (“running court”); conducting in-house training for our casework staff; and maintaining good relationships with the numerous stakeholders in the child protection system, e.g., judges, guardians, defense attorneys, foster parents, and courthouse personnel.
 - Also around 2012-13, due to a vacancy in the attorney position for Cherokee County, DSS leadership designated me to assume primary responsibility for continuing operations in Cherokee County while reorganizing and implementing best practices in that office. Eventually, the agency hired a full-time attorney to manage Cherokee County, and I trained and assisted him until he was fully capable of succeeding in that role. I am pleased that he still holds that position and that operations in Cherokee have continued to run smoothly.

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- Around 2017, I transferred the management responsibilities of our office to Kathryn Walsh, a very competent attorney who now manages a prestigious firm in Greenville. This was a voluntary choice that afforded me more time to practice litigation and appellate work and offered Ms. Walsh additional management experience. I transitioned from Managing Attorney to Senior Trial Attorney and began handling the vast majority of our appellate cases. After Ms. Walsh entered private practice around 2018, I assumed the role of Managing Attorney again until Jon Neal assumed that role in 2019. I helped him transition into that role and have continued to assist him in running one of the state's busiest DSS legal offices.

Mr. Rhoden further reported regarding his experience with the Family Court practice area:

- Divorce and equitable division: I have participated in numerous domestic proceedings in which DSS has actual or potential involvement. These experiences include temporary hearings, settlement hearings, contested hearings, mediations, and depositions. Accordingly, I am familiar with these proceedings and the issues involved. I understand that, if there is one area of my Family Court experience that is less robust than others, it is this one; and I will redouble my efforts to study and master these issues in the months to come through resources such as the rules and statutes; case law; and conversations with judges and experienced domestic attorneys.
- Child custody: Custody is a central issue in almost every DSS case. And again, I have participated in numerous, private custody cases in which DSS was a third-party. The Family Court always aspires to act in "the best interest of the child." A multitude of case-specific facts and circumstances influence that determination, but we must always answer two questions: (1) Is the child safe—or what must be done to effect safety now?; and (2) What must be done in order to give the child the best chance to become a healthy, happy, and successful member of our community, preferably with his or her family members? I am intimately familiar with these overarching concepts of safety and positive

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permanency; with the reality that the various parties in a case often have differing or contradictory ideas as to what is best for a child; and with the role of the judge in listening to the parties' perspectives and crafting an outcome for the child and family that gives them the best chance to move forward, preferably in a mutually supportive way.

- Adoption: I have been present at a number of adoption hearings, which are likely the best and most joyful of all Family Court hearings. I have not initiated any adoption proceedings myself; however, I have participated in TPR trials and appeals (and been present at relinquishments of parental rights) to make children legally free for adoption. I have often worked alongside and consulted adoption attorneys in our cases because often, for example, foster parents will hire their own attorney to amplify their voice and hopefully expedite the adoption process. I am familiar with the checklists and confidential reports that Family Court judges consider in order to ensure that everything is proper before entering a final order of adoption.
- Abuse and neglect: Representing DSS in abuse and neglect cases has been my career and specialization these past eleven years. I believe I have handled every kind of DSS case: physical abuse; excessive corporal punishment; mental injury; neglect through deprivation; neglect through drug addiction; educational neglect; domestic violence; medical child abuse (Munchausen Syndrome); sexual abuse; abandonment; and more. I have handled TPR cases and appeals, most of which involve TPR rulings. As Managing Attorney and Senior Trial Attorney, I have also spent many hours discussing these cases with colleagues, assisting them, and watching their hearings. Given the high volume of cases in Spartanburg County, there is a fair chance that I have handled and witnessed as many of these cases as any other attorney in the state in the past decade.
- Juvenile justice: I was the primary Assistant Solicitor for juvenile cases in Spartanburg County between 2005-2007. (I also handled many juvenile dockets in Cherokee County.) I handled every step of incoming juvenile cases. I screened new referrals and diverted less serious charges to our Arbitration or Pre-Trial Intervention programs. I attended multi-disciplinary staffings with members of the

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Department of Juvenile Justice (DJJ) and other agencies in order to prepare for court and discuss appropriate recommendations for each child. I “ran court” every Tuesday during that time period, representing the State (and with it victims and law enforcement officers) at numerous adjudicatory (i.e., guilty pleas and trials) and dispositional hearings. I handled every kind of juvenile matter, from truancy and shoplifting to armed robbery and criminal sexual conduct. As the father of kids who are absolutely wonderful but still subject to inexperience and immaturity, I fully embrace a juvenile justice system that is primarily focused on moving forward—on rehabilitation and restorative justice that improve the child’s judgment and empathy so that he or she can learn from mistakes and mature into a successful member of our community. While this focus can and should be on the juvenile, it must also acknowledge the expectations of the victim, law enforcement officers, and community in order to seek a full restoration and illuminate a path forward for all.

- Frequency of appearances: Excluding chambers weeks and vacations, I have appeared before Family Court judges every week for the past five (5) years (and more). The Spartanburg Family Court typically hears DSS cases on Monday afternoons, Thursdays, and every other Friday morning. It hears DSS TPR cases every other Wednesday. As stated, I also often appear in Family Court on private/domestic actions. In my career, I am confident that I have appeared before more than fifty (50) Family Court judges.

Mr. Rhoden reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: I have not practiced in federal court;
- (b) State: I am constantly in Family Court.

Mr. Rhoden reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: N/A;
- (b) Criminal: 1%;
- (c) Domestic: 98%;
- (d) Other: 1%.

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To clarify, my practice is almost exclusively DSS actions (including appellate matters) and domestic actions with DSS involvement. Sometimes, there is crossover with juvenile or General Sessions cases; and on rare occasions there is crossover with vulnerable adults with Probate Court matters, as well as administrative hearings (e.g. foster parents might appeal an action as to their licensing or a child's placement).

Mr. Rhoden reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: N/A;
- (b) Non-jury: 100%.

Mr. Rhoden provided that during the past five years he most often served as sole counsel. Most often sole counsel, but I have served in the other roles on occasion, e.g. when assisting a less experienced attorney.

The following is Mr. Rhoden's account of his five most significant litigated matters:

- (a) *Jobst v. Jobst*, 424 S.C. 64 (S.C. App. 2018): complex, hybrid private-DSS action; first case to interpret and discuss the applicability of Section 63-3-550 (granting broad standing rights to persons filing actions with respect to abused or neglected children).
- (b) *SCDSS v. Kirk*, 2017-DR-42-2193 (removal) and 2018-DR-42-3177 (TPR): the removal was a two-and-a-half-day trial centering on possibly the most graphic sexual abuse allegations the presiding judge recalled; the TPR freed two children for adoption.
- (c) *SCDSS v. Kennington*, 2014-DR-42-1131: complex removal case centering on allegations of medical child abuse (Munchausen Syndrome) of a fragile child.
- (d) *SCDSS v. Artison*, 2014-DR-42-2921: hotly contested, two-day TPR trial that freed four children for adoption.
- (e) *SCDSS v. [Jane Doe]* 2017-DR-42-1490: complex neglect case involving the surviving siblings of a deceased child. This is still open as a permanency planning case, and a TPR case is pending; therefore, I have inserted a pseudonym.

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The following is Mr. Rhoden's account of five civil appeals he has personally handled:

- (a) *Jobst v. Jobst*, 424 S.C. 64 (S.C. App. 2018)
- (b) *SCDSS v. Bright*, Unpublished Opinion 2017-UP-293 (S.C. App., July 10, 2017)
- (c) *SCDSS v. Morgan*, Unpublished Opinion 2019-UP-097 (S.C. App., Feb. 27, 2019)
- (d) *SCDSS v. Sibrian-Pineda*, Unpublished Opinion 2019-UP-130, S.C. App. April 4, 2019)
- (e) *SCDSS v. Kelly D.*, Unpublished Opinion 2020-UP-107 (S.C. App., April 9, 2020)

Mr. Rhoden reported that he has not personally handled any criminal appeals.

(9) Judicial Temperament:

The Commission believes that Mr. Rhoden's temperament would be excellent.

(10) Miscellaneous:

The Upstate Citizens Committee on Judicial Qualification found Mr. Rhoden to be "Qualified" in the evaluative criteria of constitutional qualifications, physical health, and mental stability; and "Well Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, experience, reputation and judicial temperament. The Committee had no further comments noted on the report.

Mr. Rhoden is married to Laura Barbas Rhoden. He has two children.

Mr. Rhoden reported that he was a member of the following Bar and professional associations:

Spartanburg County Bar Association

Mr. Rhoden provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) St. Matthew's Episcopal Church, Lector
- (b) Carolina FC, coach/assistant coach
- (c) Phi Beta Kappa Honor Society

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Mr. Rhoden further reported:

My aspiration is to be a Family Court judge who, first and foremost, works hard to listen and reach the most appropriate and equitable decision in every case and, second, inspires attorneys and litigants to make their best presentations and to believe that the Family Court will help them resolve their personal and legal issues with competence, efficiency, and compassion.

To accomplish these goals, I bring not only a proven record of Family Court experience and achievement, but also the skills and instincts of a husband, father, competitive athlete and coach, and enthusiast for stories and words. From the latter, I offer two Shakespearean quotations I have recalled for inspiration during my years of government service:

The quality of mercy is not strained.
It droppeth as the gentle rain from heaven
Upon the place beneath. It is twice blest:
It blesseth him that gives and him that takes.
'Tis mightiest in the mightiest; it becomes
The thronèd monarch better than his crown.
His scepter shows the force of temporal power,
The attribute to awe and majesty
Wherein doth sit the dread and fear of kings;
But mercy is above this sceptered sway.
It is enthronèd in the hearts of kings;
It is an attribute to God Himself;
And earthly power doth then show likest God's
When mercy seasons justice.
(Portia, *The Merchant of Venice*, Act IV, Scene 1)
He who the sword of heaven will bear
Should be as holy as severe.
(Duke Vincentio, *Measure for Measure*, Act III, Scene 2)

These are lofty sentiments, to be sure; and yet, a skill vital to Family Court practice but sometimes overlooked is the less-lofty ability to “read the room” and adjust. So even as I aspire to old-fashioned ideals such as Justice and Mercy, I have practiced the ability to read the room, to meet people where they are, and to

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modify my demeanor and communicative style to increase the chance of mutual understanding. I have become as comfortable debating the nuances of statutes before the Court of Appeals as explaining to a tearful (self-represented) parent in a waiting room why his or her child cannot come home. And I am willing to meet people where they are and move cases forward because, ultimately, their Family Court cases are about them, not me. When the Family Court keeps children and families, not lawyers and judges, as its focus, it is at its most successful.

Deeds often matter more than words, of course, and what someone says about himself is usually less persuasive than what others say about him. So I close with this simple promise: if the Commission and Legislature believe I am the best choice for this position, I will strive to be a Family Court judge who serves the people of Spartanburg County and South Carolina to the best of his ability and works to increase their confidence in the integrity, impartiality, and compassion of their judicial system.

Thank you for considering my application.

- (11) Commission Members' Comments:
The Commission commented that Mr. Rhoden has excellent qualifications for this position and possesses the intellect to make an outstanding judge.
- (12) Conclusion:
The Commission found Mr. Rhoden qualified, but did not nominate him for election to Family Court, Seventh Judicial Circuit, Seat 1.

Anthony R. Goldman
Administrative Law Court, Seat 3

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED.**

- (1) Constitutional Qualifications:
Based on the Commission's investigation, Mr. Goldman meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

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Mr. Goldman was born in 1974. He is 46 years old and a resident of Columbia, South Carolina. Mr. Goldman provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2007.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Mr. Goldman.

Mr. Goldman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Mr. Goldman reported that he has made \$80.99 in campaign expenditures for palm cards.

Mr. Goldman testified he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Mr. Goldman testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Mr. Goldman to be intelligent and knowledgeable.

Mr. Goldman reported that he has not taught any law-related courses.

Mr. Goldman reported that he has published the following: Anthony R. Goldman, "Dual Capacity Liability – Statutory Compensation or Tort Liability?", 1 MALABU 9 (2006).

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- (4) Character:
The Commission's investigation of Mr. Goldman did not reveal evidence of any founded grievances or criminal allegations made against him.
- The Commission's investigation of Mr. Goldman did not indicate any evidence of a troubled financial status. Mr. Goldman has handled his financial affairs responsibly.
- The Commission also noted that Mr. Goldman was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.
- (5) Reputation:
Mr. Goldman reported that he has not been rated by any legal rating organization.
- Mr. Goldman reported that he has not served in the military.
- Mr. Goldman reported that he has never held public office.
- (6) Physical Health:
Mr. Goldman appears to be physically capable of performing the duties of the office he seeks.
- (7) Mental Stability:
Mr. Goldman appears to be mentally capable of performing the duties of the office he seeks.
- (8) Experience:
Mr. Goldman was admitted to the South Carolina Bar in 2007.

He gave the following account of his legal experience since graduation from law school:

In October of 2007, I started work as a Staff Attorney at the South Carolina Administrative Law Court in the Office of General Counsel, where I was assigned to provide legal assistance to The Honorable John D. McLeod. In this capacity, my responsibilities generally fell into three different categories. When an appeal became ripe for review, I was tasked with thoroughly

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reviewing the file and drafting an order for Judge McLeod's review. This process generally involved reading the appellate briefs, examining the record on appeal, and researching the law surrounding the issues before the court. Sometimes, before finalizing a draft order, Judge McLeod and I would discuss the case, particularly if there was anything questionable that needed to be considered. In addition to reviewing appeals, I attended all de novo hearings, so that I could provide assist with the process of preparing a final ruling on the merits of the case. Lastly, I would perform general legal research and support for the sundry questions of law that would arise in the day-to-day operations of the court.

In January of 2009, I was offered the position of Judicial Law Clerk in the office of The Honorable John D. McLeod. While continuing to perform the legal functions similar to that of a staff attorney, the role of a judicial law clerk added all the administrative tasks that are required for managing a legal office. Such responsibilities included managing the court's docket and acting as a liaison between the judge's office and the parties appearing before the court. Other than making sure that the parties adhered to the filing fee requirements of SCALC Rule 71, the role of the judicial law clerk does not involve any financial management tasks.

In June of 2017, The Honorable John D. McLeod retired, and The Honorable Milton G. Kimpson was elected by the General Assembly to the bench at the Administrative Law Court. I have had the privilege of working for Judge Kimpson for the past 3 years and continue to carry out the responsibilities of a Judicial Law Clerk.

Mr. Goldman further reported regarding his experience with the Administrative Law Court practice area:

In addition to my legal experience that was discussed above in question 10, for the past five (5) years, while serving as a judicial law clerk at the Administrative Law Court, I have appeared regularly in court, behind the bench, with the presiding judge. During this time, I have heard numerous legal issues covering a wide variety of the court's jurisdiction concerning regulatory and licensing matters arising from many of the South Carolina agencies, including the South Carolina Department of Revenue ("SCDOR"), the South Carolina Department of Health

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and Environmental Control (from the Certificate of Need program, the office of Ocean & Coastal Resource Management, and the Environmental Affairs office), the South Carolina Department of Natural Resources, the South Carolina Department of Consumer Affairs, and county tax issues arising from decisions by the Boards of Assessment Appeals from many of the South Carolina counties, including Aiken County, Pickens County, Richland County, and Lexington County, just to name a few.

Briefly touching on some of the issues that I have heard in these court appearances, a majority of the cases from SCDOR have generally concerned applications for alcohol licenses that were denied because of issues with the applicant or the suitability of the proposed location. Issues arising from the county Boards of Assessments Appeals have concerned challenges to the valuation of residential property, as well as more complicated matters dealing with the assessed value and valuation methodology for commercial property, such as a hotel, strip mall, or an apartment building.

Mr. Goldman reported the frequency of his court appearances during the past five years as follows:

- (a) Federal: None.
- (b) State: 100%

Mr. Goldman reported the percentage of his practice involving civil, criminal, domestic and other matters during the past five years as follows:

- (a) Civil: 100%
- (b) Criminal:
- (c) Domestic:
- (d) Other:

Mr. Goldman reported the percentage of his practice in trial court during the past five years as follows:

- (a) Jury: 0%
- (b) Non-jury: 0%

Mr. Goldman provided that during the past five years he most often served as a Judicial Law Clerk.

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The following is Mr. Goldman's account of his five most significant matters as a Judicial Law Clerk:

- (a) *Town of Arcadia Lakes, et al. v. S.C. Dep't Health and Environmental Control and Roper Pond, LLC*, 09-ALJ-07-0069-CC (S.C. Admin. Law Judge Div. June 14, 2007): This matter was significant for its award of attorney's fees pursuant to the State Action Statute under § 15-77-300 and sanctions under SCALC Rule 72. In this matter, SCDHEC granted a Storm Water Discharge permit to allow for land disturbance activities by Roper Pond as part of its project to build a multi-family residential housing development. The facts in the record showed that the Petitioners litigated this matter solely for the purpose to delay the project and did so by bringing numerous complex State and Federal claims that were frivolous.
- (b) *Yvette Marshall v. S.C. Dep't of Employment and Workforce and Vista Hotel Partners*, 16-ALJ-22-0259-AP (S.C. Admin. Law Judge Div. May 9, 2017): SCDEW's Appellate Panel denied Appellant unemployment benefits for a period of 10 weeks by determining that it was Appellant's responsibility to ensure that she had adequate and reliable transportation to work. During October 2015 flood, damage to the roads in Appellant's neighborhood resulted in her bus route being canceled. She was unable to get to work and was discharged for absenteeism/tardiness. This case was significant for two reasons: (1) the Administrative Law Court found that SCDEW had abused its discretion, because there was no evidence in the record that Appellant's mode of transportation was unreliable; and, (2) the Court determined that SCDEW had the authority to make a determination regarding Appellant's eligibility for Disaster Unemployment Assistance, a federally funded program administered through state employment agencies pursuant to 42 U.S.C.A. § 5177(a).
- (c) *D. Michael Taylor v. Aiken County Assessor*, 17-ALJ-17-0346-CC (S.C. Admin. Law Judge Div. December 27, 2018): Taylor purchased a parcel of undeveloped land that was valued at \$22,400 by the Respondent. This value was upheld by the Board of Assessment Appeals and Petitioner appealed to the Administrative Law Court ("ALC") contending the land was worth \$15,800. Although the Assessor originally valued the property at \$22,400, it argued to the ALC that the land was

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really worth \$28,800. The evidence in the record showed several defects to the property, particularly an abundance of solid waste dumped on the property. The Court concluded that, despite the evidence pertaining to comparable property values, the assessor failed to show by a preponderance of the evidence that the property warranted a higher value.

- (d) *Harbor Island Oceanfront Property Owners Group, Inc., v. S.C. Dep't of Health and Environmental Control and S.C. Parks, Recreation and Tourism*, 18-ALJ-07-0266-CC (S.C. Admin. Law Judge Div. December 7, 2018): Petitioner challenged SCDHEC's granting of a permit to allow SCPRT to dredge and renourish the beaches at Hunting Island. Petitioner alleged that SCPRT's management of Hunting Island proximately caused the erosion of Harbor Island and the destruction of residential homes. The significance of this case is that it was one of the first instances in which the Administrative Law Court issued a ruling on a motion to lift the automatic stay pursuant to the provisions set forth under S.C. Code Ann. § 1-23-600(H)(4)(1)(a), which puts the burden of proof upon the Petitioner, who requested the contested case, rather than in the hands of the Respondent, who filed the motion. The court found that Petitioner was unable to establish a causal connection between SCPRT's activities and the erosion of Harbor Island. As a result, Petitioner failed to meet its burden of proof under the elements of section 1-23-600(H)(4)(1)(a) and the motion was granted.
- (e) *Eugenia Boggero, d/b/a Boggero's Portable Toilets v. S.C. Dep't of Rev.*, 13-ALJ-17-0218-CC (S.C. Admin. Law Judge Div. January 6, 2014): This matter concerned the nature of Petitioner's business activity, specifically dealing with the issue of whether it was engaged in the disposal service or the renting of tangible personal property that was subject to state sales and use tax. Based upon the terms of the Service Agreement, the Court determined, applying the "true object" test, that the transaction at issue was for the rental or lease of tangible personal property.

The following is Mr. Goldman's account of five civil appeals he has personally worked on as a Judicial Law Clerk:

- (a) *Tina Rene Hubbard v. S.C. Dep't of Motor Vehicles*, Docket No. 09-ALJ-21-0094-AP, April 29, 2010.

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- (b) *Gary M. Dantzer, Jr. v. S.C. Dep't of Motor Vehicles and S.C. Dep't of Public Safety*, Docket No. 11-ALJ-21-0498-AP, January 4, 2012.
- (c) *Tina Feagin v. S.C. Dep't of Employment and Workforce and Phillips Currin & Company, CPA's, LLC*, Docket No. 15-ALJ-22-0022-AP, August 15, 2015.
- (d) *Cefab Fatcliff v. S.C. Dep't of Employment and Workforce and Labor Ready Mid Atlantic*, Docket No 15-ALJ-22-0217-AP, February 29, 2016.
- (e) *Albarr-Ali Abdullah, #191449 v. S.C. Dep't of Corr.*, Docket No. 13-ALJ-04-0705-AP, June 9, 2014

Mr. Goldman reported that he has not personally handled any criminal appeals.

- (9) Judicial Temperament:
The Commission believes that Mr. Goldman's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Mr. Goldman to be "Qualified" in the evaluative criteria of ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament, constitutional qualifications, physical health, and mental stability. The Committee stated in summary, "Experienced-Well Qualified."

Mr. Goldman is not married. He has no children.

Mr. Goldman reported that he was a member of the following Bar and professional associations:

- (a) South Carolina Bar Association
- (b) Richland County Bar Association

Mr. Goldman provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Historic Columbia – formally a Board Member and Palladium Board Member
- (b) The Columbia Museum of Art
- (c) The Palmetto Conservation Foundation
- (d) Midlands Sorba

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Mr. Goldman further reported:

Prior to attending law school, I had a career in banking where I applied my analytical training in economics and computer programming skills to assess vast amounts of consumer product data, including credit card transactions and mortgage originations. Additionally, over the past 8 years, I have built a consumer products business and have worked very closely with the South Carolina small business and entrepreneurial community. In this time, I have become intimately familiar with their needs and demands. My experience in banking and small business has served me well at the Administrative Law Court (“ALC”) by giving me a greater depth of understanding in cases beyond the four corners of the law. For example, I regularly file sales and use tax for my business with the South Carolina Department of Revenue, and I have become personally familiar with all facets of the process. As a result, not only do I recognize the efforts put forth by attorneys, who are managing their practices, but I also understand the concerns of their clients.

On a daily basis, the Administrative Law Court touches the South Carolina community in its role in the regulatory process in licensing and permitting business activity in the state. I believe that my business acumen coupled with my years of experience at the court, where I have honed my legal skills and depth of knowledge of Administrative Law, will allow me to excel as a judge. Additionally, my background and experience will add greater depth to the panel of judges currently at the ALC.

Thank you very much for considering my application for Judge, Seat #3, at the Administrative Law Court.

- (11) Commission Members’ Comments:
The Commission commented that Mr. Goldman has a wealth of experience as an Administrative Law Court Judicial Law Clerk, but no private legal practice experience.
- (12) Conclusion:
The Commission found Mr. Goldman qualified, but did not nominate him for election to Administrative Law Court, Seat 3

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**The Honorable Crystal Rookard
Administrative Law Court, Seat 3**

**Commission's Findings: QUALIFIED,
 BUT NOT NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Rookard meets the qualifications prescribed by law for judicial service as an Administrative Law Court judge.

Judge Rookard was born in 1967. She is 53 years old and a resident of Columbia, South Carolina. Judge Rookard provided in her application that she has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 2000.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Rookard.

Judge Rookard demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Rookard reported that she has not made any campaign expenditures.

Judge Rookard testified she has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Judge Rookard testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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- (3) Professional and Academic Ability:
The Commission found Judge Rookard to be intelligent and knowledgeable.

Judge Rookard reported that she has taught the following law-related courses:

- (a) Spring 2020, I taught a course for the University of South Carolina School of Law.
- (b) I have conducted seminars regarding contract review and the relationship between external and internal counsel at college financial officer's conferences.
- (c) I have conducted numerous seminars regarding civility & sensitivity in the workplace, contract review, employment law/employee relations, discrimination, harassment, human resources, leadership/management, methods to reduce legal exposure, sexual harassment, Campus Save Act, Violence Against Women Act, student related legal issues, Title IX, at conferences and employee mandatory training programs.
- (d) I have been employed as an adjunct instructor since 2005 until 2015 at local colleges. I have taught healthcare law, business law and criminal justice.

Judge Rookard reported that she has not published any books or articles.

- (4) Character:
The Commission's investigation of Judge Rookard did not reveal evidence of any founded grievances or criminal allegations made against her.
The Commission's investigation of Judge Rookard did not indicate any evidence of disqualifying financial issues.

The Commission also noted that Judge Rookard was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

- (5) Reputation:
Judge Rookard reported that she is not rated by any legal rating organization.

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Judge Rookard reported that she has not served in the military.

Judge Rookard reported that she has not held any public office other than judicial office.

(6) Physical Health:

Judge Rookard appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Rookard appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Rookard was admitted to the South Carolina Bar in 2000.

She gave the following account of her legal experience since graduation from law school:

- (a) From 1997 – 1999, I was a law clerk at the Johnson, Toal & Battiste law firm. This law firm handled family law, personal injury, social security, worker's compensation, probate, and criminal law matters. I primarily assisted with the personal injury and worker's compensation matters.
- (b) From 2000 – 2005, I was Deputy General Counsel for the SC Department of Corrections (SCDC). I defended the Department against inmate litigation. The inmate litigation was appealed to the Administrative Law Court. I drafted and filed briefs, prepared documents to be submitted into the record and interacted with staff members of the Administrative Law Court. I handled inmate cases involving prison disciplinary appeals, sentence calculations, custody, and liberty interests. Handled appeals under the Administrative Procedures Act as needed. I represented SCDC against inmate litigation filed in circuit court in Richland County, SC.
- (c) Additional duties included:
 - Prepared, drafted, reviewed, approved, and negotiated SCDC contracts with executives in private industries, local, state, and federal governments.

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- Conducted employee grievance investigations, represented SCDC in employee mediation/arbitration proceedings included preparation of settlement agreements if necessary and represented the agency in hearings before the State Employee Grievance Committee, included hearing preparation: oral arguments, legal document, witness preparation, opening/closing arguments, questioning the witnesses on direct/cross-examination.
 - Extensive knowledge of relevant state and federal law.
 - Investigated and responded to complaints filed with the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission.
 - Worked with outside counsel on cases as required, providing background information, case analysis and relevant law.
 - Provide legal advice to Department of Correction (SCDC) senior executives, attorneys, court officials and other state agencies in the interpretation of state and federal law, SCDC policies.
 - Reviewed and recommended revisions to policies and state law, as necessary.
 - Conducted legal training courses for SCDC employees in both classroom setting and on camera.
 - Conducted independent legal research using Lexis & Westlaw.
 - Drafted legal memoranda including briefs, motions, and other pleadings, as necessary.
 - Conducted investigations and responded to allegations of sexual harassment.
 - Decisive and organized with strong capacity to think quickly and present facts rationally.
 - Successfully entrusted with responsibility under limited supervision with proven results
- (d) From 2006 - 2011, selected as the Human Resources Director/Legal Counsel, Midlands Technical College, Columbia, South Carolina. Duties included:
- Provided legal advice and assistance to the Commission and the Executive Council on complex

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legal matters, policy questions and operational procedures.

- Analyzed, interpreted, advised, and informed the President, Senior Vice President for Business Affairs and other Executive Council members on employment law matters, various legal issues, and regarding local, state, and federal laws and regulations.
- Participated in executive level decisions as requested, coordinated, and represented the college in legal matters.
- Provided legal advice to the Office of Student Development services concerning student complaints, disciplinary actions, and grievances.
- Directed, supervised human resource department to include: responsible for and managed the HR budget, recruiting and hiring, retention keeping, employee benefits, leave and time attendance, temporary employment, employee training, promotions and transfers, terminations, employee disciplinary matters, employee relations, and class & compensation matters for over 1,000 employees.
- Conducted informal and formal stages of employee grievances and internal complaint investigations based on employee race, sex, age, color, religion, national origin, disability, and veteran status, and monitoring resolution and compliance.
- Provided advice and counsel to employees, managers and supervisors regarding human resources practices, policy, and employee relations and employment laws. Conducted investigations and fact finding as required to formulate recommendations as to necessary actions.
- Coordinated Human Resource matters with the State Technical Board and State Office of Human Resources as required.
- Managed the college's Equal Employment Opportunity and affirmative action goals in compliance with the South Carolina Human Affairs Commission.

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- Ensured appropriate communication of resources and training programs for all college administrators, faculty, and staff.
 - Reviewed, drafted, and advised college on contractual matters, review and draft policies, procedures and legislation as needed.
 - Conducted legal research as required and coordinated legal matters with external legal counsel. Handled all responses to discovery requests and deposition preparation as needed.
 - Monitored the completion of all required reports with established guidelines. Responsible for the departmental budget and approved expenditures.
- (e) From 2012 – 2017, General Counsel, Midlands Technical College, Columbia, South Carolina. Duties included the following:
- Provide legal advice and assistance to the Commission and the Executive Council on complex legal matters, policy questions and operational procedures.
 - Analyze, interpret, advise, and inform the President, Senior Vice President for Business Affairs and other Executive Council members on employment law and various legal matters, local, state, and federal laws, and regulations.
 - Participates in executive level decisions as requested, coordinates and represents the college in legal matters.
 - Provide legal advice to the Office of Student Development services concerning student complaints, disciplinary action, and grievances.
 - Serves as the college chief compliance officer for employment related laws and regulations. As the chief compliance officer, in cooperation with the appropriate Human Resource Management employees and/or other employees conducts informal and formal stages of employee grievances and internal complaint investigations based on employee race, sex, age, color, religion, national origin, disability, pregnancy and veteran status, and monitoring resolution and compliance.

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- Investigate and respond to complaints filed with the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission.
 - Direct and/or execute governmental/external affairs, special events, executive level projects/assignments, strategic planning & analysis, or investigations which may be particularly sensitive and/or confidential or which involve multiple divisions within the college.
 - Serves as legal training coordinator for the college and works closely with various departments to assess training needs. Develops and delivers an array of legal and employment training to ensure compliance with Federal, state, and local regulations and to reduce litigation.
 - Provides advice and counsel to employees, managers and supervisors regarding human resources practices, policy, and employee relations and employment laws. Conducts investigations and fact finding as required to formulate recommendations as to necessary actions.
 - Ensures appropriate communication of resources and training programs for all college administrators, faculty, and staff.
 - Review, draft and advises college on contractual matters, review and draft policies, procedures and legislation as needed.
 - Conducts legal research as required and coordinates legal matter with external legal counsel includes responding to all discovery requests and deposition preparation as needed.
 - Monitors the completion of all required reports with established guidelines.
 - Respond to Freedom of Information Act requests.
- (f) From 2015 – present Associate (Substitute) Municipal Court Judge
- Conduct hearings and adjudicate cases in criminal and traffic court; presides over bond court; rules on motions and draft orders; conducts legal research, as necessary.

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- Files reports with the SC Court Administration and other officials, as necessary.
 - Performs duties as of Administrative Judge and other Associate Judges as required in their absences.
 - Attends training, seminars & workshops as required to maintain job knowledge and skills.
 - Perform related administrative and judicial work as required.
- (g) From 2017 – present, General Counsel and Vice-President for Lander University, Greenwood, SC
- Reports directly to the President and serves as general counsel for the university by providing legal advice and guidance to the Lander Board of Trustees, Cabinet, and other college officials regarding complex legal matters, policies and procedures and help ensure college operations are consistent with local, state, and federal laws and regulations.
 - Coordinates and represents the college in legal matters. Represents college before courts, administrative and governmental entities.
 - Member of the Cabinet and attend various meetings involving the Cabinet, the Board of Trustees, Board Committee meetings, and the Lander Foundation.
 - Review, draft and advise university on contractual matters, review/draft legislation, policies and procedures, processes, and publications as needed. Conduct research on legal matters as required. Recommend, develop, and implement policy and procedure.
 - Direct and/or execute governmental/external affairs, special events, executive level projects/assignments, strategic planning & analysis, or investigations which may be particularly sensitive and/or confidential or which involve multiple divisions within the college.
 - Oversight of human resource department to include: recruitment/talent acquisition, hiring, onboarding and orientation processes, retention keeping, employee benefits, leave and time attendance, temporary employment, employee training,

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promotions and transfers, terminations, employee disciplinary matters, employee relations, and class & compensation matters, compliance with applicable state and federal employment laws.

- Oversight of the University's Diversity Advisory Council and the Kaufmann Leadership Institute.
- Develops and delivers an array of legal and employment training to ensure compliance with Federal, state, and local regulations and to reduce litigation. Conduct legal research as required.
- Investigate and respond to complaints filed with the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission.
- Responsible for and manage the budgets for the Office of General Counsel, the Diversity Advisory Council, and the Kauffmann Leadership Institute.

Judge Rookard further reported regarding her experience with the Administrative Law Court practice area:

For twenty years, I have served as a state government attorney in South Carolina. In this capacity, I have handled a variety of legal issues such as but not limited to: review of policy and procedures, business transactions, easements, complex employment matters and civil lawsuits including investigation, case preparation, and appeals before state personal grievance committee, defended inmate litigation before the Administrative Law Court and in circuit court, higher education law, privacy and records management, student conduct, transactional matters involving copyright and technology transfer, contributor to strategic administrative and management initiatives, drafting, reviewing, and negotiating complex agreements for the procurement of goods and services, drafted, reviewed and negotiated agreements with local hospitals and healthcare facilities, regulatory compliance, review of criminal background checks, developed and presented training and development programs to employees on various areas of the law affecting the organization. I believe my extensive legal experience in state government has uniquely prepared me to be an Administrative Law Judge.

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During my tenure at the Department of Corrections, I appeared in court numerous times to defend the Department in litigation filed by inmates. In addition, I argued and defended SCDC in employee grievance hearings before the South Carolina Office of Human Resources. Throughout my legal career, I have written numerous legal memoranda defending my client before the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission involving allegations of discrimination and harassment. I humbly state that I have prevailed on behalf of my client in every SHAC/EEOC complaint that I handled.

I believe that my experiences as an associate municipal court judge, my human resources and legal background have prepared me to preside over matters that come before an Administrative Law Judge. For over ten years, I have served as a Human Resource Director and a Chief Human Resources. Thus, I possess extensive experience and knowledge of state human resources' regulations and laws. Also, I have working knowledge of the state employee grievance process.

Throughout my legal career, I have had to quickly learn new areas of law and I have become adept at applying legal principles and procedures to legal matters. I would compare being an in-house counsel for a large government agency to being a sole practitioner in private practice. Almost daily or weekly a novel issue has been brought to my attention that required that I research and provide legal advice. In addition, as in-house counsel there is an intense amount of people contact. My "client" does not have to make an appointment to see me they simply drop by my office if they have an issue that needs attention.

As in-house counsel I learned the art of negotiation and resolving issues. Many times, I addressed matters before litigation was filed against my client. My years of experience as a Human Resources Director taught me the ability to intervene and negotiate a solution.

While I have not appeared before the Administrative Law Court within the past five years, since 2015 I have served as an associate municipal court judge. In this capacity I conduct

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hearings and adjudicate cases in criminal, domestic violence, quality of life and traffic court, preside over bond court, rule on motions, draft orders and conduct legal research, as necessary. In municipal court, there are bench trials in which I listen to testimony and review evidence presented by both parties, then make the decision. I have interacted extensively with pro se litigants and those represented by legal counsel.

Judge Rookard reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal: 0%;
- (b) State: 0%.

Judge Rookard reported the percentage of her practice involving civil, criminal, domestic and other matters prior to her service on the bench as follows:

- (a) Civil: 60%;
- (b) Criminal: 30%;
- (c) Domestic: 10%;
- (d) Other: 0%.

Judge Rookard reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Jury: 50%;
- (b) Non-jury: 0%.

Judge Rookard provided that during the past five years prior to her service on the bench she most often served as chief counsel: Chief counsel in my role as General Counsel for Lander University and Midlands Technical College

The following is Judge Rookard's account of her five most significant litigated matters:

- (a) *Ralph Porcher v. SCDC*, I handled the initial grievance, the investigation, and the subsequent hearing before the SC Office of Human Resource. This case involved a former employee testing positive for drugs. The primary issues of the case involved the use of a urine analysis vs. a hair analysis and the chain of custody of the urine analysis.

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- (b) I handled several employee cases in which I was responsible for the initial grievance, the investigation, and the subsequent hearing before the State Employee Grievance Committee. However, I do not recall the specific names of the cases

The following is Judge Rookard's account of civil appeals she has personally handled:

I handled numerous inmate appeals to the Administrative Law Court involving civil related matters. However, I do not recall the specific names of the cases

The following is Judge Rookard's account of criminal appeals she has personally handled:

I handled numerous inmate appeals to the ALC involving criminal related matters. However, I do not recall the specific names of the cases

Judge Rookard reported that she has held the following judicial office(s):

October 2015 – Present, Associate Municipal Judge for the City of Columbia, SC. In 2015, I was appointed by the City Council of Columbia, SC.

Judge Rookard further reported the following regarding unsuccessful candidacies:

In 2012, I submitted an application for an Administrative Law Judge vacancy however, I withdrew my application before it was considered by the Judicial Merit Selection Commission. In 2016, I submitted an application for an application for an Administrative Law Judge vacancy however, I withdrew my application after the public hearing. In 2017 and 2019, I requested an application, but I did not proceed with the process.

- (9) Judicial Temperament:
The Commission believes that Judge Rookard's temperament would be excellent.
- (10) Miscellaneous:
The Midlands Citizens Committee on Judicial Qualification found Judge Rookard to be "Well-Qualified" in the evaluative

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criterion of ethical fitness; and “Qualified” in the evaluative criteria of constitutional qualifications, professional and academic ability, character, reputation, physical health, mental stability, experience, and judicial temperament.

Judge Rookard is not married. She does not have any children.

Judge Rookard reported that she was a member of the following Bar and professional associations:

- (a) SC Summary Court Judges’ Association, Inc
- (b) SC Bar Association
- (c) SC Bar Association Diversity Committee
- (d) SC Bar Association Education Committee
- (e) SC Bar Association Fee Dispute Committee
- (f) SC Bar Association In-House Counsel Committee
- (g) SC Women Lawyers Association
- (h) Women in Higher Education, Midlands Technical College’s Institutional Representative
- (i) Society of Human Resource Management
- (j) College and University Professional Association
- (k) South Carolina Correctional Association
- (l) American Correctional Association
- (m) Federal Bar Association (SC Chapter)
- (n) Richland County Bar Association

Judge Rookard provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Five Points Rotary Club, board member (2013-2014)
- (b) SC Women in Higher Education, institutional representative (2008-2012)

Judge Rookard further reported:

- (a) For over eighteen years, I have served as a state government defense attorney. In this capacity, I have handled a variety of legal issues such as but not limited to: review of policy and procedures, business transactions, easements, complex employment matters and civil lawsuits including investigation, case preparation, and appeals before state personal grievance committee, defended inmate litigation before the Administrative Law Court and in circuit court, higher education law, privacy and records management,

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student conduct, transactional matters involving copyright and technology transfer, contributor to strategic administrative and management initiatives, drafting, reviewing, and negotiating complex agreements for the procurement of goods and services, drafted, reviewed and negotiated agreements with local hospitals and healthcare facilities, regulatory compliance, review of criminal background checks, developed and presented training and development programs to employees on various areas of the law affecting the organization. I believe my extensive legal experience in state government has uniquely prepared me to be an Administrative Law Judge.

(b) Please note the following highlights from my legal career: Currently, I serve as an Associate (Substitute) Municipal Judge since October 2015 for the City of Columbia, South Carolina. Note: this is a part time position.

- Conduct hearings and adjudicate cases in criminal, domestic violence, quality of life and traffic court; presides over bond court; rules on motions and draft orders; conducts legal research, as necessary.
- Files reports with the SC Court Administration and other officials, as necessary.
- Performs duties as Administrative Judge and other Associate Judges as required in their absences.
- Attend training, seminars & workshops as required to maintain job knowledge and skills.
- Perform related administrative and judicial work as required.
- South Carolina Circuit Court Arbitrator & Mediator.
- Served as Chief Human Resources Officer for over seven years.
- Adjunct instructor for various colleges from 2005 – 2015.
- Nominated for the SC Chamber of Commerce's 2011 Award of Professional Excellence in Human Resource Management.
- Over nineteen years of experience in drafting, reviewing, and negotiating contracts.
- Extensive experience conducting employee investigations, mediations, arbitrations,

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employment related hearings before the South Carolina Office of Human Resources and responding to discrimination complaints to the South Carolina Human Affairs Commission and the Equal Employment Opportunity Commission.

- Over nineteen years of experience in employment law and employee relations.
- Extensive experience conducting training courses on employee relations, higher education law (e.g. Clery Act, Campus SaVE Act, Violence Against Women Act & Title IX, human resource management & legal issues, anti-discrimination, sexual harassment, supervisory training and workplace laws in both classroom settings and on camera.
- Versatile and skilled professional with experience managing people and processes.
- Outstanding verbal and written communication skills.
- Exceptional interpersonal, leadership and negotiation skills.
- Recognized for my excellent ability to manage heavy workloads, time, and multi-task in fast-paced environment.
- Decisive and organized with strong capacity to think quickly and present facts rationally.
Ability to exercise sound judgment and discretion in applying and interpreting laws.
Successfully entrusted with responsibility under limited supervision with proven results.

(11) Commission Members' Comments:

The Commission commented that Judge Rookard received some very positive comments from people who thought a lot of her in the profession. The Commission noted she has an impressive resume.

(12) Conclusion:

The Commission found Judge Rookard qualified, but did not nominate her for election to Administrative Law Court, Seat 3.

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CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

COURT OF APPEALS

SEAT 5, CHIEF JUDGE	The Honorable James E. Lockemy
SEAT 6	The Honorable Aphrodite Konduros
SEAT 8	The Honorable DeAndrea Gist Benjamin The Honorable Deborah Brooks Durden The Honorable Jerry Deese Vinson Jr.

CIRCUIT COURT

FOURTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Michael S. Holt
FIFTH JUDICIAL CIRCUIT, SEAT 3	The Honorable Robert E. Hood
NINTH JUDICIAL CIRCUIT, SEAT 3	The Honorable Roger M. Young Sr.
THIRTEENTH JUDICIAL CIRCUIT, SEAT 3	A. Lance Crick Patrick C. Fant III G. D. Morgan Jr.
FOURTEENTH JUDICIAL CIRCUIT, SEAT 1	Robert Bonds Tameaka A. Legette
FOURTEENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Carmen Tevis Mullen
FIFTEENTH JUDICIAL CIRCUIT, SEAT 2	The Honorable Benjamin H. Culbertson
AT-LARGE, SEAT 1	The Honorable George M. McFaddin Jr.
AT-LARGE, SEAT 2	The Honorable R. Kirk Griffin
AT-LARGE, SEAT 3	The Honorable Clifton Newman
AT-LARGE, SEAT 4	The Honorable Edward Walter "Ned" Miller
AT-LARGE, SEAT 5	The Honorable J. Mark Hayes II
AT-LARGE, SEAT 6	The Honorable William Henry Seals Jr.

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AT-LARGE, SEAT 7	The Honorable J. Cordell Maddox Jr.
AT-LARGE, SEAT 8	The Honorable David Craig Brown
AT-LARGE, SEAT 9	The Honorable Jennifer Blanchard McCoy
AT-LARGE, SEAT 10	The Honorable Jocelyn Newman
AT-LARGE, SEAT 12	H. Steven DeBerry IV
	B. Alex Hyman
	The Honorable Dale E. Van Slambrook

FAMILY COURT

SEVENTH JUDICIAL CIRCUIT, SEAT 1 Jonathan W. Lounsberry
The Honorable Erika L. McJimpsey
Angela J. Moss

ADMINISTRATIVE LAW COURT

SEAT 3	Stephanie N. Lawrence
	Robert L. Reibold
	Debra Sherman Tedeschi
SEAT 6	The Honorable S. Phillip “Phil” Lenski

Respectfully submitted,	
/s/Rep. G. Murrell Smith Jr.	/s/Mr. Andrew N. Safran
/s/Rep. J. Todd Rutherford	/s/Ms. Lucy Grey McIver
/s/Rep. Chris Murphy	/s/Ms. Hope Blackley-Logan
/s/Sen. Luke A. Rankin	/s/Mr. J.P. “Pete” Strom, Jr.
/s/Sen. Scott Talley	

APPENDIX

Report from the South Carolina Bar Judicial Qualifications Committee

**Chief Judge James E. Lockemy
Court of Appeals, Seat 5**

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding

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Chief Judge Lockemy's candidacy for the Court of Appeals, Seat 5 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Aphrodite Konduros
Court of Appeals, Seat 6**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Konduros' candidacy for the Court of Appeals, Seat 6 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

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**The Honorable DeAndrea Gist Benjamin
Court of Appeals, Seat 8**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Benjamin's candidacy for the Court of Appeals, Seat 8 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Deborah Brooks Durden
Court of Appeals, Seat 8**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Durden's candidacy for the Court of Appeals, Seat 8 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified

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Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Jerry Deese Vinson Jr.
Court of Appeals, Seat 8**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Vinson's candidacy for the Court of Appeals, Seat 8 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Michael S. Holt
Circuit Court, 4th Judicial Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Holt's candidacy for the Circuit Court, 4th Judicial Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified

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Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Robert E. Hood
Circuit Court, 5th Judicial Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hood's candidacy for the Circuit Court, 5th Judicial Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Roger M. Young Sr.
Circuit Court, 9th Judicial Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Young's candidacy for the Circuit Court, 9th Judicial Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

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Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Steven Edward Buckingham
Circuit Court, 13th Judicial Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Buckingham's candidacy for the Circuit Court, 13th Judicial Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

**A. Lance Crick
Circuit Court, 13th Judicial Circuit, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Crick's candidacy for the Circuit Court, 13th Judicial Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

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Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

Patrick C. Fant III
Circuit Court, 13th Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Fant's candidacy for the Circuit Court, 13th Judicial Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

Will Grove
Circuit Court, 13th Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Grove's candidacy for the Circuit Court, 13th Judicial Circuit, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

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Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

G.D. Morgan Jr.
Circuit Court, 13th Judicial Circuit, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Morgan's candidacy for the Circuit Court, 13th Judicial Circuit, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

Robert Bonds
Circuit Court, 14th Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Bonds's candidacy for the Circuit Court, 14th Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified

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Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

Tameaka A. Legette
Circuit Court, 14th Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Legette's candidacy for the Circuit Court, 14th Judicial Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

The Honorable Carmen Tevis Mullen
Circuit Court, 14th Judicial Circuit, Seat 2

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Mullen's candidacy for the Circuit Court, 14th Judicial Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified

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Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Benjamin H. Culbertson
Circuit Court, 15th Judicial Circuit, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Culbertson's candidacy for the Circuit Court, 15th Judicial Circuit, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable George M. McFaddin Jr.
Circuit Court, At-Large, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McFaddin's candidacy for the Circuit Court, At-Large, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified

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Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable R. Kirk Griffin
Circuit Court, At-Large, Seat 2**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Griffin's candidacy for the Circuit Court, At-Large, Seat 2 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Clifton Newman
Circuit Court, At-Large, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Newman's candidacy for the Circuit Court, At-Large, Seat 3 is as follows:

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Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Edward Walter “Ned” Miller
Circuit Court, At-Large, Seat 4**

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Miller’s candidacy for the Circuit Court, At-Large, Seat 4 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable J. Mark Hayes II
Circuit Court, At-Large, Seat 5**

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Hayes’s candidacy for the Circuit Court, At-Large, Seat 5 is as follows:

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Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable William Henry Seals Jr.
Circuit Court, At-Large, Seat 6**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Seals' candidacy for the Circuit Court, At-Large, Seat 6 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable J. Cordell Maddox Jr.
Circuit Court, At-Large, Seat 7**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Maddox's candidacy for the Circuit Court, At-Large, Seat 7 is as follows:

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Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable David Craig Brown
Circuit Court, At-Large, Seat 8

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Brown's candidacy for the Circuit Court, At-Large, Seat 8 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

The Honorable Jennifer Blanchard McCoy
Circuit Court, At-Large, Seat 9

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding

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Judge McCoy's candidacy for the Circuit Court, At-Large, Seat 9 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Jocelyn Newman
Circuit Court, At-Large, Seat 10**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Newman's candidacy for the Circuit Court, At-Large, Seat 10 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

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**Erin E. Bailey
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Bailey's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

**Brett H. Bayne
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Bayne's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

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**The Honorable Daniel McLeod Coble
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Coble's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Meredith Long Coker
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Coker's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

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H. Steven DeBerry IV
Circuit Court, At-Large, Seat 12

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. DeBerry's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

B. Alex Hyman
Circuit Court, At-Large, Seat 12

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Hyman's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

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**Regina Hollins Lewis
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Lewis' candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**William Vickery Meetze
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Meetze's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

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**David W. Miller
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Miller's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Franklin G. Shuler Jr.
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Shuler's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified

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Judicial Temperament

Well-Qualified

**Kate Whetstone Usry
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Usry's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Dale E. Van Slambrook
Circuit Court, At-Large, Seat 12**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Van Slambrook's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified

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Experience	Well-Qualified
Judicial Temperament	Well-Qualified

S. Boyd Young
Circuit Court, At-Large, Seat 12

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Young's candidacy for the Circuit Court, At-Large, Seat 12 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

Jonathan W. Lounsberry
Family Court, 7th Judicial Circuit, Seat 1

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Lounsberry's candidacy for the Family Court, 7th Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified

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Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Erika L. McJimpsey
Family Court, 7th Judicial Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge McJimpsey's candidacy for the Family Court, 7th Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**Angela J. Moss
Family Court, 7th Judicial Circuit, Seat 1**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Moss' candidacy for the Family Court, 7th Judicial Circuit, Seat 1 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified

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Experience	Well-Qualified
Judicial Temperament	Well-Qualified

Robert “Rob” Rhoden
Family Court, 7th Judicial Circuit, Seat 1

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Rhoden’s candidacy for the Family Court, 7th Judicial Circuit, Seat 1 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

Anthony R. Goldman
Administrative Law Court, Seat 3

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Goldman’s candidacy for the Administrative Law Court, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified

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Experience	Qualified
Judicial Temperament	Qualified

Stephanie N. Lawrence
Administrative Law Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Lawrence's candidacy for the Administrative Law Court, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

* Committee was unable to reach a goal of 30 interviews completed, indicating knowledge of candidate, despite extraordinary efforts

Robert L. Reibold
Administrative Law Court, Seat 3

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Mr. Reibold's candidacy for the Administrative Law Court, Seat 3 is as follows:

Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified

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Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

**The Honorable Crystal Rookard
Administrative Law Court, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Rookard's candidacy for the Administrative Law Court, Seat 3 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Qualified
Judicial Temperament	Well-Qualified

* Committee was unable to reach a goal of 30 interviews completed, indicating knowledge of candidate, despite extraordinary efforts.

**Debra Sherman Tedeschi
Administrative Law Court, Seat 3**

The South Carolina Bar's Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Ms. Tedeschi's candidacy for the Administrative Law Court, Seat 3 is as follows:

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Overall	Well-Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Well-Qualified
Character	Well-Qualified
Professional and Academic Ability	Well-Qualified
Reputation	Well-Qualified
Experience	Well-Qualified
Judicial Temperament	Well-Qualified

* Committee was unable to reach a goal of 30 interviews completed, indicating knowledge of candidate, despite extraordinary efforts.

The Honorable S. Phillip “Phil” Lenski
Administrative Law Court, Seat 6

The South Carolina Bar’s Judicial Qualifications Committee reports that the collective opinion of those Bar members surveyed regarding Judge Lenski’s candidacy for the Administrative Law Court, Seat 6 is as follows:

Overall	Qualified
Constitutional Qualifications	Qualified
Physical Health	Qualified
Mental Stability	Qualified
Ethical Fitness	Qualified
Character	Qualified
Professional and Academic Ability	Qualified
Reputation	Qualified
Experience	Qualified
Judicial Temperament	Qualified

THURSDAY, JANUARY 14, 2021

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned to meet next Thursday, January 21, 2021, at 10:00 A.M.

MOTION ADOPTED

On motion of Senator KIMPSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Officer Brian Sicknick of Washington, D.C. Brian was a New Jersey native and served in the New Jersey National Guard. He served as a fire team member and a leader of the 108th Security Force Squadron, 108th wing at Joint Base McGuire-Dix-Lakehurst. He served in two deployments, Operation Southern Watch and Operation Enduring Freedom. Brian joined the United States Capitol Police in July 2008 and served in the department's First Responders Unit. Brian rescued dachshunds in his spare time and rooted for the New Jersey Devils hockey team. Brian was a loving son, devoted brother and exceptional officer who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jonathan David Price of Dillon, S.C. Jonathan was a sheriff's deputy with the Marion County Sheriff's Office and past employee of the City of Dillon Police Department. He attended First Baptist Church. Jonathan was a loving husband, devoted father and exceptional officer who will be dearly missed.

and

THURSDAY, JANUARY 14, 2021

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Lieutenant Corporal Melton Gore of Conway, S.C. Melton worked for the Horry County Police Department for over 20 years in the Environment Service Unit. He was a North Myrtle Beach football player who played in the NFL. He enjoyed doing animal welfare checks, getting to know the community and cooking. Melton was a great role model for young people in his community and an exceptional officer who will be dearly missed.

ADJOURNMENT

At 11:21 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, January 15, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 436 Sen. Shealy

ADJOURNMENT

At 11:03 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, January 19, 2021, under the provisions of Rule 1B.

* * *

Tuesday, January 19, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

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

S. 200 Sen. Shealy

S. 467 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

H. 3481 -- Rep. G. M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2020-2021 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

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

REPORT OF STANDING COMMITTEE

Senator LEATHERMAN from the Committee on Finance polled out H. 3481 favorable:

H. 3481 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2020-2021 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

Polled of the Finance Committee

Ayes 23; Nays 0

AYES

Leatherman
Alexander

Setzler
Grooms

Peeler
Verdin

Cromer	Jackson	Williams
Davis	Martin	Scott
Allen	Bennett	Corbin
Hembree	<i>K. Johnson</i>	McElveen
Shealy	Turner	Gambrell
Fanning	Goldfinch	

Total--23

NAYS

Total--0

Ordered for consideration tomorrow.

ADJOURNMENT

At 11:07 A.M., on motion of Senator McLEOD, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Wednesday, January 20, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 129 Sen. Kimbrell

ADJOURNMENT

At 11:03 A.M., on motion of Senator SETZLER, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Thursday, January 21, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

James 3:18

The author of James tells us that:

“Peacemakers who sow in peace raise a harvest of righteousness.”

Let us bow in prayer, please: Holy and Everloving God, hear our prayers this day for our nation and for our State. How powerful are our feelings of concern and of love for both. And how profound our concern and love is for all those servants who labor in the governing bodies of each.

Through the weeks, indeed over the years, that now stretch before us, may we all together affirm our desires and intentions to work actively as peacemakers, saying and doing those things which bind us as one in purpose and in our goals. Grant to each Senator and to all others who work in this complex the determination to embrace the call of James to “raise a harvest of righteousness,” as well as to echo in thought and action the words of Dr. King, who reminded us that “peace cannot be kept by force; it can only be achieved by understanding.” May it be so, O God, for all of the people of South Carolina. In Your loving name we pray, dear Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Adjutant General, with the term to commence January 13, 2021, and to expire January 13, 2025

Roy Van McCarty, 200 Lakewood Dr., Prosperity, SC 29127-9222

Referred to the Committee on Family and Veterans' Services.

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Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Morris E. Brown III, 300 Charles Street, Lake City, SC 29560-2138
VICE Alex Albert Singleton

Referred to the Committee on Medical Affairs.

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

Director:

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

Referred to the Committee on Judiciary.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2018, and to expire September 30, 2021

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2020, and to expire May 19, 2024

7th Congressional District:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2020, and to expire May 19, 2024

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

Referred to the Committee on Family and Veterans' Services.

THURSDAY, JANUARY 21, 2021

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2019, and to expire March 21, 2024

1st Congressional District:

Elliott E. Levy, 846 Seafarer Way, Charleston, SC 29412-4918

Referred to the Committee on Medical Affairs.

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

South Carolina Education Oversight:

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

Referred to the Committee on Education.

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

At-Large -Veterinarian:

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

Referred to the Committee on Agriculture and Natural Resources.

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

2nd Congressional District:

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

Referred to the Committee on Agriculture and Natural Resources.

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

1st Congressional District:

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

Referred to the Committee on Agriculture and Natural Resources.

THURSDAY, JANUARY 21, 2021

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

At-Large - Gubernatorial:

Cashida N. Okeke, 105 Easton Meadow Way, Greer, SC 29650-2692
VICE Ashleigh R. Wilson

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2020, and to expire June 30, 2022

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Aisha K. Taylor, 156 Seaton Ridge Drive, Blythewood, SC 29016

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Avery B. Wilkerson, 329 Tamwood Circle, Cayce, SC 29033-1907

Referred to the Committee on Judiciary.

Leave of Absence

At 10:17 A.M., Senator JACKSON requested a leave of absence for Senators M.B. MATTHEWS, McLEOD and FANNING for the day.

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Leave of Absence

At 10:17 A.M., Senator K. JOHNSON requested a leave of absence for Senator McELVEEN until 10:45 A.M.

Leave of Absence

At 10:17 A.M., Senator GOLDFINCH requested a leave of absence for Senator CLIMER for the day.

Leave of Absence

At 10:20 A.M., Senator BENNETT requested a leave of absence for Senators HEMBREE and TALLEY for the day.

Leave of Absence

At 10:20 A.M., Senator SCOTT requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 10:22 A.M., Senator GROOMS requested a leave of absence for Senator RANKIN for the day.

CO-SPONSORS ADDED

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

S. 2 Sen. Senn
S. 436 Sen. Rice
S. 477 Sen. Young

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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

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

THURSDAY, JANUARY 21, 2021

S. 476 -- Senators McElveen, Shealy and Harpootlian: A BILL TO AMEND CHAPTER 1, TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING SECTION 11-1-130, TO PROVIDE THAT A TREASURER, COMPTROLLER, OR ACCOUNTANT, OR HIS DESIGNEE, MAY USE A FINANCIAL TRANSACTION CARD FOR BUSINESS-RELATED EXPENDITURES, PURCHASES, OR PROCUREMENTS, TO PROVIDE FOR REIMBURSEMENT AND RECORDKEEPING, TO PROVIDE THAT NO ELECTED OFFICIAL, PUBLIC EMPLOYEE, OR MEMBER OF A PUBLIC BOARD OR COMMISSION MAY POSSESS OR USE A FINANCIAL TRANSACTION CARD THAT HAS BEEN ISSUED TO THE CARDHOLDER FOR ANY PURPOSE, AND TO DEFINE NECESSARY TERMS.

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

S. 477 -- Senators Peeler, Campsen and Massey: A BILL TO AMEND CHAPTER 1, TITLE 2 OF THE 1976 CODE, RELATING TO THE GENERAL ASSEMBLY, BY ADDING SECTION 2-1-10, TO PROVIDE THAT THE SENATE AND HOUSE OF REPRESENTATIVES EACH HAVE AN UNCONDITIONAL RIGHT TO INTERVENE IN CERTAIN ACTIONS FILED IN STATE COURT, TO PROVIDE THAT THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY INTERVENE IN CERTAIN ACTIONS FILED IN FEDERAL COURT, TO PROVIDE THAT THIS PROVISION DOES NOT DIMINISH THE ATTORNEY GENERAL'S OBLIGATION TO REPRESENT THE STATE AND ITS AGENCIES IF SUED, TO PROVIDE THAT A STATE AGENCY MUST NOTIFY THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES WITHIN FIVE DAYS OF CERTAIN LAWSUITS BEING FILED AGAINST THE AGENCY, AND TO PROVIDE THAT THE SENATE AND THE HOUSE OF REPRESENTATIVES SHALL MAINTAIN THEIR OWN RESPECTIVE DEFENSES IN ACTIONS UNLESS AGREED TO OTHERWISE.

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

S. 478 -- Senator K. Johnson: A BILL TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT FOUR, TO

THURSDAY, JANUARY 21, 2021

INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

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

S. 479 -- Senators Bennett, McElveen, Turner, Cromer, Shealy, Gustafson, Massey, M. Johnson, Campsen, Hutto, Davis and Adams: A BILL TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 6, TITLE 61 OF THE 1976 CODE, RELATING TO THE REGULATION OF MANUFACTURERS AND MICRO-DISTILLERIES, BY ADDING SECTION 61-6-1155, TO PROVIDE THAT A LICENSED MICRO-DISTILLERY MAY OPERATE A MICRO-DISTILLERY FOOD ESTABLISHMENT ON ITS PREMISES AND TO ESTABLISH REQUIREMENTS FOR SUCH A FOOD ESTABLISHMENT; AND TO AMEND SECTIONS 61-6-1140 AND 61-6-1150 OF THE 1976 CODE, RELATING TO A MICRO-DISTILLERY'S TASTINGS AND RETAIL SALES, TO REMOVE THE REQUIREMENT THAT TASTINGS AND SALES BE HELD IN CONJUNCTION WITH A TOUR, TO MODIFY QUANTITY AND TIME LIMITS FOR THE SALE OF ALCOHOLIC LIQUORS, TO REMOVE A LIMITATION ON THE SALE OF MIXERS, TO PROVIDE THAT OTHER BRANDS OF ALCOHOLIC LIQUORS MAY BE SOLD AT A MICRO-DISTILLERY FOOD ESTABLISHMENT, TO REMOVE LIMITATIONS ON SELLING OR STORING GOODS, WARES, OR MERCHANDISE IN THE SAME ROOM AS TASTINGS OR SALES OF ALCOHOLIC LIQUORS, TO PROVIDE THAT A MINOR MUST BE ACCOMPANIED BY AN ADULT IN A MICRO-DISTILLERY FOOD ESTABLISHMENT, AND TO MAKE CONFORMING CHANGES.

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

S. 480 -- Senators Rankin and Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR BRENT D. GROOME, CHIEF EXECUTIVE FOR CORPORATE COMMUNICATIONS AND GOVERNMENT RELATIONS WITH THE HORRY TELEPHONE COOPERATIVE, UPON THE OCCASION OF HIS RETIREMENT

THURSDAY, JANUARY 21, 2021

AFTER THIRTY YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 481 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MAGGIE J. JAMES FOR HER TWENTY-FIVE YEARS OF DEDICATED AND OUTSTANDING SERVICE ON THE CHESTER COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES.

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The Senate Resolution was adopted.

S. 482 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE CHAPIN WOMAN'S CLUB UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO COMMEND THE CLUB FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

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

SECOND READING BILL

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

S. 449--Ordered to a Third Reading

On motion of Senator YOUNG, S. 449 was ordered to receive a third reading on Friday, January 22, 2021.

THURSDAY, JANUARY 21, 2021

SECOND READING BILL

S. 474 -- Senators Setzler and Young: A BILL TO AMEND ACT 247 OF 1987, RELATING TO THE AIKEN COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

S. 474--Ordered to a Third Reading

On motion of Senator YOUNG, S. 474 was ordered to receive a third reading on Friday, January 22, 2021.

READ THE SECOND TIME

H. 3481 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2020-2021 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

The Senate proceeded to a consideration of the Resolution.

Senator BENNETT explained the Resolution.

The question then was second reading of the Resolution.

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

Ayes 34; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Peeler	Rice	Sabb

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Scott
Stephens
Young

Senn
Turner

Shealy
Verdin

Total--34

NAYS

Total--0

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

H. 3481--Ordered to a Third Reading

On motion of Senator BENNETT, H. 3481 was ordered to receive a third reading on Friday, January 22, 2021.

Expression of Personal Interest

Senator GOLDFINCH rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned to meet on Monday, January 25, 2021, under the provisions of Rule 1B.

ADJOURNMENT

At 11:22 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

Friday, January 22, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

CO-SPONSORS ADDED

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

S. 1 Sen. Loftis

S. 133 Sens. Peeler and Grooms

ORDERED ENROLLED FOR RATIFICATION

The following Joint Resolution was read the third time and having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3481 -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976 FOR FISCAL YEAR 2020-2021 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.

Recorded Vote

Senator McELVEEN desired to be recorded as voting in favor of the third reading of the Bill.

THIRD READING BILLS

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

S. 449 -- Senator Young: A BILL TO AMEND SECTION 2 OF ACT 926 OF 1962, RELATING TO THE MEMBERSHIP OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL EDUCATION, TO ADD TWO NONVOTING MEMBERS.

On motion of Senator YOUNG.

S. 474 -- Senators Setzler and Young: A BILL TO AMEND ACT 247 OF 1987, RELATING TO THE AIKEN COUNTY BOARD OF EDUCATION, SO AS TO REQUIRE CANDIDATES SEEKING

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**ELECTION TO SUBMIT A STATEMENT OF CANDIDACY
RATHER THAN SIGNED PETITIONS.**

On motion of Senator YOUNG.

MOTION ADOPTED

On motion of Senator GOLDFINCH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Rhodes of Myrtle Beach, S.C. John served as former Mayor of Myrtle Beach for twelve years and was the former director of the Beach Ball Classic basketball tournament. He loved the City of Myrtle Beach and his community. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:06 A.M., on motion of Senator SCOTT, the Senate adjourned to meet Monday, January 25, 2021, under the provisions of Rule 1B.

* * *

Monday, January 25, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

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

S. 38 Sen. Verdin

S. 147 Sen. Turner

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 483 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MR. MORRIS ELMORE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 484 -- Senator Allen: A BILL TO AMEND SECTION 24-13-150(A), 24-13-210(B), AND 24-13-230(B), CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE EARLY RELEASE, DISCHARGE, COMMUNITY SUPERVISION, FORFEITURE OF CREDITS, CREDITS FOR GOOD BEHAVIOR, AND REDUCTION IN A SENTENCE FOR CERTAIN INMATES, SO AS TO PROVIDE FOR A REDUCTION IN THE SENTENCE OF AN INMATE CONVICTED OF CERTAIN "NO PAROLE OFFENSES" UPON SATISFYING CERTAIN CONDITIONS.

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Read the first time and referred to the Committee on Corrections and Penology.

MONDAY, JANUARY 25, 2021

S. 485 -- Senator Shealy: A BILL TO AMEND CHAPTER 37, TITLE 44 OF THE 1976 CODE, RELATING TO THE CARE OF THE NEWLY BORN, BY ADDING SECTION 44-37-75, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A PROGRAM TO REGULATE AND LICENSE MILK BANKS THAT COLLECT, DONATE, PROCESS, SELL, OR DISTRIBUTE PASTEURIZED DONOR HUMAN MILK AND HUMAN MILK PRODUCTS; AND TO AMEND SECTION 38-71-140, RELATING TO NEWBORN HEALTH INSURANCE COVERAGE REQUIREMENTS, TO REQUIRE COVERAGE OF PASTEURIZED DONOR HUMAN MILK AND HUMAN MILK PRODUCTS FOR CERTAIN NEWBORN CHILDREN.

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

S. 486 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHWAY 17-A AT ITS CROSSING OF THE CSX MAIN LINE IN MONCK'S CORNER "STEVE C. DAVIS VIADUCT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

REPORT OF STANDING COMMITTEE

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

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, and Hembree: A BILL TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT"; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL

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PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

Ordered for consideration tomorrow.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet tomorrow at 12:00 Noon.

* * *

Tuesday, January 26, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Isaiah 40:31

The prophet Isaiah writes:

“ . . . but those who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint.”

Please join me as we bow in prayer: O Lord, the issues that these Senators face continue to be formidable and challenging. We ask that You will grant them extraordinary wisdom and discernment as they and their staff members labor diligently on behalf of all of South Carolina’s citizens. Some may blithely ignore the reality of the pressures on these leaders, yet we know well that the full measure of the tasks before all of them require the sort of stamina and determination that’s often hard to come by in this day and time. So, indeed, bestow upon these servants Your richest blessings, that they might ultimately succeed in their tasks, all for the betterment of this State and her people. In Your loving and precious name we pray, O Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Director of Department of Health and Environmental Control, with the term to commence January 20, 2021, and to expire January 20, 2025

Director:

Edward D. Simmer, 501 Charles Street, #1257, Beaufort, SC 29902

Referred to the Committee on Medical Affairs.

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Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Lay Member:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Educator on the faculty of a college or university, specializing in the field of dietetics:

Elizabeth Weikle, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2018, and to expire December 31, 2022

At-Large, Licensed Practical Nurse:

Tamara Day, 3439 Calks Ferry Road, Pelion, SC 29123-9389

Referred to the Committee on Medical Affairs.

Doctor of the Day

Senator McELVEEN introduced Dr. Christopher Yeakel of Elgin, S.C., Doctor of the Day.

Leave of Absence

At 1:34 P.M., Senator SABB requested a leave of absence for Senators JACKSON and KIMPSON for the day.

CO-SPONSORS ADDED

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

S. 133 Sen. Young
S. 141 Sen. Young
S. 271 Sens. Verdin and Setzler
S. 436 Sens. Talley and K. Johnson
S. 479 Sen. Kimpson

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 487 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT MICHAEL CLAYTOR AND LIEUTENANT THOMAS MILLER FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

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

S. 488 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE SERGEANT COREY COOK FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND HIM FOR HIS LEVEL-HEADED AND HEROIC ACTIONS IN THE LINE OF DUTY.

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

S. 489 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-10-108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995; BY ADDING SECTION 40-68-145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; TO AMEND SECTION 40-68-55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; TO AMEND SECTION 40-68-60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL

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PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; TO AMEND SECTION 40-68-70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; AND TO AMEND SECTION 40-68-150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE.

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

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

SECOND READING BILL

S. 478 -- Senator K. Johnson: A BILL TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT FOUR, TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator K. JOHNSON explained the Bill.

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

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COMMITTEE AMENDMENT RULED OUT OF ORDER

AMENDED, DEBATE INTERRUPTED

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell and Loftis: A BILL TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT"; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

The Senate proceeded to a consideration of the Bill.

The question being second reading of the Bill.

Senator GROOMS spoke on the Bill.

The Committee on Medical Affairs proposed the following amendment (1R008.SP.DBV), which was ruled out of order:

Amend the bill, as and if amended, on page 4, by striking lines 39-40 and inserting:

/heartbeat.

(B) No abortion may be performed or induced pursuant to this article until the requirements contained in Article 3 of this chapter, the Woman's Right to Know Act, have been satisfied.

(C) A person who violates subsection (A) is guilty of a felony /

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Amend the bill further, as and if amended, on page 8, line 34, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 44-41-330(A)(2) of the 1976 Code is amended to read:

“(2) The woman must be presented by the physician who is to perform the abortion or by an allied health professional working in conjunction with the physician a written form containing the following statement: ‘You have the right to review printed materials prepared by the State of South Carolina which describe fetal development, list agencies which offer alternatives to abortion, including adoption and foster care, and describe medical assistance benefits which may be available for prenatal care, childbirth, and neonatal care. You have the right to view your ultrasound image.’ This form must be signed and dated by both the physician who is to perform the procedure and the pregnant woman upon whom the procedure is to be performed.”

SECTION __. Chapter 7, Title 43 of the 1976 Code is amended by adding:

“ARTICLE 2

**Prenatal Care, Delivery, Neonatal, and Post-Natal Care
for Uninsured Women**

Section 43-7-100. For the purposes of this article:

(1) ‘Department’ means the South Carolina Department of Health and Human Services.

(2) ‘Medicaid’ means the medical assistance program authorized by Title XIX of the Social Security Act and administered by the department.

(3) ‘Practitioner’ means a physician or other health care professional licensed under state law to practice his profession.

(4) ‘Private insurer’ means:

(a) a commercial insurance company offering health or casualty insurance to an individual or group, including an experienced-rated contract or indemnity contract;

(b) a profit or nonprofit prepaid plan offering either a medical service or full or partial payment for the diagnosis or treatment of an injury, disease, or disability;

(c) an organization administering a health or casualty insurance plan for a professional association, union, fraternal group, employer-employee benefit plan, or a similar organization offering these plans or services, including a self-insured or self-funded plan; or

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(d) a group health plan, as defined in Section 607(1) of the Employee Retirement Income Security Act of 1974; a service benefit plan; or a health maintenance organization.

(5) 'Uninsured' means a woman who does not have health insurance through a private insurer, is not enrolled in a government-provided health insurance program, or is not a Medicaid program recipient.

Section 43-7-110. A practitioner who provides prenatal care; delivery, neonatal, or post-natal care; or any other medically necessary services related to a pregnancy that are covered by Medicaid to an uninsured woman shall be reimbursed by the department for the costs of the care at the same rate that the practitioner would be reimbursed by Medicaid.

Section 43-7-115. The provisions of this article are applicable and available to persons legally in the United States currently residing in South Carolina.

Section 43-7-120. The department shall promulgate regulations concerning the reimbursement process pursuant to Section 43-7-110 and shall provide practitioners with reimbursement rates for reimbursable procedures pursuant to this article." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

Point of Order

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

The PRESIDENT sustained the Point of Order.

The committee amendment was ruled out of order.

Senator SENN proposed the following amendment (1R005.SP.SS), which was tabled:

Amend the bill, as and if amended, on page 4, by striking line 23 and inserting:

/ Section 44-41-640. If a pregnancy has completed the first trimester after /

Renumber sections to conform.

Amend title to conform.

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Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

The amendment was laid on the table.

Senator SENN proposed the following amendment (1R010.SP.SS), which was carried over:

Amend the bill, as and if amended, on page 5, by striking lines 1 through 4 and inserting:

/ Section 44-41-660. (A) Section 44-41-650 does not apply to a physician who performs or induces an abortion if:

(1) the pregnancy was the result of rape;

(2) the pregnancy was the result of incest;

(3) the physician determines that a fetal anomaly, as defined in Section 44-41-430(5), exists; or

(4) the physician determines according to standard medical practice that a medical emergency exists that prevents compliance with the section. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Senator CASH spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator CASH moved to lay the amendment on the table.

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

Ayes 20; Nays 23; Abstain 1

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Garrett	Goldfinch
Grooms	Gustafson	Kimbrell
Loftis	Martin	Massey

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Rice	Shealy	Talley
Verdin	Young	

Total--20

NAYS

Allen	Bennett	Davis
Fanning	Gambrell	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Leatherman	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Stephens
Turner	Williams	

Total--23

ABSTAIN

Harpootlian

Total--1

The Senate refused to table the amendment.

Statement by Senator CAMPSSEN

I voted against Senator SENN's amendment that would add rape and incest exceptions to S.1 because I preferred and voted for Senator MASSEY's subsequent amendment that would add rape and incest exceptions. I preferred Senator MASSEY's amendment because it required medical professionals to report the crime to law enforcement.

Senator GROOMS move to carry over the amendment.

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

Ayes 25; Nays 17

AYES

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Gambrell	Garrett
Goldfinch	Grooms	Gustafson

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Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--25

NAYS

Allen	Davis	Harpootlian
Hutto	<i>Johnson, Kevin</i>	Leatherman
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Senn	Setzler
Stephens	Williams	

Total--17

The amendment was carried over.

Senator CASH proposed the following amendment (1R012.KMM.RJC), which was tabled:

Amend the bill, as and if amended, on page 4, by striking lines 11 through 21 and inserting:

/ Section 44-41-630. (A) A physician, certified technician, or agent of the physician who is competent in ultrasonography and who is not employed by or affiliated with the abortion physician or abortion clinic that is to perform or induce an abortion shall:

(1) perform an obstetric ultrasound on the pregnant woman, using whichever method the physician and pregnant woman agree is best under the circumstances;

(2) during the performance of the ultrasound, display the ultrasound images so that the pregnant woman may view the images; and

(3) record in the pregnant woman's medical record the estimated gestational age of the fetus, the ultrasound method used to test for a fetal heartbeat, the date and time of the test, and the results of the test, including the presence or absence of a fetal heartbeat.

(B) Following the ultrasound, and upon the authorization of the pregnant woman, the written medical description referenced in item (A)(3) shall be provided to the abortion provider who is to perform or induce the abortion. /

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Amend the bill further, as and if amended, on page 4, by striking lines 24 through 25 and inserting:

/fertilization, then the person performing the ultrasound shall tell the /

Amend the bill further, as and if amended, on page 5, by striking lines 17 through 20 and inserting:

/ Section 44-41-670. A physician who performs an abortion is not in violation of Section 44-41-650 if an ultrasound was performed in accordance with Section 44-41-630(A), the physician receives the report required pursuant to Section 44-41-630(B), the physician reviews the report, the report reflects that the ultrasound did not reveal a fetal heartbeat, and the physician performs the abortion within seventy-two hours of the date and time of the ultrasound test. /

Amend the bill further, as and if amended, on page 6, by striking lines 13 through 16 and inserting:

/ Section 44-41-700. A physician who performs an abortion is not in violation of Section 44-41-680 if an ultrasound was performed in accordance with Section 44-41-630(A), the physician receives the report required pursuant to Section 44-41-630(B), the physician reviews the report, the report reflects that the ultrasound did not reveal a fetal heartbeat, and the physician performs the abortion within seventy-two hours of the date and time of the ultrasound test. /

Amend the bill further, as and if amended, on page 8, by striking line 10 and inserting:

/ be performed. ~~If an ultrasound is performed~~ After an ultrasound is performed pursuant to Section 44-41-630, an abortion may not be /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator GROOMS spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senators MASSEY and DAVIS proposed the following amendment (1R011.KMM.ASM), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 1 through 15 and inserting:

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/ Section 44-41-660. (A) Section 44-41-650 does not apply to a physician who performs or induces an abortion if:

- (1) the pregnancy is the result of rape;
- (2) the pregnancy is the result of incest; or
- (3) the physician determines according to standard medical practice that a medical emergency exists that prevents compliance with the section.

(B) A physician who performs or induces an abortion on a pregnant woman based on the exception in either subsection (A)(1) or (2) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made within twenty-four hours of performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information for the pregnant woman making the allegation. Prior to performing or inducing the abortion, the physician who performs or induces the abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

(C) A physician who performs or induces an abortion on a pregnant woman based on the exception in subsection (A)(3) shall make written notations in the pregnant woman's medical records of the following:

- (1) the physician's belief that a medical emergency necessitating the abortion existed; and
- (2) the medical condition of the pregnant woman that assertedly prevented compliance with Section 44-41-650.

(D) For at least seven years from the date that notations are made pursuant to subsection (B) or (C), the relevant physician shall maintain in his own records a copy of the notations. /

Amend the bill further, as and if amended, on page 8, line 34, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 44-41-60 of the 1976 Code is amended to read:

"Section 44-41-60. Any abortion performed in this State must be reported by the performing physician on the standard form for reporting abortions to the state registrar, Department of Health and Environmental Control, within seven days after the abortion is performed. The names of

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the patient and physician may not be reported on the form or otherwise disclosed to the state registrar. The form must indicate from whom consent was obtained, ~~or~~ circumstances waiving consent, and, if an exception was exercised pursuant to Section 44-41-660, which exception the physician relied upon in performing or inducing the abortion.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Recorded Vote

Senators MARTIN, CASH, GOLDFINCH, VERDIN, CORBIN and RICE desired to be recorded as voting against the adoption of the amendment.

Senator HUTTO proposed the following amendment (1CBH1), which was tabled:

Amend the bill, as and if amended, page 9, by striking SECTION 8 and inserting the following: /

SECTION 8. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH2), which was tabled:

Amend the bill, as and if amended, page 4, by striking Section 44-41-650 (A) as contained in SECTION 3 and inserting the following:

/ Section 44-41-650(A). No person shall perform, induce, or attempt to perform or induce an abortion on a pregnant woman. /

Renumber sections to conform.

Amend title to conform.

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Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

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

Ayes 34; Nays 6

AYES

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

Total--34

NAYS

Allen	Fanning	Matthews
McLeod	Sabb	Stephens

Total--6

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH4), which was tabled:

Amend the bill, as and if amended, page 3, by striking Section 44-41-610 (8) as contained in SECTION 3 and inserting the following:

/ (8) 'Medical emergency' means a condition that, by any reasonable medical judgment, so complicates the medical condition of a pregnant woman that it necessitates the abortion of her pregnancy to avert her death without first determining whether there is a detectable fetal heartbeat or for which the delay necessary to determine whether there is a detectable fetal heartbeat will create serious risk of a substantial

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and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions. A condition must not be considered a medical emergency if based on a claim or diagnosis that a woman will engage in conduct that she intends to result in her death or in a substantial and irreversible physical impairment of a major bodily function. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator GROOMS moved to lay the amendment on the table.

The amendment was laid on the table.

Senator HUTTO proposed the following amendment (1CBH3):

Amend the bill, as and if amended, page 4, by striking Section 44-41-650 (B) as contained in SECTION 3 and inserting the following:

/ Section 44-41-650 (B). A person who violates subsection is guilty of a civil fine and, upon conviction, must be fined up to ten thousand dollars. /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON spoke on the amendment.

Remarks by Senator KEVIN JOHNSON

I intend to be brief on this Bill. I don't stand here as being pro-life or anti-abortion. I stand here as being pro-choice, and I'm one of the ones that believe that you can be against abortion and still be pro-choice. I think that most everybody in here is pro-choice. It's just that some of us favor choice when you only have one option. I have sat through many meetings -- committee meetings and full subcommittee meetings -- and one thing that I notice is that everybody that came before us to testify made a choice. Some chose to have an abortion and some chose not to have an abortion, and I think everybody that came before us to make that choice made it based on their own personal situation. Everybody's situation is unique and different. I've heard today, especially today, so many remarks about saving lives and I think Senator GROOMS said that he wants to save as many lives as possible, and that's where I stand. I want to save lives, also, but I do not want to save lives at the expense of

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telling a woman what she can or cannot do with her own body. When I first got to the General Assembly about 11 years ago, I heard over and over again, especially from my Republican friends, that government should not be involved too much in people's lives. Personal decisions. I do not know what could be more personal than trying to tell a woman what she can and cannot do with her body. I keep hearing, over and over again, about how the whole purpose here is to save lives. I even heard somebody imply that we have some colleagues who are against abortion and they are pro-life; however, they are for the death penalty. You know you cannot have it both ways. I stand this morning and I may be back.

One thing I want to emphasize to the Body is that if you really want to save lives, I have two Bills. One I file every year, which is Medicaid expansion. I think the research is there and the data is there. When people have access to quality affordable health care, that saves a lot of lives. Probably more lives than we lose through the abortion process. I find it ironic and it confuses me that a lot of people who are now saying that they want to maximize the number of lives they save have never supported Medicaid expansion. I don't think my Bill ever gets a hearing, but it's clear while going through this pandemic that if people have access to quality health care, we can save lives. The other Bill I filed this year is a face mask mandate. I filed it with the intent on saving lives and again, a lot of my colleagues who want to save lives will not support mandated face masks although there is research that shows that wearing masks saves lives. I just want us to be true to our word. If we want to save lives, those are two methods that are less controversial than telling a lady what she can or cannot do as far as saving lives. I would hope that we would be sincere about that and I would hope my Bill on Medicaid expansion and my Bill on mandating face masks will get a hearing and get the support of all of us here who want to save lives. I have some concerns with the Bill that is before us. I personally think there are a lot more important things that we should be prioritizing right now as it relates to the pandemic and education. We have teachers who are leaving the field where we already have a teacher shortage.

I hear from my constituents and they are emphasizing and putting priority on a lot more than they are this abortion Bill. I just hope that we are sincere about saving lives because there is more than one way to save a life. I ask for committee hearings and subcommittee hearings on the face mask mandate Bill and on the Medicaid Expansion Bill. I ask all of those who are really serious about saving lives to support those Bills. Thank you.

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On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

Senator McLEOD spoke on the amendment.

Remarks by Senator McLEOD

Ladies and gentlemen of the Senate, I'm not here to talk about the science, data, fiscal impact, financial hardships or fetal anomalies. We've heard our share of that over the years and again today. I'm not even here to reiterate what we've heard from the overwhelming number of doctors that we call our heroes and sheroes one day, but vilify and demonize the next. I'm here to ask one simple question that only our actions can answer.

I stand before you today because I'm pro-life and I refuse to let anyone else redefine or repurpose my position for me. Contrary to what many of you might think, I'm not pro-abortion. But I am a woman who has given birth -- twice -- and miraculously, I didn't need 140 men who serve in the South Carolina General Assembly to make that decision for me.

If you believe life begins at the moment a fetal heartbeat is detected, you should also agree that the challenges of life are exacerbated for the pregnant woman or girl and the fetus, in that very same moment.

I was in law school and my husband was in graduate school when I was pregnant with my firstborn. Financially and otherwise, times were tough. However, our families were a strong support system for us. Some women and girls do not have families or support systems. Some are raped. Others are barely surviving their own tragic circumstances or choices. And some are babies themselves -- betrayed, traumatized and violated by familial predators.

With every pregnancy comes a host of possible complications -- like the ones that left Jodie Roberts of Lexington in a vegetative state last year after having her second child, or the COVID-19 complications that left Ashley Bennett of Lexington dead, just days after giving birth to her tenth child. And since God, in His infinite wisdom, entrusted only us to carry and birth his most magnificent creation, He must think we're smart enough and strong enough to make those life-altering decisions without government's help, interference or oversight.

But here we are AGAIN -- this time during an epic public health crisis -- making a "Fetal Heartbeat Bill" our number one priority when COVID-19 has already killed many more living, breathing human beings across South Carolina than abortions have. Yet, we've done NOTHING to fight for or protect over 6,500 lives that have been lost.

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Obviously, waging war on the women of this State and forcing them into vicious cycles of poverty for generations is the goal of our male dominated legislature. That's why this General Assembly balked at my Viagra Bill in 2016 and my Pro-Birth Accountability Act in 2020 because some of us would rather hold everyone BUT the biological father accountable.

In this Bible toting State, I'm always amazed at the level of vitriol I receive from those who claim to believe in the same God that I do. In fact, my faith in God has always been the guiding force in my life. It seems their God is a god of hate and judgment and vengeance. They sow seeds of division and call those of us who only see their hypocrisy, "baby killers."

But unlike them, I don't worship other gods or participate in their political idolatry. And I'm certainly not a hypocrite who boasts pro-life and pro-death stances simultaneously, since the two are mutually and Biblically exclusive.

Scripture says, "Greater love hath no man than this; that a man lay down his life for his friends." Yet, the very people who say there's nothing more important than life in the womb are the same ones who refuse to protect life beyond the womb by simply wearing a facemask.

Whether it's a statewide mask mandate, COVID-19 vaccinations or guns, proponents of this Bill rebuke all government mandates and refuse to let government trample on your rights and freedoms. Yet, it's you who now summons the same government to trample all over ours.

The God I serve says that He came so that all of us may have "life and have it abundantly." But how can we have an abundant life when our misogynistic government denies us healthcare equity, pay equity, medical autonomy and the same freedoms and liberties it demands for our male counterparts? We rail against women and girls who contemplate abortion the minute a fetal heartbeat is detected. Yet, we enact public policy like this that aborts the lives, dreams, hopes, opportunities and futures of women and girls across South Carolina.

Pro-life means we, as government leaders, don't pass laws that make it harder for people to live. We show concern, compassion and empathy for the living by giving them the resources and support, like the ability to earn wages they can actually live on, access to quality, affordable healthcare and a quality education regardless of where they live. We speak up when any lives are in jeopardy.

We don't insist that "All Lives Matter" when it's obvious that black lives don't. We don't parade black preachers, black parishioners and black parents around the halls, meeting rooms and offices of this building

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to give credence to our rhetoric that abortion is rooted in racism, but go eerily silent when unarmed black men and women are asphyxiated and shot down like wild animals in broad daylight or murdered in the presumed safety and sanctity of their own homes. Where's the OUTRAGE?

When funding is slashed year after year for the very programs, services and support that women, children, and struggling families, need to survive? Where are your letters, phone calls and emails insisting that that funding be reinstated and replenished like we do for employers to keep from raising their unemployment insurance taxes?

It's time we get our priorities in order. People across South Carolina are DYING because of a deadly virus -- a global pandemic -- and we can't even get them vaccinated because we're focused only on abortion. We haven't even had confirmation hearings for the candidate whose vying to be the next Director of DHEC. Why? Because we're fixated on abortion. We're forcing teachers back into schools without adequate protections, pay or vaccinations as they leave the classroom and the profession in droves. Why? Because we're obsessed with our politics instead of protecting our people.

S. 1 is an unconstitutional Bill that will saddle SC taxpayers with staggering legal fees and court costs for the foreseeable future. It's a Bill that criminalizes the very doctors and nurses who are risking their lives on the front lines of this raging pandemic to save ours.

Isaiah, Chapter 1, gives us a glimpse of God's wrath when we govern in His Name, but refuse to be governed by His Principles.

I would argue that we're experiencing His wrath now and have been since last March. Even today, you've said, "We're not here to choose which babies have a fetal heartbeat and are deserving of our protection." And yet, that's exactly what we do. We act as self-righteous, self-appointed ambassadors of God to collectively pick and choose who's worthy to live and die every single day we serve in this Body and we do it boldly in the name of God.

My question, and unfortunately, it's a rhetorical one -- is simply, WHOSE LIVES MATTER? We can save our empty words. God and the people of SC will judge us by our actions.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

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Motion to Ratify Adopted

At 2:54 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John D. Prince, Jr. of Sumter, S.C. John was a graduate of Clemson University. He worked for the South Carolina Department of Natural Resources for 21 years and then began a career with the Sumter County Sheriff's Department where he retired as a Sergeant. John loved the outdoors, fishing and Clemson football. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:59 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, January 27, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 18:32

Hear God's Word as the Psalmist tells us:

"It is God who arms me with strength and makes my way perfect."

Let us pray. Sooner or later, O God, each one of these leaders finds herself or himself wondering: "How can I possibly maintain the pace? How can I summon the energy to keep up?" So we pray today, Lord, that You will grant to each of these Senators and their staff members all of the mental and the physical resources they clearly need to tackle the demands of each hour in this place, to envision the results that can hopefully come from their best efforts, and to see finally the good that will unfold for this State we love when they do their best and trust in You. Lead them all and bless them. In Your loving name we pray, dear Lord. Amen.

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

MESSAGE FROM THE GOVERNOR

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

Local Appointment

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437 *VICE* Hon. James F. Hicks

Doctor of the Day

Senator K. JOHNSON introduced Dr. Victoria R. Pollard of Columbia, S.C., Doctor of the Day.

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Leave of Absence

At 1:16 P.M., Senator MALLOY requested a leave of absence until 2:44 P.M.

Leave of Absence

At 1:16 P.M., Senator SCOTT requested a leave of absence for Senator JACKSON until 2:00 P.M.

CO-SPONSORS ADDED

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

S. 1 Sen. Campsen
S. 11 Sen. Shealy
S. 38 Sen. Kimbrell
S. 290 Sens. Senn and Campsen
S. 436 Sen. Scott
S. 475 Sen. Gambrell
S. 492 Sens. Harpootlian, McLeod and McElveen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 490 -- Senator Talley: A BILL TO ENACT THE "LANGUAGE EQUALITY AND ACQUISITION FOR DEAF KIDS (LEAD-K) ACT", TO AMEND CHAPTER 36, TITLE 59 OF THE 1976 CODE, RELATING TO PRESCHOOL PROGRAMS FOR CHILDREN WITH DISABILITIES, BY ADDING ARTICLE 3, TO PROVIDE THAT THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION SHALL JOINTLY SELECT LANGUAGE DEVELOPMENTAL MILESTONES AS RESOURCES FOR PARENTS OF DEAF OR HARD-OF-HEARING CHILDREN TO USE TO MONITOR AND TRACK CERTAIN LANGUAGE ACQUISITION AND DEVELOPMENTAL STAGES TOWARD THE ENGLISH LITERACY OF THOSE CHILDREN, TO PROVIDE FOR THE CREATION OF AN AD HOC ADVISORY COMMITTEE TO SOLICIT INPUT FROM EXPERTS ON SELECTING CERTAIN LANGUAGE DEVELOPMENTAL MILESTONES FOR DEAF OR HARD-OF-HEARING CHILDREN, TO PROVIDE FOR THE COMPOSITION AND OTHER DUTIES OF THE COMMITTEE, AMONG OTHER THINGS, TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE STATE DEPARTMENT OF EDUCATION, AND TO PROVIDE THAT IMPLEMENTATION IS

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CONTINGENT ON FUNDING, AMONG OTHER THINGS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 36, TITLE 1, AS "ARTICLE 1, GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

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

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

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

S. 492 -- Senators Jackson, Scott, Harpootlian, McLeod and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINWOOD DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

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S. 493 -- Senator Hembree: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 24 THROUGH JANUARY 30, 2021, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

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

S. 494 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BISHOP JOHN LAKIN, JR., OF RICHLAND COUNTY, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 495 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. W. FRANKLIN EVANS, FORMER PRESIDENT OF VOORHEES COLLEGE IN DENMARK, ON THE OCCASION OF HIS DEPARTURE FROM THE COLLEGE, TO EXTEND DEEP APPRECIATION FOR HIS YEARS OF DISTINGUISHED SERVICE, AND TO OFFER BEST WISHES AS HE TAKES UP NEW DUTIES AS PRESIDENT OF WEST LIBERTY UNIVERSITY IN WEST VIRGINIA.

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The Senate Resolution was adopted.

H. 3705 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde,

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Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 20-27, 2021.

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

Appointments Reported

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

Statewide Appointments

Reappointment, Adjutant General, with the term to commence January 13, 2021, and to expire January 13, 2025

Roy Van McCarty, 200 Lakewood Dr., Prosperity, SC 29127-9222

Received as information.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2020, and to expire May 19, 2024

7th Congressional District:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

Received as information.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2020, and to expire May 19, 2024

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

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Received as information.

HOUSE CONCURRENCE

S. 470 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEGENDS OF CAROLINA MARTIAL ARTS, THE ORGANIZATION'S INDUCTEES, ITS BOARD OF DIRECTORS, AND BRIAN AND ALLISON PENA FOR THEIR INCREDIBLE DEDICATION, HARD WORK, AND ACHIEVEMENTS IN THE FIELD OF MARTIAL ARTS.

Returned with concurrence.

Received as information.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on January 27, 2021, at 1:07 P.M. and the following Joint Resolution was ratified:

(R1, H. 3481) -- Rep. G.M. Smith: A JOINT RESOLUTION TO SUSPEND SECTION 1-11-705(I)(2) OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2020-2021 RELATING TO A TRANSFER OF FUNDS TO THE SOUTH CAROLINA RETIREE HEALTH INSURANCE TRUST FUND.
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THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:08 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell, Campsen and Loftis: A BILL TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT"; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO

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PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

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

Amendment No. 12

Senator MASSEY proposed the following amendment (1R014.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking Section 44-41-680 in its entirety and inserting:

/ Section 44-41-680. (A) Except as provided in subsection (B), no person shall perform, induce, or attempt to perform or induce an abortion on a pregnant woman with the specific intent of causing or abetting the termination of the life of the human fetus the pregnant woman is carrying and whose fetal heartbeat has been detected in accordance with Section 44-41-630.

(B) A physician may perform, induce, or attempt to perform or induce an abortion on a pregnant woman after a fetal heartbeat has been detected in accordance with Section 44-41-630 only if:

(1) the pregnancy is the result of rape, and the probable post-fertilization age of the fetus is fewer than twenty weeks;

(2) the pregnancy is the result of incest, and the probable post-fertilization age of the fetus is fewer than twenty weeks;

(3) the physician is acting in accordance with Section 44-41-690;

or

(4) there exists a fetal anomaly, as defined in Section 44-41-430.

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(C) A physician who performs or induces an abortion on a pregnant woman based on the exception in either subsection (B)(1) or (2) must report the allegation of rape or incest to the sheriff in the county in which the abortion was performed. The report must be made no later than twenty-four hours after performing or inducing the abortion, may be made orally or otherwise, and shall include the name and contact information of the pregnant woman making the allegation. Prior to performing or inducing an abortion, a physician who performs or induces an abortion based upon an allegation of rape or incest must notify the pregnant woman that the physician will report the allegation of rape or incest to the sheriff. The physician shall make written notations in the pregnant woman's medical records that the abortion was performed pursuant to the applicable exception, that the doctor timely notified the sheriff of the allegation of rape or incest, and that the woman was notified prior to the abortion that the physician would notify the sheriff of the allegation of rape or incest.

(D) A person who violates subsection (A) is guilty of a felony and, upon conviction, must be fined ten thousand dollars, imprisoned not more than two years, or both. /

Amend the bill further, as and if amended, by striking Section 44-41-660 in its entirety and inserting:

/ Section 44-41-660. (A) Section 44-41-650 does not apply to a physician who performs or induces an abortion if the physician determines according to standard medical practice that a medical emergency exists that prevents compliance with the section.

(B) A physician who performs or induces an abortion on a pregnant woman based on the exception in subsection (A) shall make written notations in the pregnant woman's medical records of the following:

(1) the physician's belief that a medical emergency necessitating the abortion existed;

(2) the medical condition of the pregnant woman that assertedly prevented compliance with Section 44-41-650; and

(3) the medical rationale to support the physician's conclusion that the pregnant woman's medical condition necessitated the immediate abortion of her pregnancy to avert her death.

(C) For at least seven years from the date the notations are made, the physician shall maintain in his own records a copy of the notations. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

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Senator CASH spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator CASH spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 22; Nays 11; Abstain 10

AYES

Bennett	Campsen	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Massey
Peeler	Rankin	Shealy
Talley	Turner	Williams
Young		

Total--22

NAYS

Adams	Alexander	Cash
Climer	Fanning	Goldfinch
Martin	Rice	Senn
Setzler	Verdin	

Total--11

ABSTAIN

Allen	Harpootlian	Jackson
<i>Johnson, Kevin</i>	Kimpson	Matthews
McElveen	McLeod	Scott
Stephens		

Total--10

The amendment was adopted.

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Amendment No. 14

Senator RICE proposed the following amendment (1R015.SP.RFR), which was withdrawn:

Amend the bill, as and if amended, on page 7, line 8, by inserting:

/ Section 44-41-485. A physician who performs an abortion pursuant to an exemption for rape or incest shall retain the fetal tissue and transport it to law enforcement, where it shall be preserved for the purpose of being used as evidence in a future legal action. /

Renumber sections to conform.

Amend title to conform.

Senator RICE spoke on the amendment.

Motion Adopted

On motion of Senator RICE, with unanimous consent, Amendment No. 14 was withdrawn.

Motion Adopted

On motion of Senator SENN, with unanimous consent, Amendment No. 10 was withdrawn.

Senator KIMPSON spoke on the Bill.

Point of Quorum

At 2:42 P.M., Senator HARPOOTLIAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

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

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

A quorum being present, the Senate resumed.

Senator KIMPSON resumed speaking on the Bill.

The question then was second reading of the Bill.

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

Ayes 29; Nays 17

AYES

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

Total--29

NAYS

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

Total--17

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

WEDNESDAY, JANUARY 27, 2021

Statement by Senator McELVEEN

I did not vote in support of S. 1, as my primary concern is the fact that at six weeks of pregnancy, most women are not yet aware that they are pregnant.

I am also concerned about the threat of criminal prosecution of physicians as set forth in S. 1, which will conflict, frustrate, and likely clash with a doctor's ability to treat his or her patients in many instances. In turn, this legislation is likely to have a chilling effect upon the quality of physicians and medical providers recruited to our State and retained in our State if passed and signed into law.

I supported H. 3114, the S.C. Pain-Capable Unborn Protection Act, or the "20-week abortion ban" in 2015 and 2016, and it was ultimately passed and signed into law. I supported the amendments offered by Senator SENN on Tuesday, January 26, 2021, which sought to move the effective date from six weeks of pregnancy to after the first trimester of pregnancy, and which also sought to add the exceptions of rape, incest, fetal anomaly, and medical emergency, without further caveats or qualifiers. Had those amendments to the legislation been adopted, I would have voted in favor of S.1.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

LOCAL APPOINTMENT

Confirmation

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

Initial Appointment, Greenville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Scott Bingel, 9 Melvin Circle, Taylors, SC 29687-2437 *VICE* Hon. James F. Hicks

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of John Travers of Gaffney, S.C. John was an Ohio State graduate and avid Buckeye fan. He was a respected community leader in Cherokee County where he served on the YMCA board, Cherokee County Chamber of Commerce board, Limestone College board and numerous others and was the current Chairman of the Gaffney Boys and Girls Club. John retired as general manager of Timken's Gaffney plant after 32 years of service. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:32 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, January 28, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

1 Samuel 3:10

In 1 Samuel we read that finally:

“The Lord came and stood there, calling as at the other times, ‘Samuel! Samuel!’ Then Samuel said, ‘Speak, for your servant is listening.’ ”

Let us pray. Holy God, how hugely significant it is to be a servant of Your people, to be one of those chosen to work for You on behalf of the citizens of South Carolina. It is an honor, of course. But far beyond that fact is the responsibility which goes along with the role. We do thank You, Lord, for having called these women and men to this place and to their roles in this Senate. Now we ask You to grant to each of them not just wise use of their individual gifts, but also to give them the grace to work together collegially and positively. And may it always be, O God, that it is Your voice they continue to hear clearly above all others as You lead them forward day by day. This we pray in Your most holy name, dear Lord. Amen.

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

Point of Quorum

At 11:03 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree

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Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Martin
Massey	Matthews	Peeler
Rankin	Rice	Scott
Shealy	Stephens	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator RANKIN introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

Leave of Absence

At 1:46 P.M., Senator HUTTO requested a leave of absence for Senator KIMPSON for the balance of the day.

Leave of Absence

At 1:46 P.M., Senator SABB requested a leave of absence for Senator JACKSON for the day.

Leave of Absence

At 1:50 P.M., Senator HUTTO requested a leave of absence for Senator SETZLER for the day.

CO-SPONSORS ADDED

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

S. 133 Sens. Campsen and M. Johnson
S. 271 Sen. M. Johnson
S. 436 Sen. Turner

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 496 -- Senator McLeod: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MRS. WILHELMENIA PERCELL GOLSTON, TO CELEBRATE HER LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

THURSDAY, JANUARY 28, 2021

S. 497 -- Senator Campsen: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

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

S. 498 -- Senators Grooms, Massey, Shealy, Verdin, Gambrell and Matthews: A BILL TO AMEND CHAPTER 95, TITLE 44 OF THE 1976 CODE, RELATING TO THE CLEAN INDOOR AIR ACT, BY ADDING SECTION 44-95-45, TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO THE INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, OR CERTAIN PRODUCTS CONTAINING NICOTINE, AND TO PROVIDE THAT LAWS, ORDINANCES, OR RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THIS PREEMPTION.

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

THURSDAY, JANUARY 28, 2021

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

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

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

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

S. 501 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ISSUING INSURANCE, SO AS TO INCLUDE RELEVANT CITATIONS WHICH ARE NOT SUBJECT TO THE ENUMERATED RATE-FILING LIMITATIONS.

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

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S. 502 -- Senator Gambrell: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT TOYS PURCHASED BY THE MARINES TOYS FOR TOTS FOUNDATION.

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

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

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

S. 504 -- Senator Gambrell: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GRACIE SEABROOK FLOYD OF ANDERSON, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 505 -- Senator Talley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL

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CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

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

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley and M. Johnson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

H. 3194 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED

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PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

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

H. 3602 -- Reps. W. Cox, Elliott, B. Cox, Hyde, Ligon, Collins, West, Gilliard, T. Moore, Gilliam, Yow, Bradley, Gagnon, Burns, Chumley, Haddon, Govan, Howard, G. M. Smith, Brawley, Cobb-Hunter, J. L. Johnson, Rose, Wooten, Calhoon, Cogswell, Hewitt, Jefferson, R. Williams, Murray, B. Newton, Hixon, Carter, Jones, King, McGarry, Anderson, K. O. Johnson, Wheeler, Rivers and Henegan: A JOINT RESOLUTION TO ADDRESS THE LOW RATE OF ADMINISTRATION OF COVID-19 VACCINATIONS IN SOUTH CAROLINA BY DIRECTING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO TEMPORARILY AUTHORIZE CERTAIN QUALIFIED HEALTH CARE WORKERS TO ADMINISTER CERTAIN APPROVED COVID-19 VACCINATIONS REGARDLESS OF WHETHER THE HEALTH CARE WORKERS ARE OTHERWISE PROHIBITED FROM DOING SO UNDER ANY PROFESSIONAL SCOPE OF PRACTICE OR UNAUTHORIZED PRACTICE PROVISION OF LAW IN THIS STATE.

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

H. 3608 -- Reps. Lucas, G. M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

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

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H. 3691 -- Rep. Murphy: A BILL TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

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

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

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

H. 3720 -- Reps. Gagnon, West, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE ABBEVILLE HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXCEPTIONAL SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2020 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

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

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H. 3721 -- Reps. J. L. Johnson, Brawley, Garvin, Bernstein, Rose, Thigpen, Howard, McDaniel, Rutherford, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Huggins, Hyde, Jefferson, J. E. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrakis, Stringer, Taylor, Tedder, Thayer, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINWOOD DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

RECALLED AND ADOPTED

S. 493 -- Senator Hembree: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF JANUARY 24 THROUGH JANUARY 30, 2021, AS "NATIONAL SCHOOL CHOICE WEEK" IN SOUTH CAROLINA AND TO CONGRATULATE STUDENTS, PARENTS, TEACHERS, AND SCHOOL LEADERS FROM K-12 EDUCATIONAL ENVIRONMENTS OF ALL VARIETIES FOR THEIR PERSISTENCE, ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THEIR COMMUNITIES IN SOUTH CAROLINA.

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

The Resolution was recalled from the Committee on Education.

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

There was no objection.

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

On motion of Senator HEMBREE, the Resolution was adopted.

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable report on:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 454 favorable:

S. 454 -- Senators Martin, Bennett, Massey and Jackson: A BILL TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

Poll of the Medical Affairs Committee

Polled 17; Ayes 17; Nays 0

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	<i>K. Johnson</i>	Corbin
Kimpson	Matthews	Gambrell

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Senn
Loftis

Cash
Garrett

McLeod

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 487 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT MICHAEL CLAYTOR AND LIEUTENANT THOMAS MILLER FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

Returned with concurrence.

Received as information.

S. 488 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE SERGEANT COREY COOK FOR RECEIVING THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR AND TO COMMEND HIM FOR HIS LEVEL-HEADED AND HEROIC ACTIONS IN THE LINE OF DUTY.

Returned with concurrence.

Received as information.

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

READ THE THIRD TIME

SENT TO THE HOUSE

S. 478 -- Senator K. Johnson: A BILL TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT FOUR, TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD

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OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

On motion of Senator K. JOHNSON.

Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CASH rose for an Expression of Personal Interest.

READ THE THIRD TIME

SENT TO THE HOUSE

S. 1 -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell, Loftis and Campsen: A BILL TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT"; TO AMEND CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING ARTICLE 6, TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460(A) OF THE 1976 CODE, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; AND TO AMEND SECTION 44-41-330(A)(1) OF THE 1976 CODE, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN INFORMATION, TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

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Senator SENN spoke on the Bill.

Remarks by Senator SENN

Colleagues, I got a phone call on my way here today from a friend and he told me that thirty years ago he was in the legislature arguing basically the same Bill that we're arguing today. I imagine that some of the more senior Senators can say that it has probably gone on even longer than that. I am telling you this because obviously this is such a divisive issue. I don't think there is really a way to get it right, but what we can do is try and get it better. I don't want anything that I have said or that I may say today to make you think that I am coming at anyone personally on this. I am not. It is just a tough issue for everyone, but me being a Catholic, a mother, a female of course, and a lawyer -- all of those different things and different hats that I wear don't coincide when it comes to the issue of abortion. So regardless of however you are going to vote on S.1, you are going to have both haters and cheerleaders. Every single one of us is going to get hate mail and cheerleader mail. That's just how it is.

So, I have, every year -- this is my fifth year for those of you new in the Senate that don't know, this is my fifth year in here, and I have repeatedly asked my colleagues, who brings Bills like this, such as "Heartbeat" and "Personhood", year after year to do something that will really make a difference, and that is to take baby steps toward better legislation. I do not think our current law of allowing abortions up to 20 weeks is a good law. I think that is too long. Two more weeks in the womb, now with our medical science, then we would have a viable baby. But, what happens is, the Bills that get put out here year after year go so ridiculously far in the other direction that it causes, even we conservatives, to have consternation.

Yesterday, I asked that you all do something positive that would have withstood constitutional scrutiny. It may have actually saved some lives of some babies and the women who carry them. I asked you to simply dial back the timeframe a female has to make a decision on abortion to the first trimester and to keep the exceptions in place, because that my friends is a centrist position, but it is also a logical position and one that both sides should be able to live with. It is reasonable. But in abortion debates reasonableness goes out of the window because the arguments always become theological and that is exactly what I heard from the podium just a few minutes ago and theology has no place in this debate. Eighteen other states do not go through the same abortion battle year after year because they long ago reached a reasonable conclusion to allow abortions through the first trimester with exceptions built in. Those

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eighteen states are probably the same ones out there right now far ahead of us in COVID vaccinations because they are confronting the real issues that we need to be facing today. So, why my friends, if we must confront these abortion Bills every single year, can't we at least start with exceptions of rape and incest built in? I mean it would sure save us a lot of time because you know it is going to be put back in the Bill. But I will tell you why we cannot. We cannot do that because our own fire and brimstone Republican colleagues want to out those of us who will take a more reasonable approach when it comes to this most personal decision. They think those of us who are reasonable about the abortion issue are just not Republican enough. These are the same legislators who do not want to fund prenatal care for those upon whom they would impose mandatory childbirth because they believe in personal responsibility, but what they really mean is maternal responsibility for having the audacity to have had, what is often, premarital sex. To these Senators, abortion is a black or white issue, it's heaven or hell, no room for gray, yet in my judgement this is the most gray area we continually confront because every woman's situation differs.

I am at risk of having to choke something out here that I am loathe to say and the words are that Senator KIMPSON was right. I don't like saying that, that's for sure. The abortion debate is truly amongst Republicans who don't really believe in these extremist Bills, but they think people back home will tar and feather them if they don't address it. Yet abortion, I believe, is truly a medical and a social issue on which the State ought not attempt harsh, sexist governance. For the past two days, there were a lot of Republican Senators scurrying around this Chamber trying to figure out the best way to amend the Bill to something more reasonable and yet still please some of their extremist electorate.

To my Senate leadership, let me say that I am grateful for your help in bringing this Bill from something that I think was barbaric to something that is somewhat, but not fully, tolerable. Your efforts have been sincere, and I appreciate your efforts. To my Republican Party leadership, I am talking to the Party at this point. Let me say the time has come to stop pressing this issue because it's a loser. It is time that abortion not even be a part of the Party platform because it is largely a religious issue, and do remember that just because the extremist are the loudest that does not make them the majority. Hear me please because I think we lose ground with female voters, especially young female voters on issues such as abortion. Just as it is the single issue driving some of our fire and brimstone Senators, it may likewise be the single issue driving the votes of young females and we are running them over to the Democratic Party.

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Friends, let us talk about the flaws that remain in the Bill. As we have discussed, at six weeks many women do not know that they are pregnant and by the time she learns she is pregnant her time may have expired to get an abortion. So by adding a rape and incest provision coupled with the demand that doctors notify the sheriff if a woman says she has been raped is inviting trouble. No one can answer my question as to why we would include such a provision. Will no one speak the truth? Because the truth is, we all want statistics. If abortions do not go down by 55%, as you hope, and if rape allegations rise, well then we will have another reason for Senator CASH to pull out his doll babies again and revisit this issue a few years down the road.

I don't understand why we need a reporting requirement or statistics in order to determine if pregnant women will lie to get out of an unwanted pregnancy. I can tell you right now a woman will indeed lie if that is what it takes to get an abortion after only six weeks of pregnancy if she feels she is trapped and her lie will not be caused by her dishonest nature. Her lie will be because those of you who vote with this Bill will have forced her to lie. To put it in terminology that some of you sportsman can understand. Envision a wild animal, a she-wolf, with her hand caught in a trap. That wolf will gnaw her own arm off if she must in order to get out of that trap to survive. Similarly, a woman who feels trapped in an unwanted pregnancy will do just about anything to end the pregnancy unless -- unless she is given reasonable time to make her decision. The reasonable time, in my judgement, is first trimester. I understand we can all disagree, but I do believe that most women when confronted, even with an unwanted pregnancy -- they have to make these awful decisions, and yes, some of them are morale, but given the right amount of time she will make the right decision in most instances.

To you doctors, Doctor of the Day, I don't know if he is still up there; I ask how you feel about providing a female patient's medical information to law enforcement in violation of HIPAA? To the 46 sheriffs in the State, I say take heed, while you generally would not want to knock on the door of a woman to query her about circumstances of her unwanted pregnancy, now the General Assembly may pressure you to do so. If this Bill takes effect, the rape allegations will rise and then you, sheriffs, will ask why you are not bringing down the hard arm of the law on what are either rapists or lying women. And, sheriffs, what if a FOIA is issued to your agency asking you to reveal the documentation provided by those physicians, which would also reveal the name of the pregnant females or possibly the alleged rapist? How will you handle it, sheriffs? This scenario would worry me greatly if it played out, but it won't. This

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Bill when signed into law will never take effect, you know it and I know it. I look about this room, full of patriarchs, and I am saddened to make an observation and that is that we do not have any female Senators sitting on the front rows here which are reserved, of course, for those with seniority, nor will we have them anytime soon and there is a reason for that. Most women choose to raise the families and raise the children before ever entering public life and that is exactly what all five women in the legislature -- that is what we've done. We are not going to have time of course to spend 30-40 years here in the Senate.

Now onto the Bill -- so what I was talking about earlier is the fact there are no women sitting up here on the front row and likely won't be for any time soon. You gentlemen have had the advantage of having your wives at home raising your children, and I know that you love and respect your wives and daughters. But we female Senators are the wives and we are the mothers, the caregivers, and now during COVID some of us are actually the educators. Actually, the five women here go even further than that. We ourselves are not only educated, we are breadwinners. Like I said, I know most of you gentleman personally and I know you respect the women in your life, but then when social issues get played out center stage, like they are now, you all tend to revert to treating us as the fairer sex in need of omnipotent guidance. We don't need guidance on issues concerning our wombs. For instance, whose idea was it to demand that a woman be given a pamphlet before -- about adoption options before aborting? In the history of the world has there ever been a pregnant female who did not realize that she could carry the child to term and give it away? Is that necessary? Now that this Body is poised to involve police into this abortion debate, will we also give the pregnant woman a pamphlet that says you have the right to remain silent when a sheriff knocks on your door asking about your abortion or premarital sex or the rape? That might be a little more useful.

Getting back into money, one positive thing I think may come out of this, at least I hope it does, because as a Catholic woman I don't want to see other women have to go through the what-ifs. I am very thankful I never had to have an abortion or thought I had to have anything like that, but women who do, and my friends who have had abortions, they go through the what-ifs for the rest of their lives. I don't want to see them have to go through that and one of the things that I do is to support Florence Crittenton home for unwed mothers. Now every single year that I have been in the Senate, I have been forced to go and ask for money for Florence Crittenton, because the first year that I was in the Senate, after 30 years of the State giving \$150,000 to that most wonderful

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institution, which at the time, and still is now, the only home for unwed mothers where women could flee -- whether their families have rejected them because they were pregnant or just because they are poor; the State through DSS stripped that money away and sent them into turmoil. I, and others, had to go to Boeing and various corporate partners and raise money so that these women -- we actually turned away, I can't remember the number, but I think it was nine -- nine pregnant females that had to be turned away that year and you know where they went. They went straight to Planned Parenthood and they had the what-ifs, most likely.

So what I am telling you gentleman, and ladies, if we are going to pass this, we also need to help fund these women who are going to need our help. But, instead every year I have to go ask for a line item for Florence Crittenton and Florence Crittenton is not even in my district. It is not in my district. I shouldn't have to ask for money for that. But if I have to, I will, and I hope that you all will support me -- you folks on Finance will help support me in helping support these women upon whom we would force childbirth. Now let's face it, no woman -- no woman wants to have an abortion. Everyone in this room is pro-life, but you gentlemen are not at risk of having an unborn life trump your life and therein lies the rub.

New Senators, I am very sorry that you have already been brought into this debate. A debate that will have no end and it will have no end because history repeats itself. Because even when the Supreme Court gives us the law of the land on matters such as Roe vs. Wade, confirmed just last year in the Russo opinion, we press the issue until the faces and the names on the United States Supreme Court change and then we seek a new opinion, one in more keeping with our beliefs. And our beliefs stem from our religions and our religions, again, have no place in this Chamber. To the fire and brimstone Republicans, I will tell you that when we pass this unconstitutional legislation, your smiles will quickly fade because an injunction will be entered as swiftly as the Governor signs it. This ill-advised law will fall and it will be costly.

Now, I know some of you are already thinking, boy, she has just invited herself a primary challenge. Maybe, but I take solace in knowing that in all likelihood the courts will have already struck this law before four years is up and I will be able to show the fiscal impact of our folly. You, on the other hand, will not be able to show me one baby saved, and that is sad because if we give women the time to make up their right mind, that will save babies.

I would like to end, again, by thanking those who voted for the reasonable amendments to this Bill. Especially to thank the leadership for its guidance in making the Bill better. I look forward to next week

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when hopefully our feelings can simmer down on this divisive topic and we can return to what, in my view, are more pressing matters befitting of us dealing with it in the government. Meanwhile, I pray that God give guidance to potential mothers to make the right decision. I hope and I know that most will reach the proper decision. But, I think it is her conscience, not laws, that will govern. And try as you might, my colleagues, you cannot force birth. It will not work, and I will end by saying what we say at my church anyway, peace be with you.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator SENN, were ordered printed in the Journal.

Senator SHEALY spoke on the Bill.

Remarks by Senator SHEALY

During this important debate of the Heartbeat Bill, it was clear to me, until a few minutes ago, the vast majority of the arguments and opinions have been offered by men. That is no surprise. Men make up the majority of the Senate. Members of the Senate, regardless of gender, should speak up for their constituents and faithfully represent those that they represent, especially when balancing such profound rights such as life and liberty. A man's perspective is still a man's perspective. As a woman whose actual liberty could have been affected in a life-changing way by the policy we are considering, I have a different perspective. I believe that abortion should never be used as birth control. Other methods are inexpensive or free and are readily available and should be employed and encouraged. I believe that no woman should be forced to suffer the horror of rape or incest, then be forced by the government to give birth to a child that was conceived out of hate and evil. As a woman, it has been very difficult for me to listen to the arguments by men in favor of forcing such circumstances upon a woman. I believe that women and men -- that all people have personal rights and responsibilities over what happens to their bodies and how they use their bodies. These rights are not unlimited and exclusive, particularly when these rights come into conflict with the rights of others, including the unborn. I believe passing the Heartbeat Bill with the exception of rape, incest, and fetal anomalies is the right thing for South Carolina. This Bill protects the life of the unborn with a heartbeat. At the same time recognizes, under exceptional circumstances, a woman's right to choose what happens to her body is a superior right. As Senator DAVIS so eloquently argued, it is impossible to attain, but the work done by this

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Senate gets as close to reaching that balance as we can hope to reach. I am a woman. I am a pro-life conservative, but I was a woman first. I will always be a woman first. I hope you will join me in voting and supporting this Heartbeat Bill. Thank you, Mr. PRESIDENT.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator SHEALY, were ordered printed in the Journal.

Senator CASH spoke on the Bill.

Remarks by Senator CASH

Thank you Mr. PRESIDENT. I want to speak to you for just a few minutes about worldview. What worldview is; the importance of worldview. Yesterday I was challenge by a few of the Senators from Charleston. One called me to task for referring to the Scripture. One just began referring to me as the Bishop from Anderson. I want to respond to that a little bit because I think this is an important point. Everybody comes into this Chamber with a worldview. What is a worldview? A prism from which you look through at life. It is the way you think about things. Where does it come from? I'd say first of all, your worldview comes from your upbringing, the way you were raised, what mommy and daddy taught you. It comes from your education. The kind of things that the special teachers in your life perhaps emphasized to you that really stuck. Worldview comes from experience, your interaction with other people and your surroundings on a day-to-day basis -- year-after-year helps to form your view. The way you look at life, your presuppositions and, importantly, your worldview is formed by your religious faith and beliefs, or your lack thereof. Most people have some kind of belief system that they adhere to. Most people have some kind of things they believe are right and wrong -- that they have been taught that they have picked up here or there. For a lot of those members in this Chamber, those beliefs come from the Bible, right? They don't come from Mao Tse-Tung's, Little Red Book. Somebody may have read that, but I doubt it. I have a biblical worldview. The Bible informs the way I look at life. I think a lot of people in here would say something similar to that. Part of a biblical worldview is we believe it is all-encompassing. The Bible gives me instruction about how to love my wife, how to raise my children. In other words, it speaks to the sphere of life we call family. The Bible speaks to the sphere of life we call business. The Bible calls us to be honest, trustworthy, diligent -- do our work with excellence. Those are all biblical principles. I can show them

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to you. I can quote scripture to you as to where these things come from. I have a biblical worldview that believes the Bible is authoritative on things to which it speaks. Particularly, when we are talking about moral issues. I am going to refer to the Bible, for as long as I so choose. I don't expect you to check your worldview at the door. I'm not going to check mine. Whatever you want to say, you're going to say. I'm going to weigh it in the balance of my worldview and vice versa; that's just the way it works. I've been here for several years. I don't think I have been beating anybody over the head with a Bible. I don't think I make reference to it that often. But I will say this. I can and will make reference to it as often as I wish. Whenever I think it is appropriate. That is my right. You can refer to whatever authority is in your life. Whatever founts of wisdom you rely on as you wish. I'm just going to conclude this by reading a few scriptures that will explain to how I feel about the Bible. The law of the Lord is perfect, restoring the soul. The testimony of the Lord is sure, making wise the simple. The precepts of the Lord are right. Rejoice in the heart. The commandment of the Lord is pure, enlightening the eyes. The fear of the Lord is clean, enduring forever. The judgments of the Lord are true. They are righteous altogether. They are more desirable than gold. Yes, than much fine gold. Sweeter also than honey and drippings of the honeycomb. Thank you.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

Senator MATTHEWS spoke on the Bill.

Remarks by Senator MATTHEWS

Thank you, Mr. PRESIDENT. Thank you for those words, and I want to thank the entire Senate for where we are on this Bill. When I came to the Senate for this session after sitting at home for this entire last year and trying to work remotely as much as possible, I had explored with many of my colleagues the thought of how we would proceed to this session. I had asked several times, "Can't we meet in a more safe place?" and I got the same response, "No", because of the constitution. I thank several committee chairs for allowing us to do it by video conferencing, and as we approach the session, still no accommodations. The pandemic, yes, it is a priority to all of us, cause it has affected all of our lives. The pandemic has made us change the way we do business, but unfortunately, here in the Senate it seems even though there is a pandemic, we are doing the same thing. Some of our oldest Senators are relegated to sitting up

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in the balcony where they cannot converse with us, and I was not in the Senate, but I was told by some of the older members that when the Senate and the House were being refurbished, when they were doing the upgrades, we met in a larger more feasible location. Well, we met in a different location, and so my point is why couldn't we do that now so that we could have the appropriate discussion about accommodations during this pandemic? No, instead, where are we?

We immediately jumped on this Bill. Do not get me wrong. The Senator that just spoke is exactly right. Elections have consequences. I am not going to be up here long. This Bill gives me a lot of problems. I appreciate the words of Senator SENN. You are spot on. You said many of the things that I started saying when I first came to the Senate. They have fallen on deaf ears. And I get it, elections have consequences. Power should not be abused, though. My other fellow female Senator, thank you for your words because it is important for us to understand and respect the perspectives of all of our fellow Senators. I have sat in close proximity to Senator CASH since he came to the Senate, and often we banter about our differences in opinion. You are exactly right, Mr. PRESIDENT, we should respect everybody's different perspectives on every Bill that comes before us and do that respectfully.

I ask the Senate -- please make accommodations for all of us during this pandemic. Let us make that our priority. Elections have consequences. Winners make policy and law. Losers simply advocate for mercy. We have asked from the beginning why S.1 first? Why do this Bill now? Why is this a priority during the pandemic? The numbers are through the roof here in South Carolina. Eighty-eight people died yesterday, and the only thing we could do here is talk about how we are going to speed up this abortion law. That is the only thing? Can't we mark time and blow bubble gum? We have done nothing except hear DHEC talk and give us their side of what is going on, long enough for us to see they are way in over their head and they need our legislative help. What have we done as any resolution? I thank Senator DAVIS for presenting a Resolution in reference to the vaccinations. What have we done to help the living? What have we done to put shots in people's arms?

I had a 70-something year old friend from Bennett's point -- and if you know anything about where I live, Colleton County, Walterboro is where the health department is. To get from Bennett's Point to our local DHEC is about 45 miles. Well, he is elderly. He is sitting out there on that island and he is sitting there trying to call, trying to call to get this vaccination because he has many health issues and trying to get online.

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Nobody seems to care. So finally he got in his old pick-up truck and came on up. He came by my office. He was so mad because the people in the local offices were twiddling their thumbs and told them he could not come in. They had nobody in line because nobody could get shots. What are we doing about the people who are alive, the people who put us here? What are we doing to take care of them? It seems like we do not care. We just can't put our heads in the sand and say, oh, DHEC will take care of it? We are not doing what we are supposed to do to make sure that elderly people have access to vaccines -- the people who take care of us every day. We are not doing what we are supposed to do to make sure that teachers, who we are requiring to go back to teach our children, are protected. They are the real first responders just like the police officers, just like the medical providers. Teaching is helping our economy grow. Why then is this General Assembly not doing anything to make sure the teachers and support staff get their shots now? Why are we doing nothing as it relates to rolling out the vaccine properly?

All we are doing is sitting back saying, "Oh, DHEC needs to do better." No, and I do not get it. I asked the gentleman who is the nominee to be Director of DHEC, "What specific and special will you bring to the table to get the shots out and get our elderly served?" He talked about, well, collaborating with D.C. to try to get more shots. Well, we need some more specifics. I believe that as Senators -- 46 Senators in here-- we need to be progressive about that. Be as dogmatic about getting shots in South Carolinians' arms. Be as dogmatic about taking care of the living as you are about restricting a woman's right to decide what she does with her body.

Yes, Senator SENN is right; our body is not chattel. You can do what you want regarding S. 1. You can pass it, but then what? It reminds me of this, simply this. Y'all have been chasing this car; it is like a dog chasing a car. The far right -- the radical right of the Republican Party have been chasing this car, this abortion car, since I have been in this Senate and way before then. Okay. Let us say you catch the car. Then what are you going to do with it? Because guess what? I do not think it is going to work. I do not think it is going to work. I know elections have consequences. We are going to march on -- the fact that you have a mandate from the radical right to pass abortion. Forget the fact that many are disgusted by the next major legislation that you want to take up being something the radical right wants, open carry of guns. I do not get it. Yes, we hear these things from people, but we have to take care of South Carolinians. I ask the DHEC folks, "Why don't you?" If you want to take care of South Carolinians, why not tell that 90-year-old

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person, don't get on the phone? Do not get on the internet, because you know he cannot use it. Get in your car and be first come first serve at your local DHEC. Those are problems we need to be resolving. There is no excuse why South Carolina has 90-year-old folks and above still do not have shots. That is taking care of pro-life. Elections do have consequences.

What are you going to do when you make doctors criminals? Felons. Yes, I have been on this Bill since I have gotten here. At first when I got here, the Bill said to make them a felon -- \$350,000 fine and 10 years. That has changed. It is still a felony, but let me ask you this. Why have we not seen a bunch of white coats in the lobby? Why? What is the deal there? Because I know if they become a felon for honoring their Hippocratic Oath and doing what they are supposed to protect their patient -- guess what happens? They lose their livelihood. If you are so prolife, what about the life of the doctor? What happens to his or her children? What happens to their practice? The other thing Senator SENN brought up that I was going to go into -- and I thank her for doing that, she's exactly right, if you tell someone, no, I can't give you an abortion, I can't terminate this pregnancy because it's beyond six weeks unless it's incest or rape -- have you not been to any of these colleges? Come on. I have had four pregnancies, and in not a one of them did I know that I was pregnant before I was eight weeks. That is not the way the body works.

When all of this came down last week, my OB/GYN called me and said, "You know, sometimes we go in and we hear a heartbeat. The next time we go in and do not hear a heartbeat." He said it is not as complicated as hearing a heartbeat, there are other things you have to check. Nevertheless, you know what; we sent this Bill through committee so fast that we did not get to hear from any of those people who really know what they were talking about. It was a priority. Now, the other thing he brought up to me was he said, "We in South Carolina don't have enough OB/GYNs to treat the patients." Do you realize that there is a vast underrepresentation of OB/GYNs? We have 10 counties in South Carolina that do not even have an OB/GYN. He said to me, "That's why I used to have to serve Charleston and work myself into the ground -- come to Colleton just because you didn't have an OB/GYN in Hampton, Allendale or Colleton." That is sad. Shouldn't we be doing something to incentivize the care of the women rather than criminalizing the doctors?

I printed out a report that he sent me and I will be glad to make it available to you, but I know it will not really matter to a lot. It is a study

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that was done in August of 2020 on the best and worst states to have a baby. The best and worst states to have a baby. Guess where South Carolina ranks? You are right. Once again, we are at the bottom. South Carolina is 50th. This law will simply send doctors further away. Let's talk about the consequences of the report. And here, again, you are going to get this Bill because you have the numbers. Elections have consequences, but watch out. When your grandson or great grandson or neighbor has to call a lawyer because a cop is knocking on their door because some girl after a frat party got pregnant and now she is claiming rape; please, do not come see me. It is going to happen. Because she's going to say just what she needs to say, not all the time, but she's going to say what she needs to say to accuse someone of rape. Sad.

The other part is this is going to disproportionately affect low-income women because they do not have the resources of mommy and daddy to take them to a bordering county or state. They do not have the resources to fly to a blue state or get in the car and go to a blue state. It is not going to stop abortions as it relates to girls that are more affluent. Only the ones without means. While we are talking about ones without means, there was an amendment, and I do not know what happened to that amendment, it is not a part of S. 1. However, I think the public needs to know that when we were in committee on S. 1, there was an amendment, and I kept telling Senator DAVIS there, you know, this is a pig. You can put a bow on it, you can put lipstick on it, but it is still a pig, so I would not vote for any of the amendments. Then they kept coming. One of the amendments had the nerve to say that we will provide so-called Obamacare to those who would have the baby with the exception to those women who might be illegal. Oh, my God. So, in other words, you really care about making women have babies with the exception of those women that might be illegal. A baby is a baby. A life is a life. All of us in here are pro-life.

I submit to you, ladies and gentlemen of this Senate, this is not a pro-life Bill, this is a pro-birth Bill -- have it at all costs. Now the challenge is going to be what we are going to do when we make them have it. The challenge is going to be are we going to provide healthcare? Are we going to expand Medicare? The challenge is going to be are we going to protect and create an educational system that will make these children that you have forced into this world productive educated citizens? Are we up for the challenge? We are pro-birth, not pro-life. What are we going to do about our hospitals in the rural areas? We are not going to be able to attract any doctors, so let us give up on that. No doctor is going to want to come to this State. What are we going to do about training and

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educating at our teaching hospitals? Will this Bill mean that they can't learn all the procedures of aborting a because of the limitations of this Bill? Of course, that is what it means.

What happened to the Republican initiatives announced this summer as a priority once we came into session? I remembered the disgust we all felt after George Floyd died. What happened to the press conference that was had where there was an agreement or a pronouncement that the Republican Party was dedicated to police reform? I remember the Senator who was here before Senator SENN, Senator Thurman. He kept pressing a Bill relating to PTSD for police officers and getting them treatment. It died and died and died. What happened to the initiatives to protect the life of people who are killed and officers who are affected because we have not done anything regarding police reform? Yes, elections do have consequences.

You have with your numbers essentially caught the car. Now let us see what you are going to do with it. It seems like the two tricks are pro-birth and open carry of guns. If you want to go ahead and get that done, let's do it. Hurry up and do it. Get it over with so we can get on and do the work of the State of South Carolina. The work of protecting the people that are alive, protecting the people that need us. Let's stop bowing down and catering to the radical right. We have to do better. I am of the belief that, yes, our rights end where our nose begins. All lawyers in here know that that is one of the first things they tell you in constitutional law, and we know about separation of church and state. I have heard many biblical references during this debate, and I am going to give you one. My mother always told me, if you turn that bible around enough, turn enough pages, and look enough, you will find a biblical reference to anything, and you can shape it the way you want. I have heard all of this about personhood and heartbeat. Well, I am going to give you a reference. You can read it on your own. Numbers, Chapter 5 verse 11 through 31. I never professed to be a biblical scholar, but Numbers, Chapter 5 verses 11 through 31 details the punishment for a women found to have committed adultery and gotten pregnant. A formula of drink was mixed up and given to the woman. It caused her uterus to swell and she would miscarry the baby if she were guilty. Now, that flies in the face of that oh, the child is innocent. We need to protect all life. That chapter also indicates that the fetus does not possess a right to life in and of itself, and back then, they felt that the fetus did not possess a life -- a right to life. It was killed if it was conceived in adultery.

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I am going to end by saying I am ready. I am ready to roll up my sleeves and take care of all of South Carolina. I am ready to do whatever is necessary to deal with this pandemic and the effects. I am ready to deal with real issues. Let's deal with police reform. Let's deal with the pandemic. Let's deal with healthcare for women. Healthcare for all. Let's deal fairly for those extra 5,000 children. Let's deal with education, freedom for them. Let's do that. Let's hurry up and do it. We have to do it together. Just because you have the power, does not mean you should trample on the rights of others. Thank you.

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator MATTHEWS, were ordered printed in the Journal.

Senator HARPOOTLIAN spoke on the Bill.
Senator K. JOHNSON spoke on the Bill.
Senator McLEOD spoke on the Bill.

Remarks by Senator McLEOD

Thank you Mr. PRESIDENT. I hadn't planned to speak again today. But after hearing Senator CASH talk about how grateful some women are to have been raped, yesterday, I could barely contain myself.

Clearly, he has never been raped. It's probably safe to assume that the 40 men in this Body and the one hundred men of the South Carolina House haven't either. Well, I have. You're looking at a sexual assault survivor who, like most women and girls, didn't tell my parents and didn't report the crime to law enforcement. Not because I didn't want to and definitely not because I didn't need to. But, because I was afraid to. So, how dare you. How dare you!

And all the talk about God. Let me remind you -- God gives us free will to make our own decisions and choices. It's this Bill, and others like it, that take that away -- our rights, our liberties, our freedoms and our choices -- with this Bill that's about anything BUT life. It's this Bill that mocks God by taking away our rights, our liberties, our freedoms and our choices. And it's this Bill that's about anything but life. So, after all of that -- do you have to take our dignity too? Does it make you feel good when women have to relive the horror, unspeakable shame and the trauma we've experienced by a man, then forced to retell it to yet another man -- this one with a badge?

Just like rape, this Bill is about POWER and CONTROL. Raped by a man. Now, forced to report it to a man. Governed by a body of men. A reminder that she may have survived the assault, but her every move

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during and after it will be governed by men. We've got 46 county sheriffs in this State. Forty-five of them happen to be men. And likely, men who have no idea what it's like to be sexually assaulted or raped. Men who don't have the God-given capacity to become pregnant or be forced to give birth and be forever bonded to the seed of her rapist. Men who have no idea what she's been through or going through and quite frankly, couldn't care less.

We've heard enough of the hypocrisy. We've seen the props and the pics. And yes, we know we're outnumbered now in this Chamber, just like you're now outnumbered beyond this Chamber. But what I can't get past is the sheer audacity that this male-dominated legislature has to force women and girls of this State to report this crime to our male-dominated law enforcement agencies -- knowing that both are ill-equipped to handle the magnitude of that responsibility. We've still got rape kits that haven't been touched and rape cases that haven't been solved from years ago, but who cares if these survivors ever get justice. You just hope they get pregnant.

The reality is most women and girls don't report these crimes to law enforcement. Not because they don't want to hold these offenders accountable, but because they're scared to death. They've survived the rape, but then comes the trauma, the guilt, the shame, the torment and the fear. Without mental, emotional and financial support, many more women and girls won't survive the additional hell we're going to put them through with this Bill. And sadly, desperation and despair will lead some down a dark, dangerous and deadly path only to bleed out in back alleys because they feel hopeless, helpless and believe they have no other choice.

This isn't about holding rapists and sexual predators accountable and you know it. In fact, you've said very little if anything about that because you know this Bill does just the opposite. It protects rapists and child molesters and you're fine with that. It doesn't protect the unborn. And it certainly doesn't protect the women who are forced into motherhood, many before they even get to experience womanhood.

Senator CASH, I'm glad that some women are able to move beyond the physical, mental emotional and psychological scars to turn their mess onto a message. Their trauma into a testimony. God's Grace into gratitude. But even they had a choice. I'm just asking that the men in this Body give the women and girls of this State that same choice. Because you've reminded us again today that S.1 and other anti-abortion bills are your party's only priority, even during a global pandemic. And because appealing to your conscience about your unwillingness to

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protect ALL LIVES -- regardless of guilt or innocence -- doesn't work, let me try to appeal to what drives you -- your politics.

At least 1.2 million of South Carolina's registered voters are women. That's 55% of our state's registered voters. And according to the Institute of Women's Policy Research, South Carolina is home to almost 2.5 million women and girls. That's almost half of our State's population. So enjoy this power and control while you have it, fellas. It's just politics for you. But it's personal for millions of us and one of these good ole election days not too long from now, we're going let you know it.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

Senator STEPHENS spoke on the Bill.

Remarks by Senator STEPHENS

Thank you, Mr. PRESIDENT. Thank you, my esteemed colleagues. I never thought I would be standing here this afternoon to discuss one of the most important issues that affects not only South Carolina but also the United States as a whole. As I look back through my many emails since I took the oath of office, there have been in excess of 120 emails concerning the Abortion Bill. Looking at and going back, evaluating those emails and seeing the opinions and reading the opinions of those emails, I did a survey and out of the 120 emails, there were 70 persons who asked me to vote "no" on the Heartbeat Bill. That is the majority as relates to the number of individuals that asked me to do such. Now more than four decades after the Supreme Court Roe v. Wade decision, many opponents and supporters are still battling over the issue -- courts and at ballot boxes throughout the United States. Recently, enacted Alabama law has been described, as the nation, most restrictive. Several other states also passed new restrictions on abortion with an eye towards giving the Supreme Court the chance to overturn its decision in Roe. As the debate when abortion continues -- there are five facts I would like to share with you as it relates to polling that was done by a pew research center. About six in ten U.S. adults, 60 or more percent, said in a 2019 survey that abortion should be legal in all or most cases compared to 38% who said it should be legal all, or most of the time. Now on both sides of the issue -- Americans are more likely than not to leave room for exceptions with more saying abortions should be legal or illegal most of the time rather than always. Public support for legal abortion remains

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high as it has been in two decades of polling. There is virtually no difference between views of men and women. There is substantial and growing partisan divide on abortion as we know that exists here in this Chamber and chambers throughout the United States of America. With Democrats, those who lean toward the Democratic Party -- more likely Republicans and GOP leaders to support legal abortion in all and more likely than GOP leaders that support abortion in all or most cases -- 82% versus 36%. There are large gaps based on religious affiliation. Now get this, everyone, please. For example, three-quarters of white evangelical, and private citizens, 77%, say abortion should be illegal in all or most cases -- while all or most cases the largest share of unaffiliated Americans, 83% take the opposing view, saying that abortion should be mostly or entirely legal. Now, when it came to the Supreme Court in the 1973 landmark abortion ruling, Americans, 70%, in a 2019 survey -- *Roe v. Wade* should not be completely overturned. Again, Democrats are far more likely than Republicans to hold this view. Republicans are roughly evenly divided, with 50% saying they do not want to see *Roe v. Wade* completely overturned and 48% said they would like the decision to be tossed out. Now overall, a similar majority of women at 70% and men at 69% do not want *Roe v. Wade* overturned. In December 2017, roughly half of Americans, 48%, said having an abortion is morally wrong while 20% said it was morally acceptable and 31% said it was not a moral issue. These views also differ. They differ by religious affiliations. About three-quarters of evangelical and Protestants, 77%, say having abortion is morally wrong. Just 24% of religious unaffiliated people agreed. Now the vast majority of Americans, the vast majority of Americans expect abortion to remain at least mostly legal in the United States. Now a survey conducted in 2018 asked Americans what you think the status of abortion laws in the country will be in 2050. About three-quarters of them said it would either be legal with no restrictions, 22% or legal with some restrictions, 55% or fewer said it would be illegal except in certain cases -- 68%. Now ladies and gentlemen, I was sent here to voice the concerns of the constituents in Senate District 39, but I also will sit here to voice the concerns of South Carolinians as a whole. Now, I may have just been targeted by those who cared for me just to vote "no" but it took a lot of thinking. I had a mother, I have sisters, I have nieces, and in conversation with those individuals they asked would you please voice the concerns of women having the authority over their bodies. When hearing that and being reminded of my responsibility as an elected official in voicing the concerns of those who sent me here, I have no other choice but to stand as I said to those by text messages and to those

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by emails that I stand firmly with them in not supporting this Bill as it is presently written. I understand numbers and I understand that this Bill will pass. It will go to the other Chamber and it will be slashed, cut up, however you want to phrase it, and it will probably come back to a conference committee. As I listen to the debates throughout, I am truly concerned about the direction that this Assembly will go. I have all confidence that our PRESIDENT will lead us in the right direction -- our Majority leader and Minority leader will help lead us in the right direction. I am asking us to please when we stand before this Assembly that we take in regards those individuals who sent us here to do a job. With that being said, Mr. PRESIDENT and my esteemed colleagues, I say thank you.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator STEPHENS, were ordered printed in the Journal.

Senator HUTTO spoke on the Bill.

The question then was third reading of the Bill.

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

Ayes 30; Nays 13

AYES

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

Total--30

NAYS

Allen	Fanning	Harpootlian
Hutto	<i>Johnson, Kevin</i>	Malloy

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Matthews
Sabb
Stephens

McElveen
Scott

McLeod
Senn

Total--13

There being no further amendments, the Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

Statement by Senator MALLOY

I did not vote for S. 1, as I have concerns about a woman's knowledge of her pregnancy at only six weeks. Further, criminal prosecution of doctors set forth in this Bill is problematic. I have supported the 20 week abortion ban and the SC Pain-Capable Unborn Protection Act. This Bill has further constitutional problems that will prove timely and expensive as a stay/injunction is expected. It is my further belief that while many say that this legislation is a partisan issue, this Bill could have been defeated by the opponents if they had fought the exception amendment, (R014, KMM.ASM). Finally, it is my belief that the Senate should be addressing other priorities such as the COVID-19 at this early stage of the session instead of S. 1.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

ADOPTED

S. 492 -- Senators Jackson, Scott, Harpootlian, McLeod and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINWOOD DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Wayne Steven Smith of West Columbia, S.C. Wayne was a friend of our beloved Senator Setzler. He was a graduate of Brookland-Cayce High School and a U.S. Navy vet. Wayne worked for Delta Airlines several years before starting a career with Richland Wholesale Liquors. He was an avid Gamecock Club member for over 50 years. Wayne was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:58 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up and to stand adjourned to meet Tuesday, February 2, 2021, under the provisions of Rule 1B.

* * *

Friday, January 29, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 475 Sen. Campsen

ADJOURNMENT

At 11:03 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, February 2, 2021, at 11:00 A.M., under the provisions of Rule 1B.

* * *

Tuesday, February 2, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5015

Agency: Clemson University-State Crop Pest Commission

Chapter: 27

Statutory Authority: 1976 Code Sections 46-9-40 and 46-9-50

SUBJECT: Asian Longhorned Beetle Quarantine

Received by Lieutenant Governor February 1, 2021

Referred to Committee on Agriculture and Natural Resources

CO-SPONSORS ADDED

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

S. 44 Sen. Davis

S. 212 Sens. Senn and Campsen

S. 436 Sen. Alexander

S. 510 Sens. Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler and Stephens

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 507 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-15 SO AS TO PROVIDE TRUSTEES OF PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THIS STATE WHO RESIGN OR ARE REMOVED FROM OFFICE ARE NOT QUALIFIED TO SERVE, AND MAY NOT BE ELECTED OR

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APPOINTED TO SERVE, ON ANY BOARD OF TRUSTEES OF A PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE FOR A PERIOD OF FOUR YEARS AFTER THE DATE OF THEIR RESIGNATION OR REMOVAL.

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

S. 508 -- Senator Shealy: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45(A), 44-78-50, AND 44-78-60 OF THE 1976 CODE, ALL RELATING TO DO NOT RESUSCITATE ORDERS, TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

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

S. 509 -- Senator Shealy: A BILL TO AMEND SECTION 43-26-90 OF THE 1976 CODE, RELATING TO BUILDINGS NOT SUBJECT TO CERTAIN PROVISIONS CONCERNING THE OPERATION OF VENDING FACILITIES BY BLIND PERSONS, TO PROVIDE THAT LOCAL DETENTION FACILITIES ARE NOT SUBJECT TO THOSE PROVISIONS, AND TO PROVIDE EXCEPTIONS; AND TO DEFINE NECESSARY TERMS.

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

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler and Stephens: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD

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PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE,

TUESDAY, FEBRUARY 2, 2021

TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION, OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.
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Read the first time and referred to the Committee on Transportation.

S. 511 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE ROGER AND MARILYN CALDWELL ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILMENT.

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

S. 512 -- Senator Grooms: A SENATE RESOLUTION TO HONOR AND THANK ARYN E. MCGUIRE FOR HER SIX YEARS OF SERVICE TO THE SOUTH CAROLINA SENATE AND THE PEOPLE OF THIS STATE AND TO WISH HER THE VERY BEST IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

TUESDAY, FEBRUARY 2, 2021

REPORTS OF STANDING COMMITTEES

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

S. 107 -- Senators Campsen and Climer: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

Ordered for consideration tomorrow.

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

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology polled out S. 200 favorable:

S. 200 -- Senators Hembree, Martin, Kimbrell and Shealy: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL

TUESDAY, FEBRUARY 2, 2021

DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

**Poll of the Corrections and Penology Committee
Polled 17; Ayes 11; Nays 6**

AYES

Martin	Shealy	Turner
Rice	Senn	Hembree
Adams	Garrett	Gustafson
<i>Michael Johnson</i>	Kimbrell	

Total--11

NAYS

Allen	Kimpson	Matthews
McLeod	Harpootlian	Stephens

Total--6

Ordered for consideration tomorrow.

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

S. 287 -- Senator Gambrell: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST

TUESDAY, FEBRUARY 2, 2021

BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

Ordered for consideration tomorrow.

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

S. 378 -- Senator Cash: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

Ordered for consideration tomorrow.

Appointment Reported

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

Statewide Appointment

Initial Appointment, Director of Department of Health and Environmental Control, with the term to commence January 20, 2021, and to expire January 20, 2025

Director:

Edward D. Simmer, 501 Charles Street, #1257, Beaufort, SC 29902

Received as information.

TUESDAY, FEBRUARY 2, 2021

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bernice Leverne Wilson, Sr. of Hartsville, S.C. Bernice worked for Sonoco over 31 years. He was a lifetime active member of Jerusalem Baptist Church. Bernice represented Hartsville City Council District 2 for 12 years, served on the Darlington County Board of Registration and Election Commission and numerous others. His family was honored as South Carolina's Black Family of the Year in 1989 by the Columbia Urban League. He was an avid reader, enjoyed sports, and singing. Bernice was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:07 A.M., on motion of Senator JACKSON, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, February 3, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Proverbs 1:1-3

The opening lines of the Book of Proverbs begin, “The proverbs of Solomon son of David, king of Israel, for attaining wisdom and discipline, for understanding words of insight, for acquiring a disciplined and prudent life, doing what is right and just and fair.”

Bow with me in prayer, please: Holy God, surely the wisdom of Solomon has guided and directed leaders and judges -- truly, it has instructed all of us -- through the ages. And the need to hear and to grasp these truths continues even today. So we ask this morning, Lord, that by Your grace we might all be filled anew with a desire to do “what is right and just and fair” in every aspect of our daily lives. And we surely expect our leaders at every level to possess those very qualities, and to seek them in those they choose to help lead the people of this State. Therefore, Lord, guide these Senators today as they carry out an important duty that, with Your blessing, can bring further collective good to South Carolina. And we further ask You, dear God, to bestow Your tender mercies on Senator KIMPSON and his family upon the recent death of Dr. Milton Kimpson, the Senator’s father. Hold the Kimpson family in Your gentle love. All this we pray in Your gracious name, O Lord. Amen.

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

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, at the conclusion of the Joint Assembly, the Senate would stand adjourned for one and a half hours before reconvening.

WEDNESDAY, FEBRUARY 3, 2021

RECESS

At 11:55 A.M., on motion of Senator MASSEY, the Senate recessed from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 451 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2021, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2021, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021;

WEDNESDAY, FEBRUARY 3, 2021

TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 5, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 7, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT LARGE, SEAT 12, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2021, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2025; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2021.

WEDNESDAY, FEBRUARY 3, 2021

Election to the Position of Judge, Court of Appeals

Seat 5, Chief Judge

The PRESIDENT announced that nominations were in order to elect a successor to the position of Chief Judge, Court of Appeals, Seat 5.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable James E. Lockemy had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable James E. Lockemy in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James E. Lockemy was elected to the position of Chief Judge, Court of Appeals, Seat 5, for the term to expire June 30, 2021.

Election to the Position of Judge, Court of Appeals, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 6.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Aphrodite Konduros had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Aphrodite Konduros in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Aphrodite Konduros was elected to the position of Judge, Court of Appeals, Seat 6 for the term to expire June 30, 2021.

Election to the Position of Judge, Court of Appeals, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Court of Appeals, Seat 8.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable DeAndrea Gist Benjamin, the Honorable Deborah Brooks Durden and the Honorable Jerry Deese Vinson, Jr. had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of the Honorable Deborah Brooks Durden was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

WEDNESDAY, FEBRUARY 3, 2021

The following named Senators voted for Benjamin:

Allen	Davis	Fanning
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
Matthews	McElveen	McLeod
Sabb	Scott	Shealy
Stephens	Young	

Total--17

The following named Senators voted for Vinson:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Gambrell	Goldfinch
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Rice	Talley	Verdin
Williams		

Total--22

The following named Senator voted present:

Grooms

Total--1

The following named Senator abstained:

Garrett

Total--1

The following named Representatives voted for Benjamin:

Anderson	Ballentine	Bamberg
Bernstein	Brawley	Caskey
Clyburn	Cobb-Hunter	Cogswell
Dabney	Dillard	Garvin
Gatch	Gilliard	Govan
Hart	Henderson-Myers	Henegan
Hosey	Howard	Huggins
Jefferson	J. L. Johnson	K. O. Johnson

WEDNESDAY, FEBRUARY 3, 2021

Kimmons	King	Matthews
McCabe	McDaniel	McKnight
J. Moore	Murray	Ott
Pendarvis	Rivers	Robinson
Rose	Rutherford	Stavrinakis
Tedder	Thigpen	Weeks
Wetmore	Wheeler	S. Williams
Wooten		

Total--46

The following named Representatives voted for Vinson:

Alexander	Allison	Atkinson
Bailey	Bannister	Bennett
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gilliam	Haddon	Hardee
Hewitt	Hill	Hiott
Hixon	Hyde	J. E. Johnson
Jones	Jordan	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCravy	McGarry
McGinnis	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Pope	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stringer	Taylor	Thayer
Trantham	West	White
Whitmire	R. Williams	Yow

Total--72

WEDNESDAY, FEBRUARY 3, 2021

RECAPITULATION

Total number of Senators voting	39
Total number of Representatives voting.....	<u>118</u>
Grand Total.....	157
Necessary to a choice	79
Of which Benjamin received	63
Of which Vinson received	94

Whereupon, the PRESIDENT announced that the Honorable Jerry Deese Vinson, Jr. was elected to the position of Judge, Court of Appeals, Seat 8 for the term to expire June 30, 2024.

**Election to the Position of Judge, Circuit Court
4th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Michael S. Holt had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Michael S. Holt in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Michael S. Holt was elected to the position of Judge, Circuit Court, 4th Judicial Circuit, Seat 2 for the term to expire June 30, 2024.

**Election to the Position of Judge, Circuit Court
5th Judicial Circuit, Seat 3**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Robert E. Hood had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Robert E. Hood in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 3, 2021

Whereupon, the PRESIDENT announced that the Honorable Robert E. Hood was elected to the position of Judge, Circuit Court, 5th Judicial Circuit, Seat 3 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court 9th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Roger M. Young, Sr. had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Roger M. Young, Sr. in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Roger M. Young, Sr. was elected to the position of Judge, Circuit Court, 9th Judicial Circuit, Seat 3 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court 13th Judicial Circuit, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that A. Lance Crick, Patrick C. Fant III and G. D. Morgan, Jr. had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of Patrick C. Fant III was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Crick:

Adams	Allen	Campsen
Cash	Cromer	Fanning
Gustafson	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Martin	Massey	Rice

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Sabb	Shealy	Stephens
Williams	Young	

Total--20

The following named Senators voted for Morgan:

Alexander	Bennett	Climer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Talley	Verdin	

Total--20

The following named Representatives voted for Crick:

Blackwell	Bryant	Burns
Chumley	Collins	Dabney
Dillard	Felder	Finlay
Hill	Hixon	Huggins
Jordan	Lowe	May
McDaniel	McGarry	V. S. Moss
Ott	Pope	Robinson
Rose	G. R. Smith	Stavrinakis
Stringer	Taylor	Trantham
Wetmore	Willis	

Total--29

The following named Representatives voted for Morgan:

Allison	Atkinson	Bailey
Ballentine	Bannister	Bennett
Bradley	Brittain	Bustos
Carter	Caskey	Cogswell
B. Cox	W. Cox	Crawford
Daning	Davis	Elliott
Erickson	Forrest	Fry
Gatch	Gilliam	Haddon
Hardee	Herbkersman	Hewitt
Hiott	Hyde	J. E. Johnson

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Jones	Kimmons	Kirby
Ligon	Long	Lucas
Magnuson	Martin	McCabe
McCravy	McGinnis	T. Moore
Morgan	D. C. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Sandifer	Simrill
M. M. Smith	Thayer	Weeks
West	White	Whitmire
Wooten	Yow	

Total--59

The following named Representative abstained:
McKnight

Total--1

RECAPITULATION

Total number of Senators voting	40
Total number of Representatives voting.....	<u>88</u>
Grand Total.....	128
Necessary to a choice	65
Of which Crick received	49
Of which Morgan received	79

Whereupon, the PRESIDENT announced that the Honorable G. D. Morgan, Jr. was elected to the position of Judge, Circuit Court, 13th Judicial Circuit, Seat 3 for the term to expire June 30, 2027.

Election to the Position of Judge, Circuit Court, 14th Judicial Circuit, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Robert Bonds and Tameaka A. Legette had been screened and found qualified to serve.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

WEDNESDAY, FEBRUARY 3, 2021

The following named Senators voted for Bonds:

Alexander	Allen	Bennett
Campsen	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	Kimpson
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Stephens	Talley
Verdin	Young	

Total--26

The following named Senator voted in the negative:

Martin

Total--1

The following named Senators voted for Legette:

Adams	Cash	Climer
Davis	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Loftis	Shealy
Williams		

Total--10

The following named Senator voted present:

Rice

Total--1

The following named Senator abstained:

Kimbrell

Total--1

The following named Representatives voted for Bonds:

Ballentine	Bamberg	Bannister
Bernstein	Blackwell	Bradley
Brittain	Bryant	Calhoon
Carter	Caskey	Cogswell

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Collins	W. Cox	Elliott
Felder	Finlay	Gatch
Gilliard	Hart	Henegan
Herbkersman	Hill	Hixon
Huggins	Hyde	Jefferson
Jordan	King	Ligon
Lowe	Martin	Matthews
McCabe	McKnight	J. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	W. Newton	Ott
Pendarvis	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Tedder	Weeks	West
Wetmore	Wheeler	Whitmire
Willis		

Total--58

The following named Representatives voted for Legette:

Alexander	Allison	Anderson
Atkinson	Bailey	Bennett
Brawley	Burns	Bustos
Chumley	Clyburn	Cobb-Hunter
B. Cox	Crawford	Dabney
Daning	Davis	Dillard
Erickson	Forrest	Fry
Garvin	Gilliam	Govan
Haddon	Hardee	Henderson-Myers
Hewitt	Hiott	Hosey
Howard	J. E. Johnson	K. O. Johnson
Jones	Kimmons	Kirby
Long	Lucas	Magnuson
May	McCravy	McDaniel
McGarry	McGinnis	T. Moore
Morgan	B. Newton	Nutt
Oremus	Pope	Rivers
Robinson	G. R. Smith	Stringer

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Thayer	Thigpen	Trantham
White	R. Williams	S. Williams
Wooten	Yow	

Total--62

RECAPITULATION

Total number of Senators voting	36
Total number of Representatives voting.....	<u>120</u>
Grand Total.....	156
Necessary to a choice	79
Of which Bonds received	84
Of which Legette received	72

Whereupon, the PRESIDENT announced that the Honorable Robert Bonds was elected to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 1 for the term to expire June 30, 2024.

**Election to the Position of Judge, Circuit Court
14th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 2.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Carmen Tevis Mullen had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Carmen Tevis Mullen in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Carmen Tevis Mullen was elected to the position of Judge, Circuit Court, 14th Judicial Circuit, Seat 2 for the term to expire June 30, 2021.

**Election to the Position of Judge, Circuit Court
15th Judicial Circuit, Seat 2**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 2.

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Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Benjamin H. Culbertson had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Benjamin H. Culbertson in nomination, moved that the nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Benjamin H. Culbertson was elected to the position of Judge, Circuit Court, 15th Judicial Circuit, Seat 2 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 1

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable George M. McFaddin, Jr. had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable George M. McFaddin, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George M. McFaddin, Jr. was elected to the position of Judge, Circuit Court, at-large, Seat 1 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 2.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable R. Kirk Griffin had been screened and found qualified to serve.

Senator RANKIN placed the name of R. Kirk Griffin in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable R. Kirk Griffin was elected to the position of Judge, Circuit Court, at-large, Seat 2 for the term to expire June 30, 2021.

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Election to the Position of Judge, Circuit Court, At-Large, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Clifton Newman had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Clifton Newman in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Clifton Newman was elected to the position of Judge, Circuit Court, at-large, Seat 3 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 4.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Edward Walter “Ned” Miller had been screened and found qualified to serve.

Representative HILL spoke in opposition to the election.

Point of Order

Representative Hart raised a Point of Order that Representative Hill’s speech was out of order.

Representative Rutherford spoke in favor of the Point of Order.

The PRESIDENT overruled the Point of Order.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Malloy
Massey	Matthews	McElveen

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McLeod	Peeler	Rankin
Sabb	Shealy	Stephens
Talley	Verdin	Williams
Young		

Total--34

The following named Senators voted present:

Cash	Gustafson	Loftis
Martin	Rice	

Total--5

The following named Representatives voted in the affirmative:

Anderson	Bailey	Ballentine
Bamberg	Bannister	Bernstein
Blackwell	Brawley	Brittain
Bryant	Bustos	Calhoon
Carter	Clyburn	Cogswell
Collins	B. Cox	W. Cox
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Garvin	Gatch	Gilliam
Gilliard	Govan	Hardee
Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	King	Kirby
Ligon	Lowe	Lucas
Martin	McCabe	McGarry
McGinnis	McKnight	J. Moore
T. Moore	D. C. Moss	Murphy
Murray	B. Newton	W. Newton
Ott	Pendarvis	Pope
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	M. M. Smith
Stavrinakis	Tedder	Thayer

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Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
Whitmire	R. Williams	Wooten
Yow		

Total--91

The following named Representatives voted in the negative:

Bradley	Burns	Chumley
Dabney	Haddon	Hill
Huggins	Jones	Long
Magnuson	May	Stringer
Willis		

Total--13

RECAPITULATION

Total number of Senators voting	34
Total number of Representatives voting.....	<u>104</u>
Grand Total.....	138
Necessary to a choice	70
Ayes	125
Nays	13

Whereupon, the PRESIDENT announced that the Honorable Edward Walter “Ned” Miller was elected to the position of Judge, Circuit Court, at-large, Seat 4 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 5

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 5.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable J. Mark Hayes II had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable J. Mark Hayes II in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable J. Mark Hayes II was elected to the position of Judge, Circuit Court, at-large, Seat 5 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 6.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable William Henry Seals, Jr. had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable William Henry Seals, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable William Henry Seals, Jr. was elected to the position of Judge, Circuit Court, at-large, Seat 6 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 7

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 7.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable J. Cordell Maddox, Jr. had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable J. Cordell Maddox, Jr. in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable J. Cordell Maddox, Jr. was elected to the position of Judge, Circuit Court, at-large, Seat 7 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 8.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable David Craig Brown had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable David Craig Brown in nomination, moved that nominations be closed and, with

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unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable David Craig Brown was elected to the position of Judge, Circuit Court, at-large, Seat 8 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 9

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 9.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jennifer Blanchard McCoy had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Jennifer Blanchard McCoy in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jennifer Blanchard McCoy was elected to the position of Judge, Circuit Court, at-large, Seat 9 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 10

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 10.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable Jocelyn Newman had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable Jocelyn Newman in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jocelyn Newman was elected to the position of Judge, Circuit Court, at-large, Seat 10 for the term to expire June 30, 2021.

Election to the Position of Judge, Circuit Court, At-Large, Seat 12

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Circuit Court, at-large, Seat 12.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that H. Steven DeBerry IV, B. Alex Hyman, and

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the Honorable Dale E. Van Slambrook had been screened and found qualified to serve.

On motion of Senator RANKIN, the names of B. Alex Hyman and the Honorable Dale E. Van Slambrook were withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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

Total--38

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Bustos	Calhoon
Carter	Chumley	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Garvin
Gatch	Gilliam	Gilliard
Govan	Haddon	Hardee

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Hart	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kimmons	King
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	Matthews	McCabe
McCravy	McGarry	McGinnis
McKnight	J. Moore	T. Moore
D. C. Moss	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Nutt	Oremus	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Tedder
Thayer	Thigpen	Trantham
Weeks	West	Wetmore
Wheeler	White	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--106

The following named Representatives voted in the negative:
Hill

Total--1

RECAPITULATION

Total number of Senators voting	38
Total number of Representatives voting.....	<u>107</u>
Grand Total.....	145
Necessary to a choice	73
Ayes	144
Nays	1

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Whereupon, the PRESIDENT announced that the Honorable H. Steven DeBerry IV was elected to the position of Judge, Circuit Court, at-large, Seat 12 for the term to expire June 30, 2026.

**Election to the Position of Judge, Family Court
7th Judicial Circuit, Seat 1**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Jonathan W. Lounsberry, the Honorable Erika L. McJimpsey and Angela J. Moss had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of Jonathan W. Lounsberry was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for McJimpsey:

Allen	Fanning	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
Matthews	McLeod	Sabb
Stephens	Williams	

Total--11

The following named Senators voted for Moss:

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

Total--28

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The following named Senators voted present:
McElveen

Total--1

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for McJimpsey:

Bamberg	Brawley	Dillard
Garvin	Gilliard	Govan
Henderson-Myers	Henegan	Hill
Hosey	Howard	J. L. Johnson
K. O. Johnson	Matthews	McDaniel
McKnight	Murray	Robinson
Tedder		

Total--19

The following named Representatives voted for Moss:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Cogswell	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Elliott
Erickson	Felder	Forrest
Fry	Gatch	Gilliam
Haddon	Hardee	Herbkersman
Hewitt	Hiott	Hixon
Huggins	Hyde	Jefferson
J. E. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
May	McCabe	McCravy
McGarry	McGinnis	J. Moore
T. Moore	Morgan	D. C. Moss

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V. S. Moss	Murphy	B. Newton
W. Newton	Nutt	Oremus
Ott	Pendarvis	Pope
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Thayer	Trantham
Weeks	West	Wetmore
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--95

RECAPITULATION

Total number of Senators voting	39
Total number of Representatives voting.....	<u>114</u>
Grand Total.....	153
Necessary to a choice	77
Of which McJimpsey received	30
Of which Moss received	123

Whereupon, the PRESIDENT announced that the Honorable Angela J. Moss was elected to the position of Judge, Family Court, 7th Judicial Circuit, Seat 1 for the term to expire June 30, 2025.

Election of an Administrative Law Court Judge, Seat 3

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 3.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that Stephanie N. Lawrence, Robert L. Reibold and Debra Sherman Tedeschi had been screened and found qualified to serve.

On motion of Senator RANKIN, the name of Stephanie N. Lawrence was withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

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The following named Senators voted for Reibold:

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

Total--33

The following named Senators voted for Tedeschi:

Kimpson	Malloy	Matthews
Sabb	Stephens	

Total--5

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Reibold:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cogswell
Collins	B. Cox	W. Cox
Crawford	Dabney	Daning
Davis	Elliott	Erickson
Felder	Forrest	Fry
Garvin	Gatch	Gilliam
Haddon	Hardee	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	J. E. Johnson

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K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCravy	McGarry	McGinnis
McKnight	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Nutt
Oremus	Ott	Pendarvis
Pope	Rose	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	M. M. Smith	Stringer
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	White	Whitmire
R. Williams	Willis	Wooten
Yow		

Total--100

The following named Representatives voted for Tedeschi:

Bernstein	Dillard	Finlay
Gilliard	Henderson-Myers	Henegan
Jefferson	J. L. Johnson	Murray
Robinson	Stavrinakis	Wetmore
Wheeler		

Total--13

RECAPITULATION

Total number of Senators voting	38
Total number of Representatives voting.....	<u>113</u>
Grand Total.....	151
Necessary to a choice	76
Of which Reibold received	133
Of which Tedeschi received	18

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Whereupon, the PRESIDENT announced that the Honorable Robert L. Reibold was elected to the position of Judge, Administrative Law Court, Seat 3 for the term to expire June 30, 2025.

Election of an Administrative Law Court Judge, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to the position of Judge, Administrative Law Court, Seat 6.

Senator RANKIN, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable S. Phillip “Phil” Lenski had been screened and found qualified to serve.

Senator RANKIN placed the name of the Honorable S. Phillip “Phil” Lenski in nomination, moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable S. Phillip “Phil” Lenski was elected to the position of Judge, Administrative Law Court, Seat 6 for the term to expire June 30, 2021.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 3:30 P.M., the Senate resumed.

Point of Quorum

At 3:31 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Gary Kocher, 170 Woodcreek Rd., Elgin, SC 29045-9158 *VICE* Lori Shealy Unumb

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Referred to the Committee on Medical Affairs.

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

At-Large:

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

Referred to the Committee on Education.

Initial Appointment, South Carolina Panel for Dietetics, with the term
to commence May 30, 2021, and to expire May 30, 2023

Dietician, Nutritional Services Management:

Valerie L. Meador, 6 South Hillcrest St., Liberty, SC 29657-1016
VICE Ann F. Childers

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Barber Examiners,
with the term to commence June 30, 2018, and to expire June 30, 2022

Barber:

Renee H. Patton, 5535 Highway 9, Suite C, Inman, SC 29349-7195

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Nursing, with the term
to commence December 31, 2020, and to expire December 31, 2024

5th Congressional District:

Samuel H. McNutt, Jr., 5909 Hwy. 321 South, Winnsboro, SC 29180-
6690

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Board of Nursing, with the term
to commence December 31, 2019, and to expire December 31, 2023

3rd Congressional District:

Wilma Kay Swisher, 110 Cedar Court, Laurens, SC 29360

Referred to the Committee on Medical Affairs.

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REGULATIONS RECEIVED

The following were received and referred to the appropriate committee for consideration:

Document No. 5028

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110 et seq., and 38-9-200

SUBJECT: Term and Universal Life Insurance Reserve Financing

Received by Lieutenant Governor February 3, 2021

Referred to Committee on Banking and Insurance

Document No. 5029

Agency: Department of Insurance

Chapter: 69

Statutory Authority: 1976 Code Sections 1-23-110 et seq., 38-3-110 et seq., and 38-9-200

SUBJECT: Credit for Reinsurance

Received by Lieutenant Governor February 3, 2021

Referred to Committee on Banking and Insurance

Doctor of the Day

Senator MATTHEWS introduced Dr. Todd Schlesinger of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 11:51 A.M., Senator BENNETT requested a leave of absence for Senators TURNER, CORBIN and SENN for the day.

Leave of Absence

At 4:53 P.M., Senator MATTHEWS requested a leave of absence for Senators KIMPSON and SABB for the day.

CO-SPONSORS ADDED

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

S. 29 Sen. McElveen

S. 44 Sen. Loftis

S. 129 Sen. Talley

S. 133 Sen. Talley

S. 147 Sens. Alexander, Gustafson, Talley and Loftis

S. 271 Sens. Kimbrell and McElveen

S. 287 Sen. Loftis

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S. 290 Sen. Loftis
S. 369 Sen. Loftis
S. 454 Sen. Young
S. 497 Sen. McElveen
S. 499 Sens. Rice, Talley and Loftis
S. 510 Sen. Rankin

RECALLED AND COMMITTED

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley and M. Johnson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

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

There was no objection and the Bill was recalled from the Committee on Medical Affairs.

On the motion of Senator KIMBRELL, with unanimous consent, the Bill was committed to the Committee on Agriculture and Natural Resources.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 513 -- Senator Campsen: A SENATE RESOLUTION TO HONOR AND RECOGNIZE PRINCIPAL HENRY DARBY OF NORTH CHARLESTON HIGH SCHOOL AND TO COMMEND HIM FOR HIS OUTSTANDING SERVICE TO HIS STUDENTS AND COMMUNITY.

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The Senate Resolution was adopted.

S. 514 -- Senator Shealy: A BILL TO ENACT THE "ACT TO ESTABLISH PAY EQUITY"; TO AMEND TITLE 41 OF THE 1976 CODE, RELATING TO LABOR AND EMPLOYMENT, BY ADDING CHAPTER 11, TO PROVIDE THAT NO EMPLOYER SHALL PAY WAGES TO ANY EMPLOYEE AT A RATE LESS THAN THE RATE PAID TO EMPLOYEES OF ANOTHER RACE, RELIGION, COLOR, SEX, INCLUDING GENDER IDENTITY AND SEXUAL ORIENTATION, AGE, NATIONAL ORIGIN, OR DISABILITY STATUS FOR COMPARABLE WORK AND TO PROVIDE EXCEPTIONS, TO PROVIDE THAT CERTAIN EMPLOYMENT PRACTICES RELATING TO REQUESTS FOR THE DISCLOSURE OF WAGES ARE UNLAWFUL AND TO PROVIDE EXCEPTIONS, TO PROVIDE THAT A CIVIL ACTION ASSERTING A VIOLATION MAY BE MAINTAINED AGAINST ANY EMPLOYER IN ANY COURT OF COMPETENT JURISDICTION AND TO PROVIDE FOR THE RECOVERY OF UNPAID WAGES AND DAMAGES, TO PROVIDE PENALTIES FOR AN EMPLOYER WHO VIOLATES THE ACT TO ESTABLISH PAY EQUITY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL HAVE THE AUTHORITY TO INVESTIGATE VIOLATIONS AND TO BRING ACTION, TO PROVIDE THAT EVERY EMPLOYER SHALL POST CERTAIN INFORMATION IN A CONSPICUOUS PLACE, AND TO DEFINE NECESSARY TERMS.

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

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

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STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

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

S. 516 -- Senators Massey, Malloy, Cromer, Climer, M. Johnson, K. Johnson, Williams, Rice, Jackson, Gustafson, Adams, Goldfinch, Kimbrell, Garrett, Talley, Bennett, Hembree, Loftis and Campsen: A JOINT RESOLUTION TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IDENTIFY CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF AS MISSION-CRITICAL WORKERS AND INDIVIDUALS WHO ARE ELIGIBLE FOR VACCINATION UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COORDINATE WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN THAT WILL OFFER THE OPPORTUNITY TO CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF TO BE FULLY VACCINATED WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION, TO PROVIDE THAT EVERY SCHOOL DISTRICT MUST OFFER FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION TO STUDENTS NO LATER THAN TWO WEEKS AFTER CERTIFIED TEACHERS AND SUPPORT STAFF HAVE BEEN OFFERED THE OPPORTUNITY TO BE FULLY VACCINATED, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ENSURE THAT ALL SOUTH CAROLINA RESIDENTS WHO ARE ELIGIBLE UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN WHO HAVE RECEIVED A FIRST VACCINE DOSE AS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION ARE OFFERED THE OPPORTUNITY FOR FULL VACCINATION WITHIN THE APPROPRIATE RECOMMENDED TIME PERIOD.

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Senator MASSEY spoke on the Resolution.

Read the first time and, on motion of Senator HUTTO, with unanimous consent, S. 516 was ordered placed on the Calendar without reference.

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S. 517 -- Senator Massey: A JOINT RESOLUTION TO PROVIDE SCHOOL DISTRICTS OFFERING FIVE-DAY, FULL-TIME, IN-PERSON INSTRUCTION SHALL PROVIDE AN ADDITIONAL FIFTEEN DAYS OF LEAVE THAT SCHOOL-BASED EMPLOYEES MAY USE FOR COVID-19-RELATED ILLNESS OR QUARANTINE, TO PROVIDE DISTRICTS SHALL PURCHASE SUCH UNUSED LEAVE IN VARYING AMOUNTS DEPENDING ON WHEN THE DISTRICT RESUMED FIVE-DAY, FULL-TIME, IN-PERSON INSTRUCTION, AND TO MAKE THESE PROVISIONS EXPIRE JULY 1, 2021.

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

S. 518 -- Senator Massey: A JOINT RESOLUTION TO REQUIRE EACH SCHOOL DISTRICT TO PROVIDE AND REQUIRE IN-PERSON CLASSROOM INSTRUCTION TO ANY VIRTUAL STUDENT WHO DOES NOT SUCCESSFULLY COMPLETE COURSE INSTRUCTION FOR THE FINAL GRADING PERIOD OF THE APPLICABLE VIRTUAL COURSE, AND TO MAKE THESE PROVISIONS APPLICABLE DURING THE 2020-2021 AND 2021-2022 SCHOOL YEARS.

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

S. 519 -- Senators Scott, Jackson, Sabb, Malloy, K. Johnson, Williams, Matthews, Hutto, Rankin and Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-4-140 SO AS TO ESTABLISH THE OFFICE OF BROADBAND DEVELOPMENT, TO PROVIDE DUTIES OF THE OFFICE, AND TO PROVIDE FOR ANNUAL REPORTS.

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

S. 520 -- Senator Fanning: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO INCLUDE PUBLIC SCHOOL TEACHERS AND SUPPORT STAFF IN PHASE 1A OF ITS COVID-19 VACCINE PLAN FOR PURPOSES OF THE ROLLOUT OF INITIAL VACCINE DOSES IN THIS STATE.

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

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S. 521 -- Senator Shealy: A CONCURRENT RESOLUTION TO COMMEMORATE THE NATIONAL INVEST IN VETERANS WEEK ON MARCH 1-7 IN SUPPORT OF VETERAN-OWNED BUSINESSES.

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

S. 522 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 12, 2021, AS "GIRL SCOUT WEEK" IN SOUTH CAROLINA AND TO COMMEND THE GIRL SCOUT MOVEMENT, GIRL SCOUTS OF EASTERN SOUTH CAROLINA, AND GIRL SCOUTS OF SOUTH CAROLINA-MOUNTAINS TO MIDLANDS FOR PROVIDING GIRLS WITH A SAFE, INCLUSIVE, ALL-GIRL SPACE WHERE THEY CAN HONE THEIR SKILLS AND DEVELOP LEADERSHIP ABILITIES.

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

S. 523 -- Senators Matthews, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF DR. MILTON KIMPSON OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 3054 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND SECTION 50-5-2510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF SALTWATER PRIVILEGES FOR THE ACCUMULATION OF POINTS, SO AS TO ALTER THE REQUIREMENTS FOR THE NOTICE OF SUSPENSION; TO AMEND SECTION 50-5-2515, RELATING TO THE NOTICE OF SUSPENSION OF SALTWATER PRIVILEGES, SO AS TO MAKE A CONFORMING CHANGE; TO

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AMEND SECTION 50-9-1140, RELATING TO THE SUSPENSION OF HUNTING AND FISHING PRIVILEGES, SO AS TO ALTER THE REQUIREMENTS FOR THE NOTICE OF SUSPENSION; TO AMEND SECTION 50-9-1150, RELATING TO THE NOTICE OF SUSPENSION OF HUNTING AND FISHING PRIVILEGES, SO AS TO PROVIDE THAT A PERSON OR ENTITY MAY APPEAL THE DECISION TO SUSPEND HUNTING AND FISHING PRIVILEGES UNDER THE ADMINISTRATIVE PROCEDURES ACT; TO REPEAL SECTION 50-5-2545 RELATING TO POINTS FOR VIOLATIONS OF MARINE RESOURCES LAWS RECEIVED PRIOR TO THE EFFECTIVE DATE OF THE MARINE RESOURCES ACT OF 2000; AND TO REPEAL SECTION 50-9-1160 RELATING TO JUDICIAL REVIEW OF A SUSPENSION OF HUNTING AND FISHING PRIVILEGES.

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

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY

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REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

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

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

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

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

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

H. 3222 -- Reps. Davis, Forrest, Hiott, Jefferson, R. Williams and J. Moore: A BILL TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

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

H. 3584 -- Reps. Sandifer and Whitmire: A BILL TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

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

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H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

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

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION

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IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

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

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

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

H. 3612 -- Reps. Lucas, Allison, M. M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

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

H. 3613 -- Reps. Lucas, Allison, Calhoon, Felder, Govan, Murray and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-155-155 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL APPROVE NO MORE THAN FIVE RELIABLE AND VALID EARLY LITERACY AND NUMERACY SCREENING ASSESSMENT INSTRUMENTS FOR SELECTION AND USE BY

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SCHOOL DISTRICTS FOR KINDERGARTEN THROUGH THIRD GRADE, AND TO PROVIDE REQUIREMENTS FOR SUCH INSTRUMENTS; BY ADDING SECTION 59-155-205 SO AS TO CREATE THE SOUTH CAROLINA READING PANEL, AND TO PROVIDE THE COMPOSITION, FUNCTIONS, AND DUTIES OF THE PANEL; TO AMEND SECTION 59-33-510, RELATING TO DEFINITIONS CONCERNING THE UNIVERSAL SCREENING PROCESSES USED IN PUBLIC SCHOOL DISTRICTS FOR STUDENTS EXPERIENCING ACADEMIC OR SOCIAL-EMOTIONAL DIFFICULTIES, SO AS TO PROVIDE ALL RELATED SCREENING TOOLS MUST BE CAPABLE OF IDENTIFYING STUDENTS WITH DYSLEXIA OR OTHER READING DISORDERS; TO AMEND SECTION 59-155-110, RELATING TO THE READ TO SUCCEED OFFICE, SO AS TO CORRECT A TYPOGRAPHICAL ERROR; TO AMEND SECTION 59-155-120, RELATING TO DEFINITIONS IN THE READ TO SUCCEED ACT, SO AS TO REVISE DEFINITIONS; TO AMEND SECTION 59-155-130, RELATING TO DUTIES OF THE READ TO SUCCEED OFFICE, SO AS TO REVISE THE REQUIREMENTS CONCERNING COURSEWORK NECESSARY FOR LITERACY ADD-ON ENDORSEMENTS AND TO REVISE REQUIREMENTS FOR PROFESSIONAL DEVELOPMENT IN READING AND COACHING FOR CERTIFIED READING/LITERACY COACHES AND LITERACY TEACHERS; TO AMEND SECTION 59-155-140, RELATING TO THE STATE READING PROFICIENCY PROGRAM, SO AS TO REMOVE THE USE OF BOOK CLUBS FOR CERTAIN REQUIRED SUPPLEMENTAL INSTRUCTION; TO AMEND SECTION 59-155-150, RELATING TO THE READINESS ASSESSMENT PROVIDED BY THE READ TO SUCCEED ACT, SO AS TO REVISE THE REQUIREMENTS FOR SCREENING AND DIAGNOSTIC ASSESSMENTS AND INTERVENTIONS; TO AMEND SECTION 59-155-160, RELATING TO MANDATORY STUDENT RETENTION PROVISIONS OF THE READ TO SUCCEED ACT, SO AS TO REVISE CRITERIA FOR RETENTION AND EXEMPTIONS FROM RETENTION, TO ELIMINATE AN APPEALS PROCESS, AND TO REVISE CRITERIA FOR INTENSIVE INSTRUCTIONAL SERVICES AND SUPPORT PROVIDED TO RETAINED STUDENTS; AND TO AMEND SECTION 59-155-180, RELATING TO PROVISIONS CONCERNING TEACHER EDUCATION PROGRAMS IN THE READ TO SUCCEED ACT, SO AS TO REMOVE THE

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REQUIREMENT THAT READING/LITERACY COACHES BE EMPLOYED IN ALL ELEMENTARY SCHOOLS, TO REVISE REQUIREMENTS CONCERNING THE ROLES AND FUNCTIONS OF READING/LITERACY COACHES, TO PROVIDE CERTAIN READING AND LITERACY SUPPORT SERVICES TO SCHOOLS IDENTIFIED AS HAVING CERTAIN LEVELS OF LOWEST ACHIEVEMENT ON ENGLISH/LANGUAGE ARTS SUMMATIVE ASSESSMENTS BY THIRD GRADE STUDENTS, AND TO PROVIDE THE MANNER OF USE FOR CERTAIN RELATED RESOURCES.

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

H. 3740 -- Rep. McGarry: A BILL TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR THE COMMISSION'S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE-DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION'S ROLE RELATING TO THE OFFERING OF POST-SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE, AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.

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

REPORTS OF STANDING COMMITTEES

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

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE

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SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 131 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF

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REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

Ordered for consideration tomorrow.

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

S. 242 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell and McElveen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS

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TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

Ordered for consideration tomorrow.

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

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler and Stephens: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OF ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO

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AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT

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VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

Ordered for consideration tomorrow.

HOUSE CONCURRENCE

S. 511 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE ROGER AND MARILYN CALDWELL ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILMENT.

Returned with concurrence.

Received as information.

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

OBJECTION

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

Senator MARTIN objected to the consideration of the Bill.

READ THE SECOND TIME

S. 454 -- Senators Martin, Bennett, Massey, Jackson and Young: A BILL TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN

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COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 37; Nays 0

AYES

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

Total--37

NAYS

Total--0

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

POINT OF ORDER

S. 107 -- Senators Campsen and Climer: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY

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REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

Point of Order

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

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

Senator CAMPSSEN objected to the consideration of the Bill.

POINT OF ORDER

S. 200 -- Senators Hembree, Martin, Kimbrell and Shealy: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF

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EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 287 -- Senators Gambrell and Loftis: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 378 -- Senator Cash: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

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Point of Order

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

The PRESIDENT sustained the Point of Order.

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

MOTION ADOPTED

At 4:55 P.M., on motion of Senator MARTIN, the Senate agreed to dispense with the balance of the Motion Period.

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

DEBATE INTERRUPTED

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE explained the Bill.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Senator HEMBREE continued speaking on the Bill.

PRESIDENT PRESIDES

At 5:11 P.M., the PRESIDENT assumed the Chair.

Senator HEMBREE continued speaking on the Bill.

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Motion Adopted

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

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators CROMER, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LEATHERMAN, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Milton Kimpson of Columbia, S.C. Dr. Kimpson was the father of our beloved Senator Kimpson. Dr. Kimpson graduated from Benedict College and served in the United States Army during the Korean War before beginning his career in education teaching high school math. He later became an elementary school principal before being selected as a State Supervisor of Elementary Education for the State Department of Education. He was appointed the first executive director for the Community Relations Council of the Greater Columbia Chamber of Commerce. He was appointed the executive director of Health, Education and Human Services by former Governor Richard W. Riley. Dr. Kimpson was later appointed to the S.C. Worker's Compensation Commission where he served as chair. He retired from State government in 1994 as the Deputy Commissioner for Program Services at the South Carolina Department of Corrections. Dr. Kimpson received numerous awards including the Order of the Palmetto, Man of the Year and Public Servant of the Year to mention a few. He was an active member of Saint John Baptist Church. Dr. Kimpson was a loving husband, devoted father and doting grandfather who will be dearly missed.

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ADJOURNMENT

At 6:35 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 4, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

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

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

Psalm 62:5

The Psalmist tells us: "Find rest, O my soul, in God alone; my hope comes from him."

Please, let us pray: Almighty and ever-loving God, hear us today as we bow before You, disconcerted and even unsettled as we look to the future, seeking hope: hope in our daily lives, hope for this State, hope for the future of this Nation we love. Scripture speaks boldly of the hope we find in You, O Lord. And even the great seal of this State proclaims, *Dum Spiro Spero*, "while I breathe I hope." The need for hopefulness is clearly woven into our very lives. So we are calling upon you who labor in this Senate to do your part actively to keep "hope" alive for every child, woman, and man dwelling in this State. It is indeed a formidable task on many levels, we realize. But our prayers will ever embrace Your efforts to fulfill the yearnings of our hearts. Now we further pray, Lord, that You will be with Senator Turner and his family in the death yesterday of the Senator's mother. Grant them Your peace in their time of loss. In our Lord's precious name we ask this. Amen.

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

Point of Quorum

At 11:04 A.M., Senator MASSEY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Cromer
Davis	Fanning	Gambrell

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Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Young		

A quorum being present, the Senate resumed.

Leave of Absence

At 11:05 A.M., Senator MASSEY requested a leave of absence for Senators CORBIN and SENN for the day.

Leave of Absence

At 11:05 A.M., Senator McELVEEN requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 1:42 P.M., Senator CROMER requested a leave of absence for Senator CAMPSSEN for the balance of the day.

Leave of Absence

At 2:45 P.M., Senator VERDIN requested a leave of absence on Tuesday, February 9, 2021, and Wednesday, February 10, 2021.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 147	Sen. Climer
S. 271	Sen. Climer
S. 290	Sen. Rice
S. 369	Sen. Grooms
S. 436	Sen. Gambrell

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S. 479 Sens. Gambrell, Harpootlian and K. Johnson
S. 514 Sen. McLeod
S. 516 Sens. Scott, McLeod, Turner and Matthews
S. 528 Sen. Loftis

RECALLED

S. 486 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHWAY 17-A AT ITS CROSSING OF THE CSX MAIN LINE IN MONCK'S CORNER "STEVE C. DAVIS VIADUCT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 524 -- Senators Turner, Bennett, McElveen and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

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

S. 525 -- Senators Gambrell, Verdin, Massey and Loftis: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY

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TERMS RELATED TO ADVANCED RECYCLING AND
ADVANCED RECYCLING FACILITIES.

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

S. 526 -- Senators Hutto and Matthews: A BILL TO AMEND ACT 174 OF 1999, RELATING TO THE ALLENDALE COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE DEADLINE FOR FILING A NOTICE OF CANDIDACY, TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS, AND TO MAKE CONFORMING CHANGES.

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

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

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

S. 528 -- Senators Jackson and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA HOME ATTAINABILITY ACT" BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO REDUCE CERTAIN ADMINISTRATIVE AND PERMITTING COSTS AND BARRIERS TO THE CONSTRUCTION OF HOUSING WHILE MAINTAINING SAFETY, PUBLIC HEALTH, AND THE GENERAL WELFARE WITH RESPECT TO CONSTRUCTION AND OCCUPANCY; TO AMEND SECTION 5-25-120, RELATING TO THE INSPECTION OF

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BUILDINGS, SO AS TO ALLOW A BUILDER TO HIRE A CERTIFIED THIRD-PARTY INSPECTOR TO PERFORM THE DUTIES OF THE LOCAL INSPECTOR OF BUILDINGS AS THEY RELATE TO THAT BUILDER; AND TO AMEND SECTION 40-3-290, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

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

H. 3586 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-55-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE OF THE ARTICLE, SO AS TO ESTABLISH THE FRAUD DIVISION WITHIN THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-530, RELATING TO DEFINITIONS, SO AS TO REMOVE REFERENCES TO THE SECOND INJURY FUND AND ADD A SEPARATE DEFINITION FOR "UNDESERVED ECONOMIC BENEFIT OR ADVANTAGE"; TO AMEND SECTION 38-55-550, RELATING TO CIVIL PENALTIES PAID TO THE INSURANCE FRAUD DIVISION, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-55-560, RELATING TO THE INSURANCE FRAUD DIVISION, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-570, RELATING TO NOTIFICATION OF KNOWLEDGE OR BELIEF OF FALSE STATEMENTS AND MISREPRESENTATIONS AND INFORMATION TO BE RELEASED, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-590, RELATING TO THE REQUIRED ANNUAL REPORT TO THE GENERAL ASSEMBLY, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 42-9-440, RELATING TO THE WORKERS' COMPENSATION COMMISSION'S REQUIREMENT TO REPORT SUSPECTED FRAUD, SO AS TO MAKE CONFORMING CHANGES.

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

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

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

H. 3825 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO COMMEMORATE NATIONAL INVEST IN VETERANS WEEK, FROM MARCH 1 THROUGH 7, 2021, IN SUPPORT OF VETERAN-OWNED BUSINESSES.

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

HOUSE CONCURRENCE

S. 522 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MARCH 12, 2021 AS "GIRL SCOUT WEEK" IN SOUTH CAROLINA AND TO COMMEND THE GIRL SCOUT MOVEMENT, GIRL SCOUTS OF EASTERN SOUTH

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CAROLINA, AND GIRL SCOUTS OF SOUTH CAROLINA-MOUNTAINS TO MIDLANDS FOR PROVIDING GIRLS WITH A SAFE, INCLUSIVE, ALL-GIRL SPACE WHERE THEY CAN HONE THEIR SKILLS AND DEVELOP LEADERSHIP ABILITIES.

Returned with concurrence.

Received as information.

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

**THIRD READING BILL
SENT TO THE HOUSE**

S. 454 -- Senators Martin, Bennett, Massey, Jackson and Young: A BILL TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

The Senate proceeded to a consideration of the Bill.

The question being the third reading of the Bill.

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

READ THE SECOND TIME

S. 107 -- Senators Campsen and Climer: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

The Senate proceeded to a consideration of the Bill.

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The Committee on Labor, Commerce and Industry proposed the following amendment (WAB\158C001.RT.WAB21), which was adopted:

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

/ SECTION 1. Section 40-57-340(B) of the 1976 Code is amended to read:

“(B)(1) Exempt from the biennial continuing education required by subsection (A) are a:

(1)(a) salesperson who successfully completes a post-licensing course or takes a broker course is exempt for the renewal period during which the course was taken;

(2)(b) licensee while on inactive status;

(3)(c) nonresident broker or salesperson who has successfully satisfied the continuing education requirements in their jurisdiction of residence may be exempt with approval of the commission;

(4)(d) broker or salesperson with twenty-five years or more of experience in South Carolina who is sixty-five years of age or more is exempt from the continuing education requirements of this chapter; or

(e) broker or salesperson with a minimum of twenty-five years of licensure in South Carolina may apply to be granted an experience-based partial continuing education waiver, and upon granting of the waiver, is required to complete only the mandatory four hour core course biennially to maintain active licensure.

(2) A broker-in-charge who has been granted a partial continuing education waiver is required to take the four hour core course and the mandated four hour broker-in-charge course biennially. A licensee who previously has been granted a full continuing education waiver by the commission is exempt from the continuing education requirements of this chapter.”

SECTION 2. This act takes effect upon approval by the Governor. / Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

OBJECTION

S. 200 -- Senators Hembree, Martin, Kimbrell and Shealy: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE

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DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Senator MATTHEWS objected to the consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 287 -- Senators Gambrell and Loftis: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (287R001.KMM.TCA), which was adopted:

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

/as may be necessary to support the administrative action. The results of these criminal records checks must not be shared outside the department. /

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Amend the bill further, as and if amended, on page 3, by striking line 15 and inserting:

/disclosed as may be necessary to support the administrative action.
The results of these criminal records checks must not be shared outside
the department. /

Amend the bill further, as and if amended, on page 3, by striking line 35 and inserting:

/support the administrative action. The results of these criminal records checks must not be shared outside the department.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

CARRIED OVER

S. 378 -- Senator Cash: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN explained the committee amendment.

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

POINT OF ORDER

S. 131 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

Point of Order

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

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The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 242 -- Senator Young: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen and Climer: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

Point of Order

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

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens and Rankin: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY

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ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION

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AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

Senator BENNETT objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 516 -- Senators Massey, Malloy, Cromer, Climer, M. Johnson, K. Johnson, Williams, Rice, Jackson, Gustafson, Adams, Goldfinch, Kimbrell, Garrett, Talley, Bennett, Hembree, Loftis, Campsen, Scott, Turner, McLeod and Matthews: A JOINT RESOLUTION TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IDENTIFY CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF AS MISSION-CRITICAL WORKERS AND INDIVIDUALS WHO ARE ELIGIBLE FOR VACCINATION UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COORDINATE WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN THAT WILL OFFER THE OPPORTUNITY TO CERTIFIED TEACHERS AND SCHOOL

THURSDAY, FEBRUARY 4, 2021

SUPPORT STAFF TO BE FULLY VACCINATED WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION, TO PROVIDE THAT EVERY SCHOOL DISTRICT MUST OFFER FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION TO STUDENTS NO LATER THAN TWO WEEKS AFTER CERTIFIED TEACHERS AND SUPPORT STAFF HAVE BEEN OFFERED THE OPPORTUNITY TO BE FULLY VACCINATED, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ENSURE THAT ALL SOUTH CAROLINA RESIDENTS WHO ARE ELIGIBLE UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN WHO HAVE RECEIVED A FIRST VACCINE DOSE AS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION ARE OFFERED THE OPPORTUNITY FOR FULL VACCINATION WITHIN THE APPROPRIATE RECOMMENDED TIME PERIOD.

The Senate proceeded to a consideration of the Resolution.

Senator MARTIN explained the Resolution.

Senator MASSEY explained the amendment.

Senators MASSEY and MALLOY proposed the following amendment (516R002.SP.ASM), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) The Department of Health and Environmental Control, in coordination with the Department of Education and local school districts, shall implement a plan that will offer the opportunity to certified teachers and school support staff to be fully vaccinated within thirty days of the effective date of this joint resolution.

(C) After certified teachers and support staff have been offered the opportunity to be fully vaccinated, every school district must offer five-day, in-person classroom instruction to students no later than March 22, 2021. /

Amend the joint resolution further, as and if amended, on page 3, line 3, by adding an appropriately lettered new subsection to read:

/ () The thirty-seven thousand five hundred doses originally allocated for the long-term care facilities shall be set aside as a portion of the allocation for teacher vaccinations.” /

Renumber sections to conform.

Amend title to conform.

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The amendment was adopted.

The question being the second reading of the Resolution.

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

Motion Under Rule 26B Waived

Senator MASSEY asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

READ THE SECOND TIME

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

The Senate proceeded to a consideration of the Resolution.

Senator ALEXANDER explained the Resolution.

The question being the second reading of the Resolution.

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

Motion Under Rule 26B Waived

Senator GROOMS asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

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

MOTION ADOPTED

At 11:55 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

INTERRUPTED DEBATE

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

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

Senator HEMBREE spoke on the Bill.

Point of Quorum

At 1:38 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

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

A quorum being present, the Senate resumed.

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STATEWIDE APPOINTMENTS

Confirmations

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

Initial Appointment, Director of Department of Health and Environmental Control, with the term to commence January 20, 2021, and to expire January 20, 2025

Director:

Edward D. Simmer, 501 Charles Street #1257, Beaufort, SC 29902

On motion of Senator VERDIN, the question was confirmation of Edward D. Simmer.

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

Ayes 40; Nays 1; Abstain 1

AYES

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

Total--40

NAYS

Grooms

Total--1

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ABSTAIN

Harpootlian

Total--1

The appointment of Edward D. Simmer was confirmed.

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

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2020, and to expire May 19, 2024

3rd Congressional District:

Catherine C. Olker, 295 Todds Creek Road, Central, SC 29630-9457

On motion of Senator SHEALY, the question was confirmation of Catherine C. Olker.

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

Ayes 42; Nays 0

AYES

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

Total--42

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NAYS

Total--0

The appointment of Catherine C. Olker was confirmed.

Initial Appointment, South Carolina Commission for the Blind, with
the term to commence May 19, 2020, and to expire May 19, 2024

7th Congressional District:

Susan L. John, 3755 Cedar Creek Run, Little River, SC 29566-8435

On motion of Senator SHEALY, the question was confirmation of
Susan L. John.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The appointment of Susan L. John was confirmed.

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Reappointment, Adjutant General, with the term to commence
January 13, 2021, and to expire January 13, 2025

Roy Van McCarty, 200 Lakewood Dr., Prosperity, SC 29127-9222

On motion of Senator SHEALY, the question was confirmation of
Roy Van McCarty.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The appointment of Roy Van McCarty was confirmed.

Motion Adopted

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

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ADJOURNMENT

At 2:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

Friday, February 5, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 369 Sen. Massey

ADJOURNMENT

At 11:03 A.M., on motion of Senator CROMER , the Senate adjourned to meet next Tuesday, February 9, 2021, at 12:00 Noon.

* * *

Tuesday, February 9, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Psalm 141:3

In Psalms we read: "Set a guard over my mouth, O Lord; keep watch over the door of my lips."

Let us pray: Dear Lord, the poetic imagery used by the Psalmist in this verse rings true even in this day and time. How often are those occasions when the words that slip from our mouth defy the truth of the moment. How frequently do our words hit chords of misunderstanding on the part of our listeners. How difficult we sometimes make life and the world around ourselves when we let our words flow in rash and uncontrolled fashion.

Lord, grant to all of us the wisdom to be far more careful of all that we say: in the hallways, in committee meetings, during dinners, here on the floor. The people of South Carolina are listening, just as are those across this entire land. Lead everyone of us to be responsible speakers, weighing each thought and phrase with care. May we all do so to Your ultimate glory, Lord God. In our Savior's loving name we pray, Amen.

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

Point of Quorum

At 12:02 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Leave of Absence

At 12:03 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:00 P.M.

TUESDAY, FEBRUARY 9, 2021

Leave of Absence

At 2:47 P.M., Senator ALEXANDER requested a leave of absence for Senator CORBIN for the week.

Leave of Absence

At 2:47 P.M., Senator TURNER requested a leave of absence for Senator SENN for the balance of the day.

Leave of Absence

At 6:03 P.M., Senator GOLDFINCH requested a leave of absence for Senator GAMBRELL for the balance of the day.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Remarks by Senator MARTIN

Members of the Senate, I rise today on behalf of one of my constituent, who recently passed away, Reverend Donald Eugene Alexander, Jr. He was the Pastor at Bogansville United Methodist Church for nine years. I have had the privilege of attending his church, to fellowship with the folks who live in that community, and he was very well liked. He passed away on January 28 of this year. He was a native of Spartanburg, and he was a devoted husband, father, grandfather, and pastor. He was a gifted individual who knew the scriptures like the back of his hand, and was very committed to the statutes and God's word. He pastored many upstate churches, and was held in the highest regards by his community members and the congregation of his church. I want to take a moment to read his favorite scripture from John 15:16, "You have not chosen me, but I have chosen you, and ordained you, that you should go and bring forth fruit, and that your fruit should remain: that whatsoever you shall ask of the Father in my name, he will give you."

I want to offer my sincerest condolence to his wife Rhonda, the church members of Bogansville Methodist Church, and the entire West Springs and Pauline community in Spartanburg and Union Counties. Thank you Mr. PRESIDENT.

On motion of Senator ALEXANDER, with unanimous consent, the remarks of Senator MARTIN, were ordered printed in the Journal.

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CO-SPONSORS ADDED

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

S. 107 Sen. Senn
S. 113 Sen. Climer
S. 147 Sens. Kimbrell and Grooms
S. 211 Sen. Sabb
S. 242 Sen. Campsen
S. 271 Sens. Garrett and Campsen
S. 290 Sen. Peeler
S. 378 Sen. Senn
S. 441 Sens. Hutto and Jackson
S. 497 Sen. Peeler
S. 499 Sen. Climer
S. 510 Sen. Scott
S. 516 Sens. Grooms and Martin
S. 521 Sen. Cromer
S. 525 Sen. Garrett

CO-SPONSOR REMOVED

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

S. 516 Sen. Gustafson

RECALLED AND COMMITTED

S. 308 -- Senator Fanning: A BILL TO AMEND SECTION 44-1-143, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO ALLOW A HOME-BASED FOOD PRODUCTION OPERATION TO SELL FOOD TO AN INFORMED PERSON AND TO REQUIRE A DISCLOSURE ON CERTAIN FOOD PRODUCTS.

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

There was no objection and the Bill was recalled from the Committee on Medical Affairs.

On the motion of Senator FANNING, with unanimous consent, the Bill was committed to the Committee on Agriculture and Natural Resources.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 529 -- Senator Senn: A BILL TO AMEND SECTION 38-77-170 OF THE 1976 CODE, RELATING TO CONDITIONS TO SUE OR RECOVER UNDER THE UNINSURED MOTORIST PROVISION WHEN THE OWNER OR OPERATOR OF A MOTOR VEHICLE CAUSING INJURY OR DAMAGE IS UNKNOWN, TO PROVIDE THAT THERE MAY BE A RIGHT OF ACTION OR RECOVERY UNDER THE UNINSURED MOTORIST PROVISION IF THE INSURED CAN PROVE BY PHOTOGRAPHIC OR VIDEO EVIDENCE THAT THE DAMAGE OR INJURY WAS CAUSED BY AN UNKNOWN VEHICLE.

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

S. 530 -- Senator Shealy: A BILL TO AMEND SECTION 25-11-40 OF THE 1976 CODE, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, TO PROVIDE FOR THE FUNDING OF COUNTY VETERANS' AFFAIRS OFFICES, TO PROVIDE FOR THE APPOINTMENT OF OFFICERS, AND TO PROVIDE THAT OFFICERS MUST COMPLETE A TRAINING AND BE ISSUED ACCREDITATION WITHIN NINETY DAYS AFTER APPOINTMENT; AND TO REPEAL SECTION 25-11-45 OF THE 1976 CODE, RELATING TO APPROPRIATIONS TO COUNTY TREASURER'S OFFICES TO MAINTAIN COUNTY VETERANS' AFFAIRS OFFICES.

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

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Matthews and Cromer: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE

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DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

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

S. 532 -- Senator Davis: A BILL TO AMEND TITLE 37 OF THE 1976 CODE, RELATING TO THE CONSUMER PROTECTION CODE, BY ADDING CHAPTER 31, TO PROVIDE FOR EARNED INCOME ACCESS, TO PROVIDE PROCEDURES FOR EARNED INCOME ACCESS SERVICES, TO PROVIDE THAT EARNED INCOME ACCESS SERVICES, PAYMENTS, OR FEES FOR SERVICES SHALL NOT BE CONSTRUED AS LENDING ACTIVITY OR LOANS; TO PROVIDE A REGISTRATION PROCESS, TO PROVIDE A COMPLAINT AND APPEALS PROCESS, TO PROVIDE THAT THE DEPARTMENT OF CONSUMER AFFAIRS MAY PROMULGATE REGULATIONS, AND TO DEFINE NECESSARY TERMS.

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

S. 533 -- Senator Shealy: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

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

S. 534 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "RESTORE AMERICA'S FOUNDATION ACT" BY AMENDING SECTION 59-29-120, RELATING TO AMERICAN FOUNDING PRINCIPLES INSTRUCTION REQUIRED IN PUBLIC HIGH SCHOOLS AND PUBLICLY SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE SPECIFIC REQUIREMENTS CONCERNING INSTRUCTION IN UNITED STATES

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FOUNDATIONAL HISTORY IN PUBLIC HIGH SCHOOLS; TO AMEND SECTION 59-120-130, RELATING TO THE DURATION OF REQUIRED AMERICAN FOUNDING PRINCIPLES INSTRUCTION, SO AS TO LIMIT ITS APPLICATION WITH RESPECT TO PUBLIC INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 59-29-140, RELATING TO THE REQUIREMENT THAT THE STATE SUPERINTENDENT OF EDUCATION PRESCRIBE CERTAIN TEXTS FOR USE IN REQUIRED AMERICAN FOUNDING PRINCIPLES INSTRUCTION, SO AS TO SPECIFY CERTAIN TEXTS THAT MUST BE INCLUDED; TO AMEND SECTION 59-29-155, RELATING TO RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE EDUCATION OVERSIGHT COMMITTEE, SO AS TO MAKE CONFORMING CHANGES; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

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

S. 535 -- Senator Grooms: A BILL TO AMEND SECTION 16-11-760(B) OF THE 1976 CODE, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER OR LIENHOLDER OF A VEHICLE PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10(A), (B), AND (E) OF THE 1976 CODE, RELATING TO LIENS FOR REPAIRS OR STORAGE, TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630(A) AND (C) OF THE 1976 CODE, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY OR STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE

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COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES, TO MAKE CONFORMING CHANGES.

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

S. 536 -- Senators Harpootlian, Talley, Scott, Hutto, McElveen and Kimbrell: A BILL TO AMEND SECTION 61-6-20(2) OF THE 1976 CODE, RELATING TO THE DEFINITION OF BONA FIDE ENGAGED PRIMARILY AND SUBSTANTIALY IN THE PREPARATION AND SERVING OF MEALS, TO PROVIDE THAT SUCH A BUSINESS MUST DERIVE GROSS REVENUE FROM ITS SALE OF MEALS AND FOODS, AND NON-ALCOHOLIC BEVERAGES, THAT IS NOT LESS THAN FIFTY-ONE PERCENT OF ITS TOTAL GROSS REVENUE FROM THE SALE OF MEALS AND FOODS, NON-ALCOHOLIC BEVERAGES, AND ALCOHOLIC BEVERAGES.

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

S. 537 -- Senators Scott and Shealy: A BILL TO AMEND SECTION 1-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA COMMISSION ON HUMAN AFFAIRS, SO AS TO DELETE A DUPLICITOUS REPORTING REQUIREMENT; TO AMEND SECTION 1-13-70, RELATING TO THE POWERS OF THE COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION MAY REQUIRE REPORTS FROM ALL EMPLOYERS; TO AMEND SECTION 1-13-90, RELATING TO THE DUTIES OF THE COMMISSION, SO AS TO PROVIDE A PROCEDURE FOR A FINDING OF AN UNLAWFUL DISCRIMINATORY PRACTICE AND TO EXTEND THE TIME BY WHICH A COMPLAINANT MAY BRING AN ACTION IN CIRCUIT COURT; TO AMEND SECTION 31-21-120, RELATING TO COMPLAINTS INVOLVING DISCRIMINATORY HOUSING PRACTICES, SO AS TO DELETE A REQUIREMENT THAT THE COMPLAINT AND ANSWER BE VERIFIED; AND TO AMEND SECTION 31-21-140, RELATING TO CIVIL ACTIONS FOR

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DISCRIMINATORY HOUSING PRACTICES, SO AS TO PROVIDE CERTAIN FILING REQUIREMENTS FOR INDIVIDUALS.

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

S. 538 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ENTITLE THE CHAPTER REVIEW OF PRESIDENTIAL EXECUTIVE ORDERS, TO PROVIDE THAT THE GENERAL ASSEMBLY, EITHER OF ITS RESPECTIVE BODIES, A STANDING COMMITTEE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, OR NOT LESS THAN FIVE MEMBERS OF THE GENERAL ASSEMBLY MAY REVIEW ANY PRESIDENTIAL EXECUTIVE ORDER NOT AFFIRMED BY CONGRESS AND MAY RECOMMEND THAT THE ATTORNEY GENERAL REVIEW A PRESIDENTIAL EXECUTIVE ORDER TO DETERMINE ITS CONSTITUTIONALITY UNDER CERTAIN CIRCUMSTANCES.

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

S. 539 -- Senators Loftis, Talley, Bennett, Cromer, Hutto, Kimbrell, Gambrell, Rankin and Harpootlian: A BILL TO AMEND SECTION 38-75-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMISSIONS PAID BY A TITLE INSURER, SO AS TO REMOVE THE CAP ON THE COMMISSION.

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

S. 540 -- Senator Hutto: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEREBY THE HOUSE OF A QUALIFYING SURVIVING SPOUSE IS EXEMPT.

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

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H. 3435 -- Reps. King and Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CRAWFORD ROAD IN YORK COUNTY FROM ITS INTERSECTION WITH HAMPTON ROAD TO ITS INTERSECTION WITH HECKLE BOULEVARD IN YORK COUNTY "BROTHER DAVID BOONE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 3436 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MARK ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH BLACK BRANCH ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 "REVEREND JOHN L. BRYANT, JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 3438 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY IN THE CITY OF UNION FROM THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 49 WEST AND INDUSTRIAL PARK ROAD AND CONTINUING ON SOUTH CAROLINA HIGHWAY 496 ALONG UNION BOULEVARD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 49 EAST "REVEREND MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY" IN HONOR OF DR. MARTIN LUTHER KING, JR., AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 3662 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN CALHOUN COUNTY FROM ITS INTERSECTION WITH INABINET ROAD TO

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ITS INTERSECTION WITH THE ST. MATTHEWS TOWN LIMIT "OTHNIEL WIENGES, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

HOUSE CONCURRENCE

S. 179 -- Senator Hembree: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 NORTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE NORTH OF THIS INTERSECTION, AND THE PORTION OF UNITED STATES HIGHWAY 701 SOUTH FROM ITS INTERSECTION WITH THE CITY LIMITS OF THE CITY OF LORIS TO A POINT ONE MILE SOUTH OF THIS INTERSECTION "HENRY L. NICHOLS HIGHWAY", AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG BOTH PORTIONS OF HIGHWAY THAT CONTAIN THESE WORDS.

Returned with concurrence.

Received as information.

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

SECOND READING BILL

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

On motion of Senator HUTTO.

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

S. 107 -- Senators Campsen, Climer and Senn: A BILL TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

Senator CLIMER explained the Bill.

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

S. 287 -- Senators Gambrell and Loftis: A BILL TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.

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

S. 516 -- Senators Massey, Malloy, Cromer, Climer, M. Johnson, K. Johnson, Williams, Rice, Jackson, Adams, Goldfinch, Kimbrell, Garrett, Talley, Bennett, Hembree, Loftis, Campsen, Scott, Turner, McLeod, Matthews, Grooms and Martin: A JOINT RESOLUTION TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IDENTIFY CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF AS MISSION-CRITICAL WORKERS AND INDIVIDUALS WHO ARE ELIGIBLE FOR VACCINATION UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COORDINATE WITH THE DEPARTMENT OF EDUCATION TO IMPLEMENT A PLAN THAT WILL OFFER THE OPPORTUNITY TO CERTIFIED TEACHERS AND SCHOOL SUPPORT STAFF TO BE FULLY VACCINATED WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION, TO PROVIDE THAT EVERY SCHOOL DISTRICT MUST OFFER FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION TO STUDENTS NO LATER THAN TWO WEEKS AFTER CERTIFIED TEACHERS AND SUPPORT STAFF HAVE BEEN OFFERED THE OPPORTUNITY TO BE FULLY VACCINATED, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MUST ENSURE THAT ALL SOUTH CAROLINA RESIDENTS WHO ARE ELIGIBLE UNDER PHASE 1a OF THE SOUTH CAROLINA COVID-19 VACCINATION PLAN WHO HAVE RECEIVED A FIRST VACCINE DOSE AS OF THE EFFECTIVE DATE OF THIS JOINT RESOLUTION ARE OFFERED THE OPPORTUNITY FOR FULL VACCINATION WITHIN THE APPROPRIATE RECOMMENDED TIME PERIOD.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS spoke on the Bill.

Senator MALLOY proposed the following amendment (516R003.SP.GM), which was withdrawn:

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

/SECTION __. (A) Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall

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identify daycare workers as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) The Department of Health and Environmental Control shall implement a plan that will offer the opportunity to daycare workers to be fully vaccinated within thirty days of the effective date of this joint resolution.

(C) Notwithstanding subsection (B), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Motion Adopted

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

Senators HEMBREE, CROMER and FANNING proposed the following amendment (516R004.SP.GH), which was withdrawn:

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

/SECTION __. For the purpose of employing any person to serve in the state's public school system while the State recovers from the COVID-19 pandemic, the earnings limitation for retired state employees does not apply for a period of three years from the effective date of this joint resolution, provided that the person has been retired for at least one year from the effective date of this joint resolution. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Motion Adopted

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

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ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

PRESIDENT PRESIDES

At 4:19 P.M., the PRESIDENT assumed the Chair.

Senator DAVIS proposed the following amendment (516R007.SP.TD), which was not adopted:

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

/Whereas, the COVID-19 pandemic has forced many school districts to replace in-person classroom instruction with virtual instruction; and

Whereas, virtual instruction is no substitute for in-person classroom instruction; and

Whereas, a COVID-19 vaccine is currently available for distribution in this State for mission-critical workers; and

Whereas, certified teachers and school support staff should be identified as mission-critical because of the vital role they play in the education and development of our state's children; and

Whereas, vaccinating certified teachers and school support staff must not take away any vaccine supply from other mission-critical workers and individuals; and

Whereas, vaccinating certified teachers and school support staff must not necessitate the cancellation of vaccination appointments that individuals eligible to receive the vaccine have scheduled with a health care provider; and

Whereas, it is imperative that, within the constraints imposed by the preceding clause, we return students to in-person, five-day classroom instruction as quickly and safely as possible while providing a safe environment for our certified teachers and school support staff. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A). Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify certified teachers and school support staff, as defined by the Department of Education, as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) The Department of Health and Environmental Control, in coordination with the Department of Education and local school districts,

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shall implement a plan that will offer the opportunity to certified teachers and school support staff to be fully vaccinated during a time period beginning at seven o'clock a.m. on Monday, March 15, 2021 and ending at seven o'clock p.m. on Monday, March 22, 2021.

(C) After certified teachers and support staff have been offered the opportunity to be fully vaccinated, every school district must offer five-day, in-person classroom instruction to students.

(D) Notwithstanding subsection (B), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who scheduled an appointment with a healthcare provider to receive either a first or second dose of the vaccine, do not have those scheduled appointments canceled or delayed, except to the extent that such cancellations or delays are consented to by said residents in accordance with subsection (E) as of the effective date of this joint resolution.

(E) Commencing on the effective date of this joint resolution, each health care provider in the State that has scheduled first-dose vaccinations for individuals shall contact those individuals and inquire as to whether they would be willing to delay their first-dose appointments in order to facilitate a supply of doses for vaccinations to certified teachers and school support staff as provided in subsection (B), provided, however, that this obligation shall terminate upon the Department of Health and Environmental Control's certification in accordance with subsection (F) that a sufficient number of doses have been secured to provide the vaccinations referenced in subsection (B).

(F) The Department of Health and Environmental Control shall certify when a sufficient number of doses are available to effect the vaccinations referenced in subsection (B)."

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

Senator MASSEY spoke on the amendment.

The question being the adoption of the amendment.

The amendment failed.

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Senator HEMBREE proposed the following amendment (516R008.SP.GH), which was adopted:

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

/SECTION __. For the purpose of employing any person to serve in the state's public school system while the State recovers from the COVID-19 pandemic, the earnings limitation for retired state employees is increased to fifty thousand dollars until June 30, 2024, provided that the person has been retired for at least two years from the effective date of this joint resolution. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (516R011.SP.GM), which was adopted:

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

/SECTION __. (A) Upon the effective date of this joint resolution, the Department of Health and Environmental Control shall identify daycare workers as mission-critical workers and individuals who are eligible for vaccination under Phase 1a of the South Carolina COVID-19 Vaccination Plan.

(B) Notwithstanding subsection (A), the Department of Health and Environmental Control must ensure that all South Carolina residents who are eligible under Phase 1a of the South Carolina COVID-19 Vaccination Plan who have received a first vaccine dose as of the effective date of this joint resolution are offered the opportunity for full vaccination within the appropriate recommended time period. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

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Senator GUSTAFSON proposed the following amendment (516R010.SP.PG), which was tabled:

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

/Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Every school district must offer five-day, in-person classroom instruction to students no later than March 29, 2021.

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator GUSTAFSON explained the amendment.

Senator CASH spoke on the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 40; Nays 1

AYES

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

Total--40

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NAYS

Gustafson

Total--1

The amendment was laid on the table.

Senator CASH proposed the following amendment (516R012.SP.RJC), which was withdrawn:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must resume in-person classroom instruction in the manner in which it was provided prior to the COVID-19 pandemic to all students no later than the Monday following each school district's scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Motion Adopted

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

Senators MARTIN, JACKSON, FANNING and CASH proposed the following amendment (516R013.SP.SRM), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must offer five-day, in-person classroom instruction to students no later than the Monday following each school district's scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Renumber sections to conform.

Amend title to conform.

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Senator MARTIN explained the amendment.
Senator JACKSON spoke on the amendment.

The amendment was adopted.

Having voted on the prevailing side, Senator FANNING moved to reconsider the vote whereby the amendment was adopted.

The motion failed.

Senator CASH proposed the following amendment (516R014.SP.RJC), which was not adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 29 through 37 and inserting:

/ (B) Every school district must offer in-person classroom instruction in the manner in which it was provided prior to the COVID-19 pandemic to all students no later than the Monday following each school district's scheduled spring break.

(C) A school site may be used as a site to vaccinate certified teachers and school support staff. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 3 through 5.

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The question being adoption of the amendment.

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

Ayes 2; Nays 40

AYES

Cash

Rice

Total--2

NAYS

1129

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

Total--40

The amendment failed.

The question being third reading of the Resolution.

Senator HARPOOTLIAN spoke on the Resolution.

Remarks by Senator HARPOOTLIAN

Mr. PRESIDENT, over the last couple of days I have watched every member of this Body make a very focused effort to try to change this Bill and deal with issue of getting our kids back to school. I am proud of what I have seen here. The patience of this Body has been great as we listen to each other debate very subtle changes in an effort to get our kids and teachers back to school safely. Senator MASSEY, I want to commend you on this effort. Many others have worked on this as well. Senator DAVIS obviously spent a lot of time talking to DHEC and other agencies. I would be remiss if I did not note, the reason the Senate has to do this, is because other people will not do their jobs. Let me be specific about this. I was talking about DHEC this past summer. I have taken this podium and talked about their total lack of focus and effort in dealing with this pandemic. Whether it was failing to intervene, mass gatherings this summer, or not being prepared to deal with the distribution of the vaccine; we have to step in to fill that void. There is yet another void. Let me read to you the portions of a statute that I think are very relevant. Section 25-1-440: Additional powers and duties of

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Governor during declared emergency. Section 3-- Suspend provisions of existing regulations, prescribing procedures for conduct of state business, strict compliance of provisions thereof that would prevent, hinder, or delay necessary action in coping with the emergency. Section 4-- Utilize all available resources of state government as reasonably necessary to cope with the emergency. Section 5-- Transfer the direction, personnel, or functions of state departments, agencies and commissions for purposes of facilitating and performing emergency services as necessary or desirable. Section 6-- Compel performance by elected and appointed state county municipal employees of emergency duties and functions assigned in the state emergency plan or executive order. What this does is give the Governor complete authority to do what we are being asked, and forced to do here tonight. There's been no evidence whatsoever that the Executive -- the Governor -- has in any way deliberated, examined, talked to DHEC, or come up with some plan to get our kids back to school. He has said that kids should go back to school; it is a mantra. It is easy to say it, but hard to get the work done. I would defer to those people talking to DHEC, whether it is Senator DAVIS or Senator MASSEY. Unfortunately, it appears the conversations have been useless in helping formulate that plan. I am going to vote with Senator MASSEY on this Bill, but not because it is the perfect solution to a problem. Whether this affects other people that need the vaccine and how they get it -- I am very concerned about that. I have put numerous people in jail who did not get the benefit of an education. We are going to have a generation of feral children if we do not do something immediately. What amazes me is the lack of effort and direction on the part of the Executive Branch to deal with this. This Body gave them the power to deal with this. Other than complaining about the lack of effort to get our kids back to school, the Executive Branch has not done a single thing. I am voting for this Bill. I have misgivings about some of it, but I am voting for it. If we do not do the job, no one will. Thank you.

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator HARPOOTLIAN, were ordered printed in the Journal.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG\3707C003.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTIONS 2 and 3 and inserting:

/ SECTION 2. (A) The Executive Budget Office shall establish the COVID-19 Vaccine Reserve account to be maintained by the Executive Budget Office and administered as set forth in this section.

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(B) From the Contingency Reserve Fund, there is appropriated \$100,000,000 to the COVID-19 Vaccine Reserve account. The Executive Budget Office only may release funds in the account upon receipt of a letter signed by the Director of DHEC. DHEC shall allocate funds to eligible COVID-19 vaccine providers in support of statewide vaccination efforts. DHEC shall reimburse eligible providers only after affirming the recipient is a COVID-19 vaccination provider enrolled and activated by DHEC, that DHEC has determined that the request will assist the State in its effort to achieve statewide vaccination, and that the enrolled and activated provider has the vaccine implementation capacity to justify the request.

(C)(1) From the funds appropriated in this section, the Executive Budget Office shall allocate up to \$75,000,000 to hospitals, or a political subdivision of the State partnering with the same, to pay for the costs of administering the COVID-19 vaccine.

(2) From the funds appropriated in this section, the Executive Budget Office shall allocate up to \$25,000,000 to other COVID-19 vaccination providers, or a political subdivision of the State partnering with the same, that are enrolled and activated by DHEC, to pay for the costs of administering the COVID-19 vaccine.

(3) For purposes of this section, eligible costs of administering the COVID-19 vaccine include, but are not limited to, those vaccination costs associated with staffing, facility rental, security, traffic control, storage, transportation, mobile health units including the purchase, upfitting, staffing, and operations thereof, and technology that have not been reimbursed by an insurer's administration fee.

(D) In approving expenses, DHEC must give priority to hospitals and other COVID-19 vaccine providers that are enrolled and activated by DHEC that can prove or have proven a high demand for the vaccine and the ability to meet the demand.

(E) Notwithstanding any other provision of this section, the Director of DHEC may not authorize the Executive Budget Office to release any funds from the COVID-19 Vaccine Reserve account to any vaccine provider that is not offering vaccine appointments to the general public.

(F) On the first day of each month, the Executive Budget Office shall provide a detailed accounting of the expenditure of all funds appropriated pursuant to this section. The report shall be transmitted to the Governor, the General Assembly, and made available on the website of the Executive Budget Office. Additionally, any recipient must provide an accounting of the expenditures to DHEC and DHEC must post the accounting on its website.

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SECTION 3. (A)(1) Where appropriate and feasible, hospitals, medical providers, and other stakeholders receiving distributions pursuant to this joint resolution also shall seek reimbursement from an individual's public or private health insurer.

(B) To maximize the benefit of all funds received by the State, DHEC and MUSC shall work with the Department of Administration to assure that available federal funds are utilized for the purposes of this joint resolution appropriately and minimize the use of state funds where possible.

(C) If hospitals, medical providers, and other stakeholders receive distributions pursuant to this joint resolution also receive reimbursements from insurers or federal funds for the same purposes, then the distributions pursuant to this joint resolution exceeding the actual costs of vaccine administration must be remitted back to the agency or fund that distributed the funds.

(D) The provisions of this joint resolution shall apply to the extent permitted by federal law. /

Amend the joint resolution further, by striking SECTION 5 and inserting:

/ SECTION 5. A. (A) Beginning fourteen days after the effective date of this joint resolution, all vaccines received by the State which have not already been set for distribution must be allocated to the four DHEC public health regions in a per-capita manner with considerations taken into account for factors, including, but not limited to, poverty level, infection rates, age, and high-risk populations. From the funds appropriated in this act or from other COVID-19 related appropriations, MUSC shall coordinate with DHEC and partner with local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas.

(B) DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). In making allocations to specific vaccine providers, DHEC shall consider the recommendations of its COVID-19 Vaccine Regional Advisory Panels, one of which shall be established in each of the four public health regions as follows:

(1) Each panel shall meet weekly initially, but this frequency may be reduced with DHEC's consent.

(2) At its first meeting, each panel shall select a Chairman from among its members, who shall preside over the panel's meetings. This Chairman must have extensive healthcare experience within the panel's

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designated region. In the event of a future vacancy, the Chair shall be filled in this same manner.

(3) Each panel must include representation from affected stakeholders and vaccine providers within the region, including but not limited to hospitals, primary care practices, pharmacies, rural health clinics, and the South Carolina Primary Care Association and any other Federally Qualified Health Centers.

(4) Based upon the region's vaccine allocation provided by the department, the panel shall adopt a specific recommendation for allocating vaccines to individual providers and review the plan at subsequent meetings. This recommendation must be transmitted to the department immediately upon initial adoption and upon subsequent revision and must be based upon the following priorities:

(a) Rural and underserved communities must have equitable access to receive the COVID-19 vaccine;

(b) Available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

(c) Each panel must consider which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) Panels' recommendations must be informed by their review of the most current and comprehensive data available as to how vaccines have already been administered within their regions, including how the vaccination rate varies by geography, race, age, income, or other relevant factors.

(C) Notwithstanding any other provisions of this joint resolution, DHEC may retain up to five percent of each weekly dose allocation in inventory to maximize its ability to quickly and efficiently respond to changes in need throughout the week.

B. This SECTION terminates and is no longer effective when the Director of the Department of Health and Environmental Control determines that the demands for the vaccine no longer exceed the supply of the vaccine. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the committee amendment.

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The amendment was adopted.

Senator MALLOY proposed the following amendment (3707R002.SP.GM), which was adopted:

Amend the joint resolution, as and if amended, on page 3, line 3, by inserting an appropriately lettered new subsection to read:

/ () An entity that is identified in SECTION 1(A) as a recipient of appropriations from the Contingency Reserve Fund shall not be eligible to receive additional funds pursuant to SECTION 2. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (DG3707C004.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTIONS 5 and 6 and inserting:

/ SECTION 5. A.(A) Beginning fourteen days after the effective date of this joint resolution, all first dose vaccines received by the State which have not already been set for distribution must be allocated to the four DHEC public health regions in a per-capita manner with considerations taken into account for factors including, but not limited to, poverty level, infection rates, age, and high-risk populations. From the funds appropriated in this act or from other COVID-19 related appropriations, MUSC shall coordinate with DHEC and partner with local healthcare providers to ensure that gaps in statewide vaccination delivery are covered, with priority given to rural and underserved areas.

(B) DHEC shall allocate first dose vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). In making allocations to specific vaccine providers, DHEC shall consider the recommendations of its COVID-19 Vaccine Regional Advisory Panels, one of which shall be established in each of the four public health regions as follows:

(1) The Director of DHEC shall appoint the following to each panel:

(a) one member representing a rural hospital designated by the South Carolina Hospital Association;

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- (b) one member representing an urban hospital designated by the South Carolina Hospital Association;
- (c) one member designated by the South Carolina Medical Association;
- (d) one member designated by the South Carolina Office of Rural Health;
- (e) one member designated by the South Carolina Primary Health Care Association;
- (f) one member designated by the South Carolina Pharmacy Association;
- (g) one member designated by the South Carolina Retail Association;
- (h) one member from the Alliance for a Healthier South Carolina;
- (i) one nonvoting member designated by DHEC; and
- (j) one nonvoting member designated by MUSC.

Within five days of the effective date of this joint resolution, the designating organizations shall submit the names of recommended designees to DHEC.

(2) Each panel shall meet weekly initially, but this frequency may be reduced by the chairman of the panel with DHEC's consent.

(3) At its first meeting, each panel shall select a chairman from among its members, who shall preside over the panel's meetings. This chairman must have extensive healthcare experience within the panel's designated region. In the event of a future vacancy, the chair shall be filled in this same manner.

(4) Based upon the region's vaccine allocation provided by the department, the panel shall adopt a specific recommendation for allocating first dose vaccines to providers and review the plan at subsequent meetings. This recommendation must be transmitted to DHEC, on a form created by the department, immediately upon initial adoption and upon subsequent revision and must be based upon the following priorities:

- (a) Rural and underserved communities must have equitable access to receive the COVID-19 vaccine;
- (b) Available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire, and to position South Carolina favorably in the event that any future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

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(c) Each panel must consider which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) Panels' recommendations must be informed by their review of the most current and comprehensive data available as to how vaccines have already been administered within their regions, including how the vaccination rate varies by geography, race, age, income, or other relevant factors.

(C) Notwithstanding any other provisions of this joint resolution, DHEC may retain up to five percent of each weekly dose allocation in inventory to maximize its ability to quickly and efficiently respond to changes in need throughout the week.

B. This SECTION terminates and is no longer effective when the Director of the Department of Health and Environmental Control determines that the demands for the vaccine no longer exceed the supply of the vaccine.

SECTION 6. A.(A) Beginning fourteen days after the effective date of this joint resolution, the Department of Health and Environmental Control shall provide a daily report, detailing:

(1) the total number of COVID-19 vaccine doses in inventory as of that day;

(2) the total number of COVID-19 vaccine doses received that day itemized by manufacturer;

(3) the total number of COVID-19 vaccine doses that the State is presently eligible to receive but has not yet drawn, itemized by manufacturer.

(4) the total number of COVID-19 vaccine doses in inventory as of that day that are intended to be administered as a first dose and the number that are intended to be administered as a second dose; and

(5) the total number of COVID-19 vaccine doses that are distributed or redistributed to each administering entity that day, itemized by manufacturer.

The daily report also shall provide a cumulative report detailing the same.

(B) DHEC also shall tabulate the reports required by subsection (C), and include in the daily report required by subsection (A), the cumulative total of vaccines administered. The cumulative totals of vaccines administered also must be shown, numerically and graphically, as a percentage of the State as a whole, and demonstrate how many more vaccines must be given until the next category of individuals are eligible for the vaccine. The cumulative totals of vaccines administered also

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must be shown, numerically and graphically by the zip code of the patient.

(C) Each administering entity shall provide a daily report to the Department of Health and Environmental Control detailing:

(1) the total number of COVID-19 vaccine doses in inventory as of that day, itemized by manufacturer;

(2) the total number of COVID-19 vaccines administered that day;

(3) the total number of upcoming appointments for a COVID-19 vaccine scheduled as of that day; and

(4) the total number of COVID-19 vaccines administered that day as a first dose and the number administered that day as a second dose, if applicable.

The daily report also shall provide a cumulative report for the entity detailing the same.

An administering entity may satisfy the reporting requirements of this subsection, subject to DHEC approval, if it makes such information available through the Vaccine Administration Management System or another existing reporting mechanism approved by DHEC.

(D) Each administering entity also must establish a tracking process to ensure that individuals either receive their first and second dose from the same entity or receive information necessary for obtaining their second dose from another entity.

(E) The reports required by this section must be posted daily on the department's website.

B. This SECTION terminates and is no longer effective when South Carolina is no longer under a declared public health emergency concerning COVID-19. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

Senator GROOMS spoke on the amendment.

The question being the adoption of the amendment.

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

Ayes 31; Nays 12

AYES

Alexander
Davis

Allen
Fanning

Bennett
Gambrell

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Garrett	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--31

NAYS

Adams	Campsen	Cash
Climer	Cromer	Goldfinch
Grooms	Loftis	Malloy
Martin	Rice	Talley

Total--12

The amendment was adopted.

Senators GROOMS and CLIMER proposed the following amendment (3707R005.KMM.LKG), which was adopted:

Amend the joint resolution, as and if amended, SECTION 5.A., by striking subsection (B) and inserting:

/ (B) DHEC shall allocate vaccines so that they are distributed in a manner that ensures that each of its four public health regions shall receive a per-capita allocation, as described in subsection (A). DHEC's allocations to specific vaccine providers must:

(1) take into consideration recommendations from affected stakeholders and vaccine providers within the region, including, but not limited to, hospitals, primary care practices, pharmacies, rural health clinics, and the South Carolina Primary Care Association and any other federally qualified health centers; and

(2) be based upon the following priorities:

(a) rural and underserved communities must have equitable access to receiving the COVID-19 vaccine;

(b) available vaccines must be administered to South Carolinians as rapidly as possible, to ensure that no doses are permitted to expire and to position South Carolina favorably in the event that any

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future federal allocations to states may be based in part upon a state's ability to expeditiously administer the vaccine;

(c) which providers are best equipped to handle specific manufacturers' forms of the vaccine, such as those requiring ultra-cold storage; and

(d) the most current and comprehensive data available concerning how vaccines have already been administered within each region, including how the vaccination rate varies by geography, race, age, income, or other relevant factors. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

Senator ALEXANDER spoke on the amendment.

Senator CASH spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator SABB spoke on the amendment.

The question then was the adoption of the amendment.

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

Ayes 23; Nays 20

AYES

Adams	Bennett	Campsen
Cash	Climer	Cromer
Fanning	Goldfinch	Grooms
Gustafson	Harpootlian	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rice	Shealy	Talley
Turner	Young	

Total--23

NAYS

Alexander	Allen	Davis
Gambrell	Garrett	Hembree

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Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Leatherman	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Williams	

Total--20

The amendment was adopted.

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

**COMMITTEE AMENDMENT TABLED
CARRIED OVER**

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (378R001.SP.WC), which was tabled:

Amend the bill, as and if amended, on page 1, by striking line 26 and inserting:

/fined not ~~less than five hundred dollars nor~~ more than one thousand/

Amend the bill further, as and if amended, on page 1, by striking lines 31 through 33 and inserting:

/ (1) must be fined not ~~less than two thousand dollars nor~~ more than ~~five~~ ten thousand dollars ~~and, imprisoned not less than one year nor~~ more than five years, or both; /

Re-number sections to conform.

Amend title to conform.

Senator CASH explained the committee amendment.

The amendment was tabled.

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Senator CASH proposed the following amendment (WAB\378C001.RT.WAB21), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 47-3-630(B)(1) and inserting:

/ (1) must be fined not ~~less than two thousand dollars nor~~ more than ~~five ten~~ thousand dollars ~~and~~, imprisoned not ~~less than one year nor~~ more than ~~five ten~~ years, or both; /

Renumber sections to conform.

Amend title to conform.

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

READ THE SECOND TIME

S. 131 -- Senator Massey: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

READ THE SECOND TIME

S. 242 -- Senators Young and Campsen: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator YOUNG explained the Bill.

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

Ayes 43; Nays 0

AYES

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

Total--43

NAYS

Total--0

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

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen, Climer, Garrett and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (DG\271C001.NBD.DG21), which was adopted:

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

/ SECTION ____ . A. Section 12-65-20(4)(b) of the 1976 Code, as last amended by Act 50 of 2019, is further amended to read:

“(b) Notwithstanding the provisions of item (4)(a), with respect to (i) any site acquired by a taxpayer before January 1, 2008, (ii) a site located on the Catawba River near Interstate 77, or (iii) a site which, on the date the notice of intent to rehabilitate is filed, is located in a distressed area of a county in this State, as designated by the applicable council of government, ‘textile mill site’ means the textile mill structure, together with all land and improvements which were used directly for textile manufacturing operations or ancillary uses, or were located on the same parcel or a contiguous parcel within one thousand feet of any textile mill structure or ancillary uses. For purposes of this subitem, ‘contiguous parcel’ means any separate tax parcel sharing a common boundary with an adjacent parcel or separated only by a private or public ~~road~~ roads and railroad rights of way.”

B. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2020. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the committee amendment.

The amendment was adopted.

Senator TALLEY spoke on the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson

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

Total--42

NAYS

Matthews

Total--1

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

ADOPTED

S. 486 -- Senator Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHWAY 17-A AT ITS CROSSING OF THE CSX MAIN LINE IN MONCK'S CORNER "STEVE C. DAVIS VIADUCT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

Motion Adopted

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

MOTION ADOPTED

On motion of Senators HUTTO and STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Heyward Livingston, Jr. of North, S.C. Heyward was a lifelong member of Livingston United Methodist Church. He was a United States Army veteran and served on the Orangeburg County Council over 20 years. Farming and being with his family were some of his favorite ways to spend time. Heyward was a loving husband, devoted father and doting grandfather who will be dearly missed.

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MOTION ADOPTED

On motion of Senator SHEALY, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LEATHERMAN, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, STEPHENS, TALLEY, VERDIN, WILLIAMS and YOUNG with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Anne Summers Turner of Greenville, S.C. Ms. Turner was the mother of our beloved Senator Turner. She enjoyed working in the yard, arranging flowers, playing bridge and spending time with her family. She loved going to Litchfield Beach and Clemson tailgates. Ms. Turner was a member of Eastlan Baptist Church and volunteered for various clubs, schools and organizations. Ms. Turner was a loving mother and devoted grandmother who was a blessing to all who knew her and will be dearly missed.

and

ADJOURNMENT

At 6:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 10, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Zechariah 8:16

The prophet Zechariah wrote: "These are the things you are to do: speak the truth to each other, and render true and sound judgment in your courts."

Join me as we bow, please: O Glorious God, here in today's world--our fast-paced, hurry up, let's get this done as quickly as we can world--something seems to have happened to "truth." Perhaps it is the desire of some to get things done speedily, or to get things over with and "out of the limelight." But the fact is, our now and then efforts to evade what is true or even to make "truth" what we want it to be should be never the course to follow. What is true is simply "true," and it always needs to be honored, if not cherished. Here in the Senate of South Carolina, dear Lord, may truth always be at the core of any and all debate, and may it be shared boldly. In Your loving name we pray this, O Lord. Amen.

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

Point of Quorum

At 1:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

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

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<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rice	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator K. JOHNSON introduced Dr. Gary Culbertson of Sumter, S.C., Doctor of the Day.

Leave of Absence

At 1:24 P.M., Senator MATTHEWS requested a leave of absence for Senators KIMPSON and McELVEEN until 1:45 P.M.

Leave of Absence

At 1:24 P.M., Senator TURNER requested a leave of absence for Senator SENN until 1:30 P.M.

CO-SPONSORS ADDED

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

S. 16	Sens. Grooms and Young
S. 131	Sen. Malloy
S. 221	Sen. Gustafson
S. 222	Sen. Gustafson
S. 402	Sen. Garrett
S. 457	Sen. Garrett
S. 505	Sens. Alexander and Gambrell
S. 510	Sen. Garrett
S. 528	Sens. Climer, Stephens, Matthews and McLeod
S. 539	Sen. Matthews

CO-SPONSOR REMOVED

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

S. 498	Sen. Gambrell
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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 541 -- Senator Campsen: A BILL TO AMEND SECTION 50-21-30 OF THE 1976 CODE, RELATING TO WATERCRAFT LAWS, TO AUTHORIZE A UNIT OF LOCAL GOVERNMENT TO ADOPT AN ORDINANCE REQUIRING A PERMIT FOR WATERCRAFT TO REMAIN ON THE LOCAL GOVERNMENT'S TERRITORIAL WATERS FOR MORE THAN FOURTEEN CONSECUTIVE DAYS.

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

S. 542 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR COACH JOE QUIGLEY OF NORTH MYRTLE BEACH HIGH SCHOOL FOR HIS OUTSTANDING CAREER AS COACH, EDUCATOR, AND ADMINISTRATOR, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT AS ATHLETIC DIRECTOR, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 543 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CORETTA KEA, SCHOOL SOCIAL WORKER AT BOOKMAN ROAD ELEMENTARY SCHOOL, AND TO COMMEND HER HEROIC ACTIONS WHICH SAVED THE LIFE OF A STUDENT'S GRANDMOTHER.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEE

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

S. 221 -- Senators Shealy, Alexander, Hutto, Jackson and Gustafson: A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR

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THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 222 -- Senators Shealy, McLeod, Hutto, Jackson, Matthews and Gustafson: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 441 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND 63-7-1210(A) OF THE 1976 CODE, RELATING TO DEPARTMENT OF SOCIAL SERVICES INVESTIGATIONS OF INSTITUTIONAL ABUSE, TO PROVIDE FOR INVESTIGATIONS OF ABUSE IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-2350(A) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO PROVIDE CIRCUMSTANCES UNDER WHICH A CHILD MAY NOT BE PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO JUDICIAL PROCEEDINGS, BY ADDING SECTION 63-7-1730 AND SECTION 63-7-1740, TO PROVIDE ASSESSMENT, CASE PLANNING, AND DOCUMENTATION REQUIREMENTS

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FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, AND TO PROVIDE JUDICIAL REVIEW REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-1700(B) OF THE 1976 CODE, RELATING TO THE CONTENTS OF A SUPPLEMENTAL REPORT FOR PERMANENCY PLANNING, TO INCLUDE JUDICIAL REVIEW REQUIREMENTS IN THE REPORT; AND TO AMEND SECTION 63-7-1700 OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO PROVIDE FOR JUDICIAL REVIEW OF THE PLACEMENT OF A CHILD IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

S. 521 -- Senators Shealy and Cromer: A CONCURRENT RESOLUTION TO COMMEMORATE THE NATIONAL INVEST IN VETERANS WEEK ON MARCH 1-7 IN SUPPORT OF VETERAN-OWNED BUSINESSES.

Ordered for consideration tomorrow.

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

H. 3825 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West,

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Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO COMMEMORATE NATIONAL INVEST IN VETERANS WEEK, FROM MARCH 1 THROUGH 7, 2021, IN SUPPORT OF VETERAN-OWNED BUSINESSES.

Ordered for consideration tomorrow.

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

SECOND READING BILL

S. 526 -- Senators Hutto and Matthews: A BILL TO AMEND ACT 174 OF 1999, RELATING TO THE ALLENDALE COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE DEADLINE FOR FILING A NOTICE OF CANDIDACY, TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS, AND TO MAKE CONFORMING CHANGES.

On motion of Senator HUTTO.

HOUSE BILL RETURNED

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

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

The Senate proceeded to a consideration of the Resolution.

Senator MALLOY spoke on the Resolution.

The question being third reading of the Resolution.

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

Ayes 40; Nays 1

AYES

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

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

Total--40

NAYS

Rice

Total--1

The Resolution, as amended, was read the third time, passed and ordered returned to the House with amendments.

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

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

S. 131 -- Senator Massey and Malloy: A BILL TO AMEND SECTION 10-11-310 OF THE 1976 CODE, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330 OF THE 1976 CODE, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30 OF THE 1976 CODE, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE SERGEANTS AT

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ARMS, TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

S. 242 -- Senators Young and Campsen: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, BY ADDING ARTICLE 147, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

S. 271 -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen, Climer, Garrett and Campsen: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

READ THE SECOND TIME

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

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Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

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

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

MOTION ADOPTED

At 1:31 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

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

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Amendment No. 1

Senators FANNING and McLEOD proposed the following amendment (WAB\201C021.RT.WAB21), which was ruled out of order:

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

/ SECTION __. (A) The Code Commissioner is directed to change or correct all references to the "Education Oversight Committee" in the 1976 Code to "State Board of Education" to reflect the transfer of certain functions of the Education Oversight Committee to the State Board of Education. References to the Education Oversight Committee in the 1976 Code or other provisions of law are considered to be, and must be, construed to mean appropriate reference to the State Board of Education.

(B) The Code Commissioner is directed to change or correct all references to the Accountability Division of the Education Oversight Committee in the 1976 Code to reflect the transfer of the division to the State Department of Education. References to the Accountability Division of the Education Oversight Committee in the 1976 Code or other provisions of law are considered to be, and must be, construed to mean appropriate reference to the Accountability Division of the State Department of Education. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Point of Order

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

Senator FANNING spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Motion Adopted

On motion of Senator FANNING, with unanimous consent, Amendment Nos. 2 - 7 were carried over.

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Amendment No. 8

Senator MARTIN proposed the following amendment (201R001.SP.SRM), which was carried over and subsequently not adopted:

Amend the bill, as and if amended, beginning on page 5 at line 40, by striking Section 59-18-1640(E), (F), and (G) and inserting:

/ (E)(1) The State Superintendent of Education shall assume the authority and responsibilities of the district superintendent and local district board of trustees until district management is transitioned back to the jurisdiction of the local district board of trustees pursuant to this section.

(2) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such.

(F)(1) Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the department, in consultation with the district and local district board of trustees, shall develop a transition plan, timeline for returning management of the district back to the local district board of trustees, and deadline for the expiration of the state-of-education emergency declaration.

(2) Upon a declaration of the expiration of the state-of-education emergency, the powers and duties of the district superintendent and local district school board of trustees are restored. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 9

Senators CROMER, HUTTO, SABB, SETZLER, MATTHEWS and SENN proposed the following amendment (201R002.SP.RWC), which was carried over:

Amend the bill, as and if amended, on page 7, line 15, by inserting an appropriately numbered new SECTION to read:

/SECTION __. Article 1, Chapter 19, Title 59 of the 1976 Code is amended by adding:

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“Section 59-19-43. Notwithstanding the provisions of Section 7-11-70 or any provision of law to the contrary, a candidate for a school board of trustees may not be nominated by petition.” /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

On motion of Senator CROMER, the amendment was carried over.

Amendment No. 10

Senators FANNING and HEMBREE proposed the following amendment (201R003.SP.MWF), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 20 through 25 and inserting:

/ (B) If the State Superintendent of Education determines that a district state-of-education emergency declaration is justified, then he must request that the State Board of Education meet to approve or disapprove the declaration and cite the circumstances justifying that the district has failed to satisfactorily address circumstances. The State Board of Education must meet within ten days of the request to approve or disapprove the declaration. /

Amend the bill further, as and if amended, on page 5, by striking lines 28 through 30 and inserting:

/ (1) notify the Governor and the appropriate district superintendent, local school board, and local legislative delegation; and/

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 11

Senators FANNING and HEMBREE proposed the following amendment (201R004.SP.MWF), which was adopted:

Amend the bill, as and if amended, on page 5, line 7, by adding an appropriately lettered new subsection to read:

/ () After a school has been in a state-of-education emergency for three consecutive years, the State Superintendent of Education may extend the state-of-education emergency for an additional three-year period only upon the approval of the State Board of Education. The State

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Superintendent of Education may make requests every three years, which must be approved or disapproved by the board. If the State Superintendent of Education does not request additional time, or if the State Board of Education disapproves a request, then the school shall revert back to the control of the local school board. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 12

Senators FANNING and HEMBREE proposed the following amendment (201R005.SP.MWF), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 40 through 43, and on page 6, by striking lines 1 through 3 and inserting:

/ (E)(1) The local district board of trustees shall be dissolved upon the State Board of Education's approval of the state-of-education emergency declaration and upon the expiration of the ten business day appeal window as provided in subsection (D). /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 13

Senator FANNING proposed the following amendment (CZ\201C001.BH.CZ21), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. (A) The Code Commissioner is directed to change or correct all references to the "Education Oversight Committee" in Chapter 18, Title 59 of the 1976 Code to "State Board of Education" to reflect the transfer of certain functions of the Education Oversight Committee to the State Board of Education. References to the Education Oversight Committee in the 1976 Code or other provisions of law are considered to be, and must be, construed to mean appropriate reference to the State Board of Education.

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(B) The Code Commissioner is directed to change or correct all references to the Accountability Division of the Education Oversight Committee in Chapter 18, Title 59 of the 1976 Code to reflect the transfer of the division to the State Department of Education. References to the Accountability Division of the Education Oversight Committee in the 1976 Code or other provisions of law are considered to be, and must be, construed to mean appropriate reference to the Accountability Division of the State Department of Education. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Point of Order

Senator HEMBREE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator FANNING spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 14

Senators HEMBREE and STEPHENS proposed the following amendment (201R007.SP.GH), which was adopted:

Amend the bill, as and if amended, on page 6, by striking line 21 and inserting:

/appointing authority shall consider knowledge and experience in the field of education and shall further take into account race, gender, and other /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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Amendment No. 15

Senator FANNING proposed the following amendment (WAB\201C016.RT.WAB21):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-18-1640(G).

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

On motion of Senator MARTIN, with unanimous consent and Senator FANNING retaining the floor, asked to proceed to Amendment No. 8 and Amendment No. 26.

Amendment No. 8

Senator MARTIN proposed the following amendment (201R001.SP.SRM), which was not adopted:

Amend the bill, as and if amended, beginning on page 5 at line 40, by striking Section 59-18-1640(E), (F), and (G) and inserting:

/ (E)(1) The State Superintendent of Education shall assume the authority and responsibilities of the district superintendent and local district board of trustees until district management is transitioned back to the jurisdiction of the local district board of trustees pursuant to this section.

(2) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such.

(F)(1) Upon an affirmative vote by the State Board of Education to end the state-of-education emergency, the department, in consultation with the district and local district board of trustees, shall develop a transition plan, timeline for returning management of the district back to the local district board of trustees, and deadline for the expiration of the state-of-education emergency declaration.

(2) Upon a declaration of the expiration of the state-of-education emergency, the powers and duties of the district superintendent and local district school board of trustees are restored. /

Renumber sections to conform.

Amend title to conform.

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Senator MARTIN explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 3; Nays 38

AYES

Jackson	Malloy	Martin
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Total--3

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--38

The amendment failed.

Amendment No. 26

Senator MARTIN proposed the following amendment (201R008.SP.SRM), which was adopted:

Amend the bill, as and if amended, on page 6, by striking lines 13 through 17 and inserting:

- / (i) one member appointed by the Governor;
(ii) three members appointed by the local legislative delegation; and
(iii) one member appointed by the State Superintendent of Education in consultation with the local legislative delegation. /

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Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Amendment No. 15

Senator FANNING proposed the following amendment (WAB\201C016.RT.WAB21):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-18-1640(G).

Renumber sections to conform.

Amend title to conform.

Senator FANNING resumed speaking on the amendment.

RECESS

At 4:28 P.M., on motion of Senator MASSEY, the Senate recessed from business until 4:35 P.M.

At 4:45 P.M., the Senate resumed.

Call of the Senate

Senator MASSEY moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

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A quorum being present, the Senate resumed.

MOTION ADOPTED

Senator MASSEY asked unanimous consent to make a motion that the Senate proceed to a roll call vote on second reading of S. 201. Further, the primary sponsor of amendments currently on the desk may offer up to three amendments for consideration on third reading; that proponents and opponents be allowed up to five minutes debate on each amendment; and, that upon consideration of all amendments proponents and opponents be allowed up to 15 minutes debate on the Bill.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

NAYS

Fanning

Total--1

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Donald E. Alexander of Spartanburg, S.C. Reverend Alexander was a friend of our beloved Senator Martin at Bogansville United Methodist Church. He pastored many Upstate churches over the years and was highly regarded by his community and congregations. He was a former Boy Scout leader and a life member of S.C. Jayce Senate and Palmetto Corp. Reverend Alexander was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Edward Eatmon of Kingstree, S.C. Mr. Eatmon was the father of our beloved Alicia Eatmon, the Bill Clerk for the Senate. He earned his BA degree from the University of South Carolina and his masters from The Citadel. Edward was a teacher, coach and assistant principal at Olanta High School. After his career in education, Edward became an Environmental Quality Manager with the Department of Environmental Control until he retired in 1995. Edward was a member of First Baptist Church of Kingstree. He served on the South Carolina Sporting Dogs and Field Trial Commission, was active in the Carolina Boykin Spaniel Retriever Club, served on the Board of Directors of the Boykin Spaniel Society and was a founding member of the Black River Chapter of the National Wild Turkey Federation. He was an avid hunter and enjoyed spending time with family and friends. Edward was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 4:52 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

Thursday, February 11, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

John 15:17

Scripture declares:

“This is my command: Love each other.”

Please join me as we pray:

O God, one cannot ignore the reality that Valentine’s Day is right around the corner, this annual sharing of heartfelt love. And, of course, it is appropriate that such feelings be acknowledged and acted upon; we affirm that. But, dear Lord, what really should likely matter most at this time and in these days is the concern and the care -- the “love”, if you will -- that these Senators each possess for all of the citizens here in South Carolina. May the efforts and the actions of these leaders illustrate the importance of this Senate’s determination to lift up and to make life better for every child, woman, and man in each one of our counties. And may they do so, Lord, to Your glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Fanning	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Massey

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Matthews	McElveen	Peeler
Rice	Scott	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator TURNER introduced Dr. William Hand of Greenville, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MALLOY, at 11:40 A.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator MATTHEWS, at 11:45 A.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator WILLIAMS, at 11:45 A.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator TURNER, at 11:45 A.M., Senator MARTIN was granted a leave of absence for today.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 208 Sen. Bennett
S. 222 Sen. K. Johnson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 544 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS, AND TO PROVIDE RELATED APPLICATION AND ENROLLMENT PROCEDURES; TO AMEND SECTION 59-40-145, RELATING TO INTERDISTRICT ATTENDANCE IN

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CHARTER SCHOOLS, SECTION 59-63-30, RELATING TO PUBLIC SCHOOL ATTENDANCE QUALIFICATIONS, SECTION 59-63-32, RELATING TO PUBLIC SCHOOL ENROLLMENT REQUIREMENTS, AND SECTION 59-63-480, RELATING TO PUBLIC SCHOOL ATTENDANCE REQUIREMENTS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 59-63-45, RELATING TO INTERDISTRICT STUDENT TRANSFER REIMBURSEMENTS, AND SECTION 59-63-500, RELATING TO INTERDISTRICT STUDENT TRANSFER CONSENT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

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Read the first time and referred to the Committee on Education.

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 546 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MARCH 3, 2021, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER OF THE LANDER UNIVERSITY BOARD OF TRUSTEES TO FILL THE TERM OF THE AT-LARGE SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2022; TO ELECT A MEMBER OF THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES FOR THE AT-LARGE SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2024; TO ELECT A MEMBER OF THE CITADEL BOARD OF VISITORS, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2026; AND TO ELECT A MEMBER OF THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES TO FILL THE TERM OF THE MEMBER OF THE FIFTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2022.

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The Concurrent Resolution was adopted, ordered sent to the House.

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S. 547 -- Senators Stephens and Hutto: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF BRENDA LILLIAN WILLIAMS OF ORANGEBURG, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE

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ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 147 -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell and Grooms: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 160 -- Senator Scott: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

Ordered for consideration tomorrow.

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Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 203 -- Senator Hembree: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 208 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 59-19-350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

Ordered for consideration tomorrow.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, CARRIED OVER

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and STEPHENS proposed the following amendment (515R001.SP.CBH), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION . SECTION 5 of Act 280 of 2018 is amended to read:

“SECTION 5. (A) The board of trustees of the school district, before July first of each year, shall prepare a school district budget for the ensuing school year. Before September second of each year, the board shall notify the county auditor and treasurer in writing of the millage required for the operation of the schools in the district for the ensuing school year. The notice by the board constitutes authority for the levying and collection of the millage upon all of the real and personal property within the school district. The levy must be placed to the credit of the district and expended for the district. Beginning in 2019 with fiscal year 2021-2022, the school district may raise its millage by no more than two to five mills over that levied for the previous year, in addition to any millage needed to adjust for the EFA inflation factor and sufficient to meet the requirements of Section 59-21-1030. Beginning with fiscal year 2022-2023, the school district may raise its millage to three mills over that levied for fiscal year 2019-2020, in addition to the inflation factor as estimated by the EFA and meeting the requirements of Section 59-21-1030. An increase above ~~this two~~ these mills for operations may be

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levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the district school board and conducted by the county election commission.

(B) The board shall hold a public hearing prior to its final approval of the budget for the district. Notice of this public hearing must be placed in a newspaper of general circulation in the district at least fifteen days before the public hearing.

(C) ~~For purposes of determining the previous year's millage of the district upon its creation, the millage levy for the district must be determined and calculated by the board based on the 2018 levy in each of the three districts and the value of a mill in each district as well as the 2018 countywide school millage levy and the value of a mill in the county~~ Beginning in fiscal year 2021-22, the operational millage levy for the district shall be two hundred nineteen mills." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 526 -- Senators Hutto and Matthews: A BILL TO AMEND ACT 174 OF 1999, RELATING TO THE ALLENDALE COUNTY BOARD OF EDUCATION, SO AS TO CHANGE THE DEADLINE FOR FILING A NOTICE OF CANDIDACY, TO REQUIRE CANDIDATES SEEKING ELECTION TO SUBMIT A STATEMENT OF CANDIDACY RATHER THAN SIGNED PETITIONS, AND TO MAKE CONFORMING CHANGES.

On motion of Senator HUTTO.

CARRIED OVER

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND

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HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

On motion of Senator MALLOY, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill as amended, was read the third time and ordered sent to the House:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

The Senate proceeded to a consideration of the Bill.

Senator FANNING proposed the following amendment (WAB\201C024.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking Section 59-18-1640 (E) through (G) and inserting:

/ (E)(1) The local district board of trustees shall be dissolved upon the State Board of Education's approval of the state-of-education emergency declaration and upon the expiration of the ten business day appeal window as provided in subsection (D). Members of the board serving at the time of its dissolution are ineligible to serve, either through election or by appointment, on that board for a period of six years after the date of dissolution.

(2)(a) Once a district subject to subsection (C) has met annual targets identified in the district's revised strategic plan for sustained improvement for a minimum of three consecutive years, the State Superintendent of Education shall submit to the State Board of Education documentation of such. The State Board of Education shall approve that an interim local district board of trustees be appointed. The interim local district board of trustees shall consist of five members appointed in the following manner with a chairman elected by the appointees:

- (i) one member appointed by the Governor;
- (ii) three members appointed by the local legislative delegation; and

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(iii) one member appointed by the State Superintendent of Education in consultation with the local legislative delegation.

(b) All appointees must be residents of the school district for which the interim appointments are being made. In making appointments to the interim local district board of trustees, the appointing authority shall consider knowledge and experience in the field of education and shall further take into account race, gender, and other demographic factors, such as residence in a rural or urban area, so as to represent, to the greatest extent possible, all segments of the population of the affected district. However, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. The members of the interim local district board of trustees shall represent the educational needs of the district.

(c) The interim local district board shall be appointed to begin serving within forty-five days of the State Board of Education's approval of the appointments of the interim local district board and vacancies in the board shall be filled in the original manner of appointment.

(d) The interim board shall appointed in subsection (E)(2)(d) shall serve until the next general election, at which time members for the local district board of trustees will be elected or appointed pursuant to statutory requirements.

(e) Upon the swearing in of a new local district board of trustees, the declaration of a state-of-education emergency shall expire, and the powers and duties of the district superintendent and local district school board of trustees are restored.

(F) Notwithstanding any other provision of law, a district in a state-of-education emergency pursuant to this section shall have its fiscal authority relating to taxing authority and levying millage transferred to its county council until the state-of-education emergency is lifted. The county council may not exceed millage limitations established pursuant to Section 6-1-320 or otherwise established prior to the state-of-education emergency declaration.” /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE spoke in opposition to the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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The amendment was laid on the table.

Senator FANNING proposed the following amendment (201R009.SP.SRM), which was tabled:

Amend the bill, as and if amended, on page 5, by striking lines 7 through 16 and inserting:

/ (F) After a school has been in a state-of-education emergency for three consecutive years, the State Superintendent of Education may extend the state-of-education emergency for an additional three-year period, but for no more than a total of nine years, only upon the approval of the State Board of Education. The State Superintendent of Education may make requests every three years, but for no more than a total of nine years, which must be approved or disapproved by the State Board of Education. If the State Superintendent of Education does not request additional time, or if the State Board of Education disapproves a request, then the school shall revert back to the control of the local district school board, and beginning with the next regularly scheduled election, members for the local district school board will be elected or appointed pursuant to statutory requirements. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

Senator FANNING proposed the following amendment (WAB\201C022.RT.WAB21), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-18-1640(G) and inserting:

/ (G) Notwithstanding another provision of law, a district in a state-of-education emergency pursuant to this section must have its fiscal authority relating to taxing authority and levying millage transferred to its county council until the state-of-education emergency is lifted, except as provided in this subsection. The county council may not exceed millage limitations established pursuant to Section 6-1-320 or otherwise established prior to the state-of-education emergency declaration. However, when a district achieves the highest possible rating on its report card for three consecutive years the district shall regain and

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exercise full fiscal autonomy for the district, and fiscal authority delegated to the county council is divested of the council and returned to the district.” /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

The question being the third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House with amendments.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 221 -- Senators Shealy, Alexander, Hutto, Jackson and Gustafson:
A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

THURSDAY, FEBRUARY 11, 2021

The Committee on Family and Veterans' Services proposed the following amendment (221R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 7, by striking line 33 and inserting:

/procedures, unless there is a case pending before the family court that can dispose of the issue. Such notice shall be served by certified mail. The notice /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 222 -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson and K. Johnson: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 441 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND 63-7-1210(A) OF THE 1976 CODE, RELATING TO DEPARTMENT OF SOCIAL SERVICES INVESTIGATIONS OF INSTITUTIONAL ABUSE, TO PROVIDE FOR INVESTIGATIONS OF ABUSE IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-2350(A) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO PROVIDE CIRCUMSTANCES UNDER WHICH A CHILD MAY NOT BE PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO JUDICIAL PROCEEDINGS, BY ADDING SECTION 63-7-1730 AND SECTION 63-7-1740, TO PROVIDE ASSESSMENT, CASE PLANNING, AND DOCUMENTATION REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, AND TO PROVIDE JUDICIAL REVIEW REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-1700(B) OF THE 1976 CODE, RELATING TO THE CONTENTS OF A SUPPLEMENTAL REPORT FOR PERMANENCY PLANNING, TO INCLUDE JUDICIAL REVIEW REQUIREMENTS IN THE REPORT; AND TO AMEND SECTION 63-7-1700 OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO PROVIDE FOR JUDICIAL REVIEW OF THE PLACEMENT OF A CHILD IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; AND TO DEFINE NECESSARY TERMS.

Senator CLIMER objected to the consideration of the Bill.

THURSDAY, FEBRUARY 11, 2021

ADOPTED

S. 521 -- Senators Shealy and Cromer: A CONCURRENT RESOLUTION TO COMMEMORATE THE NATIONAL INVEST IN VETERANS WEEK ON MARCH 1-7 IN SUPPORT OF VETERAN-OWNED BUSINESSES.

The Resolution was adopted, ordered sent to the House.

H. 3825 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO COMMEMORATE NATIONAL INVEST IN VETERANS WEEK, FROM MARCH 1 THROUGH 7, 2021, IN SUPPORT OF VETERAN-OWNED BUSINESSES.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:46 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

THURSDAY, FEBRUARY 11, 2021

ADJOURNMENT

At 11: 50 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 12, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bills:

S. 221 Sen. McElveen
S. 222 Sen. McElveen
S. 441 Sen. McElveen

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 498 Sen. Shealy

ADJOURNMENT

At 11:04 A.M., on motion of Senator McLEOD, the Senate adjourned to meet next Tuesday, February 16, 2021, at 12:00 P.M.

* * *

Tuesday, February 16, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 25:4-5

The Psalmist tells us: "Show me your ways, O Lord, teach me your paths; guide me in your truth and teach me for you are God my Savior, and my hope is in you all day long."

Join me as we bow in prayer: Yesterday, dear God, was Presidents' Day, when we of course honor Washington and Lincoln as well as all of our other Presidents who guided us with nobleness and distinction. From them we are reminded of the importance of the Psalmist's plea: to follow the ways of the Lord and to find hope in Him. May it be so. May the clear evidence of caring and thoughtful, brave and bold, and wise and fair leadership ever be on display here in this Senate. May these Senators and their staff members always put forth their very best, summoning thoughtful and fair actions which result in great good for all who reside in this State we love. In Your holy name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Leave of Absence

At 12:20 P.M., Senator MATTHEWS requested a leave of absence for Senator McLEOD until 1:30 P.M.

Leave of Absence

At 4:48 P.M., Senator CORBIN requested a leave of absence for Senator LOFTIS for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 174 Sen. Rankin
S. 187 Sen. Rankin
S. 200 Sen. Gustafson
S. 203 Sen. Gustafson

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S. 214 Sen. Rankin
S. 245 Sen. Rankin
S. 441 Sen. Gustafson
S. 506 Sen. Fanning
S. 508 Sen. Hutto
S. 510 Sen. Fanning
S. 551 Sen. M. Johnson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 548 -- Senators Massey, Climer and Turner: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 8 OF THE 1976 CODE, RELATING TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, BY ADDING SECTION 8-13-160, TO PROVIDE THAT THE CHAPTER APPLIES TO ALL PERSONS ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; TO AMEND SECTION 8-13-1110 OF THE 1976 CODE, RELATING TO PERSONS REQUIRED TO FILE A STATEMENT OF ECONOMIC INTERESTS, TO INCLUDE A PERSON ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; AND TO AMEND SECTION 8-13-320(10)(I) OF THE 1976 CODE, RELATING TO INVESTIGATIONS CONDUCTED BY THE STATE ETHICS COMMISSION, TO PROVIDE THAT WRITTEN DECISIONS MUST BE POSTED TO THE STATE ETHICS COMMISSION'S WEBSITE.

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Read the first time and referred to the Committee on Judiciary.

S. 549 -- Senator Senn: A BILL TO AMEND SECTION 12-6-3587(A) OF THE 1976 CODE, RELATING TO THE PURCHASE AND INSTALLATION OF A SOLAR ENERGY SYSTEM FOR HEATING WATER, SPACE HEATING, AIR COOLING, OR GENERATING ELECTRICITY, TO PROVIDE THAT THE TAX CREDIT FOR THE PURCHASE AND INSTALLATION OF SUCH ITEMS IS A REFUNDABLE CREDIT.

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Read the first time and referred to the Committee on Finance.

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S. 550 -- Senator Rice: A BILL TO AMEND ARTICLE 3, CHAPTER 5, TITLE 7 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF AND QUALIFICATIONS FOR VOTER REGISTRATION, BY ADDING SECTION 7-5-115, TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS BEING A MEMBER OF THAT POLITICAL PARTY; TO AMEND SECTION 7-5-110 OF THE 1976 CODE, RELATING TO THE REQUIREMENT OF REGISTRATION IN ORDER TO VOTE, TO PROVIDE THAT A PERSON IS NOT ALLOWED TO VOTE IN A PARTISAN PRIMARY ELECTION OR PARTISAN ADVISORY REFERENDUM UNLESS THE PERSON HAS REGISTERED AS A MEMBER OF THAT POLITICAL PARTY; TO AMEND SECTION 7-5-170 OF THE 1976 CODE, RELATING TO THE REQUIREMENTS FOR VOTER REGISTRATION, TO REQUIRE A STATEMENT OF POLITICAL PARTY AFFILIATION, IF ANY, ON THE FORM AND INCLUSION IN THE OATH, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ASSIST IN CAPTURING THIS DATA; AND TO AMEND SECTION 7-9-20 OF THE 1976 CODE, RELATING TO THE QUALIFICATIONS FOR VOTING IN A PRIMARY ELECTION, TO REQUIRE REGISTRATION AS A MEMBER OF THE POLITICAL PARTY, AND TO PROVIDE A PROCEDURE FOR CHANGING POLITICAL PARTY AFFILIATION OR NONAFFILIATION AFTER A SELECTION HAS BEEN MADE.

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Read the first time and referred to the Committee on Judiciary.

S. 551 -- Senators Kimbrell, Martin, Corbin, Loftis, Massey, Senn, Rice, Garrett, Cromer, Grooms, Cash, Talley, Adams and M. Johnson: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING SECTION 39-5-30, TO PROVIDE THAT THE OWNER OR OPERATOR OF A SOCIAL MEDIA WEBSITE MUST MAKE AVAILABLE THE CRITERIA USED TO DETERMINE WHETHER TO DISABLE OR SUSPEND A USER'S ACCOUNT, TO PROVIDE THAT THE OWNER OR OPERATOR OF A SOCIAL MEDIA WEBSITE MUST PROVIDE NOTICE TO A USER WHEN THE USER'S ACCOUNT IS SUSPENDED OR DISABLED, TO PROVIDE THAT THE NOTICE MUST EXPLAIN WHY THE USER'S ACCOUNT WAS SUSPENDED OR DISABLED, TO PROVIDE FOR

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PENALTIES AND DAMAGES, AND TO DEFINE NECESSARY TERMS.

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Senator KIMBRELL spoke on the Bill.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 552 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE ANDREW SHEALY UPON THE OCCASION OF HIS RETIREMENT FROM THE NEWBERRY HOUSING AUTHORITY BOARD OF DIRECTORS, TO COMMEND HIM FOR HIS FOURTEEN YEARS OF DISTINGUISHED PUBLIC SERVICE ON THE BOARD, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 553 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE JAN PIERSOL UPON THE OCCASION OF HER RETIREMENT AS EXECUTIVE DIRECTOR OF THE NEWBERRY HOUSING AUTHORITY, TO COMMEND HER FOR HER THIRTY-EIGHT YEARS OF DISTINGUISHED PUBLIC SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEE

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

Ordered for consideration tomorrow.

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Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 521 -- Senators Shealy and Cromer: A CONCURRENT RESOLUTION TO COMMEMORATE THE NATIONAL INVEST IN VETERANS WEEK ON MARCH 1-7 IN SUPPORT OF VETERAN-OWNED BUSINESSES.

Returned with concurrence.

Received as information.

S. 546 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MARCH 3, 2021, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER OF THE LANDER UNIVERSITY BOARD OF TRUSTEES TO FILL THE TERM OF THE AT-LARGE SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2022; TO ELECT A MEMBER OF THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES FOR THE AT-LARGE SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2024; TO ELECT A MEMBER OF THE CITADEL BOARD OF VISITORS, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2026; AND TO ELECT A MEMBER OF THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES TO FILL THE TERM OF THE MEMBER OF THE FIFTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2022.

Returned with concurrence.

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

On motion of Senator STEPHENS.

SECOND READING BILL

S. 446 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, AS AMENDED, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS.

On motion of Senator MALLOY.

OBJECTION

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

Senator CORBIN objected to consideration of the Bill.

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CARRIED OVER

S. 221 -- Senators Shealy, Alexander, Hutto, Jackson, Gustafson and McElveen: A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator SHEALY, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 222 -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson, K. Johnson and McElveen: A BILL TO AMEND SECTION 63-7-2320 OF THE 1976 CODE, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

OBJECTION

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND

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SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

Senator HARPOOTLIAN objected to consideration of the Resolution.

READ THE SECOND TIME

S. 441 -- Senators Shealy, Hutto, Jackson, McElveen: and Gustafson
A BILL TO AMEND SECTION 63-7-1210(A) OF THE 1976 CODE, RELATING TO DEPARTMENT OF SOCIAL SERVICES INVESTIGATIONS OF INSTITUTIONAL ABUSE, TO PROVIDE FOR INVESTIGATIONS OF ABUSE IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-2350(A) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO PROVIDE CIRCUMSTANCES UNDER WHICH A CHILD MAY NOT BE PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO JUDICIAL PROCEEDINGS, BY ADDING SECTION 63-7-1730 AND SECTION 63-7-1740, TO PROVIDE ASSESSMENT, CASE PLANNING, AND DOCUMENTATION REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, AND TO PROVIDE JUDICIAL REVIEW REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-1700(B) OF THE 1976 CODE, RELATING TO THE CONTENTS OF A SUPPLEMENTAL REPORT FOR PERMANENCY PLANNING, TO INCLUDE JUDICIAL REVIEW REQUIREMENTS IN THE REPORT; AND TO AMEND SECTION 63-7-1700 OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO PROVIDE FOR JUDICIAL REVIEW OF THE PLACEMENT OF A CHILD IN A

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QUALIFIED RESIDENTIAL TREATMENT PROGRAM; AND TO
DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL

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FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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OBJECTION

S. 147 -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell and Grooms: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

Senator KIMPSON objected to the consideration of the Resolution.

POINT OF ORDER

S. 160 -- Senator Scott: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 203 -- Senators Hembree and Gustafson: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

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MOTION ADOPTED

At 12:27 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

CARRIED OVER

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY moved to carry over the Bill.

Senator HARPOOTLIAN moved to table the motion to carry over.

The Senate refused to table the motion to carry over.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 221 -- Senators Shealy, Alexander, Hutto, Jackson, Gustafson and McElveen: A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-

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1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator SHEALY, the Bill was carried over.

CARRIED OVER

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy and Gustafson: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE

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SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MASSEY, the Bill was carried over.

DEBATE INTERRUPTED BY ADJOURNMENT

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

The Senate proceeded to a consideration of the Resolution.

Senator LEATHERMAN spoke on the Resolution.

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The Committee on Finance proposed the following amendment (DG491C002.NBD.DG21):

Amend the joint resolution, as and if amended, SECTION 3, by adding a subsection at the end to read:

/ (4) The authorization contained herein must be limited to the amount required to defray the costs of infrastructure as certified by the Secretary of Commerce, in coordination with the South Carolina State Ports Authority, as supplemented by details sufficient to establish the costs of the infrastructure, and the costs of issuance of the bonds, as reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority. /

Amend the joint resolution further, page 4, by striking lines 1-43 and inserting:

/ the issue of bonds, such authorizing resolution including, among other things:

(1) a schedule reflecting the aggregate principal and interest of all general obligation bonds then outstanding subject to the limitation on maximum annual debt service prescribed by Section 13(6)(c), Article X of the Constitution of this State;

(2) a schedule reflecting the estimated principal and interest requirements on the bonds proposed to be issued;

(3) a schedule reflecting the estimated aggregate principal and interest of all general obligation bonds to be outstanding following issuance of the bonds proposed to be issued, demonstrating compliance with the limitation on maximum annual debt service prescribed by Section 13(6)(c), Article X of the Constitution of this State; and

(4) the approval contemplated by SECTION 3, Item (4).

SECTION 6. (1) The bonds must bear the date and mature at the times, or in the manner that the authorizing resolution provides, except that a bond may not mature more than thirty years from its date of issue. The bonds may be in the denominations, be payable in the medium of payment, be payable at the place and at the time, and be subject to redemption or repurchase and contain other provisions determined by, or determined in the manner prescribed by, the State Fiscal Accountability Authority before their issue. The bonds may bear interest payable at the times and at the rates determined by, or determined in the manner prescribed by, the State Fiscal Accountability Authority.

(2) Bonds issued under this joint resolution are exempt from taxation as provided in Section 12-2-50 of the 1976 Code.

(3) Bonds must be sold by the Governor and the State Treasurer, at public sale, after publication of notice of the sale one or more times at

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least seven days before the sale, in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. The bonds may be awarded upon the terms and in the manner as prescribed in the authorizing resolution. The right must be reserved to reject all bids and to readvertise the bonds for sale. All expenses incident to the sale of the bonds must be paid from the proceeds of the sale of the bonds.

(4) All bonds issued under this joint resolution must be signed by the Governor and the State Treasurer and attested by the Secretary of State. The Governor, State Treasurer, and Secretary of State may sign these obligations by a facsimile of their signatures. The Great Seal of the State must be affixed to, impressed on, or reproduced upon each bond. The delivery of the bonds executed and /

Amend the joint resolution further by adding an appropriately numbered SECTION to read:

/ SECTION ____ . (A) As a further condition before the issuance of the bonds, the state entities responsible for implementation, operation, and management of each facility or component of the project to be financed must establish, by a detailed, signed written agreement, the ownership of the Intermodal Container Facility, the entity responsible for the bidding and the construction of each facility, and the entity responsible for the operations and management of each facility or component of the project. This written agreement must include without limitation the source of revenues sufficient to support the expenses of each facility or component, as may be determined from time to time, and the proposed use of any net revenue from each component of the project. It is the intent of the General Assembly that revenues generated by the project will be sufficient to cover the project's costs of operations, future capital investments, and all other expenses and contingencies without necessity for state appropriation beyond the initial capital investment funded by proceeds of the bonds.

(B) Beginning with the close of the calendar quarter following issuance of the bonds and continuing through the date of substantial completion of each facility or component of the project, there must be provided, no less frequently than quarterly, progress reports for the implementation of each facility or component of the project. The Joint Bond Review Committee may request additional information be provided.

(C) For each year during which bonds are outstanding, there must be provided financial results, operating plans, budgets, capital plans, and

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performance objectives and results for the project, and each facility or component thereof.

(D) The written agreements and reporting requirements provided for in this SECTION must be made available to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Finance Committee of the Senate, and the Chairman of the Ways and Means Committee of the House of Representatives. The Joint Bond Review Committee must review and provide comment, and may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure the financial integrity, accountability, and stewardship of the proceeds of the bonds and the ongoing operations of the project.

(E) Within thirty days of availability, each state entity with responsibility for implementation, operation, and management of any facility or component of the project must provide in each year during which bonds are outstanding their respective independently audited financial statements to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Finance Committee of the Senate, and the Chairman of the Ways and Means Committee of the House of Representatives. The independently audited financial statements also must be made publicly available or accessible on the state entity's website. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the committee amendment.

Senator DAVIS spoke on the Resolution.

Senator KIMPSON spoke on the Resolution.

Senator BENNETT spoke on the Resolution.

Senator CAMPSSEN spoke on the Resolution.

Senator GROOMS spoke on the Resolution.

Senator DAVIS spoke on the Resolution.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Burkett Cox, Sr. of Orangeburg, S.C. Bill served in the United States Army during WWII. Bill later built a wood-treating facility in 1953 in Orangeburg and was a leader in the treated wood industry. In 1990, Bill was selected as the South Carolina Small Business Person of the Year. He was inducted into the S.C. Housing Hall of Fame, the Orangeburg County Business Hall of Fame and the South Carolina Business Hall of Fame and received a Lifetime Achievement Award from the Pile Driving Association. Bill was an avid supporter of the First Baptist Church Soup Kitchen ministry. He enjoyed cooking for family and friends and telling stories. Bill was a loving father, devoted brother and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Samuel Ford Thrift of Seneca, S.C. Sam was one of the owners and co-founders of Thrift Brothers, Inc. where he worked as a general contractor. Sam was drafted in the United States Army where he served our country from 1951-1953. He was a faithful member of Seneca Baptist Church, the American Legion and Lion's Club. Some of Sam's great humanitarian work included the South Carolina Baptist Foundation, Connie Maxwell Children's Home, Collins Children's Home, Humane Society and the Back 9 Ministry to mention a few. He served on the Board of Trustees and Board of Regents for Anderson University where he was named a lifetime Trustee. Thrift Brothers, Inc. received the Tri-County Technical College Foundation Philanthropist of the year in 2017. Sam was a loving husband, devoted brother and doting uncle who will be dearly missed.

ADJOURNMENT

At 4:56 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 17, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Jeremiah 23:5

In Jeremiah we read: “ ‘The days are coming,’ declares the Lord, ‘when I will raise up to David a righteous Branch, a king who will reign wisely and do what is just and right in the land.’ ”

Let us pray: We are in the midst, O God, of Black History Month throughout in the United States. In our Nation -- and surely here in South Carolina -- we pause to recognize those leaders who have done so very much to improve the lot of a great many of our residents. Yet we know that so much ground still needs to be covered in the years ahead. But in the midst of challenges and of cries for continuing progress, we pause to give thanks for heroes like Dr. Martin Luther King, Jr. Dr. King indeed declared a short time before his death that, “The time is always right to do what is right.” How true that is. So may we all vow to continue doing our own part -- doing what is right. In Your loving and most blessed name we pray, O Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205

Referred to the Committee on Medical Affairs.

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Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539
VICE C. David Baxter

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

5th Congressional District:

Henry S. Eldridge, 2040 Manila Bay Lane, Tega Cay, SC 29708-8524

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Commission for the Blind, with the term to commence December 16, 2018, and to expire December 16, 2022

4th Congressional District:

Mary S. Sonksen, 102 Edgebrook Ct., Spartanburg, SC 29302

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2021, and to expire June 30, 2025

2nd Congressional District:

Earl McLeod, 317 Country Lake Court, Lexington, SC 29072 *VICE*
Walter D. Spruill

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2018, and to expire June 30, 2023

5th Congressional District:

Christy B. Rhyne, 2170 Westbrook Road, Edgemoor, SC 29712-6736

Referred to the Committee on Labor, Commerce and Industry.

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Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2019, and to expire June 30, 2023
3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Cosmetology, with the
term to commence March 20, 2021, and to expire March 20, 2025
Nail Technician:

Melanie C. Thompson, 3251 Plattmoor Drive, Myrtle Beach, SC
29588

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Cosmetology, with the
term to commence March 31, 2020, and to expire March 31, 2024
Cosmetologist:

Patricia C. Walters, 360 Canal Place Dr., Columbia, SC 29201

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Podiatry
Examiners, with the term to commence December 21, 2018, and to
expire December 21, 2022

Upper District:

William Harris IV, 1885 Overbrook Dr., Rock Hill, SC 29732-1536
VICE Dr. Bradley A. Lindstrom

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Veterinary
Medical Examiners, with the term to commence April 6, 2018, and to
expire April 6, 2024

Consumer:

Deloris Mungo, 379 Hollywood Rd., Columbia, SC 29212-8400 VICE
Rebecca L. Shealy

Referred to the Committee on Agriculture and Natural Resources.

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Doctor of the Day

Senator McLEOD introduced Dr. Helmut Albrecht of Columbia, S.C.,
Doctor of the Day.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 2 Sen. Kimbrell
S. 16 Sens. Bennett, Scott, Stephens, Peeler, Sabb
S. 147 Sen. Bennett
S. 160 Sen. Setzler
S. 203 Sen. Bennett
S. 369 Sen. Martin
S. 497 Sen. Gustafson
S. 520 Sen. Davis
S. 548 Sen. Young
S. 550 Sen. Kimbrell

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 554 -- Senator Shealy: A SENATE RESOLUTION TO
RECOGNIZE AND HONOR SHUMPERT'S IGA FOR ONE
HUNDRED TWENTY-FIVE YEARS OF SERVICE TO THE PELION
COMMUNITY AND TO CONGRATULATE THE OWNERS,
MANAGERS, AND EMPLOYEES AS THEY CONTINUE THIS
NOTEWORTHY LEGACY.

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The Senate Resolution was adopted.

S. 555 -- Senator Sabb: A SENATE RESOLUTION TO
CONGRATULATE THE KINGSTREE LIONS CLUB UPON THE
OCCASION OF ITS SEVENTY-FIFTH ANNIVERSARY AND TO
EXPRESS THE UTMOST GRATITUDE FOR ITS MANY YEARS OF
DEDICATED SERVICE TO THE CITIZENS OF KINGSTREE AND
WILLIAMSBURG COUNTY.

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The Senate Resolution was adopted.

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S. 556 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT;

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AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 557 -- Senator Alexander: A BILL TO AMEND SECTION 12-20-50 OF THE 1976 CODE, RELATING TO THE IMPOSITION OF A LICENSE FEE ON CORPORATIONS, TO PROVIDE THAT THE LICENSE FEE DOES NOT APPLY TO ANY PORTION OF THE FIRST FIFTY MILLION DOLLARS OF CERTAIN CAPITAL STOCK AND PAID-IN OR CAPITAL SURPLUS.

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Read the first time and referred to the Committee on Finance.

S. 558 -- Senator Alexander: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

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Read the first time and referred to the Committee on Medical Affairs.

S. 559 -- Senator Campsen: A BILL TO AMEND SECTION 7-11-10 OF THE 1976 CODE, RELATING TO METHODS OF NOMINATING CANDIDATES, TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; AND TO AMEND SECTION 7-13-320(D) OF THE 1976 CODE, RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE.

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Read the first time and referred to the Committee on Judiciary.

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE

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COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

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Read the first time and referred to the Committee on Judiciary.

S. 561 -- Senators Setzler and McLeod: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO THE SOUTH CAROLINA CONSTITUTION, 1895, BY ADDING ARTICLE XVIII, TO PROVIDE FOR AN INDEPENDENT REAPPORTIONMENT COMMISSION, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND THE MANNER IN WHICH MEMBERS OF THE COMMISSION ARE CHOSEN, TO PROVIDE FOR THE DUTIES OF THE COMMISSION, TO PROVIDE FOR THE APPROVAL OF PROPOSED APPORTIONMENT PLANS, TO PROVIDE FOR APPORTIONMENT IN THE EVENT THAT A PROPOSED APPORTIONMENT PLAN IS NOT APPROVED BY REFERENDUM, AND TO EXEMPT THE PROVISIONS OF THIS ARTICLE FROM THE PROVISIONS CONTAINED IN SECTION 1, ARTICLE III OF THE SOUTH CAROLINA CONSTITUTION.

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Read the first time and referred to the Committee on Judiciary.

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 563 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5013, PURSUANT TO THE PROVISIONS

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OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 564 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE STATE ATHLETIC COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5024, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 565 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5025, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 566 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 567 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BULK LICENSURE VERIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5008, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 568 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES FOR THE REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5009, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 569 -- Senator Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 52 RIVERS AVENUE FROM ITS INTERSECTION WITH MALL DRIVE TO ITS INTERSECTION WITH MCMILLAN AVENUE IN CHARLESTON COUNTY "ROBERT ANTHONY 'TONY' WAY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 570 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE ATTORNEY GENERAL, RELATING TO FEES TO ACCOMPANY REQUEST FOR CONFIRMATION OF SOLICITATION EXEMPTION, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 4983, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 571 -- Senator Shealy: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

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Read the first time and referred to the Committee on Medical Affairs.

S. 572 -- Senator Martin: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

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Senator MARTIN spoke on the Bill.

Read the first time and referred to the Committee on Finance.

S. 573 -- Senator Malloy: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF DAVID ADDISON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 574 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "FEMALE HEALTH AND WELLNESS ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO DEFINE "FEMININE HYGIENE PRODUCTS" AND TO PROVIDE THAT THE SALE OF FEMININE HYGIENE PRODUCTS ARE EXEMPT FROM SALES TAXES.

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Read the first time and referred to the Committee on Medical Affairs.

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S. 575 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

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Read the first time and referred to the Committee on Transportation.

S. 576 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR EDWARD Y. "EDDIE" MURPHY, JR., DEPARTMENT DIRECTOR OF CHESTER COUNTY EMERGENCY MANAGEMENT AND CHIEF OF THE LANDO FIRE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER SIXTEEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 577 -- Senator Fanning: A BILL TO AMEND SECTION 38-71-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROCEDURES REQUIRING COVERAGE BY HEALTH INSURANCE POLICIES, SO AS TO REQUIRE INDIVIDUAL AND GROUP HEALTH INSURANCE AND HEALTH MAINTENANCE ORGANIZATIONS TO COVER ANNUAL WELL-WOMAN EXAMINATIONS AND TO PROVIDE A DEFINITION.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 578 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-105 SO AS TO PROVIDE SCHOOL BOARD TRUSTEES SHALL ATTEMPT MEDIATION OF DISPUTES AMONG BOARD MEMBERS OR WITH THE BOARD ITSELF BEFORE INITIATING

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LITIGATION TO RESOLVE SUCH DISPUTES, TO PROVIDE REQUIREMENTS FOR MEDIATION AND LITIGATION, AND TO PROVIDE MEDIATION COSTS MUST BE PAID BY BOARD MEMBERS IN THEIR PERSONAL CAPACITY AND NOT CORPORATELY BY LOCAL SCHOOL BOARDS.

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Read the first time and referred to the Committee on Education.

S. 579 -- Senators Talley, Peeler, Hembree, Kimbrell, Martin and Corbin: A SENATE RESOLUTION TO CONGRATULATE JUDGE PHILLIP K. SINCLAIR UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE SEVENTH JUDICIAL CIRCUIT AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 580 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE CAPITAL CITY/LAKE MURRAY COUNTRY UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY.

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The Concurrent Resolution was adopted, ordered sent to the House.

H. 3029 -- Reps. Huggins, Garvin, Allison, Ballentine and Wooten: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

Read the first time and referred to the Committee on Education.

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE

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DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

Read the first time and referred to the Committee on Transportation.

H. 3905 -- Reps. Allison, Chumley, Henderson-Myers, Hyde, Long, Magnuson, T. Moore and Nutt: A CONCURRENT RESOLUTION TO CONGRATULATE SPARTANBURG REGIONAL HEALTHCARE SYSTEM ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND, ON BEHALF OF THE PEOPLE OF SOUTH CAROLINA, TO EXPRESS THE APPRECIATION OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR THE SYSTEM'S MANY YEARS OF DEDICATED SERVICE TO THIS GREAT STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY

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PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER

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OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 16, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3707 -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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HOUSE CONCURRENCES

S. 552 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE ANDREW SHEALY UPON THE OCCASION OF HIS RETIREMENT FROM THE NEWBERRY HOUSING AUTHORITY BOARD OF DIRECTORS, TO COMMEND HIM FOR HIS FOURTEEN YEARS OF DISTINGUISHED PUBLIC SERVICE ON THE BOARD, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

S. 553 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE JAN PIERSOL UPON THE OCCASION OF HER RETIREMENT AS EXECUTIVE DIRECTOR OF THE NEWBERRY HOUSING AUTHORITY, TO COMMEND HER FOR HER THIRTY-EIGHT YEARS OF DISTINGUISHED PUBLIC SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 221 -- Senators Shealy, Alexander, Hutto, Jackson, Gustafson and McElveen: A BILL TO AMEND CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO CHILD PROTECTION AND PERMANENCY, BY ADDING ARTICLE 8, TO PROVIDE FOR EXTENDED FOSTER CARE FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO CREATE THE EXTENDED FOSTER CARE PROGRAM, TO PROVIDE FOR VOLUNTARY PLACEMENT, TO PROVIDE FOR THE REVIEW OF VOLUNTARY PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR COURT-ORDERED FOSTER CARE PLACEMENT AFTER AGE EIGHTEEN, TO PROVIDE FOR ADMINISTRATIVE CASE REVIEW, TO PROVIDE FOR PERMANENCY PLANNING FOR PERSONS EIGHTEEN TO TWENTY-ONE YEARS OLD, TO

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PROVIDE FOR JUDICIAL REVIEW, TO PROVIDE FOR ADMINISTRATIVE APPEALS; TO AMEND SECTION 63-7-1700(H) OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

S. 441 -- Senators Shealy, Hutto, Jackson, McElveen and Gustafson: A BILL TO AMEND SECTION 63-7-1210(A) OF THE 1976 CODE, RELATING TO DEPARTMENT OF SOCIAL SERVICES INVESTIGATIONS OF INSTITUTIONAL ABUSE, TO PROVIDE FOR INVESTIGATIONS OF ABUSE IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-2350(A) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON FOSTER CARE OR ADOPTION PLACEMENTS, TO PROVIDE CIRCUMSTANCES UNDER WHICH A CHILD MAY NOT BE PLACED IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; TO AMEND SUBARTICLE 11, ARTICLE 3, CHAPTER 7, TITLE 63 OF THE 1976 CODE, RELATING TO JUDICIAL PROCEEDINGS, BY ADDING SECTION 63-7-1730 AND SECTION 63-7-1740, TO PROVIDE ASSESSMENT, CASE PLANNING, AND DOCUMENTATION REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS, AND TO PROVIDE JUDICIAL REVIEW REQUIREMENTS FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; TO AMEND SECTION 63-7-1700(B) OF THE 1976 CODE, RELATING TO THE CONTENTS OF A SUPPLEMENTAL REPORT FOR PERMANENCY PLANNING, TO INCLUDE JUDICIAL REVIEW REQUIREMENTS IN THE REPORT; AND TO AMEND SECTION 63-7-1700 OF THE 1976 CODE, RELATING TO PERMANENCY PLANNING, TO PROVIDE FOR JUDICIAL REVIEW OF THE PLACEMENT OF A CHILD IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM; AND TO DEFINE NECESSARY TERMS.

OBJECTION

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING

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ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\16C002.RT.WAB21):

Amend the bill, as and if amended, SECTION 1, by striking Section 59-29-17(D) and inserting:

/ (D) This section applies to any student entering ninth grade beginning in the 2023-2024 School Year.” /

Amend the bill further by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the committee amendment.

Senator HUTTO spoke on the Bill.

Senator HUTTO objected to further consideration of the Bill.

OBJECTION

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Senator MARTIN objected to consideration of the Bill.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 160 -- Senators Scott and Setzler: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\160C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, striking all after the enacting words and inserting:

/ SECTION 1. Section 59-53-1784(C) of the 1976 Code is amended to read:

“(C)(1) The authority is exempt from all regulations and general laws including, but not limited to, Sections 1-11-58 and 1-11-65, governing disposal of surplus government property, whether real, personal, or mixed.

(2) The exemption provided in item (1) includes an exemption for the sale of real property but only if the sale is for a price not less than a market value determined by an appraisal conforming to the Department of Administration’s appraisal standards and the transfer of title is by quit claim deed. After the recording of the deed for the sold real property, the authority shall file with the Department of Administration and the State Fiscal Accountability Authority a copy of the recorded deed and a copy of the appraisal.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE

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GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\203C001.RT.WAB21):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 59-16-60 of the 1976 Code is amended to read:

“Section 59-19-60. Notwithstanding any provision of law to the contrary, school district trustees shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59-19-560. who willfully commit or engage in an act of malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office or is deemed incompetent or incapacitated must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term by the county board of education in the same manner as provided for full-term appointments. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE

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FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

The Senate proceeded to a consideration of the Resolution.

Senator RANKIN explained the Resolution.

Senator MASSEY objected to further consideration of the Resolution.

POINT OF ORDER

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

Senator BENNETT explained the Bill.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020 THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 147 -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms and Bennett: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Resolution be made a Special Order.

Senator MALLOY argued in opposition of the motion.

The Resolution was made a Special Order.

MOTION ADOPTED

At 3:22 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion to Ratify Adopted

At 3:25 P.M., Senator GROOMS made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

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The motion was adopted and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAIVING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG\491C002.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 3, by adding a subsection at the end to read:

/ (4) The authorization contained herein must be limited to the amount required to defray the costs of infrastructure as certified by the Secretary of Commerce, in coordination with the South Carolina State Ports Authority, as supplemented by details sufficient to establish the costs of the infrastructure, and the costs of issuance of the bonds, as reviewed by the Joint Bond Review Committee and approved by the State Fiscal Accountability Authority. /

Amend the joint resolution further, page 4, by striking lines 1-43 and inserting:

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/ the issue of bonds, such authorizing resolution including, among other things:

(1) a schedule reflecting the aggregate principal and interest of all general obligation bonds then outstanding subject to the limitation on maximum annual debt service prescribed by Section 13(6)(c), Article X of the Constitution of this State;

(2) a schedule reflecting the estimated principal and interest requirements on the bonds proposed to be issued;

(3) a schedule reflecting the estimated aggregate principal and interest of all general obligation bonds to be outstanding following issuance of the bonds proposed to be issued, demonstrating compliance with the limitation on maximum annual debt service prescribed by Section 13(6)(c), Article X of the Constitution of this State; and

(4) the approval contemplated by SECTION 3, Item (4).

SECTION 6. (1) The bonds must bear the date and mature at the times, or in the manner that the authorizing resolution provides, except that a bond may not mature more than thirty years from its date of issue. The bonds may be in the denominations, be payable in the medium of payment, be payable at the place and at the time, and be subject to redemption or repurchase and contain other provisions determined by, or determined in the manner prescribed by, the State Fiscal Accountability Authority before their issue. The bonds may bear interest payable at the times and at the rates determined by, or determined in the manner prescribed by, the State Fiscal Accountability Authority.

(2) Bonds issued under this joint resolution are exempt from taxation as provided in Section 12-2-50 of the 1976 Code.

(3) Bonds must be sold by the Governor and the State Treasurer, at public sale, after publication of notice of the sale one or more times at least seven days before the sale, in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. The bonds may be awarded upon the terms and in the manner as prescribed in the authorizing resolution. The right must be reserved to reject all bids and to readvertise the bonds for sale. All expenses incident to the sale of the bonds must be paid from the proceeds of the sale of the bonds.

(4) All bonds issued under this joint resolution must be signed by the Governor and the State Treasurer and attested by the Secretary of State. The Governor, State Treasurer, and Secretary of State may sign these obligations by a facsimile of their signatures. The Great Seal of the State must be affixed to, impressed on, or reproduced upon each bond. The delivery of the bonds executed and /

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Amend the joint resolution further by adding an appropriately numbered SECTION to read:

/ SECTION _____. (A) As a further condition before the issuance of the bonds, the state entities responsible for implementation, operation, and management of each facility or component of the project to be financed must establish, by a detailed, signed written agreement, the ownership of the Intermodal Container Facility, the entity responsible for the bidding and the construction of each facility, and the entity responsible for the operations and management of each facility or component of the project. This written agreement must include without limitation the source of revenues sufficient to support the expenses of each facility or component, as may be determined from time to time, and the proposed use of any net revenue from each component of the project. It is the intent of the General Assembly that revenues generated by the project will be sufficient to cover the project's costs of operations, future capital investments, and all other expenses and contingencies without necessity for state appropriation beyond the initial capital investment funded by proceeds of the bonds.

(B) Beginning with the close of the calendar quarter following issuance of the bonds and continuing through the date of substantial completion of each facility or component of the project, there must be provided, no less frequently than quarterly, progress reports for the implementation of each facility or component of the project. The Joint Bond Review Committee may request additional information be provided.

(C) For each year during which bonds are outstanding, there must be provided financial results, operating plans, budgets, capital plans, and performance objectives and results for the project, and each facility or component thereof.

(D) The written agreements and reporting requirements provided for in this SECTION must be made available to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Finance Committee of the Senate, and the Chairman of the Ways and Means Committee of the House of Representatives. The Joint Bond Review Committee must review and provide comment, and may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure the financial integrity, accountability, and stewardship of the proceeds of the bonds and the ongoing operations of the project.

(E) Within thirty days of availability, each state entity with responsibility for implementation, operation, and management of any

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facility or component of the project must provide in each year during which bonds are outstanding their respective independently audited financial statements to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Finance Committee of the Senate, and the Chairman of the Ways and Means Committee of the House of Representatives. The independently audited financial statements also must be made publicly available or accessible on the state entity's website. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The committee amendment was adopted.

Amendment No. 3

Senator SENN proposed the following amendment (491R002.KMM.SS), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION __ (E), as added to the joint resolution by the committee amendment, and inserting:

/ (E) Within thirty days of availability, each state entity with responsibility for implementation, operation, and management of any facility or component of the project must provide in each year during which bonds are outstanding their respective independently audited financial statements to the Joint Bond Review Committee, the members of the General Assembly, and the Governor. The independently audited financial statements must also be made publicly available or accessible on the state entity's website. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

Amendment No. 4

Senator SENN proposed the following amendment (491R003.SP.SS), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

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/SECTION __. Section 54-3-10 and Section 54-3-20 of the 1976 Code are amended to read:

“Section 54-3-10. (A) There is created the South Carolina State Ports Authority. The governing body of the authority is a board of directors consisting of ~~eleven~~ fourteen members, nine voting members appointed by the Governor as provided in Section 54-3-20, the Secretary of Transportation, or his designee, and the Secretary of Commerce, or his designee, and the mayors of North Charleston, Mount Pleasant, and Charleston. The voting members shall be responsible for setting policies and direction for the authority so that the authority may achieve its mission. The powers and duties of the authority shall be exercised by the board. The board may delegate to one or more officers, agents, or employees such powers and duties as it determines are necessary and proper for the effective, efficient operation of the port.

(B) The Secretary of Transportation, ~~and the Secretary of Commerce,~~ and mayors of North Charleston, Mount Pleasant, and Charleston:

(1) shall serve on the board, ex officio, as nonvoting members; and

(2) are ineligible for election as chairman, vice chairman, secretary, treasurer, or any other office elected by the board; ~~and~~

(3) ~~may only attend meetings or portions of meetings open to the public. They are not permitted to attend executive session meetings.~~

Section 54-3-20. (A) The members of the board, except for the Secretary of Transportation, ~~and the Secretary of Commerce,~~ and mayors of North Charleston, Mount Pleasant, and Charleston, shall be appointed by the Governor, with the advice and consent of the Senate, for terms of five years each and until their successors shall have been appointed, screened, and qualified. In the event of a vacancy, however caused, a successor shall be appointed in the manner of original appointment for the unexpired term. No member of the board, except for the Secretary of Transportation, Secretary of Commerce, and mayors of North Charleston, Mount Pleasant, and Charleston, may serve more than three terms total.

(B) A candidate for appointment to the board may not be confirmed by the Senate or serve on the board, even in an interim capacity, until he is found qualified by possessing the abilities, the experience, and the minimum qualifications contained in Section 54-3-60.” /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

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Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Resolution.

Senator SENN spoke to the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 5

Senator SENN proposed the following amendment (491R004.SP.SS), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. There is established in the State Treasury the Intermodal Container Transfer Facility Infrastructure Account. This account is separate and distinct from the general fund of the State and all other funds. The account shall consist of the proceeds collected from the five dollar per container user fee charged for using the Intermodal Container Transfer Facility. The account shall be used by the Department of Transportation for infrastructure projects. Of the projects funded from this account, ninety percent of the projects must be to offset impacts caused by truck and rail traffic. Ten percent must be projects related to environmental mitigation. Earnings and interest on this account must be credited to it, and any balance at the end of a fiscal year carries forward to the account in the succeeding fiscal year. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Resolution.

Senator SENN spoke to the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Amendment No. 6

Senators MARTIN and SETZLER proposed the following amendment (DG\491C004.NBD.DG21), which was withdrawn:

Amend the joint resolution, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION _____. Until all the bonds issued pursuant to this joint resolution have been retired, the South Carolina State Ports Authority must make an annual payment of \$336,000 to the general fund of the State to offset the debt service required by such bonds. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, with unanimous consent, the amendment was withdrawn.

Senator SETZLER spoke on the Resolution.

Senator HUTTO spoke on the Resolution.

Senator DAVIS spoke on the Resolution.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 491 was read the second time waiving the provisions of Rule 26B and placing the Joint Resolution in Adjourned Debate not to be considered before Tuesday, February 23, 2021.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:29 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 18, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 6:20-21

In Matthew we read the admonition to: “ ‘ . . . store up for yourselves treasures in heaven, where moth and rust do not destroy, and where thieves do not break in and steal. For where your treasure is, there your heart will be also.’ ”

Bow in prayer with me, please: Dear Lord, we recognize that the church season of Lent has now begun for many. Yet for all of us this period we’ve entered ought to be a time of personal and communal reflection and prayer. A season when, even here in the Senate of South Carolina, we ask -- “Are we really doing all we must for our people?” Are there additional needs and issues that ought to be commanding highest priority? Are we overlooking areas of concern that should be brought to light? O Gracious God, fill the hearts of these leaders with an all-consuming desire to “keep on keeping on,” for Your glory and for the benefit of our citizens. For they indeed are our greatest treasures. We so pray in Your loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Corbin	Davis
Fanning	Garrett	Goldfinch
Gustafson	Hembree	Hutto

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Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Peeler	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

At 11:03 A.M., Senator ALEXANDER requested a leave of absence for Senator CROMER for the day.

Leave of Absence

At 11:18 A.M., Senator FANNING requested a leave of absence for Senator McLEOD until 11:45 A.M.

Leave of Absence

At 11:18 A.M., Senator TURNER requested a leave of absence for Senator TALLEY for the day.

Leave of Absence

At 2:06 P.M., Senator SCOTT requested a leave of absence for Senator JACKSON for the balance of the day.

Leave of Absence

At 2:06 P.M., Senator GOLDFINCH requested a leave of absence for Senator GAMBRELL for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 245	Sen. Climer
S. 457	Sen. Cash
S. 510	Sen. Leatherman
S. 528	Sen. Hutto
S. 554	Sen. Setzler

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 581 -- Senator Adams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-340 SO AS TO PROVIDE THAT UPON REQUEST OF A LAW ENFORCEMENT AGENCY, A WIRELESS TELECOMMUNICATIONS CARRIER SHALL PROVIDE CALL LOCATION INFORMATION CONCERNING THE TELECOMMUNICATIONS DEVICE OF THE USER TO THE LAW ENFORCEMENT AGENCY IN ORDER TO RESPOND TO A CALL FOR EMERGENCY SERVICES OR IN AN EMERGENCY SITUATION THAT INVOLVES THE RISK OF DEATH OR SERIOUS PHYSICAL HARM, TO PROVIDE A CIVIL OR CRIMINAL ACTION MAY NOT BE BROUGHT AGAINST A WIRELESS SERVICE PROVIDER UNDER THIS SECTION UNDER CERTAIN CIRCUMSTANCES, AND PROVIDE SLED SHALL OBTAIN CONTACT INFORMATION FROM WIRELESS SERVICE PROVIDERS TO FACILITATE A REQUEST FROM A LAW ENFORCEMENT AGENCY.

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Read the first time and referred to the Committee on Judiciary.

S. 582 -- Senators Hutto and Jackson: A BILL TO AMEND SECTIONS 16-17-500 AND 16-17-501, BOTH AS AMENDED, AND SECTIONS 16-17-502, 16-17-503, 16-17-504, AND 16-17-506, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE "YOUTH ACCESS TO TOBACCO PREVENTION ACT OF 2006", SO AS TO REQUIRE TOBACCO RETAILERS TO OBTAIN A LICENSE TO SELL TOBACCO PRODUCTS AND TO ESTABLISH ASSOCIATED FEES AND PENALTIES, TO REDEFINE THE TERM "TOBACCO PRODUCTS", TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO CONDUCT AT LEAST TWO MINIMUM AGE SALES COMPLIANCE CHECKS ANNUALLY OF TOBACCO RETAIL ESTABLISHMENTS, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 59-1-380, RELATING TO THE MANDATORY PUBLIC SCHOOL COMPREHENSIVE TOBACCO-FREE CAMPUS POLICY, SO AS TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Judiciary.

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S. 583 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3810 SO AS TO ENACT THE "LIVABLE HOMES TAX CREDIT ACT", TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT TO AN INDIVIDUAL WHO PURCHASES A NEW RESIDENCE OR RETROFITS AN EXISTING RESIDENCE, PROVIDED THAT THE NEW RESIDENCE OR THE RETROFITTING OF THE EXISTING RESIDENCE IS DESIGNED TO IMPROVE ACCESSIBILITY, TO PROVIDE A CUMULATIVE TOTAL FOR WHICH THE CREDIT MAY NOT EXCEED, TO PROVIDE CERTAIN DESIGN ELEMENT REQUIREMENTS AND ELIGIBLE COSTS, AND TO PROVIDE A MAXIMUM AMOUNT OF TAX CREDITS THAT MAY BE GRANTED IN EACH INCOME TAX YEAR.

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Read the first time and referred to the Committee on Finance.

S. 584 -- Senators Massey, Rice, Kimbrell, Corbin and Loftis: A BILL TO ENACT THE "SECOND AMENDMENT SANCTUARY ACT"; TO AMEND CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO FIREARMS, BY ADDING ARTICLE 9, TO PROVIDE THAT THE ATTORNEY GENERAL MUST ISSUE AN OPINION REGARDING THE CONSTITUTIONALITY OF ANY FEDERAL LAW, TREATY, EXECUTIVE ORDER, RULE, OR REGULATION RELATED TO THE SECOND AMENDMENT, TO PROVIDE FOR ACTIONS THAT MAY NOT BE TAKEN BY THE STATE, POLITICAL SUBDIVISIONS, OR OFFICIALS, AGENTS, OR EMPLOYEES OF THE STATE UPON AN OPINION OF UNCONSTITUTIONALITY, TO REQUIRE THE ATTORNEY GENERAL TO DEFEND THE STATE AND ITS POLITICAL SUBDIVISIONS AGAINST ANY LEGAL ACTIONS BROUGHT AGAINST THE STATE OR A POLITICAL SUBDIVISION FOR CERTAIN ACTIONS, AND TO PROVIDE THAT THE ATTORNEY GENERAL MAY SEEK INJUNCTIVE RELIEF IN ANY COURT OF COMPETENT JURISDICTION TO ENJOIN ANY OFFICIAL, AGENT, OR EMPLOYEE OF THE GOVERNMENT OF THE UNITED STATES OR EMPLOYEE OF A CORPORATION PROVIDING SERVICES TO THE GOVERNMENT OF THE UNITED STATES FROM ENFORCING ANY FEDERAL LAW, TREATY, EXECUTIVE ORDER, RULE, OR REGULATION.

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Read the first time and referred to the Committee on Judiciary.

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S. 585 -- Senator Kimbrell: A SENATE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF AMERICAN RADIO PERSONALITY AND CONSERVATIVE POLITICAL COMMENTATOR RUSH HUDSON LIMBAUGH III AND TO HONOR HIS DEVOTION TO LIBERTY AND FREEDOM AND HIS REMARKABLE BROADCASTING CAREER SPANNING MORE THAN THREE DECADES.

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Senator KIMBRELL spoke on the Resolution.

The Senate Resolution was adopted.

S. 586 -- Senators Corbin, Climer, Loftis, Davis, Peeler, Bennett, Turner, Adams, Cash, Rice, Massey and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 22 OF THE 1976 CODE, RELATING TO MAGISTRATES, BY ADDING SECTION 22-1-45, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR A CURRENT MEMBER OF THE SENATE TO APPEAR AS ATTORNEY AT LAW IN A MAGISTRATES COURT LOCATED IN A COUNTY REPRESENTED BY THE SENATOR.

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Read the first time and referred to the Committee on Judiciary.

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M. M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

Read the first time and referred to the Committee on Education.

H. 3501 -- Reps. Collins, V. S. Moss and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO

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**HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY
WAR COMMEMORATIVE SPECIAL LICENSE PLATES.**

Read the first time and referred to the Committee on Transportation.

H. 3739 -- Reps. J. L. Johnson, Brawley and Henegan: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARNERS FERRY ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE POINT WHERE IT CROSSES THE WATEREE RIVER "LIEUTENANT ULYSSES FLEMMING MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M. M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD FORT ROAD "DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3801 -- Rep. Brawley: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 48 IN RICHLAND COUNTY FROM ITS INTERSECTION WITH AVALON STREET TO ITS INTERSECTION WITH PINEVIEW ROAD "REVEREND JAMES JEFFCOAT MEMORIAL HIGHWAY" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 3808 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RAVENEL STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH CHEVES STREET TO ITS INTERSECTION WITH PINE STREET "REVEREND DOCTOR NORMAN GAMBLE WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3900 -- Reps. G. M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

Read the first time and referred to the Committee on Medical Affairs.

REPORTS OF STANDING COMMITTEES

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

Ordered for consideration tomorrow.

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Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 427 -- Senators Alexander and Hutto: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 497 -- Senators Campsen, McElveen, Peeler and Gustafson: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO

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AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis and Garrett: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

Ordered for consideration tomorrow.

HOUSE CONCURRENCES

S. 492 -- Senators Jackson, Scott, Harpootlian, McLeod and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SHOP ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH PINEVIEW DRIVE TO ITS INTERSECTION WITH LONGWOOD ROAD THE "HONORABLE JIMMY C. BALES HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

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S. 576 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR EDWARD Y. "EDDIE" MURPHY, JR., DEPARTMENT DIRECTOR OF CHESTER COUNTY EMERGENCY MANAGEMENT AND CHIEF OF THE LANDO FIRE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER SIXTEEN YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 580 -- Senator Shealy: A CONCURRENT RESOLUTION TO CONGRATULATE CAPITAL CITY/LAKE MURRAY COUNTRY UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, SECOND READING BILL

H. 3584 -- Reps. Sandifer and Whitmire: A BILL TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (3584R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, striking all after the enacting words and inserting:

/ SECTION 1. Items (a), (b), and (c) of Section 4 of Act 1041 of 1970, as last amended by Act 175 of 1975, is further amended to read:

“(a) Notwithstanding any other provisions of law, there is hereby created the Oconee County Board of Assessment Appeals. The powers and duties of the Oconee County Board of Tax Appeals are devolved upon the Board of Assessment Appeals. The board shall consist of ~~nine~~ members to be appointed by the Governor upon the recommendation of a majority of the members of the Oconee County Legislative Delegation pursuant to the requirements defined in item (b). Of these members, at

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least one member of the board shall be actively engaged in the business of marketing real estate, at least one actively engaged in the construction industry.

(b)(1) ~~At least one member shall be appointed who is a resident of the City of Seneca, at least one who is a resident of the Town of Walhalla, at least one who is a resident of the of the Town of Westminster, at least one who is a resident of the upper section of Oconee County, and at least one who is a resident of the lower section of Oconee County. One member must be appointed from each of Oconee County's county council single-member election districts, and each resident member of the Oconee County Legislative Delegation shall nominate one additional member from the county at-large.~~

(2) Upon the nomination of a person to serve on the Oconee County Board of Tax Appeals, the Oconee County Legislative Delegation shall vote on whether to recommend the nominee to the Governor. ~~At least one member of the board shall be actively engaged in the business of marketing real estate, at least one actively engaged in the construction industry.~~

(c) The terms of the members shall be for three years or until their successors are appointed and qualify. ~~Of the members first appointed two shall serve for one year, two shall serve for two years, and three shall serve for three years.~~ The members of the board may succeed themselves. Vacancies on the board for any reason shall be filled for the unexpired portion of the term in the manner of the original appointment. Each board member shall be compensated on a per diem basis at a figure to be determined by the Oconee County Legislative Delegation.”

SECTION 2. Members of the Oconee County Board of Assessment Appeals as of the effective date of this act shall continue to serve until their successors are appointed and qualify pursuant to SECTION 1 of this act.

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

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SECOND READING BILL

H. 3740 -- Rep. McGarry: A BILL TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR THE COMMISSION'S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE-DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION'S ROLE RELATING TO THE OFFERING OF POST-SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE, AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.

On motion of Senator M. JOHNSON.

H. 3740--Ordered to a Third Reading

On motion of Senator M. JOHNSON, H. 3740 was ordered to receive a third reading on Friday, February 19, 2021.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 160 -- Senators Scott and Setzler: A BILL TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO REQUIRE THE AUTHORITY TO FILE CERTAIN DOCUMENTS WITH THE STATE FISCAL ACCOUNTABILITY AUTHORITY; TO AMEND ACT 189 OF 2018, RELATING TO THE DISPOSAL OF SURPLUS PROPERTY BY THE MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY, SO AS TO PERMANENTLY AUTHORIZE THE ACT AND TO REPEAL THE SUNSET PROVISION.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES

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GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\203C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 59-16-60 of the 1976 Code is amended to read:

“Section 59-19-60. Notwithstanding any provision of law to the contrary, school district trustees shall be subject to removal from office for cause by the county boards of education, upon notice and after being given an opportunity to be heard by the county board of education. Any such order of removal shall state the grounds thereof, the manner of notice and the hearing accorded the trustee, and any such trustee shall have the right to appeal to the court of common pleas, as provided in Section 59-19-560. who willfully commit or engage in an act of malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office or is deemed incompetent or incapacitated must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard. Vacancies occurring in the membership of any board of trustees for any cause shall be filled for the unexpired term ~~by the county board of education~~ in the same manner as provided for full-term appointments. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

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READ THE SECOND TIME

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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READ THE SECOND TIME

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

The Senate proceeded to a consideration of the Resolution.

Senator BENNETT explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

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The Resolution was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN

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REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO

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MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

CARRIED OVER

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 562 was carried over until March 4, 2021.

CARRIED OVER

S. 563 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5013, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 563 was carried over until March 4, 2021.

CARRIED OVER

S. 564 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE STATE ATHLETIC

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COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5024, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 564 was carried over until March 4, 2021.

CARRIED OVER

S. 565 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5025, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 565 was carried over until March 4, 2021.

CARRIED OVER

S. 566 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 566 was carried over until March 4, 2021.

CARRIED OVER

S. 567 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BULK LICENSURE VERIFICATION, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 5008, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 567 was carried over until March 4, 2021.

CARRIED OVER

S. 568 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES FOR THE REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5009, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 568 was carried over until March 4, 2021.

CARRIED OVER

S. 570 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE ATTORNEY GENERAL, RELATING TO FEES TO ACCOMPANY REQUEST FOR CONFIRMATION OF SOLICITATION EXEMPTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4983, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 570 was carried over until March 4, 2021.

Expression of Personal Interest

Senator CAMPSER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

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RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 18, 2021, at 12:50 P.M. and the following Acts and Joint Resolution were ratified:

(R2, S. 1) -- Senators Grooms, Verdin, Kimbrell, Garrett, Martin, Shealy, Climer, Corbin, Cromer, Rice, Adams, Hembree, Gambrell, Loftis and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA FETAL HEARTBEAT AND PROTECTION FROM ABORTION ACT" BY ADDING ARTICLE 6 TO CHAPTER 41, TITLE 44 SO AS TO REQUIRE TESTING FOR A DETECTABLE FETAL HEARTBEAT BEFORE AN ABORTION IS PERFORMED ON A PREGNANT WOMAN, TO PROHIBIT THE PERFORMANCE OF AN ABORTION IF A FETAL HEARTBEAT IS DETECTED, TO PROVIDE MEDICAL EMERGENCY AND OTHER EXCEPTIONS, TO REQUIRE CERTAIN DOCUMENTATION AND RECORDKEEPING BY PHYSICIANS PERFORMING ABORTIONS, TO REQUIRE PHYSICIANS TO NOTIFY LAW ENFORCEMENT AFTER PERFORMING AN ABORTION IN CERTAIN CIRCUMSTANCES, TO CREATE A CIVIL ACTION FOR A PREGNANT WOMAN UPON WHOM AN ABORTION IS PERFORMED, TO CREATE CRIMINAL PENALTIES, AND FOR OTHER PURPOSES; TO AMEND SECTION 44-41-460, RELATING TO THE REQUIRED REPORTING OF ABORTION DATA TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ADD REPORTING OF FETAL HEARTBEAT TESTING AND PATIENT MEDICAL CONDITION DATA; TO AMEND SECTION 44-41-330, RELATING TO A PREGNANT WOMAN'S RIGHT TO KNOW CERTAIN PREGNANCY INFORMATION, SO AS TO REQUIRE NOTIFICATION OF THE DETECTION OF A FETAL HEARTBEAT; AND TO AMEND SECTION 44-41-60, RELATING TO ABORTION REPORTING REQUIREMENTS, SO AS TO ADD REPORTING REQUIREMENTS.

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(R3, S. 478) -- Senator K. Johnson: AN ACT TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT NO. 4, SO AS TO INCREASE THE INITIAL MEMBERSHIP OF THE

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CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

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(R4, H. 3707) -- Ways and Means Committee: A JOINT RESOLUTION TO MAKE APPROPRIATIONS FOR THE STATE'S PUBLIC HEALTH RESPONSE TO THE COVID-19 VIRUS, INCLUDING VACCINATIONS, AND TO FURTHER PROVIDE FOR THE RESPONSE TO THE COVID-19 VIRUS.

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THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:33 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME**

S. 147 -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms and Bennett: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY SAFE HARBOR ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT

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RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Joint Resolution.

The Committee on Judiciary proposed the following amendment (JUD0147.003), which was tabled:

Amend the joint resolution, as and if amended, page 3, by striking lines 1 through 17, as contained in SECTION 4, and inserting therein the following:

/ SECTION 4. Notwithstanding any other provision of law, a covered entity or covered individual that substantially adheres to public health guidance applicable at the time the conduct giving rise to a coronavirus claim occurs shall be entitled to a safe harbor from liability for any acts or omissions resulting in the coronavirus claim unless a claimant proves by a preponderance of the evidence that the covered entity or covered individual caused the injury or damage:

(1) through grossly negligent, reckless, willful, or intentional misconduct; or

(2) by failing to make any attempt to adhere to public health guidance. /

Amend the joint resolution further, as and if amended, beginning on page 3, line 39, and ending on page 4, line 4, by striking SECTION 7 and SECTION 8 in their entireties and inserting therein the following:

/ SECTION 7. The provisions of this act do not apply to and do not exclude or limit any actions or remedies available under Title 42, commonly known as the South Carolina Workers' Compensation Law.

SECTION 8. This joint resolution takes effect upon approval by the Governor, and its provisions apply to all civil and administrative causes of action that arise between March 13, 2020, and June 30, 2021, or one hundred eighty days after the final state of emergency is lifted for COVID-19 in this State, whichever is later, that are based upon facts that occurred during this time period. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the committee amendment.

Senator MASSEY spoke on the committee amendment.

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Point of Quorum

At 1:35 P.M., Senator MATTHEWS made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator MASSEY resumed speaking on the committee amendment.

Senator MALLOY spoke on the committee amendment.

Senator MASSEY moved to lay the committee amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 21; Nays 18

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Davis	Gustafson
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Martin	Massey
Peeler	Rice	Shealy
Turner	Verdin	Young

Total--21

NAYS

Allen	Garrett	Goldfinch
Harpootlian	Hutto	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Stephens	Williams

Total--18

The amendment was laid on the table.

Amendment No. 1

Senator MASSEY proposed the following amendment (JUD0147.006), which was adopted:

Amend the joint resolution, as and if amended, by striking the joint resolution in its entirety and inserting therein the following:

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/ A JOINT RESOLUTION

TO ENACT THE “SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT”; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This joint resolution must be known and may be cited as the “South Carolina COVID-19 Liability Immunity Act”.

SECTION 2. The General Assembly hereby finds and declares that providing reasonable protections from the risk and expense of lawsuits related to the coronavirus pandemic to businesses and health care providers will help encourage them to remain open and reopen and that providing such immunity to businesses and health care providers that operate consistent with applicable public health guidance will help ameliorate the adverse impacts of a closed economy and the resulting unemployment.

SECTION 3. The following terms shall have the following meanings unless otherwise specified:

(1) “Coronavirus claim” means any claim that arises from the coronavirus, which shall include any cause of action that is related to any actual, alleged, or feared exposure to or contraction of coronavirus:

- (a) from the premises of a covered entity;
- (b) from the operations, products, or services provided on- or off-premises of a covered entity;
- (c) from the acts or omissions of a covered individual or covered entity, to include the delay or withholding of medical care; or
- (d) from efforts to prevent or delay the spread of coronavirus, to include making precautionary equipment or supplies such as personal protective equipment.

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(2) “Coronavirus disease 2019” or “coronavirus”, commonly abbreviated as “COVID-19”, means the virus generally known as “severe acute respiratory syndrome coronavirus 2”, any mutation thereof, and any disease or condition caused by “severe acute respiratory syndrome coronavirus 2”.

(3) “Covered entity” means any of the following:

(a) any for-profit or not-for-profit business entity, organized in any form whatsoever;

(b) any South Carolina government agency, division, authority, board, commission, instrumentality, political subdivision, municipality, county, or other governmental entity; or

(c) any health care facility, as defined in Chapter 4, Title 44 of the South Carolina Code, and any health care provider, as defined in Chapter 4, Title 44 of the South Carolina Code.

(4) “Covered individual” means any director, officer, employee, agent, contractor, third-party worker, or other representative of a covered entity.

(5) “Public health guidance” means any applicable published guidance, directive, order, or rule provided by the South Carolina Occupational Safety and Health Administration, the South Carolina Department of Health and Environmental Control, or another state governmental entity that is applicable to the type of covered entity or covered individual and to the coronavirus claim at issue.

SECTION 4. Notwithstanding any other provision of law, a covered entity or covered individual that reasonably adheres to public health guidance applicable at the time the conduct giving rise to a coronavirus claim occurs shall be entitled to immunity from liability for any acts or omissions resulting from a coronavirus claim. This immunity will not apply if a claimant proves by clear and convincing evidence that the covered entity or covered individual caused the injury or damage by:

(1) grossly negligent, reckless, willful, or intentional misconduct; or

(2) failing to make any attempt to adhere to public health guidance.

SECTION 5. Nothing in this joint resolution shall be construed to limit in any way any defense or right that exists under law, and the liability protection provided by this joint resolution is in addition to and cumulative of other defenses and rights that exist under law.

SECTION 6. The provisions of this joint resolution are severable. If any section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this joint resolution is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of the joint

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resolution, the General Assembly hereby declaring that it would have passed each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, items, subitems, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. To the extent any provision of this joint resolution conflicts with any other law of this State, then the provisions of this joint resolution shall prevail.

SECTION 7. The provisions of this joint resolution do not apply to and do not exclude or limit any actions or remedies available under Title 42, commonly known as the South Carolina Workers' Compensation Law.

SECTION 8. This joint resolution takes effect upon approval by the Governor, and its provisions apply to all civil and administrative causes of action that arise between March 13, 2020, and June 30, 2021, or one hundred eighty days after the final state of emergency is lifted for COVID-19 in this State, whichever is later, and that are based upon facts that occurred during this time period. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

Recorded Vote

Senator SETZLER desired to be recorded as voting in favor of the adoption of the amendment.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, S. 147 was read the second time waiving the provisions of Rule 26B and retaining its Special Order status on the Calendar.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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REPORT

**College and University Trustee
Screening Commission
Report to the General Assembly**

The College and University Trustee Screening Commission found the following individuals qualified and nominated for the Trustee seats to which they applied. A complete transcript of the hearings for these candidates will be printed in Senate and House Journals on February 18, 2021.

THE CITADEL

One (1) At-large seat

- *terms expire June 30, 2026*

- C. Douglas Barnes - Lancaster
- Kenneth L. Davis, III - Columbia
- F. Gregory Delleney, Jr. - Chester
- Andrew L. Helfer - Columbia

LANDER UNIVERSITY

At-large Seat 9

- *terms expire June 30, 2022*

- Esther R. "Toni" Able - Laurens
- James C. Shubert - Simpsonville

SOUTH CAROLINA STATE UNIVERSITY

At-large Seat 10

- *terms expire June 30, 2024*

- Macie P. Smith - Columbia

UNIVERSITY OF SOUTH CAROLINA

5th Judicial Circuit

- *terms expire June 30, 2022*

- Robert F. Dozier, Jr. - Columbia
- Alexander English - Blythewood
- Kevin M. Hunter - Irmo

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STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION
SCREENINGS

TRANSCRIPT OF PUBLIC HEARINGS

Date: Monday, February 1, 2021
Time: 1:02 P.M.
Location: 209 Gressette Building
1101 Pendleton Street
Columbia, South Carolina 29201

Committee Members Present:

Senator Harvey S. Peeler, Jr., Chairman
Representative William R. Whitmire, V. Chairman
Representative John King
Senator Thomas C. Alexander
Representative Kirkman Finlay, Iii
Representative Chris Murphy
Senator John L. Scott, Jr.
Senator Daniel B. "Danny" Verdin, III

Also Present:

Martha Casto, Staff
Julie Price, Staff

CHAIRMAN PEELER: You have the agenda before you. First up is South Carolina State University At- Large Seat Ten. It's all under Tab A, Macie P. Smith from Columbia. Ms. Smith, if you would, come forward.

MS. SMITH: Yes, sir. Good afternoon.

CHAIRMAN PEELER: Good to see you.

MS. SMITH: Can you see me? Do you want me to --

CHAIRMAN PEELER: Oh, no, you're good. If you're comfortable, you're all right, yeah.

MS. SMITH: Okay.

CHAIRMAN PEELER: Well, first of all, let me swear you in.

MS. MACIE SMITH having been duly sworn, testifies as follows:

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CHAIRMAN PEELER: Would you like to make a brief statement on why you'd like to serve on the South Carolina State University board of trustees?

MS. SMITH: I sure would. I am a small town country girl from Orangeburg County, North, and South Carolina, to be specific. And I obtained my bachelors of social work from SC State University, my master's in rehabilitation counseling from SC State University. And that education and experience prepared me to pursue a doctorate in higher education leadership from Nova Southeastern University. And I aspire to help to promote excellence in our HBCU students. The same thing SC State did for me, I want to do for the upcoming HBCU students at my alma mater.

CHAIRMAN PEELER: Good. I think we screened you before earlier-

MS. SMITH: Yes, sir I just got a couple of changes that's all.

CHAIRMAN PEELER: Okay. What are the changes?

MS. SMITH: Oh, my hair.

SENATOR SCOTT: Mr. Chairman.

CHAIRMAN PEELER: Senator Scott.

SENATOR SCOTT: I think it's been less than six months or right before we left that we just screened her. Unless there's something major that's changed since the last screening, I move a favorable report and we can move on.

CHAIRMAN PEELER: Senator Scott moves a favorable report.

SENATOR VERDIN: I would be more than happy to. I just want to make sure my understanding of the rules don't require the prerequisite - or the requisite questions.

MS. CASTO: No, sir. Not for this one --

SENATOR VERDIN: Second the motion.

CHAIRMAN PEELER: All right. Moved and seconded as favorable report. Any discussion? (No response is heard.)

CHAIRMAN PEELER: We'll take a vote on it. All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, No. (No response is heard.)

CHAIRMAN PEELER: And ayes have it. Thank you so much for your willingness to serve. Next up we have in Tab B, Ester R. "Toni" Able from Laurens. And I have an excuse for messing up your name: this mask fogs up my glasses and I can't see. So I'll have an excuse today.

MS. ABLE: Good afternoon.

CHAIRMAN PEELER: Good afternoon, ma'am.

MS. ABLE: Good afternoon, sir. How are you today?

CHAIRMAN PEELER: Let me swear you in.

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MS. ESTER R. "TONI" ABLE having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement of why you would like to serve on Lander University Board of Trustees?

MS. ABLE: In thinking about that question, many things came to mind, the first being that there are several places in this great state of South Carolina I truly feel I'm home. You know, you get that feeling if you've been gone away for a long time and you step back into your house, you're like, I'm home. Lander University is definitely that place, second in line to my home, and third in line to Hickory Knob, South Carolina just because of the family memories that we have at Hickory Knob. Lander, when I first stepped on that campus, when I first moved to the great state of South Carolina in 1984, for some reason brought me to Lander; I'm not really sure why. It was like, wow, this is a neat place. And then lo and behold, I ended up spending my undergraduate years at Lander and absolutely loved the campus. I loved every part of Lander. Lander was an important part of my family, even before I knew it. My husband graduated from Lander, along with his late wife Mary, who I've had the pleasure of raising their children since Mary passed away. Our daughter, Andrea, graduated from Lander. I have formerly served on the Board of Trustees of Lander. And whenever I get to go on the Lander campus now, with my class of 2020 students who are there are, it's just a wonderful, exhilarating feeling that I know that they are having as well. And I want to be able to continue to serve back to my alma mater in a very productive way. And I feel as serving on the Board of Trustees will give me that opportunity to do that.

CHAIRMAN PEELER: Thank you. Any questions? Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chair.

MS. ABLE - EXAMINATION BY REPRESENTATIVE KING:

Q. Ms. Able, can you tell me what you know as what the time of commitment is to being on the Board?

A. From what I understand, the Board of Trustees meets on a quarterly basis. However, I do know they have called meetings throughout the year as well. I think they've got a called meeting coming up this week to discuss some issues that have arisen. And time commitment for me, that's -- does not bother me, whatsoever.

Q. All right. When you think of diversity and Lander, give me your definition as to how you can continue in the process of diversity there at Lander and what would you do different, if there is anything you would do different?

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A. Thank you. I think Lander has made great strides, when it comes to diversity. I do know that they have recently formed a diversity -- I believe it's a diversity action council that is meeting to address diversity issues on campus, not only with the student body but with the employees at Lander as well within that. And I think that is incredibly important because students do need to look around and see individuals who have similar backgrounds to themselves and strive to emulate what those individuals are doing on campus. I also note that Lander is always working very diligently to recruit students throughout the state, which I know gives competition to other universities that are across the state. And Lander has been very successful in recruiting some diverse student bodies in the past. I know that they will continue to do that. As far as what I would do differently, that's kind of hard to say because I'm not familiar 100 percent with what they have currently done, since I have not been a part of those conversations with the Board of Trustees. So I don't want to say what I would do differently with them, prior to knowing exactly strives that they have maintained to change some things. I think that I would definitely need to sit down with them and say, okay, what we are doing to recruit diverse employees as well as diverse students from the state of South Carolina and beyond its walls.

Q. Do you know what the population is, in reference to South Carolinians that attend Lander, percentage-wise?

A. It's pretty high up there. I don't know the exact percentage, but I would have to guess it's at least above 70 percent, to my knowledge.

Q. And what is your view on priority for South Carolinians being accepted into Lander?

A. As a state supported school, I believe that they should have priority.

Q. Thank you.

A. Yes, sir.

CHAIRMAN PEELER: Senator Scott.

SENATOR SCOTT: Thank you, Mr. Chairman.

MS. ABLE - EXAMINATION BY SENATOR SCOTT:

Q. Thank you for your willingness to serve, Ms. Able.

A. Thank you.

Q. As a member of Laurens County School District Five, which are you're pretty well adjacent to the college --

A. Yes, sir.

Q. -- now that when we're in the middle of a pandemic, and hopefully we get it calmed down, we're going to probably watch most local students start going to the closest college that they can get. What's your approach, as you work with these students at your school and

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encouraging them go to some of the schools, and what impact would broadband have on your particular area, especially these children are going to have to do their homework and do the class instruction at home? Just talk a little bit about your thought pattern on that.

A. Okay.

Q. Because education is changing.

A. Yes, sir. It definitely has changed. And I was remiss to state earlier in my opening statement, I have been involved with Laurens School District 55 now since 2015 as their college support specialist. I've had the utmost pleasure and honor of serving as a college counselor to the class of 2020 since Laurens 55 students were in the seventh grade. There was a brief period of time when I got held back in middle school for two years to work on the EEDA grant for all five middle -- three middle schools and the alternative school, but then I was able to return back to my students when they were juniors in high school. I have definitely seen and witnessed the struggle students are having with some online education, and I know that Lander has done a tremendous job with online education because they started just a little bit ahead of the curve with that with some summer programming about having online course work. And I do understand that broadband is an issue. Through the Garrett grant that I'm a part of, we've actually been able to give hot spots out to our students. I even went to the Dollar General in the big city of Gray Court to meet a student when it was raining out of my trunk and taught her how to use the hotspot so that she could complete her college course work. I do think that if students are to be successful in this era that we're in now, that we need to make sure that they have all the tools and resources available to them, you know, for that and have the education to access those tools and know how to use those tools. It had definitely been a great challenge for our students.

Q. Do you have recommendations for changes as move forward, because we're going to be looking to colleges and universities especially boards of trustees and others for input in terms of how we're going to be able to do this process --

A. I think --

Q. -- especially --

A. Yes, sir. I think --

Q. I'm almost --

A. I'm sorry, sir. I don't mean to interrupt.

Q. Especially as we look at the transition from high school to college.

A. I think we need to start with them very early on about online course work. As much as a lot of us don't care for it, it's here to stay for a while,

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at least. And I know through virtual school, you know, that's definitely been a challenge. But I do believe that we need to start with students at a young age to say, okay, this is -- you know, this is here now, this is how you do this. I believe we also need to train our parents because I know parents have struggled, not even just my college kids' parents, they have struggled.

Q. Right.

A. You know, I know that high school kids' parents have struggled, along with the middle school students that have struggled. I think there's a whole lot of education that needs to be done about how to interact in the online world. Also, a lot of education needs to be done with our students on how to interact with adults in the online world, because I have found that a lot of our students do not know how to interact with adults. You know, we in the gear-up program, along with the rest of the world, feels somewhat cheated because March, we left for a three -- a long weekend, and we didn't get to see our students again. You know, and that was March of 2020, and -- other than virtually. And we just weren't prepared, you know, for that -- what came up, but we've done great strides in trying to help our kids out to make sure that they know how and what they're doing. And we're partnered a lot more with our colleges and universities to make sure that those transitions are being done correctly. So it takes partnership and it takes a lot of education.

SENATOR SCOTT: Thank you, Mr. Chairman.

CHAIRMAN PEELER: Anyone else? Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

MS. ABLE - EXAMINATION BY REPRESENTATIVE WHITMIRE:

Q. Boy, it's hard talking through these things.

A. Yes, sir.

Q. Welcome, Ms. Able. Quite an impressive resume.

A. Thank you, sir.

Q. I see that you say that you think that one of the weaknesses of Lander is retention rate. Do you have any ideas about how to address that issue?

A. As I said earlier, Lander has increased the retention over the last few years, but, you know, with -- I think the average is about 25 percent of the students don't return. I'd like to see that number decrease and keep all that -- you know, keep all the students and their cohorts, you know, from year to year. I think that kids now, unfortunately, they need a lot of hand- holding, I've discovered. That, you know, we need check-ins, whether it's from a program such as Gear Up or on the college itself to say make sure that our students are doing what they need to do in order to be successful. I mean, naturally, you are going to have some students

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that realize, hey: this is not for me; this is not what I bargained for; I need to find something else to do, as far as my future education is concerned. But I do think that letting students know up front what the expectations are is highly important, you know. We had kiddos that, you know, especially in the online world right now that really don't understand when you have class Monday through -- Monday, Wednesday, Friday from 8:00 a.m. until 9:00 a.m., whether it's in front of a computer or in class, you have to be there; you know, your butt needs to be in the seat.

Q. Well, you know, that's not just Lander, but all our state supported schools.

A. Yes, sir. Right.

Q. That's something that's always concerned me is the students who receive our lottery scholarships, they go one year, maybe two, then they're gone.

A. Yeah.

Q. And that money is gone too.

A. Yes, sir.

Q. So hopefully --

A. Yeah. And I --

Q. -- you can take a look at maybe seeing how -- I don't know if the University has a way to find out exactly why students drop out. Some things you said, I'm sure, are true.

A. Yes, sir.

Q. It could be financial.

A. Yes, sir.

Q. It could be like me, have a big time in school and --

A. Got asked not to come back, maybe.

Q. Yes.

A. And I think, you know, colleges and universities across the board are doing a lot better job when it comes to tutoring programs, when it comes to reaching out that says, hey, kiddo, you know, why were you not in Art 101 these past -- you know, this past week, what's going on. I know that Lander does have a great alert system when a student's not present in class, you know, they get a phone call, they get a text. If those two options don't work, then actually somebody, from what I understand, does appear at their doorways.

Q. But one thing I appreciate about Lander is you make sure that you take care of the in-state students first.

A. Yes, sir.

Q. That doesn't always happen in all our schools.

A. No, sir.

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Q. And we've mentioned that several times. The last thing you said that Lander's got a weakness being in a small town. Obviously, you have not been to where Senator Alexander and I live. That is a small town.

A. I understand, yes, sir.

Q. Greenwood's a city. Thank you very much.

A. Yes, sir. I appreciate it, sir, and thank you.

CHAIRMAN PEELER: Senator Verdin.

SENATOR VERDIN: Mr. President, I've had the pleasure of knowing and observing Toni -- Ms. Toni Ables' dynamic and energetic career, not just in education but other facets of our life in Laurens. And I would be pleased to make a -- to move for a favorable report.

SENATOR SCOTT: Second.

CHAIRMAN PEELER: I think senator from Oconee, no? Other questions or comments before we take it to a vote? All right. All in favor of a favorable report say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no. (No replies are heard.)

CHAIRMAN PEELER: The ayes have it. Thank you, ma'am. I appreciate your willingness to serve.

MS. ABLE: Thank you, all. And I appreciate your service as well. Thank you.

CHAIRMAN PEELER: Next under Tab C, Lander University At-Large Seat Nine, James C. Shubert from Simpsonville. Afternoon, sir.

MR. SHUBERT: Good afternoon, everybody. Hope you all are doing well.

CHAIRMAN PEELER: Let me swear you in.

MR. JAMES C. SHUBERT having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement on why you'd like to serve on the Lander Board of Trustees?

MR. SHUBERT: Yes, sir. Thank you, Senator. I'm the class of 1988. I met my wife there. I have three children. I live in Simpsonville. And Lander has certainly been a major of my life. I'd like to say without Lander, there's not Grayson, Jackson and Campbell, right, so that's one of those neat things to meet your spouse. Greenwood's my hometown, so I grew up there. I've watched Lander evolve over the years. I've had friends and family attend there as well, so it's certainly got a dear place in my heart. I previously ran for Seat 4. I think you may recognize me; I was also with Terry Pruitt. Had some circumstances towards the end due to the fact that with my vocation I'm in the OR for heart transplants, and get COVID exposure, or close to COVID exposure every day, so that's why I have to kind of be careful with what I do. But anyway, I appreciate the opportunity to turn and be screened for this. I had, I think,

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sent a letter to you, sir, just stating that any other opportunities that come up I would be looking to try to serve in that regard, so. So I'm a private business man, I mean, that's what I do. I do a weird thing called going into the heart operating room to help patients either receive a new heart or ventricular assist device. So it's kind of a neat job. It gets me the opportunity to travel around the southeast, to travel around this state, and I get to meet a lot of different people. As a result, you obviously talk about your background, you talk about what you do, and you talk about where you're from. And so, invariably, you know, who you know, where you went to college comes up. So I've appreciated seeing, as my careers unfolded, the type of education I got in physiology and cardiac physiology at Lander. It put me on a very competitive playing field to be able to do what I do. So that's why I'm here today, just to see -- see what -- or to show what service is all about. I'm a servant leader. I believe that's the way you do it. I think if you do it any other way, you're doing it wrong. I had a mentor years ago that kind of shared with me that, you know, you need to find a place to serve where you don't benefit from it, as that's the ultimate form of service. And so I don't have any, you know, extrinsic desire or looking to get something out of this. I'm just at that place in life where the opportunity to serve is happening. And so with that, I'd be happy to take any questions you have of me.

CHAIRMAN PEELER: Any questions? Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman.

MR. SHUBERT - EXAMINATION BY REPRESENTATIVE KING:

Q. With the many challenges that colleges and universities had prior to the pandemic, and I'm sure there are many, many more now since the pandemic. One that I'm interested in hearing your response on is how colleges should and universities now deal with the mental illness components that many of our students will now face because of some of the things that have happened with the pandemic and their education?

A. All right. I think the pandemic's affected all of us, right. I've got -- I had a child in high school and two children in college that were trying to navigate through how to learn in this environment. And kind of as I tried to help my only son and youngest daughter kind of navigate through this, the one thing I was noticing is, you know, there wasn't good support systems in place. I think it took us all by surprise, so it shouldn't be a finger pointing thing. It should be more of a how can we do -- how can we work partnerships. So I think we need to get some, you know, private business partnerships with some of our public entities. I mean, we need broadband across the state, don't we? We need it in areas of the state that, you know, I go down that -- we need to get with Spectrum and

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Charter and those types of people and see if we can provide that. We also need to kind of work to help people understand what -- you know, what their passions and visions are. And so I think there's got to be some sort of counseling component to this online education to help steer kids in a time when, quite frankly, getting steered is difficult and doing the steering is more difficult, you know, I've noticed as a parent. So without the support systems in place, it makes it very, very difficult. And of course, you know, I mean, being in the field I'm in and having to read daily about the pandemic and what's happening, especially with regards to vaccines and safety and masks and, you know, all that goes with it, you know, and being able to kind of filter out what's true, false and somewhere in the middle, I think we need to probably, you know, help them realize this is going to get back to normal at some point. I mean, as a country, we're going in the right direction, even though it doesn't seem like it. But with what's happening with vaccinations and different things, I think we'll be -- I think we'll be back on point here soon. So we have to give our kids hope to understand that, you know. You know, we've got hope, we're the United States of America. You know, this state is a wonderful state. And with the hard work of everybody I know -- I see in the state legislature and senate, you know, we should get back to school soon and make it happen.

Q. If elected to the Board, I would hope you all would take a hard look at mental illness; mental illness is real. And I was reading an article, I want to think it was last weekend. I can't remember where it was, but there is about a 50 percent increase in suicides now amongst our youth. And so I think it's a conversation that we're going to have to have on all college campuses. And so I hope that you would take an opportunity to understand what impact it may have at your institution. Thank you.

A. You're welcome. And I agree with you on that point, because right now, that is probably the worst age group, are school-aged kids for suicide right now.

CHAIRMAN PEELER: Senator Scott.

MR. SHUBERT - EXAMINATION BY SENATOR SCOTT:

Q. First, let me thank you for your willingness to serve.

A. You're welcome.

Q. I tell you, when you look at college boards and along with university and college boards now, it's almost like this group, when you're there to serve, and you're it.

A. Yeah.

Q. It becomes your responsibility to find solutions to the problem, outside consultants or creating those relationships. I still want to go back

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to the other question a minute ago, mental illness. And I'm hoping that given that background that you do have, and especially in the sciences and the healthcare, it becomes one of the major issues that you have. We just finished dealing with college and universities not long ago when we had a lot of kids taking un-prescribed medication on these opioids. And so now, we're into a whole another world. What I'm saying with the background that you have, I'm hoping that if you are elected to this board that you're able to utilize what you see across this country. So what have you seen at other universities that you could bring to this university to make it stronger, especially in the fields where you are. It could be classroom instruction because there's a lot of sciences you took. And also it could be some programs that are out there that can strengthen it. As I mentioned before, most of these kids that will be going to school, the community schools, you won't find them going all across the country because it costs too much and because of the pandemic. So what do you bring to the school that you think can make a real big difference at the school, based on the experience that you have out there?

A. Yeah. That's a -- I'll tell you, when I talk to my fellow parents and I listen to them talk about their children and what their children are faced with, and I've had the misfortune, or it's been unfortunate, to see a couple of my good friends have kids get into substance abuse as a result of this pandemic and then a friend who had a child commit suicide as a result of this. So it's a real thing that's occurring. Generally speaking, what I see is, with guidance, children seem to do wonderful things. And that seems to be regardless of socioeconomic structure. They tend to thrive with good structure. So as I think about what my son, who's on scholarship at The Citadel, and you know, that is a very unique place all the way around, but as I listen to what he's talking about to me, after watching a friend cadet of his commit suicide over Christmas break last year, he said, you know, Dad, they put good support structures in place because with the pandemic they understood that we had to communicate and we need each other face to face. And so they did, they put ways of doing that face to face. If masks work let's wear a mask and let's help our children. And that kind of was their attitude. So the places that I seem to recognize as thriving, they tend to put that at the forefront. They understand that kids are struggling with this. So I would say if I was at Lander and they wanted to talk about mental illness, I would just ask them, what do you have in place currently and how have you changed it relative to the pandemic. And do you understand the statistics relative to the pandemic now with regards to suicide, mental wellness and it's different. And so what kind of resource dollars could we bring in to keep

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those kids healthy and moving towards their degree. Because I was listening to the earlier question, and I think a lot of kids, and my kids being college-aged right now, ones that drop out and don't go to school, they don't have good guidance on why they're there or they didn't get good guidance as to why they should go there. And that's why I'm a big believer in trying to put resources towards that to help them make the decisions they need to make. Does that help?

Q. That helps some.

A. Okay.

Q. Thank you.

CHAIRMAN PEELER: Senator Verdin.

SENATOR VERDIN: Mr. President, at the appropriate time, I'd like to move for a favorable report for Mr. Shubert to the full Senate.

CHAIRMAN PEELER: The motion is favorable. Second? Second. Any other discussion? All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no. (No reply is heard.)

CHAIRMAN PEELER: The ayes have it. Thank you, sir.

MR. SHUBERT: Thank y'all. (Off the record.)

CHAIRMAN PEELER: The Citadel at large, under Tab D. C. Douglas Barnes from Lancaster. Good afternoon, Sir.

MR. BARNES: Good afternoon.

CHAIRMAN PEELER: Let me swear you in.

MR. C. DOUGLAS BARNES having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement on why you'd like to serve on The Citadel Board?

MR. BARNES: Yes, sir. Mr. Chairman and Committee Members, I'd like to thank you all for the opportunity to be here today. The primary reason I'm here is because I love The Citadel. What it means to me when I think of The Citadel, I think of the staff, faculty and the corp of cadets and the alumni of the system of the corp of cadets. And I want to make sure that we can give the young men and women of today the opportunity to be boiled down to their lowest common denominator, which is we actually refer to as a nob, and then rebuild them to become graduates of The Citadel. And I believe that's what the purpose of The Citadel Board of Visitors should be, among other things. My application packet lists a number of involvement I've had over the years with The Citadel, both financially and with my time and involvement with the different boards and commissions related to The Citadel and other community entities. I've been blessed with the resources to give back to The Citadel,

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financially and with my time. I look forward to having the opportunity to do that. Thank you.

CHAIRMAN PEELER: Thank you. Questions or comments? Senator Scott.

MR. BARNES - EXAMINATION BY SENATOR SCOTT:

Q. Thank you for willingness to serve. When your board makes a decision at The Citadel and you were part of that decision, whether you like the decision or not like the decision, as a member of that board, are you willing to stand with your board on the decision that's made or would you deviate on a decision made by the board?

A. In my packet and with my experience of being involved with boards and commissions, it's incumbent upon board members to realize that they're not individual representatives, but they're member of a team and they're a member of a board. And as a member of a board, the board needs to function together and the members need to support the actions of the board.

Q. The reason why I asked that, we've had previous members who have run for the board and special members who were members of the board who, in fact, the board made a decision as it relates to the culture of The Citadel, and that's a big issue down there. And it was a -- the reality was would members stand with the decision that they made with the board, would they deviate from the decision made for the board for the purpose of just getting back on the board; that's important. Do you recognize the culture of The Citadel? Has that culture changed over the many years since you were there in '86?

A. I think there's been a lot of subtle changes, but overall, the system and the process is very similar to what I went through as a cadet.

Q. Do you see any -- do you see any culture changes that need to occur at The Citadel?

A. Now, as far as the Board of Visitors, one thing I would like to see is a little more transparency. It seems with some of the more recent issues, one in particular having to do with the sophomore shuffle, that there was an incident --

Q. Correct.

A. -- where a board member made a motion to have a discussion about it in the public meeting and he didn't get a second. I would have like to have seen more discussion on that subject and have it, you know, more thoroughly discussed. And I was disappointed. That's one of the reasons I'm here is I was disappointed that that wasn't more -- a more public process of having that open discussion.

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Q. And that's a pretty hot issue for The Citadel. A matter of fact, I think you lost your chairman as a result of a decision related to that sophomore class. So again, in looking at how you can improve the culture of The Citadel -- or is it your position that The Citadel needs to remain with the same culture it has had for the many, many years there or would you like The Citadel to begin? And if so, moving in the direction to improve The Citadel?

A. Well, I think I would like for The Citadel to be better and more inclusive and certainly have an improved culture where it needs to be improved and there's lots of things within the culture of The Citadel that needs to continue to be the same.

Q. You gave me a glass -- you gave me an answer with the glass half filled. Thank you.

SENATOR SCOTT: Thank you, Mr. Chair.

CHAIRMAN PEELER: Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chair.

MR. BARNES - EXAMINATION BY REPRESENTATIVE KING:

Q. On your response to the COVID and virtual learning, you mentioned that the tuition should be adjusted. Could you elaborate a little more on that?

A. To the extent that the school doesn't bear the expense of having -- and from what I gather, they've -- they're having -- the cadets are back on campus and, you know, with -- from what I can understand that's going on there now that it probably doesn't need to have an adjustment made. But if they were doing online classes only, then there's a lot of expenses associated with physical facilities that the cadets wouldn't be taking advantage of and probably should not be responsible for.

Q. So is it true that they last semester went virtual or was it half of the school? Or how did they do it last semester?

A. I think they sent them home for a portion of that time. And from what I understand now, there's some classes where half the class meets one day and the next class period they're remote. So they are able to rotate through the facility.

Q. I have two questions for you, and the first one is similar to what I just asked in reference to mental illness and how we address that for our college students.

A. I think The Citadel is in a unique position the way they have the facilities and all the cadets are on campus, and so there's not a lot of interaction -- or there's better facilities to keep the cadets together and not interact and expose themselves to the possibility of contracting the virus. So they're not going to experience as much of the problem as some

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other schools might. And then like the previous gentleman who was sitting here talking about the opportunities for the -- the support systems that are in place, just making sure that the cadets and students are aware of those opportunities and take advantage of them and make sure that nobody gets any -- or they don't try to stigmatize any of the cadets for participating in those programs.

Q. Thank you.

MR. BARNES - EXAMINATION BY CHAIRMAN PEELER:

Q. Mr. Barnes, I was looking at ways to improve The Citadels, need to engage the not-one-dime crowd.

A. Yes, sir.

Q. Not-one-dime crowd?

A. They're some folks on the, you know, the rabble-rousers, so to speak, on the internet that they don't like changes that have been made, so they say they're not going to give one dime to The Citadel. And they're very vocal. And if we could somehow harness some of that energy and turn it around and maybe even make them contributors that would be helpful.

Q. I was just curious.

A. Yes, sir.

CHAIRMAN PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

MR. BARNES - EXAMINATION BY MR. WHITMIRE:

Q. Explain to me what changes you're talking about that they want. Do they want to keep The Citadel as it was or do they want changes at The Citadel now? What are the changes?

A. What do you mean by who?

Q. Well, the not-one-dime crowd.

A. Oh, there are some that would like to have it be all male again. They have various issues. There's one issues where the pipers in the pipe band have been merged into the marching band, so there's a group that wants the pipe band out front. I support that, but not to the extent that I have withheld financial resources from the school. I contribute regularly. And the sophomore shuffle's been one of the issues. The mess halls where we have -- used to have family- style meals, we would meet for breakfast, lunch and dinner formation, and now the capacity of the mess halls inadequate to allow that to continue. So there's folks that think that's a really big issue. I would love to see that issue addressed. And some of those folks carry it to the extreme to say that they're not going to give one dime to The Citadel.

Q. That's interesting. It seems like they would be more inclined to contribute so you'd have a larger mess hall or something like that, so.

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A. Yes, sir.

Q. All right. Thank you.

CHAIRMAN PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

MR. BARNES - EXAMINATION BY SENATOR ALEXANDER:

Q. Good afternoon. Thank you for being here. I just was looking over as far as the biggest weakness for The Citadel. Can you elaborate on how you can resolve that, from the facilities and cost of keeping the facilities and academic degrees? Or they're not matching up or how would you...

A. Well, I think part of it is the geographical location and the constriction of the limited space. One of the big arguments against replacing the mess hall is where would they feed the cadets for the two years it might take to replace the mess hall, so there's limited space. And then some of the buildings are old. They just in the last week or two, they've opened up Basting Hall, which is a really nice addition to the campus. And they're going to be tearing down Capers Hall, which is an old academic building that's -- was probably in need of replacement when I was there, but it's finally made it around. So it's just taken time and money to upgrade the facilities, just like every other entity.

Q. How about if you could just briefly on the academic degrees, do you think -- is there a disconnect there in the degrees, or --

A. No, sir. I don't think so. I think they've got a nursing program, some outstanding engineering programs. It would be interesting to some aeronautical engineering come online. But other than that, it looks like their experts that decide what programs to offer are probably offering the right programs right now.

Q. Okay.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

CHAIRMAN PEELER: Anyone else? Motion?

CHAIRMAN PEELER: Second. Now we'll take it to a vote. All in favor say aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, No.

CHAIRMAN PEELER: The ayes have it. Thank you, sir.

MR. BARNES: Thank you.

CHAIRMAN PEELER: And I appreciate your willingness to serve. The next candidate is Kenneth L. Davis, III from Columbia. Good afternoon, Mr. Davis.

MR. DAVIS: Good afternoon.

CHAIRMAN PEELER: Let me swear you in.

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MR. KENNETH L. DAVIS, III having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. DAVIS: Yes, sir. Chairman Peeler and members of the screening committee, thank you for allowing me time to -- your time to express my interest in serving on The Citadel Board of Visitors. I'm proud to have been born and raised in the great state of South Carolina and previously served in the South Carolina Army National Guard with three deployments to Iraq. I'm currently and airline pilot on the Airbus 8320 aircraft with over 4,000 hours of flight time. I graduated The Citadel in the class of 2001. Along with my Citadel degree, I also have a second bachelor's degree and a master's degree, both in aeronautics. I travel the world, and anytime I meet another Citadel graduate, it's always the two same questions: what year did you graduate and what company are you from. The twelve of us who graduated in 2001 as members of Hotel Company are as close today as we were almost 20 years ago. We see each other several times a year and talk to each other almost every day. If selected to serve on The Citadel Board of Visitors, I'll be against what's been labeled as the sophomore shuffle and would do what I can to make sure that it's not implemented. As a major airline pilot, I will not gain anything politically or professionally by holding this position. The Board of Visitors' job is to set policy and it's the president's job to implement that policy. I decided to complete an application packet for the Board of Visitors after reading that the previous Board of Visitors' chairman, when asked about the sophomore shuffle, failed to recognize the responsibility of the board by stating that he hired General Walters and was letting him do his job. Additionally, I was disturbed when the previous Board of Visitors' chairman also stated that almost all the Board of Visitors' decisions were unanimously approved. That statement tells me that either the board members are afraid to voice their opinion that goes -- doesn't go along with the majority of the Board or there needs to be greater diversity among board membership. My father served his institution as a professor and administrator, including dean of the University of South Carolina Union campus for more than 30 years. Since The Citadel has had such a profound impact on my life, I would like to follow in his footsteps and also serve my institution. Thank you for your time.

CHAIRMAN PEELER: Thank you. Questions or comment?
Representative Whitmire.

MR. DAVIS - EXAMINATION BY REPRESENTATIVE
WHITMIRE:

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Q. Explain the sophomore shuffle to me. I got a ton of emails from former students I've taught that went to The Citadel who were totally against -- I guess against it; is that correct?

A. Yes, sir. That's correct.

Q. All right. Explain it to me.

A. Sophomore shuffle -- whenever you go to The Citadel, you're assigned a company, like Hotel company, Echo company. And it used to be based off height a long time ago, but now it's just randomly, unless you're a legacy cadet. Like I have a six-year-old son, if he were to go to The Citadel, he could be in Hotel company based off because I was a Hotel company graduate. Normally, you stay in the company all four years unless you leave your sophomore or junior or senior year to be a senior rank holder as in like battalion commander, battalion first sergeant, company commander for another company. But some people turn down rank and some people just stay in the company all four years and hold rank within their company. The bond that you -- there's a bond between classes, but the bond is greater between company members for The Citadel experience.

Q. How many members are in a company?

A. It depends. For Hotel one there was 32, I believe, and only twelve of us didn't quit our freshman year.

Q. Okay. All right. What was the reason -- do you know the reasoning why they were going to do away with this shuffle?

A. I've heard due to hazing, but I've never -- I don't know all the dirty laundry of The Citadel since I haven't been there in 20 years almost, but I don't feel like there's a major hazing problem. I feel think it's more of a homing problem with the barracks. There used to only be four battalions and now there's five. There's four extra companies than what was there when I was there. They've increased enrollment, and I think it's more of a homing issue, is what I've heard.

Q. Well, I can tell you from the emails I received, they were totally against changing it.

A. There's actually a study that this one graduate did online. He randomly sampled 450 alumni, and 90.2 percent were against the sophomore shuffle.

Q. Thank you.

CHAIRMAN PEELER: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. President.

MR. DAVIS - EXAMINATION BY SENATOR VERDIN:

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Q. Mr. Davis, did you aspire to a professional pilot vocation prior to attending The Citadel or was that something that was developed -- fostered while you were there?

A. I had always been interested in aviation. My grandfather wanted to be a pilot and his dad wouldn't let him do it in World War II. And I'd always been interested in it, and I never really pursued it until after I went in the National Guard and served in the aviation unit, and then pursued it and got a second bachelor's degree in aviation.

Q. Okay. Because my experience now, especially with young pilots, if they're oriented in that direction, they get into that field early. And - -

A. I was a little late to that game.

Q. Yes, you were because -- well, what I was driving at, I was trying to just gage your personal fealty and affinity for The Citadel. Because to overcome what would be considered a delay in your entry into that profession, it would have to have been a major point of draw, which would not be surprising. Anybody that's ever -- I've never met a Citadel man, or certainly woman, that has not been -- you don't -- you don't hear many gripers, back stabbers or recalcitrant members of the community, The Citadel community. But I was -- and mainly because I've got some family members that are also in this profession, not flying air buses, flying 737s, but I'm -- I've always been -- I'm a little nervous about air buses because I'm a traditionalist and I want to see a wheel or a stick right in front of you, and this business from flying over here just unnerves me a little bit.

A. It's a lot easier than the 737. But to your question about aviation, I did see recently where Charleston Southern got an aviation program, and I wish The Citadel would have jumped on that instead of them. I feel like it would benefit our college a lot better than Charleston Southern.

Q. So you think the history -- you think the future of flying the plane rather than engineering the plane here in South Carolina might be a little greater? I guess I'm asking --

A. Yes, sir. Like before COVID, there was a tremendous pilot shortage, and it's going to come back eventually, but it's definitely an area that --

Q. Well, and I would -- and as far as the degree programming offerings, the aeronautical engineering that Citadel's partnering with Boeing, I think we're all holding our breath a little bit, as far as the overall national -- international, global environment in automotive -- aeronautic manufacturing. I certainly hope and trust that our future still remains bright here, as well as the Citadel's involvement with Boeing. But thank you.

A. Yes, sir.

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SENATOR VERDIN: Mr. President.

CHAIRMAN PEELER: Anyone else? Senator Scott.

MR. DAVIS - EXAMINATION BY SENATOR SCOTT:

Q. Thank you, Mr. Davis, for your willingness to serve. I may have been out of the room. Any discussion on diversity at the campus, since it appears that culturally it remains the same? And I'm trying to figure out how do you create some diversity if your dad was there and your granddad was there and others who want to be in that who need the shuffle so you can diversify the campus, how do you actually do that?

A. For the sophomore shuffle, I don't think diversity really applies to that, but I do believe as The Citadel as a whole, we need to recruit more women and minority students. There's definitely been an improvement since we've gone from being all male, but I think there could be a lot more done in that aspect.

Q. Expand on that. You said you don't think it would. So if I don't have a generation of family who was a member of The Citadel and I come in as a freshman, a sophomore, and I want to be at another in a location, but because you don't do the shuffle, it's virtually impossible for me to be in that group simply because those who had many years because of a family is going to be the first to be chosen to go in that group. And so I'm not following you in your answer for when I asked you about diversity is not going to affect it, because it is going to affect it. Now, please elaborate.

A. Yes, sir. Well, for the company shuffle, before you come to The Citadel, you don't know anything about the company's reputations or it's not so much that we're -- when you're in the company, you bond together as a class and you come together as one. So like everybody, say your son got into The Citadel this year and he's in Alpha Company. Ever how many cadets, 32 cadets that freshman year, they're going to bond together and come together as a whole, and they're going to be best friends the rest of their lives. And when you -- if they're in Alpha company for their freshman and then they all transfer out to different companies the rest of the year, there's 2,400 students in the college right now, roughly, they might not hardly see each other on campus anymore. And they're going to make more friendships, but that bond is not going to be as great between those 23 ladies and gentlemen as it would be if they were in the same company.

Q. Now, suppose if I was in Uncle Sam's army in the military and you get your assignment, you're going to leave those folks you were in basic training with.

A. Yes, sir.

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Q. You're going to leave those folk you had class instructions with, especially if you're an officer, a junior officer trying to be a senior officer. Tell me why that's so important that all these comments I'm getting about shuffling on the campus. Because if you're military, somebody might be sent to Kuwait, somebody might be sent to Japan, sent anywhere, and you may not be seeing these people again, I guess, until you have some class reunion or another. So tell me - - I'm not following why it's so important to maintain that on the college campus. It's like an inside fraternity is what you're talking about.

A. It's not like a fraternity. As an Army veteran, I understand what you're saying. And it's more of The Citadel experience and it's more of a connection you make with those guys. Like, the twelve guys I graduated with, like we -- we've been to everybody's weddings, we've been to funerals for each other. Like, we've -- we do everything for each other. Like, we're like a family. I mean, I would say it's more like you're a family than a fraternity.

Q. And so the shuffle creates a problem that you can't maintain that relationship because you're not inside with that group all the time; is that what you're saying?

A. Yes, sir. That's what I'm saying.

SENATOR SCOTT: Thank you, Mr. Chair.

CHAIRMAN PEELER: Anyone else?

SENATOR ALEXANDER: Motion.

CHAIRMAN PEELER: Motion for a favorable report. Seconded. Any other discussion? If none, we'll take it to a vote. All in favor say aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, No. (No reply is heard.)

CHAIRMAN PEELER: The ayes have it. Thank you, sir. I appreciate your willingness to serve.

MR. DAVIS: Thank you guys for your time.

CHAIRMAN PEELER: Next under Tab F, F. Gregory Delleney, Jr. from Chester. Good afternoon, sir.

MR. DELLENEY: Mr. Chairman.

CHAIRMAN PEELER: Welcome back. Let me swear you in.

MR. DELLENEY: Yes, sir.

MR. F. GREGORY DELLENEY, JR. having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. DELLENEY: Other than to thank you for what you do, I'll waive opening statement.

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CHAIRMAN PEELER: Thank you. Brevity is a plus, you hadn't forgotten that. Any questions? Senator Scott.

SENATOR SCOTT: Thank you, Mr. Chairman.

MR. DELLENEY - EXAMINATION BY SENATOR SCOTT:

Q. Good to see you.

A. Yes, sir. You too, Senator.

Q. Your Honorable. Tell me a little bit about what you know about this sophomore shuffle.

A. Okay.

Q. Since you are presently serving on the board as an appointee --

A. Right.

Q. -- for the --

A. That was -- that came about before my time.

Q. Okay.

A. Right before my time on the board. There are two ways of looking at it.

Q. Okay.

A. You know, already for various reasons a lot of people are moved around anyway. Sometimes it's a disciplinary problem, sometimes it's a rank opportunity. But a lot of people are moved around. It's not like everybody stays. For me, in my Citadel experience, I was going to law school and my two best friends, who are also lawyers, were in the company next door. And so I spent most of my time with them. My son, on the other hand, he went there and he was a private all four years. And he has a core group of friends. And just like the gentleman that just spoke before, I mean, they do everything together. They go to each other's children's birthday parties, you know, they're in each other's weddings, and that's real important to him, okay. And the way this shuffle came about was there was a study, I think John Palms was in charge of it. And they came up with all these ways to understand how we could be more like West Point. Well, West Point has a shuffle, but they don't shuffle every year. Matter of fact, I have a friend who's a lawyer up at West Point, and he is the lawyer up at West Point, and he tells me that they don't really like the shuffle too much. And they've only used it once or twice. They came about they figured they will use it when they needed to, if they had something they needed to bust up or whatever. But in any event, although, you know, the shuffle didn't aggravate me that much, it aggravated my son a lot. And I really think the shuffle -- you know, we're going to have to an opportunity to reevaluate the shuffle here very shortly. And I'm certainly going to be looking at it very hard when it comes back up.

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Q. Thank you.

CHAIRMAN PEELER: Anyone else?

MR. DELLENEY - EXAMINATION BY CHAIRMAN PEELER:

Q. I got a quick question. You serve on the Board of Visitors now, right?

A. Yes, sir. Yes, sir.

Q. Gubernatorial appointee.

A. Yes, sir.

Q. Do you know when you would have to --?

A. 2024.

Q. Okay. But if you were elected to this position - -

A. Excuse me, '25. I would be on until '26.

Q. Okay. So at that point, it would vacate and the governor would need to replace you at that point?

A. In '25. Whoever is the governor in '25 would appoint somebody else.

Q. What I'm getting at, if you were elected to this position, you would have to vacate the gubernatorial appointment?

A. Yes, sir, I would.

Q. At what point would that happen, if you were lucky enough to be elected?

A. When I was elected. I would not vacate that position until I was elected.

Q. Until then. Just wanted to clear that up.

A. Yes, sir.

CHAIRMAN PEELER: Anything else? Senator Alexander.

MR. DELLENEY - EXAMINATION BY SENATOR ALEXANDER:

Q. What do you think is the greatest opportunity for The Citadel?

A. I look at myself. There's no way that I would have ever accomplished as much as I've accomplished in my life had I not gone to The Citadel. The Citadel gives you -- it gives you - - it teaches you how to deal with adversity plus it puts drive in people. You know, at The Citadel, you've got -- when you're put in a company, you've got three things that you've got to do that you're graded on, because companies are graded on it. One is academics, one is your military and three is intramurals. Well, when you go to The Citadel, you might not be doing real well in academics, but you might be shining your brass and doing real good at the military or you might be a star in intramurals. And because you're graded on all those things, people in your company, if you're doing -- if you're slack in one area, you know, it gives you drive to try to correct the other area. And so you've always got something that you've got that you have an

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opportunity to succeed in. So if you're not succeeding in another area, you know, you got help, people will help you. And also at The Citadel, they didn't have -- they've got now that I didn't have, back in my day, we had academic officers. And if you were struggling as a freshman, they would assign an upperclassman to try to help you in math or whatever. We had these tutorial labs at night that are not staffed by cadets, they're staffed by professors. So if you have -- if you were having trouble in math, you can go over there and get help. So The Citadel just offers you all kinds of opportunities to succeed. And once you succeed in one thing, it helps you succeed in another. And then the loyalty that Citadel graduates have for one another. It doesn't matter who you are or where you came from or what you look like, we stick together. And we always try to help one another. But that's the thing, The Citadel teaches you loyalty, it teaches you how to deal with adversity, and it gives you a drive to succeed.

SENATOR ALEXANDER: I have one follow-up, Mr. Chairman.

CHAIRMAN PEELER: Senator Alexander.

Q. And thank you for that response. Under you talking about here just changing gears on the can improve, you talk about needs to continue tighten the belt, reduce the FTEs through attrition and retirement. Have y'all been successful -- you say continue since you've been there. Have y'all -- is that something y'all have addressed and --

A. Yes, sir. That's something that's ongoing.

Q. And what you've done so far, you would deem that as being successful?

A. Yes, sir.

Q. Thank you.

A. We have a new provost, and she came -- she's University of Virginia graduate. And she came from a private school where she had to -- you know, you have to eat what you kill. And anyway -- and she's done a masterful job at looking at like -- looking at classes that aren't used very much. And one of the things I'm real proud of at The Citadel is we've become an engineering school. Matter of fact, we're number 17 for undergraduate engineering in the country. And I know when I -- one of the -- one of my -- when I first went on the board and I went to graduations, I hadn't been to graduation in several years, since my nephew graduated -- or no, since my son graduated. My nephew graduated a couple years before he did, or a year before he did. And when the engineering graduates stood up, it was a third of the class; I couldn't believe it. In years before, it would have been, you know, liberal arts or something. But they -- we've really got it on the ball now

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and I really like the direction in which we're going. We've got great leadership. We've got a great general. We've got a good provost, and things are really going in a good direction.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

CHAIRMAN PEELER: Anyone else? It's a favorable report, seconded. Any other discussion? Take it to a vote. All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no. (No reply is heard).

CHAIRMAN PEELER: The ayes have it.

MR. DELLENEY: Thank you, sir.

CHAIRMAN PEELER: Thank you. Now to Tab G, Andrew L. Helfer from Columbia. Good afternoon, sir.

MR. HELFER: Good afternoon, committee. Thank you for having me here.

MR. ANDREW L. HELFER having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. HELFER: Yeah. I think I'm probably the granddaddy here. I attended The Citadel at probably the worst time in modern history, '60s. It was a very interesting time to be a cadet, to be a freshman. It was probably the worst time in modern history to be a freshman at The Citadel because the hazing was terrible at that time. There was a study done of about 1,000 Citadel graduates, and they asked when was the worst year, from a hazing standpoint, to be a freshman at The Citadel, and it came out 1968. Well, guess who was a freshman in 1968, me. And I was listening to Mr. Scott over here and his interest in diversity is very great. And believe it or not, in 1968, we did not have a black cadet in 1968 to be the class of '72, which was my class. So when people ask me about diversity at The Citadel, Mr. Scott, I say I was one of 20 Jewish cadets at The Citadel. So I can imagine what it would be like to be a black cadet at that time, because being a Jewish cadet was pretty tough when there was only 20 of us on campus. And you know, other people would go to Sunday chapel; the Jewish cadets would go to Mark Clark hall and hang out there and the rabbi locally from Charleston would come and, you know, have prayers with us. So it was very interesting. And when the class of '73 came in, there were about seven or eight black freshmen at that time, most of which were athletes. I went to The Citadel because I wanted to be a pilot. And I was an Air Force cadet for three years, and back then you had to have 20/20 vision, not correctable, but 20/20 to fly. Well, my senior year when I took - - or when I entered my junior year, took the eye test, I did not pass it. So I went to my tack

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officer, Captain Jones, who was an Army tack, and I switched from Air Force to Army. Well, back during Southeast Asia, the only openings they had were in infantry. So I owed the Air Force six years, and I couldn't fly. So I switched to Army, and Captain Jones said to me you're going to be in the infantry. And I said, well, I only have two years and it looks like we're running down toward the end of Southeast Asia. Well, soon as I graduated, I ended up in special operations in the Army, and I ended up in Southeast Asia. So it was a funny thing. My mother, who was a little Jewish lady, first of all said to me, you know, Jewish boys don't go to The Citadel. And then when I went in the Army, Jewish boys don't go in the Army. And I had gone to The Citadel to play football. And I don't know if you read my resume, but I lettered in three varsity sports at The Citadel. I played soccer, football, I was a shot putter on the track team. Now, I wasn't the most military cadet, but I was able to get by in M company with all of my classmates not doing the sophomore shuffle. And this seems to be something that is really irritating to all Citadel graduates, and I understand why. And I think Mr. Scott made mention about military basic training, maybe an OCS or whatever you might do, you never see those guys again; they're gone. And I think young Mr. Lewis (sic) talked about how closely knit Citadel guys are. And it is true and will always be true that the guys that you're in that company with are your friends forever. Those are the guys you go through your nob year with, you're tortured together, you help each other, you study together, you do whatever you do together and you live and die by those guys in your company. The second morning we were at The Citadel, it was General Hugh Pate Harris' first day at The Citadel. He had taken over for Mark Clark. And General Harris got us in Mark Clark Hall. There was 825 freshman. And he looked at us and he said look to the left and look to the right because in four years two of three of you will not be here. Well, in the class of 1972, we had 282 graduates. So General Harris was exactly right. And what ends up happening, and I think a couple of the other gentlemen addressed it is when the companies start running low on freshman, they have to switch a few here and there. As they get to be upper classmen, they have to switch a few. And what happened in my freshman year was the first year that they didn't put freshman in companies by height. It used to be A company and T company and B company and R and N all had all the athletes in it so when they marched on the parade ground it would look good. But when you have all the football players in A and B company and you're taking a good many cadets out of those companies, when it was time to go to parade, there wasn't enough cadets from those companies to

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actually march. So they had to shuffle them around, especially as they became upper classmen. When I was a freshman, we were still division one in football, and we had about 85 guys on our freshman football team. When I finished The Citadel, of the 85 guys who were on the freshman football team, there were fourteen left; that was it. So either they were walk-ons or, you know, they decided to do academics or military or they flunked out for some reason or whatever reason they were gone. So what they did our freshman year was they took guys -- athletes and put them throughout the whole corp of cadets. And I was in M company, and they had never had a football player in M company, and they ended up - - we had five of us. They put five football players in M company so they could start diversifying and getting people in the different companies so that the athletes would not be getting that special treatment that all the other cadets thought they got because they ate in a separate place. And I think we were talking about the mess hall here earlier. Well, we had something called core squad. And that's where all the athletes would eat in a separate place. And that was the only time as a freshman we got a break. Because when we got back to the barracks as freshman, the upper classmen thought we were getting a break because we were out there knocking our heads off playing football or doing whatever athletes do. But we did get to eat in a different place, and we didn't have to eat square meals and we didn't get screamed at, so we were just a little bit different. So my whole purpose of being here today is I see The Citadel changing, but I also see there's some things that are at the school that need to change back a little ways the way it used to be and some ways needs to move forward. And as the other gentleman was talking about, I've been a big supporter of The Citadel financially over the years. I've got a scholarship fund down there. I've donated lots of money. But if it hadn't been for The Citadel, I would have never graduated from college. It kept me focused when I was ADHD and it gave me the ability, even though I never held rank as a Citadel cadet, I ended up in special operations in the military. I earned a bronze star. I earned a purple heart and was a good officer. So The Citadel prepared me to do that, even though I wasn't real military when I was there and not active in cadet rank. So I'm glad to entertain any questions you guys might have for me.

CHAIRMAN PEELER: Interesting story. Questions? Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

MR. HELFER - EXAMINATION BY REPRESENTATIVE WHITMIRE:

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Q. First off, I want to say thank you for your service to our country. And you kind of went beyond the call of duty. I was in that same time frame, and it was kind of scary times, it really was.

A. Yes, sir.

Q. For you younger people, you probably don't know about it, but it was tough. How in the world did a little Jewish boy from Brooklyn get to The Citadel? That's -- did somebody recruit you or did you hear about or what?

A. Actually, my grandparents were from Russia. And you, having been in the military during the Vietnam era, when I got accepted in the special operations, because my grandfather was in the White Russian Army, he -- and he came to the US during the Bolshevik Revolution, they moved to Brooklyn, New York. And he had been a fur skinner. And he opened up a fur shop in Brooklyn, New York, and my dad worked for him. And when business went south, my mom and dad moved to South Carolina and followed some friends here to Columbia, and that's when we moved here when I was seven years old. So, you know, I was here. I went to Rosewood School. I went to Satchel Ford School. I went to Keenan the first year, and I graduated from AC Flora. So I'm really a southern boy at heart. And now even --

Q. You didn't have much of a Brooklyn accent, I noticed.

A. No, I don't. But we still have family there. But I went to The Citadel, believe it or not, out of my class at AC Flora, in 1968, there were eight of us that went The Citadel. And I think probably five or the eight finished, and two of us went there to play football and the other guy that was with me, he finished as well, and he was a football player.

Q. I'm a student of history. It'd be fascinating -- was your grandfather alive when you were born or --

A. Yeah. He moved to South Carolina.

Q. Did he ever tell you about the whites and the reds and everything?

A. He did. It was very, very interesting. And he had a heart attack and died instantly at 62. But he was a vodka drinking, cigar smoking, as somebody might say, a SOB, but he was -- he was a tough old coot.

Q. It sounds like he had a very fascinating life, for sure.

A. He did. He did. And he met my grandmother on the ship coming over. He was about 21 and she was about 14. And he married her when she was 15.

Q. Well, very interesting. Thank you very much.

A. Yes, sir.

CHAIRMAN PEELER: Speaking of tough, you said you were a shot putter?

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MR. HELFER: Yes, sir.

CHAIRMAN PEELER: Only shot putters look like me. They don't look like you. You must have been a bigger guy back then.

MR. HELFER: Yeah. I played ball at about 225.

CHAIRMAN PEELER: What position did you play, football?

MR. HELFER: I played nose guard.

CHAIRMAN PEELER: You must have been a tough fellow. Senator Verdin.

MR. HELFER - EXAMINATION BY SENATOR VERDIN:

Q. I can't help but remark about how similar your life experience is with the Sedrin family in Greenville.

A. Is that right?

Q. If you ever look at them, look at their history, they were in the fur business, the family was in the fur business for 60 or 70 years and have the same migration to South Carolina as you just gave testimony of, and I love it. It's rich. I appreciate all your contributions as mentioned by Representative Whitmire.

SENATOR VERDIN: Mr. President, appropriate time. Mr. Chairman, I'd move for a favorable report.

CHAIRMAN PEELER: Senator Alexander offers a second. Any other discussion? And now we'll take it to a vote. All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no.

CHAIRMAN PEELER: The ayes have it. Thank you, sir, for all you've done and all you're going to do. I'll move to University of South Carolina, Fifth Judicial Circuit, Tab H, Robert F. Dozier, Jr. from Columbia. Let me swear you in.

MR. ROBERT F. DOZIER, JR. having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. DOZIER: Yes, sir. Thank you. Is it okay to take off the mask from back here? Thank you. Thank you, Mr. Chairman and distinguished commission members. I'm a passionate Gamecock, 1990 graduate who believes in the University. And it's an honor to sit before you today with an offering to give back to the University and serve you as well and the citizens of South Carolina. Having said that, I acknowledge that more work needs to be done so the University can reach its full potential in educating students and serving the state of South Carolina. I know you have the bio. Your staff has done a remarkable job of putting packets together and getting us to fill out our questionnaires. But I'm a life-long South Carolinian, except for the nine years I've been away as executive

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vice president for the Federal Home Loan Bank of Atlanta. A lot of people ask what the Federal Home Loan Bank of Atlanta is. It's the largest bank that nobody's heard of, \$150 billion bank serving 900 financial institutions around the southeast. And I was honored to spend some time there, but I'm even more pleased to be back home. With that, Mr. Chairman, I know we have just a little bit of time and I know y'all have questions. Thank you for the opportunity. It means more than you know to be here today.

CHAIRMAN PEELER: Thank you, sir. Questions, comments? Senator Scott.

MR. DOZIER - EXAMINATION BY SENATOR SCOTT:

Q. Thank you, Mr. Dozier. Good to see you.

A. Good to see you again.

Q. Thank you for your willingness to serve. Your new president has come in with an aggressive agenda, as it relates to diversity on the campus. Not only with students, but also with faculty, staff, and is even in -- as provost as an African-American. Where are with you diversity along with where your president is trying to carry the University. The president, I happen to like the guy.

A. We can do a lot more, sir.

Q. I understand. Well, give me some of your thought patterns to, you know, what you would do. Like I stated earlier when you weren't in the room, when you're on the board, kind of like this group here, you're it. So you have to figure out how you solve the problems and what you bring to the table that can make it better.

A. So diversity inclusion to me is about access, it's about telling the story, it's about making sure that you're recruiting. I spoke with an associate superintendent of a midland's school district last week, and I asked the question, well, the strategic plan that the University talks about recruitment; how are we doing? And she said, not that great. And so the accountability, the oversight of a board, now that there's a strategic plan and there is a president who's doing -- has said the right things. And it looks great on paper. But to move from seven percent to right above ten percent right now to move towards, what, 27 percent of African-Americans in South Carolina we can do more. But it's about getting out. It's about providing that access. It's providing -- or telling a story to make sure that the environment is right for people to come. There are a lot of opportunities, a lot of places folks can go. If the University wants to be ahead of that game, to me, it's about access. As far as the faculty and staff, I think hiring Bill Tate has gone a long way as provost to make a statement. The diversity inclusion officer I spoke about in my

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questionnaire is a good first step. But as an oversight board, we're going to have to track that as it goes up. I don't know if one board member can make all the difference, but one board member can sit with 19 other board members and hold the administration accountable.

Q. I would like to think one board member can make a big difference sitting in a room every time we're here for another 45. And I do the best that I can to try to share experiences and ideas and things of that nature, in terms of where we want to go. So I do believe one person can make a big difference, especially if they put themselves out there and get it done. The University has been balancing its budget for years with out-of-state students, and I know Darla Moore School of Business is so very important. Where are you and what are your recommendations in terms of resources once we get past the pandemic? Because I know you've had some troubling times, especially spending reserve to make sure that you can balance your budget.

A. Absolutely.

Q. So where are you with ideas that we can try to attract some of the best and brightest who used to leave this state try to keep them at home so they become a part of...?

A. So several pieces to that. I think over time it has been real easy to go to the out-of-state tuition and look and say a kid coming in from out of state at 33,000 is a lot more than 12,000, and it made it easy. No different than you as a group with your expertise when you do when tax incentives for companies to come into South Carolina. The difference is I think y'all lay out the accountability factor a little greater than we've done in the past. I think we've gotten used to saying let's go get the out-of-state tuitions. What's happened, though, is some of those out-of-state tuitioned students came in and then they got tuition abatements and nobody tracked the success of that. I'll give you an example, my two children. I lived in Atlanta for nine years. For the first couple of years of their time, I paid out-of-state tuition. I didn't know there was something called the common marketplace. The final two years of theirs, I got in-state tuition. Nobody tracked that at the University of South Carolina. Now, I'm pleased to say my daughter is a graduate and is working at First Citizens and is a tax payer of South Carolina. My son, who's worked with the Atlanta Hawks, moved back -- is moving back at the end of this month, took a job with a local Columbia company. And so those are successes. But we don't track that. And the accountability and the transparency and the information that comes back to y'all about that has been lacking. So that's the out-of-state piece that I've been concerned about. The in-state piece is back to accessibility and

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accountability and making sure that we're casting a wide net and getting the students who are ready, willing and able to go to the University of South Carolina that they have their shot to do it.

Q. Could it be one of the reasons why they don't track it -- and I like the idea that your son is doing very, very well, is that we educate out of state students and they don't stay with us?

A. That's a huge concern.

Q. We continue to recruit Fortune 500 companies, but we don't have the young people because we educate them from out of state. They went back and they participated and got those economies and those states they came from stronger. So we'd like to see, going forward, some of your ideas. Because I'm glad you've lived in Atlanta, back in South Carolina and can share what we need to be doing to keep some of these best and brightest here in South Carolina so we can stimulate our own economy.

A. Yes, sir. So on the stimulate the economy, the other concern would be the exporting of ideas.

Q. All right.

A. I worry that we focus so much on research and we get real excited when we create a new idea and we incubate it over at the University of South Carolina, but incubating ideas without partnering -- and you and I worked together when I was at Midlands Technical College on the board. Without taking an incubated idea and accelerating that idea and manufacturing it in here, we could be the largest exporter of great ideas in the country, and Georgia and North Carolina and Virginia and Florida and Alabama can just sit at the state line and wait for ideas to be created here at the detriment of the tax payer of South Carolina, and the ideas can go. We've got to keep them here. And those partnerships that you helped us create at Midlands Technical College where we could accelerate and manufacture those ideas are really important.

Q. Thank you.

CHAIRMAN PEELER: Representative Finlay.

REPRESENTATIVE FINLAY: Yes, sir. And in full disclosure, Mr. Dozier and I have been friends for the better part of 20 years. But I'm going to ask this question of everyone.

MR. DOZIER - EXAMINATION BY REPRESENTATIVE FINLAY:

Q. Senator Scott stated that for over 30 years the University of South Carolina has balanced its budget by bringing in affluent out-of-state students paying two-and-a-half times what in-state students pay. The side effect of that has been that today in the university that's doubled it has roughly the same number of African-American students as it did in 1990. Your president made a very strong statement about that, but I

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believe the state has also doubled in during that period of time. Do you feel like you are up to the financial challenges that are going too presented by weaning the University off of that revenue source? Because I don't know that there is a pool of -- large enough pool of out- of-state full-pay students to continue this practice. Do you agree with that diagnosis and what do you think we do to fix it?

A. I absolutely agree with it. Companies like mine, whether it was the Federal Home Loan Bank of Atlanta or we're now First Reliance Bank where I'm president of First Reliance Bank shares, when you get used to single source revenue sources without diversifying you can get in really big trouble. And so the diversification of that model, especially in the middle of a pandemic, has got to be forefront. I mean, listen, just like I'm doing in banking with technology -- there's a good question in your packet about online delivery. We're going to deliver differently education. We have to understand that bricks and mortar might not be in the capital outlay or that bricks and mortar that might have to be a cost that we don't have to bear going forward. So the focus has got to be South Carolina first, South Carolina first, South Carolina first; it's why I'm back from Georgia.

CHAIRMAN PEELER: You have another?

REPRESENTATIVE FINLAY: Yes, sir.

Q. And I think there's an add-on question that you've touched on because I sit on it in the House, y'all's deferred maintenance is out of control. I mean, USC has got -- the chickens have come home to roost, in terms of the -- a 100 -- it may approach \$100 million, let's call it \$75 million a year in deferred maintenance that's going to have to be dealt with over 20 years. Do you feel like that's a number that you can help them manage through? And how would you manage through it, because it is a huge issue?

A. So back to the revenue sources and being careful and not living off of one revenue source. I think it's a multi-pronged approach. Number one -- and I don't know how much time y'all have spent with either the president or new board leadership, but the budget model that's been created over the last couple of years, which was board-driven, by the way, has really given an insight of how much it costs to educate a student in a particular field or study. And I think you got to take that data, number one, to figure out where you are budget-wise. Number two, the cuts that are going have to be made, this -- we're in the middle of a pandemic. Nobody planned for it, nobody thought about it, and we weren't prepared for it. So I do believe that over time the cuts that are going to have to be made, personnel cuts, programmatic cuts, building

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costs, we'll have to go a long way with that. The third piece -- and I haven't been on the board since ex- officio as president of the alumni association since last summer. But the word about the TV revenues that will come, as you know very well, all of you, South Carolina runs its South Carolina budget and then it has an athletics budget. If there is to be additional television revenue coming in for athletics, I think at this point in time you can't run two separate organizations. You got to bring those closer together and put a big fence around the additional revenue that's going to come in and use that pay back all the things that have been tough over the last couple years with the pandemic and will be. And deferred maintenance is one thing that probably needs to be addressed with that. But assume that that's 15 to \$20 million a year in additional TV revenue, you can see this thing getting out of control where all of a sudden it's just in the athletics department revenue growth comes in. It looks great, coaches want more money, programmatic things and athletics. But you're going to have to pull that together and put a fence around it.

CHAIRMAN PEELER: Any other questions or comments? Senator Alexander.

SENATOR ALEXANDER: Thank you.

MR. DOZIER - EXAMINATION BY SENATOR ALEXANDER:

Q. Thank you, sir, and good afternoon.

A. Yes, sir.

Q. Thank you for being here. Appreciate your work and glad you're back in South Carolina. On ways to improve U of SC, you talk about economic development. Also, graduate -- graduating more doctoral students. Are there any -- with your background in banking and things, do you see any particular area there to focus on in those doctoral students?

A. So, I think healthcare is a huge piece across the spectrum. Just with the aging population in South Carolina, I think that's going to be a need. I think Dorn Smith as chairman is the right leader for the right time to kind of focus on that. I think that piece of it is huge. I think they're probably can be some areas in the business side of the house to keep and grow institutions. I know you serve on the board in the upstate. I think there's some financial opportunities. I worry about big banks and big financial institutions leaving -- either leaving, mergers and acquisitioned out, but I think there's a place for South Carolina banking and finance right now. I think the doctoral program can go a long way for that. And back to Senator Scott, to come back to that a little bit, sir, I think there's a huge opportunity in the financial services space where there's an

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opportunity for minorities to have access and egress, if you will, to financial services and banking. And we're working on some partnerships in South Carolina with the Federal Home Bank of Atlanta and the Federal Reserve to try to move that along.

Q. Thank you.

CHAIRMAN PEELER: Representative King.

MR. DOZIER - EXAMINATION BY REPRESENTATIVE KING:

Q. Thank you. And this question I probably should have been asking of all the candidates, but it just popped in my mind. With the pandemic, we have noticed that many of the students across the state, or really across the country, have had problems with being able to access or take the ACT or the SAT. We have now here in South Carolina seen the disparities across the state when it comes to broadband. And when we're looking at the overall student, many of these students who come from these areas where there's a disadvantage already, but they are students who have done well, how do you think that universities and colleges across this state should be evaluating these students since they lack some tools because of the pandemic?

A. Yeah. I think that we all need to say that are a lot of things in life that we need to take a break from and make sure we're digging into success factors at that moment in time, pandemic aside. I agree with you on the access. I think Congressman Clyburn has some great ideas around the state of how to open up access. It would lead into another piece of that that what we do to make sure, though, once they get here is that we're balancing and understand online and remote learning. I think we've come a long way on that, but the accountability and the transparency in making sure that everybody's getting equal access. I can tell you, my daughter had four classes, and each one of them was done and distributed differently. There was no consistency in any of that. And that concerns me a little bit. And as -- you are right, Senator, one person can make a difference. One of the questions that I did ask at one of my last board members is how we hold meetings, is how we're holding these online classes accountable for transparency, accuracy and consistency.

Q. Last year, I proposed a bill that would eliminate for South Carolina students the application fee. Now, top that with the pandemic and a lot of people are out of work or parents who are just barely making it -- and I know you can apply for waivers, but what do you feel about the application fee being waived for all South Carolina residents?

A. I think that's an idea. I think from a board position the last couple months, I've been out of that. I'd like to look at that. I think that's a --

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but sitting in your seat, you're looking at the numbers, that's probably a good suggestion.

CHAIRMAN PEELER: Desire of the Committee? Motion is favorable. Seconded. Any other discussion? We'll take it to a vote. All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no. (No reply is heard.)

CHAIRMAN PEELER: The ayes have it. Thank you, sir. Appreciate you.

MR. DOZIER: Thank you, sir. Thank you for your time.

CHAIRMAN PEELER: Thank you. Under Tab I, Alexander English from Blythewood.

MR. ENGLISH: Hello.

CHAIRMAN PEELER: Thank you, sir. Let me swear you in.

MR. ALEXANDER ENGLISH having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. ENGLISH: Yes, I do. Is it okay to read a prepared statement?

CHAIRMAN PEELER: Sure.

MR. ENGLISH: Okay. My full name is Alexander English. The University of South Carolina gets the credit for much of whatever success I've enjoyed. While I publicly know that I'm known for athletic achievement, without the solid education and leadership development I gained at USC, my most enduring work in business and philanthropy would not have been possible. So I'm a grateful and proud graduate of this institution that I'm seeking to assist again. As a proud Columbian, it was my honor to serve on the Board of Trustees many years ago. And I'm honored to have been called by Governor McMaster to finish the term of former trustee William Hubbard who is now the dean of our law school. During the six months since I have taken my seat, I have immersed myself in learning about both the overall goals and the complex details pertaining to my fiduciary responsibility as a trustee of this great University. I am still doing so. This short amount of time, of course, also occurs while we're dealing with just a few epic circumstances. A worldwide pandemic that threatens the very fiber of our existence, political upheaval in our country and a racial reckoning that has sparked both brutality and opportunity. And it's put a microscope on every public institution charged with improving the quality of life through fairness, excellence and accountability. These are macro issues playing out across the country, across the globe, but there are also micro issues that affect our great University of South Carolina. I want to be part of continuing in growing the greatness that we have

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attained here in at this university. That's why I'm running for this Fifth Judicial Seat. As a trustee, I'm beholden only to the University of South Carolina and the guidance -- and its guidance from the legislature in upholding my fiduciary duty to the students that trust the flagship university of the state of South Carolina to provide one of the best college educations they can experience anywhere in the world. I am honored that the governor selected me to help steer my Alma mater through these unprecedented times and challenges. I feel that I am the right person at this time. With that, I am finished. If you give me a minute to kind of catch my breath under this mask here.

MS. CASTO: Mr. Chairman?

CHAIRMAN PEELER: Go ahead.

MS. CASTO: Mr. English did submit, this morning, and addendum to his PDQ. He was waiting to on some figures I think from the University, that he gets paid \$250 per game for broadcasting four basketball games last year?

MR. ENGLISH: I did four games last year.

MS. CASTO: Yeah. And then he does receive a coach's pension from the National Basketball Association. Those are addendums to this.

CHAIRMAN PEELER: Mr. English, I see where you have, in your list here, ways to improve USC. One of your answers was better football team.

MR. ENGLISH: That's just one of them.

CHAIRMAN PEELER: It'd suit me if you don't have one.

MR. ENGLISH: Well, I, like all the other Gamecocks, would like to see it happen.

CHAIRMAN PEELER: I'm a Tiger. It would suit me to stay just where you are. Representative King.

REPRESENTATIVE KING: Thank you, Mr. Chairman.

MR. ENGLISH - EXAMINATION BY REPRESENTATIVE KING:

Q. And Mr. -- is it English?

Yeah. Mr. English, thank you for your service to the board. Since you are presently on the board, can you tell me what you all are doing to assess -- or to assist students who will be applying in the fall because of the pandemic who are unable to take the ACT or the SAT who you may see that their grades may have declined during the pandemic because they may have not been able to access broadband? What are you all doing at the college to prepare yourselves for the incoming freshman?

A. Well, one of the things that we're trying to establish a relationship with some of the -- with Midlands Tech, which is a school with a bridge program, to if there is a possible problem with kids or students getting

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into the University, they're putting together a bridge program that will allow them to go to Midlands Tech, get an education while they bridge - - while they're bridging their opportunity with the University to come once they get their grades back right and get an opportunity to come and attend the University. At the same time, they get to stay on campus at USC so that they can feel, you know, like they're a part of this system.

Q. If I'm correct, you and Mrs. Moody are the only two African-Americans on the board?

A. Yes, sir.

Q. What are you doing as an African-American to ensure that diversity is a part of the plan to diversify USC, not only with students but with your faculty and staff?

A. As a newcomer, the Board of Trustees put together a strategic plan. And in that strategic plan, it addresses different opportunities for bringing students, as well as faculty members, on board at the University of South Carolina through a process that would allow them to be seen by a board of diversity and equality and inclusion, making sure in putting together programs. I know I spoke with Provost Tate. They put together programs that will allow students that can't afford to come to the University that are qualified, putting together different programs to help them out and to kind of guide them through the process.

Q. Thank you again for your service. And I see that you played in the NBA.

A. I did, sir.

Q. I had two brother-in-laws that played in the NBA, JR Reed and Tony Delk.

A. I know both of them.

CHAIRMAN PEELER: Senator Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman.

MR. ENGLISH - EXAMINATION BY REPRESENTATIVE WHITMIRE:

Q. I didn't have anybody that played in the NBA, unfortunately.

A. I wanted to be a football player.

Q. Well, I wasn't that good at that either. I just want to say for those of you that aren't old enough to remember, I'm a Clemson fan, but I sure did enjoy watching you and those Subway kids play basketball back in the '70s.

A. Thank you.

Q. You were a joy to watch.

A. Thank you.

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Q. In fact, I've got a real good friend that's about as loyal a Gamecock fan as you'll ever hear. And I told him that you would be testifying before us today. And he wanted to know if you would suit up and go play for the Gamecocks now because they sure do need the help.

A. Unfortunately, I'm 67 years old --

Q. Yeah, you'd probably still be better than them. Well, anyway, thank you for your willingness to serve.

A. Thank you, sir.

CHAIRMAN PEELER: Representative Finlay.

MR. ENGLISH - EXAMINATION BY REPRESENTATIVE FINLAY:

Q. Good to see you.

A. And you, sir.

Q. We've -- I think our families have been friends on and off for the better part of 40 years.

A. Yes, they have.

Q. Wanted to throw you the same question that I've thrown Robert Dozier. One of the problems, and one of the nice parts is this is not of their creating, is it as the University imported more out-of-state kids, it has become less representative of our state. Now, the problem is that they brought those kids to bring in the revenue ostensibly.

A. Uh-huh.

Q. So how would you, on a look-forward basis, help the University think about how they absorb those costs, especially in terms of the potential deferred maintenance that they've got overhanging now?

A. Well, I do understand the problem and I understand why. In speaking with Provost Tate, I understand that the reason why they've got -- they had so many out-of-state students is that they could charge them double the price, and that allows them to bring in another in-state residence. I can't really -- I think it's going to take some time to kind of sift through everything and see where the opportunity is to be able to address your question. But I am -- you know, I am all about educating young people from the state of South Carolina. That's -- I think that's very important because we just need to. We've been -- we've lagged behind in a lot of states when it comes to educating young people. And I think it's something that we have to address because, you know, most people, especially from rural South Carolina and some minority communities, they have a difficult time affording college tuition. And I know that just from reading the strategic plan that there are programs that they are putting place, that we're putting in place to address that so that we can bring more minorities and more people from South Carolina and give them an opportunity that they can afford now adjusting the tuition.

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CHAIRMAN PEELER: Senator Scott.

SENATOR SCOTT: Thank you, Mr. Chairman.

MR. ENGLISH - EXAMINATION BY SENATOR SCOTT:

Q. Good to see you, Alex.

A. How do you do, sir?

Q. Doing fine, sir. You're class of 1976 at the University?

A. Yes, sir.

Q. You and I were in high school right along the same time. I think you're a year behind me. Tell me what differences -- how has the University changed at all since 1976, as it relates to African-American students, faculty and staff, especially involvement at the institution and their input? I know you got -- you know we got -- we've always had one or two who professional jobs there. But tell me, in the overall scheme of things, what have you witnessed have changed or need to change in that 45 -- 44 year time since you were there?

A. Well, if you were at Carolina during that time --

Q. I was there.

A. -- you know, at that time, we probably had maybe less than two percent professors teaching the students at the University.

Q. Right.

A. But at the same time, we had more students. We had students from all over the state that were coming, but we didn't have the representation among the faculty. And that's one of the things that's being addressed in the strategic plan, which I think and agree we must address. We've got to make our faculty and staff resemble the population of the state, you know. And I think we have to do the same thing with the students. You know, we have to bring in -- find a way to bring in more minority students, bring in some of the people from the rural areas without them having to -- I think the online program helps that but I think we can do a better job.

Q. Athletes, I know you can speak well to that, has not been a problem recruiting a number of African-American athletes. But some of the courses and degrees they pursue, because most of them who play don't stay long. Type of degrees and who's talking to these kids about if you don't do well in the professional world, if you don't get drafted, how are you going to make it. If you go and you stay a year or two, the degree that you went after, and does that make you employable. And if you are able to stay and become successful, can you change that into creating wealth based upon the time you spent at the institution. If you don't try to get them back so these kids can graduate. Tell me a little bit about what's going on in that particular arena.

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A. Well, I know that, you know, among the student athletes, you know, looking at the numbers, we were one of the top GPAs in the system in the SEC. As far as the type of degrees that they're getting, I haven't seen that.

Q. Okay.

A. I know that they are doing well with the grade with the GPAs and they're managing to stay in school. I would think that they're getting -- excuse me sir, I'm sorry.

Q. That's all right.

A. But like I was saying, you know, being a former athlete and graduating from this University, when I was here, I was an English major. I wasn't able to finish in English, so I had to go and add other courses that were able to help me get my degree. You know, I went through the retail and management school. But also being a professional athlete, I think it's so important that we channel our young athletes toward opportunities that are going to give them access to quality jobs once they leave this University, because all of them aren't going to be able to play sports. And if I -- you know, if I get the time, that's something that I would address. I mean, I think it's something that's important. It's not just important to have great grades, but what are those great grades in, you know. What is -- is it something that's going to give you the opportunity to be a business man or be a doctor, lawyer. The numbers are really bad when you look at athletes that haven't gotten that opportunity. You know, most of us -- most of the athletes want to believe that we are one of the best and we've got to be able to go to college and we're going to go to the pros after that, and that's not always the case.

Q. Thank you.

CHAIRMAN PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

MR. ENGLISH - EXAMINATION BY SENATOR ALEXANDER:

Q. I want to just follow up on that from Representative Whitmire. Personally as a Clemson fan, certainly followed your time playing at South Carolina and then also your pro career, and just appreciate you making South Carolina so proud and your willingness to come back.

A. I almost went to Clemson.

Q. Is that right?

A. Tate Locke tried to get me there, but I said Frank McGuire wants me.

Q. That was some great time in both schools. Thank you, sir.

CHAIRMAN PEELER: Senator Verdin.

MR. ENGLISH - EXAMINATION BY SENATOR VERDIN:

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Q. Back in that area, if you wanted to watch any basketball in South Carolina, you had tune in to the Carolina broadcast because you couldn't get a ticket.

A. Yes.

Q. At the new arena coliseum. Now, you could watch basketball if you were willing to travel over to the nearly new Littlejohn Coliseum, but even then, it was -- I went over there to Littlejohn last week for the Louisville game and squeezed in there with about 1,000 other people.

A. It's not the same place.

Q. I remember we used to stand in line and beg for tickets back in the '60s and '70s, and yeah, not the same place, but I do remember watching -- back then, when you get to the charity stripe, the game was riding on every one of those shots.

A. Yeah.

Q. And the electricity and the excitement and just the nerve tingling experience of the hardwood, it's not the same today. I can't stand the shot clock. We might not have heart attacks as much. Back then, if you only had a certain number of possessions and every one of them counted, it was just -- I just going -- I can't remember much anymore, but for you to be here and for them to start recalling those days, it's enervating for me. But no, I, on a serious note, appreciate all the contributions and appreciate the insight that you and all the other candidates for USC has shown, demonstrated today. And I'll let someone close to you make the motion.

CHAIRMAN PEELER: Favorable report. Second? Second. Any other discussion? I'll take it to a vote. All in favor say, aye. (Ayes are heard.)

CHAIRMAN PEELER: Opposed, no. (No reply is heard.)

CHAIRMAN PEELER: The ayes have it. Thank you. Next on the Tab J, Kevin M. Hunter from Irmo. Good afternoon, sir.

MR. HUNTER: How are you, sir?

CHAIRMAN PEELER: Let me swear you in.

MR. KEVIN M. HUNTER having been duly sworn, testifies as follows:

CHAIRMAN PEELER: Would you like to make a brief statement?

MR. HUNTER: I would. Kevin Hunter, lifelong resident of the state of South Carolina. I have had the pleasure of serving on a company that allowed me to travel and do business on five continents and 48 states. And throughout that, I never left this state, and that was intentional. I had opportunities to move to Chicago, LA, Tokyo. You name it, I was there. Probably didn't enjoy it as a young man, I was so focused on that brass ring, but I did realize through all those travels that we have a tremendous treasure, and it is a hidden little secret. It still amazes me to

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this day when I talk about South Carolina with folks that don't live here that still don't get it. They think we're either Myrtle Beach or they think we're football, and that's about it. But I'm going to tell you the reason I'm running, because I got asked by my wife and my children, which are a huge priority for me. And I said I honestly believe that every single one of us has been given an opportunity for experience and expertise to cross at a moment when it's needed. And I really feel like we're at a place, both with this pandemic, as well as other economic factors that are coming in that are causing tremendous amounts of conflict, arguments and fighting in this country. But I really feel like my experience could be use of the University, and I look forward to sharing some of my ideas with you guys today. Thank you.

CHAIRMAN PEELER: Thank you. Questions? Senator Alexander.

MR. HUNTER - EXAMINATION BY SENATOR ALEXANDER:

Q. Thank you for being here. Good to see you this afternoon.

A. Yes, sir.

Q. I was noticing here your commenting about the virtual and that there needs to be some type of moderately adjusted from that aspect. Do you have some thoughts on that in this particular time with this COVID-19?

A. Yes, sir. I do. And I can tell you, I actually was working for a Japanese company and was told because of my age that if I wanted to be on the board I either needed to get a law degree or get an MBA. Well, traveling all over the world doesn't really lend itself well to sitting still to get either one of those. So I can tell you one of the first online universities, University of Phoenix gave me an opportunity to get my MBA while traveling all over the world and the father of a two-year-old son at the time. And I kind of put that aside until now. And both my children are doing virtual school. I've met many, many folks that have worked for us that are sons and daughters or former employees of my wife and I that are in college that are either embracing an experience of the online or fighting that experience. To me, it is what it is. We're going to have to find a way for our universities and all of our public education to embrace online learning. I feel like the University has multiple different customers, students and sources of income that I've heard come in and instead of trying to take a traditional student that wants to come in for a traditional experience at the University, well, let's look and see if there's an opportunity for an online one. Let's talk about those students that maybe can't get in initially or some kind of bridge program that allows them to become a part of the University community but also use those online technologies there. I can tell you one of the things that has surprised me the most, I'm turning 50 this year, I never

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would have thought that Zoom and online connects people the way it does. But I got to tell you, young people, my son and daughter, it is amazing how they will have play dates, play together, do games -- they've even done board games together. They even watch movies together. And I see this every day, and I'm like there is -- we can't fight it. We can't ignore it. We've got to find a way to make that an inclusion part of the student experience.

Q. And a follow up, if I could just briefly, from that standpoint, do you see that the fiscal footprint of the University would be altered as a result of -- and the cost affiliated with the expenses of maintaining the buildings be impacted from that standpoint as to what that future looks like for the University?

A. Yes, sir. I do. I think you're going to have to adjust to it, but I also don't think you're substituting one for the other.

Q. Right.

A. I know in my business when I consider a new product or a new strategy, I don't ever look at it of taking what I've already got to substitute over to something new. I almost look at it as a new track, and that's what I see the online as. We've got societal shifts that, in my opinion, things like meetings, things like even some of the stock trading. When I went to Carolina with a degree in finance, I thought I wanted to be a stock broker. My roommate was a computer engineer and showed me how you can go on Merrill Lynch's website back in 1992, and it scared me so bad I didn't want to be a stockbroker anymore because I saw stockbrokers control information, and now that information is everywhere. So traditionally, yeah, the model's going to be different, but I think you have to look at the tracks of a traditional student, maybe a post or a life-student, somebody's that gotten out of the military, somebody that's a working dad or mom or owning a business wanting to further their education. But I also think that online track is a completely different revenue source. Now, the good thing I see with that is you can actually build something that doesn't have a lot of those traditional expenses on it. I've watched again and gotten some information from students. They're online with 50, 60, 70 students, and they're able to get that information in a much more efficient manner, as well as they don't have to go to a classroom, they don't have parking. So their cost is actually lower. It's much easier to provide them with a return on their investment in those education dollars.

Q. Thank you.

A. Yes, sir.

SENATOR ALEXANDER: Thank you, Mr. Chairman.

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CHAIRMAN PEELER: Representative King.

MR. HUNTER - EXAMINATION BY REPRESENTATIVE KING:

Q. Quick question. USC, did you start off at the Lancaster?

A. I did not. I grew up in Lancaster, South Carolina, but we moved to the Irmo area in 1985. So I went from little Lancaster, South Carolina to Irmo High School. And I was a wide-eyed kid, didn't know what that was all about. But what it did was show me the disparity in the education. Man, what a difference going from AP Biology in Lancaster High School where we had two pigs for a whole class to I show up at Irmo and you got your own chemistry set.

Q. Got your own chemistry.

A. Yeah.

Q. So my question that you probably heard me ask earlier in reference to the pandemic and how we ensure that students have an opportunity to matriculate at USC first by just getting accepted into USC with what we are dealing with the pandemic and them not being able to take the SAT or the ACT. And because of broadband, maybe some of their grades have now dropped. How do you think that the University should look at the overall student to see if they are eligible to get into the institution?

A. Well, I can speak from my experience both personally as well as other close friends. The ACT or SAT is not a direct correlation to your success in life, much less your success in college. I had fraternity brothers when I was in college that got perfect scores and almost failed out of school. I got others that had to get exceptions that now own their businesses and employ 30, 40, 50 people. So to me, when you've got -- and a pandemic like this, you've got a life societal rattling changing event, it's time to put all the rules over here. I'm not saying put the institution down, I'm saying put the barriers down. And you start developing a strategic plan that puts an incentive for the behavior you're after. You know, I've heard some of the questions sitting in the back is about diversity and inclusion and how do we get people in. Well, I can tell you in my company, we have 17 jobs that I proudly created in the state of South Carolina. We employ four African- Americans. It's not intentional it's because I wanted the best people in those jobs. And I can tell you the number one thing that I have seen that is needed is just simply communicating. One of these young men I gave a second chance. He had a mess up with marijuana drugs when he was younger, and it was an albatross around his neck. But I just for some reason, you know, and when God taps you on the shoulder and said you need to listen, and I did. And this young man has probably turned out to be one of the best employees I've ever had. Now, I have put him in touch with lawyers that

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are helping him to get his record clean. I'm not some miracle man. But what it showed me was it's about communicating, but most importantly taking action. I can't tell you how many times I have seen, read, heard about another committee started, another directive started, but action always seems to be lacking. I can tell you in my business if we don't take action, we don't survive. That is my number one thing, whether it comes to eliminating the SAT, ACT, application fees, whatever it is, education, to me, is about a return on your investment dollars and, more importantly, your time.

Q. Well, thank you for your willingness to serve. And you probably were in school with a few of my cousins, if you know any of the Ruckers

A. Oh, yeah.

Q. -- in Lancaster, those are my first cousins.

A. Okay. Awesome.

VICE CHAIRMAN WHITMIRE: Any others? Yes, sir. Representative Finlay.

MR. HUNTER - EXAMINATION BY REPRESENTATIVE FINLAY:

Q. Yes, sir. I'm sure you heard my question to the other two board members -- or potential board members. I guess they are actually technically have been former board members, but nonetheless. The University embarked probably 20 year ago on a policy of bringing in out-of-state students as a way to generate revenue dollars. I think that plan -- that program has probably reached its zenith and is now starting to shrink. There are less students, the prices have gotten higher. We're seeing more and more abatements. At the same time, the University is in probably the -- has the greatest deferred maintenance that it's ever seen. And we have created a university that in many regards no longer represents our state. How would you go about solving those as someone who's run their own business?

A. Well, I --

Q. I admit it's a tough question.

A. Oh, it is. It is. And understand not knowing all of the background on it because I also believe when you come to a decision the most important part is to listen first. You got to make sure you understand it. One of my strengths has also been to process information quickly because often in business if you don't act, by the time you think about it and talk about it, that opportunity is shot. To me, the deferred maintenance thing is kind of an ill of our society, right? We want everything now and pay for it down the road at some point. But again, going back to what I was talking with Representative King there is when you've got a societal shift, man, you can put down a lot of why you did

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something in the past. I can tell you as a business owner, it amazes me how many buildings are owned by the University. I don't know all the details of it, but I can tell you at sometimes it makes more sense to lease. Sometimes it makes more sense to make it a virtual program completely to get yourself out from under some of these things. I know a lot of these are sacred cows. I worked for a Japanese company that there was a lot - there was a list you were handed when you joined the board, do not say these words, do not discuss these things. I get it. But we're also under new rules here. And I think this whole pandemic has shown everybody that you need to question everything. It's not because -- don't use the virus and the pandemic as an excuse, but use it as an opportunity to make improvement. Because if you're not improving, you're dying. It's the cold hard reality of it. Status quo will never ever stand firm, it has to be changed. Out of state students, I think they're an important part of it. But I also think if you're going to have an out-of-state student, you got to figure out a way to get them some incentive to stay here. In my business, like most business, you decide what strategic behavior you want, and then you come up with an incentive plan to get that behavior achieved. Maybe you come up with something in an out-of-state student that says, hey, you're paying out of state tuition, but here's some incentives. Maybe they're tax credits if you start a business. Maybe there's something we can do instead of you having that talent flight and running away, you stay here, you help us grow this economy. I'm a big believer of you have to get incentives on people, you got to be careful using the carrot or the stick, cuts being the stick. Carrots usually work better. And I think it's just a matter of deciding what percentage of out-of-state money you want and what can we do to keep people here.

Q. Okay. The problem, of course, is where we are is there's a whole lot less incentive because of past decisions. And that's going to sort of be the tougher part. How would you deal with -- or how would you formulate that decision when you have to start deciding about the number of carrots and who gets them and what --

A. Well, and I can tell you. And that's a fair thing because I've looked at buying businesses before. And you know, usually when somebody's selling you something they show you how pretty the curtains are and how great it drives. They don't show you the reality of what's underneath the hood there. To me, Representative Finlay, you're going to have to look at degrees. There may be some degrees that Carolina does not need. There may be some programs that Carolina needs to say, I'm sorry, but we no longer can afford to do that. I can tell you in my business, we support quite a few of the tech schools. And I'm going to use one as an

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example, Denmark Tech. You want to talk about some dedicated people. I have seen nothing short of miracles with the right attitude and just a tiny bit of money and a whole lot of hard work can make things happen. So when I pull up in an impoverished area and I see what those folks are able to do, and then you turn around and you're facing things that are just kicking things down the road there, then those are tough decisions. And maybe we need to look at some of those colleges, look for some of those ideas. I think someone asked about diversity and how do we get more - the faculty to reflect what's in our state, the population makeup of our state. I can tell you, if I was making a hiring decision, that would be one of the first places I'd go is some of these technical schools. Because I'm telling you, it is absolutely incredible what these folks are able to do, and it's creativity and hard work. It's what it's all about.

VICE CHAIRMAN WHITMIRE: Anybody else? Is there a motion? There's a favorable motion before us. All those in favor signify by saying, aye. (Ayes are heard.)

VICE CHAIRMAN WHITMIRE: Opposed, no. (No reply is heard.)

VICE CHAIRMAN WHITMIRE: Ayes have it. Congratulations, sir.

MR. HUNTER: Thank you, gentlemen.

VICE CHAIRMAN WHITMIRE: Any other business before the committee before we adjourn? All right. We're adjourned. Thank you.

(There being nothing further, the proceedings concluded at 3:14 p.m.)

MOTION ADOPTED

On motion of Senators ALEXANDER and JACKSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Joyce C. Hearn of Columbia, S.C. Ms. Hearn graduated from the University of Ohio and taught at Eau Claire High School. She later became the Director of the United States Census for the Carolinas in 1970. She was elected to the South Carolina House of Representatives from 1975 - 1990 and for years, she was the only woman serving in the legislature. Ms. Hearn was awarded the Order of the Palmetto in 1979 and became Chairwoman of the Alcoholic Beverage Control Commission in 1990. She was active in many organizations including the Boards of the Columbia Urban League, the Federation of the Blind and Columbia College to mention a few and enjoyed playing golf and bridge. Ms. Hearn was a loving mother and devoted grandmother who will be dearly missed.

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ADJOURNMENT

At 2:50 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

February 19, 2021
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3740 -- Rep. McGarry: A BILL TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR THE COMMISSION'S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE-DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION'S ROLE RELATING TO THE OFFERING OF POST-SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE, AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 584 Sen. Young

FRIDAY, FEBRUARY 19, 2021

MOTION ADOPTED

On motion of Senator CROMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of retired Major General Thomas Lee Sinclair. General Sinclair was an active duty veteran in the United States Army who retired after 38 years of service with the South Carolina National Guard. He was awarded many commendations including the Legion of Merit, the Meritorious Service Medal, the Humanitarian Service Medal, the South Carolinas Palmetto Cross, Meritorious Medal and Governor Unit Citation. General Sinclair retired from the Union County School System after 27 years of service as a teacher, principal and assistant superintendent. Tommy was a member of Grace United Methodist Church, a Shriner and a member of the Union Masonic Lodge #75. Tommy was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator SETZLER, the Senate adjourned to meet next Tuesday, February 23, 2021, at 12:00 Noon.

* * *

Tuesday, February 23, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 103:2, 4

The Psalmist writes: "Praise the Lord, O my soul. . .who crowns you with love and compassion."

Let us pray: Holy God, what a challenging COVID year it has been for the world, for our Nation, and even here for our State. Such challenges all of us have experienced, and for so many they have been circumstances literally of life or death. And through it all our health care workers have provided such incredible care, doing so with love and compassion. We are all so grateful for and indebted to these dedicated professionals -- the physicians, nurses, and support personnel who have by and large carried out their duties with heroic determination. Our gratefulness to them knows no bounds. And we all know further, Lord, that the challenges for all of us are not over; we will continue to lean on this group of medical heroes for some time to come. Help them all to know how grateful, and how thankful, we are to all of them. We pray this in Your loving name, O Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Jeffrey Cashman of Spartanburg, S.C., Doctor of the Day.

Expression of Personal Interest

Senator JACKSON rose for an Expression of Personal Interest.

TUESDAY, FEBRUARY 23, 2021

Remarks by Senator JACKSON

Thank you members of the Senate. Yesterday, I was in a conversation with our former colleague and my good dear friend Senator Robert Ford. If you know anything about Senator Ford, you know he loved telling me and other classmates of his what to do. One of the things he said to me yesterday which was actually one of his better ideas -- one of his few better ideas. He says, "Darrell, I think you need to call (and no disrespect but this is what he said), you need to call Luke and the two of you need to introduce a Resolution that honors all of those that have lost their life as a result of COVID." I told Senator Ford that is one of your better ideas. In fact, I said to him that is one of the only better ideas I have heard you give me in the last couple of years. I began to think about it. I began to think about it and it is a wonderful idea. Therefore, Mr. PRESIDENT, members of the Senate, I rise to pay tribute to all of those who have lost their lives as a result of COVID-19. We have now crossed a very sad milestone -- we have lost over 500,000 lives to COVID-19. In South Carolina alone, the numbers are over 4,000, perhaps over 4,700 lives. All of you I am sure know someone who's been touched in a sad way by this awful pandemic.

As it relates to COVID-19, I think it is really important and I hope that all of you will actually sign off on the Senate Resolution that Senator RANKIN and I will present later. Again, on a very personal note, just so you know that COVID touches everyone -- I lost an uncle and five cousins as a result of COVID. I have conducted probably over six different funerals, people who have lost their life from COVID. One of the saddest was a couple of weeks ago. I had to eulogize a pastoral friend of mine who went to a funeral of someone else who had COVID. As a result of that very small funeral, 29 people who were there contracted COVID. This one pastor lost his life as a result of that. My purpose is not to make this partisan. I hope no one here today makes this partisan. That is why Senator RANKIN and I decided to introduce this Resolution.

I do think we should pay tribute to those who have lost their lives. We have lost now as you have heard more people to COVID than we lost in World War I and almost as many as we have lost in World War I and World War II combined. That's the sad commentary. The good news is I do think we are turning the corner. The better news is that I think we can do it even more efficiently and quicker as we continue to work together as we did here in this Body just a couple of weeks ago. So Mr. PRESIDENT, I would like at the appropriate time to have a moment of silence for all of those who have lost their lives as a result of COVID-19 across the Nation, especially here in South Carolina.

TUESDAY, FEBRUARY 23, 2021

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator JACKSON, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 14 Sen. Davis
S. 187 Sen. M. Johnson
S. 219 Sen. M. Johnson
S. 363 Sen. Climer
S. 364 Sen. Verdin
S. 367 Sen. Hembree
S. 500 Sen. Kimbrell
S. 524 Sen. Hembree
S. 528 Sen. Kimbrell
S. 548 Sen. M. Johnson
S. 571 Sen. Hutto
S. 589 Sen. Rice

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 531 Sen. Matthews

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 587 -- Senators Turner and Loftis: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND

TUESDAY, FEBRUARY 23, 2021

EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

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Read the first time and referred to the Committee on Finance.

S. 588 -- Senators Corbin and Loftis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 20, ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT TO KEEP AND BEAR ARMS, SO AS TO PROVIDE THAT EVERY CITIZEN HAS THE FUNDAMENTAL AND INALIENABLE RIGHT TO BEAR ARMS IN DEFENSE OF HIMSELF AND THE STATE, AND TO PROVIDE THAT ANY RESTRICTION ON THIS RIGHT SHALL BE SUBJECT TO STRICT SCRUTINY.

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Read the first time and referred to the Committee on Judiciary.

S. 589 -- Senators Corbin, Loftis and Rice: A BILL TO ENACT THE "OPEN CARRY WITH TRAINING ACT"; TO AMEND SECTION 23-31-210 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, TO REVISE THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO THE CARRYING OF A HANDGUN, TO PROVIDE THAT A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY A HANDGUN OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

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Read the first time and referred to the Committee on Judiciary.

S. 590 -- Senator Hutto: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS

TUESDAY, FEBRUARY 23, 2021

PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN
DELINEATED CIRCUMSTANCES.

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Read the first time and referred to the Committee on Judiciary.

S. 591 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, AND SECTION 20-1-260 RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT.

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Read the first time and referred to the Committee on Judiciary.

S. 592 -- Senators Corbin, Gambrell, Loftis, Rice, Shealy and Verdin: A BILL TO AMEND SECTION 2-19-10(A) OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO DELETE PROCEDURES TO REVIEW THE QUALIFICATIONS OF RETIRED JUDGES FOR CONTINUED JUDICIAL SERVICE; AND TO AMEND SECTION 2-19-100 OF THE 1976 CODE, RELATING TO THE ELIGIBILITY OF RETIRED JUDGES FOR APPOINTMENT, TO PROVIDE THAT A RETIRED JUSTICE OR JUDGE IS PROHIBITED FROM ENGAGING IN CONTINUED JUDICIAL SERVICE FOLLOWING HIS RETIREMENT.

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Read the first time and referred to the Committee on Judiciary.

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S. 593 -- Senator Cromer: A BILL TO AMEND ACT 485 OF 1998, AS LAST AMENDED BY ACT 309 OF 2014, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, TO REMOVE THE PETITION REQUIREMENT FOR FILING AS A BOARD OF EDUCATION CANDIDATE AND REPLACE IT WITH FILING A STATEMENT OF INTENTION OF CANDIDACY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 594 -- Senators Corbin, Rice, Loftis, Hembree, Verdin, Shealy, Adams, Climer, Gambrell and Harpootlian: A BILL TO AMEND SECTION 2-19-10 OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE THAT TWO MEMBERS OF THE COMMISSION MUST BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT, TO PROVIDE THAT THE GOVERNOR MAY APPOINT ONE MEMBER FROM THE STATE AT LARGE, TO PROVIDE FOR THE APPOINTMENT OF MEMBERS BY LEGISLATIVE DELEGATIONS, TO LIMIT MEMBERSHIP ON THE COMMISSION TO TWO TERMS, TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL SELECT ITS OFFICERS, TO PROVIDE THAT FORMER MEMBERS OF THE GENERAL ASSEMBLY MUST BE OUT OF OFFICE FOR FIVE YEARS BEFORE SERVING ON THE COMMISSION, AND TO PROVIDE THAT PRACTICING ATTORNEYS, CURRENT JUDGES, AND FORMER JUDGES MAY NOT SERVE ON THE COMMISSION.

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Read the first time and referred to the Committee on Judiciary.

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

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Read the first time and referred to the Committee on Transportation.

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S. 596 -- Senator Senn: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE FOR THE REGULATION OF PREPRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.
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Read the first time and referred to the Committee on Medical Affairs.

S. 597 -- Senators Corbin, Adams, Climer, Verdin, Shealy and Rice: A JOINT RESOLUTION TO AMEND ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE JUDICIAL DEPARTMENT, TO PROVIDE THAT SUPREME COURT JUSTICES, JUDGES ON THE COURT OF APPEALS, AND CIRCUIT COURT JUDGES SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE RATHER THAN BEING ELECTED BY THE GENERAL ASSEMBLY, AND TO REPEAL PROVISIONS REQUIRING THE GENERAL ASSEMBLY TO ESTABLISH A JUDICIAL MERIT SELECTION COMMISSION.

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Read the first time and referred to the Committee on Judiciary.

S. 598 -- Senators McElveen and K. Johnson: A SENATE RESOLUTION TO CONGRATULATE AMY CHUA ON BEING NAMED 2020-2021 SUMTER SCHOOL DISTRICT TEACHER OF THE YEAR AND TO THANK HER FOR HER MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR.

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The Senate Resolution was adopted.

S. 599 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF WILLIAM DUNCAN MARSHBURN, TO CELEBRATE HIS LIFE

TUESDAY, FEBRUARY 23, 2021

AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 600 -- Senators Jackson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO REMEMBER THE OVER FIVE HUNDRED THOUSAND PERSONS WHO HAVE LOST THEIR LIVES IN THE CORONAVIRUS PANDEMIC IN THE UNITED STATES AND TO EXTEND DEEPEST SYMPATHY TO THE MILLIONS OF LOVING FAMILY MEMBERS AND FRIENDS WHO MOURN THEIR LOSS.

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The Senate Resolution was adopted.

S. 601 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE COURAGEOUS, PATH-BREAKING STUDENTS AND LEADERS OF THE CIVIL RIGHTS STRUGGLE IN SOUTH CAROLINA WHO MARCHED ON THE STATE HOUSE SIXTY YEARS AGO ON MARCH 2, 1961, SETTING THE STAGE FOR THE LANDMARK EDWARDS V. SOUTH CAROLINA OF THE UNITED STATES SUPREME COURT, WHICH PROTECTS THE FIRST AMENDMENT RIGHTS OF PEOPLE "PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES", AND TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THIS LANDMARK CASE.

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The Senate Resolution was adopted.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5027

Agency: Department of Natural Resources

Chapter: 123

TUESDAY, FEBRUARY 23, 2021

Statutory Authority: 1976 Code Sections 50-15-55 and 50-15-80

SUBJECT: Regulations for Nonnative Wildlife

Received by Lieutenant Governor February 23, 2021

Referred to Committee on Fish, Game and Forestry

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

On motion of Senator MALLOY, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills and Resolution were read the third time and ordered sent to the House of Representatives:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

TUESDAY, FEBRUARY 23, 2021

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\16C002.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-29-17(D) and inserting:

/ (D) This section applies to any student entering ninth grade beginning in the 2023-2024 School Year.” /

Amend the bill further by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

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Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (WAB\16C003.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-29-17, by striking the first undesignated paragraph and inserting:

/ “Section 59-29-17. Each student attending a public high school in this State, including a charter school, shall complete a one-half credit course of study in basic personal finance as a requirement for high school graduation in place of existing economics coursework requirements; however, a separate one-half credit course in economics may still be offered by each school, including charter schools, that enrolls high school students. /

Amend the bill further, SECTION 1, by striking Section 59-29-17(D) and inserting:

/ (D) This section applies to any student entering eleventh grade beginning in the 2023-2024 School Year.” /

Amend the bill further by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell

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Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Campsen

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES

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OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A

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MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

On motion of Senator CORBIN, the Bill was carried over.

POINT OF ORDER

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A

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DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 427 -- Senators Alexander and Hutto: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 497 -- Senators Campsen, McElveen, Peeler and Gustafson: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN

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WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.

AMENDED

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

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Senator CASH spoke on the Resolution.

Senator MATTHEWS spoke on the Resolution.

Amendment No. 7

Senator RICE proposed the following amendment (491R006.SP.RFR), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Three years after the final issuance of the bonds, the South Carolina State Ports Authority must make a four dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. The reimbursement must be provided until the five hundred fifty million dollar (\$550,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Renumber sections to conform.

Amend title to conform.

Senator RICE spoke on the amendment.

Point of Order

Senator GROOMS raised a Point of Order that the amendment was out of order inasmuch as it violates Article III, Section 15 of the South Carolina Constitution against measures that raise revenue originating in the Senate.

The PRESIDENT overruled the Point of Order.

Senator RICE resumed speaking on the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 11

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Hembree

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Hutto	<i>Johnson, Kevin</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--33

NAYS

Cash	Climer	Corbin
Garrett	Gustafson	Harpootlian
<i>Johnson, Michael</i>	Peeler	Rice
Senn	Verdin	

Total--11

The amendment was laid on the table.

Amendment No. 8

Senators SHEALY and LEATHERMAN proposed the following amendment (491R009.SP.KS), which was adopted:

Amend the joint resolution, as and if amended, on page 6, by striking line 2 and inserting:

/the implementation of each facility or component of the project. These reports must also be made publicly available or accessible on the South Carolina State Ports Authority's website. The /

Renumber sections to conform.

Amend title to conform.

Senator SHEALY spoke on the amendment.

The amendment was adopted.

Amendment No. 9

Senator CASH proposed the following amendment (491R010.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

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/SECTION __. Five years after the first issuance of the bonds, the South Carolina State Ports Authority must make a one dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. Beginning in the sixth year, the payment must be increased by one dollar per container each year until the reimbursement reaches ten dollars per container. The reimbursement must be provided until the five hundred fifty million dollar (\$550,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Renumber sections to conform.

Amend title to conform.

Senator CASH spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

PRESIDENT PRESIDES

At 4:42 P.M., the PRESIDENT assumed the Chair.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

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NAYS

Cash	Climer	Garrett
Rice	Verdin	

Total--5

The amendment was laid on the table.

Senator CASH moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 9; Nays 37

AYES

Cash	Gustafson	Harpootlian
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Malloy	Rice	Senn

Total--9

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	Kimbrell	Kimpson
Leatherman	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

The Senate refused to adjourn.

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Amendment No. 10

Senator SETZLER proposed the following amendment (DG\491C005.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 7, by striking subsection (B) and inserting:

/ (B) Beginning with the close of the calendar month following issuance of the bonds and continuing through the date of substantial completion of each facility or component of the project, there must be provided, no less frequently than monthly, progress reports for the implementation of each facility or component of the project. The Joint Bond Review Committee may request additional information be provided. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

Amendment No. 11

Senator CORBIN proposed the following amendment (491R014.SP.TDC), which was ruled out of order:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. From the FY 2019-20 surplus, the Capital Reserve Fund, and other lapsed funds, there is appropriated five hundred fifty million dollars (\$550,000,000) to the South Carolina State Ports Authority for the purpose of completing intermodal container transfer infrastructure and supporting waterborne cargo infrastructure, and related infrastructure in support thereof, at or in the vicinity of the Port of Charleston.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

Remarks by Senator CORBIN

Mr. PRESIDENT, I would initially -- I paired up with Senator ALEXANDER to do this amendment. We blended two amendments

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together. So unanimous consent to take section two out of it -- which is the amendment that he had already dealt with. I just want to deal with section one. Ladies and gentleman, the port system in this State is a crucial entity for business for everyone in the State. It is something that we all need -- something we all want. The question arises, how do we pay for this expansion? And it occurred to me that we spent a tremendous amount of time last week, maybe the week before, when I was out, talking about a Financial Literacy Bill, and it was stated from this well numerous times how horrible it was to borrow money, and how we want to teach our children that we shouldn't borrow money. We've got to keep our financial house in order. Do not borrow money. The Bible speaks about not borrowing money. Here we are talking about borrowing money. Ladies and gentlemen of the Senate, I did some research and Senator CASH earlier was talking about what's unsure if we had the cash on hand to complete this project, and thankfully we do. You know COVID did something in South Carolina that I've been trying to do for ten years, and that is freeze government spending. How many times have I put an amendment up on the budget to freeze government spending and turn money back to the taxpayer; well, last year, because of COVID, we basically froze government spending, and we put this -- I'm going from memory -- but we put \$800 million dollars aside thinking we may need it this year. Well, gee whiz, come to find out, we need it this year. Our ports are in need of \$550 million. We've got the money on hand to do this. Without saddling our children with debt. I recognize the importance of the ports, and this accomplishes what we want to do. Everything we want to do. Thank you.

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CORBIN, was ordered printed in the Journal.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Joint Resolution.

The PRESIDENT sustained the Point of Order.

Amendment No. 13

Senator CASH proposed the following amendment (491R013.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, on page 2, by striking line 6 and inserting:

/four hundred million dollars (\$400,000,000) aggregate /

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Amend the joint resolution further, as and if amended, on page 2, by striking lines 39 through 42 and inserting:

/ (2) "Project" means intermodal container transfer infrastructure, waterborne cargo infrastructure, and related infrastructure in support thereof, at or in the vicinity of the Port of Charleston. "Project" does not include any infrastructure relating to the movement of containers by barge. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 7 through 8 and inserting:

/pursuant to this joint resolution must not exceed four hundred million dollars (\$400,000,000), and the maximum annual debt /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

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NAYS

Cash
Verdin

Climer

Rice

Total--4

The amendment was laid on the table.

Amendment No. 15

Senators CASH and RICE proposed the following amendment (491R017.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Five years after the first issuance of the bonds, the South Carolina State Ports Authority must make a one dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. Beginning in the sixth year, the payment must be increased by one dollar per container each year until the reimbursement reaches five dollars per container. The reimbursement must be provided until the two hundred seventy-five million dollar (\$275,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 6

AYES

Adams

Alexander

Allen

Bennett

Campsen

Cromer

Davis

Fanning

Gambrell

Goldfinch

Grooms

Gustafson

Harpootlian

Hembree

Hutto

Jackson

Johnson, Kevin

Johnson, Michael

Kimbrell

Kimpson

Leatherman

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Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Cash	Climer	Corbin
Garrett	Rice	Verdin

Total--6

The amendment was laid on the table.

Amendment No. 12

Senator VERDIN proposed the following amendment (491R012.SP.DBV):

Amend the joint resolution, as and if amended, on page 2, by striking line 6 and inserting:

/four hundred million dollars (\$400,000,000) aggregate /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 7 through 8 and inserting:

/pursuant to this joint resolution must not exceed four hundred million dollars (\$400,000,000), and the maximum annual debt /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

Debate was interrupted by adjournment.

Motion Adopted

On motion of Senator VERDIN, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Marion L. Kendrick of North Augusta, S.C. Marion served in the United States Navy and was a faithful member of the Church of Jesus Christ of Latter-Day Saints. He worked for Sunbeam and Colonial Bread for over 25 years. He later became a security guard for Sage Valley Golf Club. Marion enjoyed watching old westerns, shagging, listening to country music and shopping. Marion was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Waite Hamrick McLeod of Walterboro, S.C. Mary was the wife of former Senator Peden Brown McLeod. She was a graduate of Southern Seminary, Mount Vernon College and Converse College. Mary was a member of Bethel United Methodist Church. Mary was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 7:18 P.M., on motion of Senator VERDIN, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, February 24, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joshua 22:5

In Joshua we are called: “. . .to love the Lord your God, to walk in his love always, to obey his commands, to hold fast to him, and to serve him with all your heart and your soul.”

Let us bow in prayer: O merciful and ever-loving God, we are overwhelmed by the ongoing reality of COVID-19. Here in South Carolina -- as of this past weekend -- 7,400 of our fellow citizens have died due to the coronavirus, and about 80% of our state's hospital beds are presently taken up. The strain upon and the concern felt by all of us is almost palpable, dear Lord. Yet in the midst of all of these realities, so many of our state's workers remain determined to keep things as “normal” as possible. We are indeed thankful for those who routinely deliver goods that we need, those who keep shelves stocked and who smile at us when we checkout, those who keep the basic systems of our cities and towns up and running, those who provide protection and who respond to our 911 calls. And so much more. With a measure of personal sacrifice, these dear souls serve not only all of us, but they also serve You, O God, doing so with all their heart and soul. So today we praise You for each one of these servants, dear Lord, and in Your holy name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5005

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-104-20

SUBJECT: Palmetto Fellows Scholarship Program

Received by Lieutenant Governor January 12, 2021

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Referred to Committee on Education
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 24, 2021

Document No. 5010
Agency: Department of Labor, Licensing and Regulation-Auctioneers'
Commission
Chapter: 14
Statutory Authority: 1976 Code Section 40-6-40
SUBJECT: Auctioneers' Commission
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Labor, Commerce and Industry
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 24, 2021

Document No. 5012
Agency: Department of Labor, Licensing and Regulation-Board of
Registration for Foresters
Chapter: 53
Statutory Authority: 1976 Code Sections 48-27-140 and 48-27-190
SUBJECT: Board of Registration for Foresters
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Fish, Game and Forestry
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 24, 2021

Leave of Absence

At 1:25 P.M., Senator FANNING requested a leave of absence for
Senator JACKSON until 3:15 P.M.

Leave of Absence

At 1:25 P.M., Senator FANNING requested a leave of absence for
Senator McLEOD until 1:45 P.M.

Leave of Absence

At 1:25 P.M., Senator GOLDFINCH requested a leave of absence for
Senator GAMBRELL until 3:00 P.M.

Leave of Absence

At 1:46 P.M., Senator KIMPSON requested a leave of absence for
Senator McELVEEN until 2:10 P.M.

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Leave of Absence

At 3:47 P.M., Senator ALEXANDER requested a leave of absence for Senator CROMER until 5:15 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 11 Sen. Hutto
S. 147 Sen. Corbin
S. 376 Sen. Setzler
S. 427 Sen. Scott
S. 467 Sen. Bennett
S. 590 Sens. Grooms and Harpootlian

RECALLED AND COMMITTED

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

On motion of Senator HEMBREE, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Education.

RECALLED

H. 3808 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RAVENEL STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH CHEVES STREET TO ITS INTERSECTION WITH PINE STREET "REVEREND DOCTOR NORMAN GAMBLE WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 602 -- Senator Massey: A BILL TO AMEND ARTICLE 1, CHAPTER 9, TITLE 56 OF THE 1976 CODE, RELATING TO THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, BY ADDING SECTION 56-9-85, TO PROVIDE THAT AN OFFER TO SETTLE A CLAIM FOR PERSONAL INJURY, BODILY INJURY, OR DEATH ARISING FROM THE USE OF A MOTOR VEHICLE THAT IS PREPARED, WITH THE ASSISTANCE OF COUNSEL, PRIOR TO FILING A CIVIL ACTION MUST BE IN WRITING AND CONTAIN CERTAIN TERMS.

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Read the first time and referred to the Committee on Transportation.

S. 603 -- Senator Climer: A BILL TO AMEND SECTION 44-56-200 OF THE 1976 CODE, RELATING TO HAZARDOUS WASTE CLEANUP, TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 604 -- Senators Loftis and Turner: A BILL TO AMEND SECTION 59-23-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION, IMPROVEMENT, AND RENOVATION OF PUBLIC SCHOOLS, SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION ONLY MAY APPROVE PLANS AND SPECIFICATIONS FOR ALL CONSTRUCTION, IMPROVEMENT, AND RENOVATION OF PUBLIC SCHOOL BUILDINGS, SUBJECT TO APPLICABLE STATE AND LOCAL BUILDING CODES AND STANDARDS, COMPLIANCE WITH WHICH IS LEFT TO THE DETERMINATION OF LOCAL BUILDING CODE OFFICIALS, TO ELIMINATE OTHER RELATED AUTHORITY OF THE STATE DEPARTMENT OF EDUCATION AND TO EXCLUDE THE DISTRICT ADMINISTRATION BUILDINGS FROM THE PROVISIONS OF CHAPTER 23, TITLE 59; TO AMEND SECTION 59-23-230, RELATING TO WAIVERS FROM CERTAIN SCHOOL BUILDING REGULATIONS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 59-23-250,

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RELATING TO REQUIREMENTS THAT SCHOOL DISTRICTS MUST RECEIVE APPROVAL FROM THE DEPARTMENT BEFORE PROPERTY ACQUISITIONS OR MODIFICATIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 59-23-220 RELATING TO INSPECTIONS AND CERTIFICATES OF APPROVAL ISSUED BY THE DEPARTMENT FOR LOCAL SCHOOL CONSTRUCTION, IMPROVEMENTS, AND RENOVATIONS, AND SECTION 59-23-240 RELATING TO INSPECTIONS OF PUBLIC SCHOOLS FOR WHICH WAIVERS FROM CERTAIN SCHOOL REGULATIONS HAVE BEEN GRANTED.

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Read the first time and referred to the Committee on Education.

S. 605 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPOTTED TURTLE; AND EXCHANGE AND TRANSFER FOR CERTAIN NATIVE REPTILES AND AMPHIBIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5007, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 606 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STATEMENT OF POLICY; AND SPECIFIC PROJECT STANDARDS FOR TIDELANDS AND COASTAL WATERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4995, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 607 -- Senator Hembree: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

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Read the first time and referred to the Committee on Education.

S. 608 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-105 SO AS TO PROVIDE THAT THE COUNTY ELECTION COMMISSION OF A COUNTY THAT PROPOSES CERTAIN LOCAL SALES AND USE TAXES MUST NOTIFY THE DEPARTMENT OF REVENUE NINETY DAYS BEFORE THE REFERENDUM; AND TO AMEND SECTION 61-6-2010, AS AMENDED, RELATING TO ALCOHOL TEMPORARY PERMITS, SO AS TO PROVIDE THAT CERTAIN PETITION FORMS MUST BE SUBMITTED TO THE DEPARTMENT OF REVENUE, AND TO PROVIDE THAT CERTAIN ORDINANCES MUST BE FILED WITH THE DEPARTMENT OF REVENUE AT LEAST SIXTY DAYS BEFORE THE GENERAL ELECTION.

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Read the first time and referred to the Committee on Finance.

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

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Read the first time and referred to the Committee on Finance.

S. 610 -- Senators Garrett, Adams and Corbin: A BILL TO ENACT THE "SOCIAL MEDIA BILL OF RIGHTS"; TO AMEND ARTICLE 1, CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING SECTION 39-5-30, TO

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ESTABLISH EQUAL ACCESS WITHOUT DISCRIMINATION ON ACCOUNT OF RACE, RELIGION, OR POLITICAL AFFILIATION, TO REQUIRE SOCIAL MEDIA PLATFORMS TO PROVIDE A SOCIAL MEDIA PLATFORM USER WITH NOTICE WITHIN A SPECIFIED TIMEFRAME WHEN HIS ACCOUNT IS SUSPENDED OR DISABLED, TO PROVIDE FOR EQUAL OPPORTUNITY ON SOCIAL MEDIA PLATFORMS FOR QUALIFIED POLITICAL CANDIDATES, TO PROVIDE THAT THE OWNER OR OPERATOR OF A SOCIAL MEDIA PLATFORM IS SUBJECT TO A PRIVATE RIGHT OF ACTION BY A SOCIAL MEDIA PLATFORM USER IN THIS STATE UNDER CERTAIN CONDITIONS, TO PROVIDE DAMAGES, TO AUTHORIZE THE AWARD OF REASONABLE ATTORNEY'S FEES AND COSTS, TO PROHIBIT A SOCIAL MEDIA PLATFORM FROM USING HATE SPEECH AS A DEFENSE, TO AUTHORIZE THE ATTORNEY GENERAL TO BRING AN ACTION ON BEHALF OF A SOCIAL MEDIA PLATFORM USER, TO PROVIDE EXCEPTIONS FOR THE DELETION OR CENSURE OF CERTAIN TYPES OF SPEECH, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO

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PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3567 -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: A BILL TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL

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REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3610 -- Reps. Lucas, Allison, Felder, Hixon, Taylor, Calhoon and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 18, TITLE 59 SO AS TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS.

Read the first time and referred to the Committee on Education.

H. 3684 -- Reps. Herbkersman, Erickson, Bradley and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3955 -- Reps. Gilliard, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry,

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McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO REMEMBER THE FIVE HUNDRED THOUSAND AMERICANS WHO HAVE LOST THEIR LIVES TO COVID-19 AND THEIR LOVED ONES WHO ARE GRIEVING, TO COMMEND THE EFFORTS OF FIRST RESPONDERS, HEALTHCARE WORKERS, AND OTHER SOUTH CAROLINIANS DURING A GLOBAL PANDEMIC, AND TO URGE THE GOVERNOR TO ORDER THE FLAGS ATOP THE STATE CAPITOL BUILDING BE FLOWN AT HALF-STAFF UNTIL SUNSET ON FEBRUARY 26, 2021.

The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 38 -- Senators Grooms, Rice, Hembree, Verdin and Kimbrell: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE

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UNITED STATES CONSTITUTION BY THE STATE
SUPERINTENDENT OF EDUCATION.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

Ordered for consideration tomorrow.

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Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2020, and to expire August 1, 2023

South Carolina Education Oversight:

Jonathan Butcher, 105 Bridgeton Dr., Greenville, SC 29615-2652

Received as information.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Ben W. Satcher, Jr., 358 Catawba Court, P. O. Box 921, Lexington, SC 29072-9500

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3584 -- Reps. Sandifer and Whitmire: A BILL TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER proposed the following amendment (3584R002.KMM.TCA), which was adopted:

Amend the bill, as and if amended, on page 2, by striking line 5 and inserting:

/Legislative Delegation shall recommend the /

Renumber sections to conform.

Amend title to conform.

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Senator ALEXANDER explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House with amendments.

SECOND READING BILL

S. 593 -- Senator Cromer: A BILL TO AMEND ACT 485 OF 1998, AS LAST AMENDED BY ACT 309 OF 2014, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, TO REMOVE THE PETITION REQUIREMENT FOR FILING AS A BOARD OF EDUCATION CANDIDATE AND REPLACE IT WITH FILING A STATEMENT OF INTENTION OF CANDIDACY.

On motion of Senator CROMER.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE

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PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE,

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MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING

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A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (227R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, on page 6, by striking line 10 and inserting:

/ seven members appointed by the Governor, upon the advice and consent of the Senate. Six members must be /

Amend the bill further, as and if amended, on page 7, by striking lines 12 through 15 and inserting:

/ (2) recommending to the department regulations necessary to carry out the provisions of this chapter, including, but not limited to, establishing a code of ethics to govern the conduct and practices of individuals and establishments licensed pursuant to this chapter; /

Amend the bill further, as and if amended, beginning on page 8, by striking lines 41 through 42, on page 9, by striking lines 1 through 43, on page 10, by striking lines 1 through 43, and on page 11, by striking lines 1 through 33 and inserting:

/ Section 40-30-80. The department shall charge and collect the following fees:

(1) ~~massage/bodywork~~ massage therapist initial license application fee, not to exceed one hundred fifty dollars;

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(2) massage/bodywork massage therapist initial licensure endorsement application fee, not to exceed ~~one~~ two hundred dollars;

(3) biennial massage/bodywork massage therapist licensure renewal fee, not to exceed ~~two~~ one hundred dollars;

(4) massage/bodywork therapist reexamination fee, not to exceed two hundred fifty dollars;

(5) application and provisional massage/bodywork therapist licensure fee, not to exceed two hundred dollars;

(6) reinstatement application and reactivation for inactive fee from lapsed status of a massage/bodywork massage therapist license fee, not to exceed two hundred fifty ~~ten~~ dollars;

(7)(5) renewal fee for inactive status of a massage therapist license, not to exceed ~~two~~ one hundred fifty dollars;

(8)(6) continuing education course provider fee, not to exceed one hundred dollars and continuing education course provider renewal fee, not to exceed fifty dollars;

(7) massage therapy establishment initial license application fee for each location, not to exceed one hundred fifty dollars;

(8) biennial massage therapy establishment license renewal fee for each location, not to exceed one hundred dollars;

(9) massage therapy establishment license reinstatement fee from lapsed status for each location, not to exceed two hundred fifty dollars;

(10) sole practitioner establishment initial license application fee, not to exceed seventy-five dollars;

(11) biennial sole practitioner establishment license renewal fee, not to exceed fifty dollars; and

(12) sole practitioner establishment license reinstatement fee from lapsed status, not to exceed one hundred fifty dollars.

Section 40-30-90. (A) The department shall prepare and submit to the Governor an annual report on the administration of this chapter This chapter shall not be construed to apply to or restrict:

(1) a currently enrolled student from engaging in the practice of massage therapy, provided that the practice, conduct, activities, or services are part of a required course of study and that the currently enrolled student clearly identifies himself as a student. A currently enrolled student shall not be compensated for work experience and must be supervised on site by a licensed massage therapy supervisor;

(2) student clinics operated by an approved massage therapy school or an approved massage therapy education program;

(3) an unlicensed individual from providing massage therapy services related to the domestic care of any family member or household

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member, as long as the individual does not offer, hold out, or claim to be a massage therapist and does not receive compensation for the massage therapy services;

(4) an individual currently licensed and in good standing to practice massage therapy in another jurisdiction from engaging in the practice of massage therapy in this State on a temporary basis during a professional event for a period of no more than thirty days, or no longer than the time period of the event, whichever is less, provided that:

(a) the individual must submit a written application prior to engaging in the temporary practice of massage therapy pursuant to this item, in a manner prescribed by the board. Upon the board's approval, the individual may engage in the practice of massage therapy on a temporary basis; and

(b) any temporary practice beyond thirty days requires a massage therapist license, pursuant to this chapter; or

(5) an individual currently licensed and in good standing to practice massage therapy in another jurisdiction from engaging in the practice of massage therapy if the individual is responding to a disaster or emergency declared by the appropriate authority or the Governor of this State. An individual practicing massage therapy pursuant to this item must provide notice to the board in a manner prescribed by the board prior to providing massage therapy services in this State and is only eligible to practice during the time of the declared emergency.

(B) Individuals engaging in the practice of massage therapy in this State under subsection (A)(4) or (5) are deemed to have submitted to the jurisdiction of the board and are bound by the applicable laws and regulations of this State.

(C) While a practitioner licensed in another jurisdiction may participate in a continuing education program in this State, he is not authorized to practice massage therapy on the general public without proper approval or licensure from the board.

(D) The following facilities and practices that employ licensed massage therapists, or that engage licensed massage therapists on an independent contractor basis, are not required to obtain a massage therapy establishment license, or a sole practitioner establishment license:

(1) hospitals and long-term health care facilities that are subject to a licensing regime, a supervising authority, or an agency with jurisdiction over the hospital's or facility's operation or licensing;

(2) a chiropractor licensed by the South Carolina Board of Chiropractic Examiners;

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(3) a medical doctor or an osteopath licensed by the South Carolina Board of Medical Examiners; and

(4) a physical therapist licensed by the South Carolina Board of Physical Therapy.

Section 40-30-100. (A) No person may practice or offer to practice massage therapy ~~massage/bodywork~~ without a license issued in accordance with this chapter ~~by the director~~; however, a person licensed by the State under this title or any other provision of law whose scope of practice overlaps with the practice of ~~massage/bodywork~~ massage therapy is not also required to be licensed under this chapter unless the person holds himself out to be a ~~practitioner of massage/bodywork~~ massage therapist.

(B) Unless otherwise exempt from licensure, no person or entity may open, operate, maintain, use, or advertise as a massage therapy establishment or a sole practitioner establishment without obtaining a massage therapist license, massage therapy establishment license, or sole practitioner establishment license, as applicable, pursuant to this chapter.

(C) Nothing in this chapter may be construed to authorize a ~~massage/bodywork therapist~~ an individual or establishment licensed under this chapter to practice physical therapy or chiropractic or to utilize chiropractic therapeutic modalities except where the scope of practice for ~~massage/bodywork~~ massage therapy, as provided for in this chapter, overlaps with the practice of physical therapy or chiropractic. /

Amend the bill further, as and if amended, on page 16, by striking lines 33 through 41 and inserting:

/ (B) ~~The record of department proceedings and its registry of applications must be open to public inspection and a copy of the registry must be provided upon request and payment of a fee~~ For each violation, separate citations may be issued, and separate administrative penalties may be assessed; however, no more than five thousand dollars in administrative penalties may be assessed against an establishment or an individual, including an unlicensed practice, per offense. Administrative penalties authorized under this section are separate from and in addition to all other remedies, either civil or criminal. /

Amend the bill further, as and if amended, on page 20, by striking lines 41 through 43, and on page 21, by striking lines 1 through 18 and inserting:

/ (8) has been convicted of or has pled guilty to or nolo contendere to a violent crime as defined in Section 16-1-60, during the previous five years has been convicted of or has pled guilty to or nolo contendere to a felony that directly relates to the practice or ability to

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~~practice massage/bodywork, or during the previous seven years has been convicted of or has pled guilty to or nolo contendere to a felony, an essential element of which is dishonesty, that reasonably relates to the ability to practice massage/bodywork solicitation or prostitution, assault and battery, or other like offenses; to money laundering or other like offense; to a crime that directly relates to the practice or ability to practice massage therapy; to a crime involving moral turpitude; or to a violent crime as defined in Section 16-1-60, a felony that directly relates to the practice or ability to practice massage therapy during the previous five years, or a felony that reasonably relates to the ability to practice massage therapy and for which an essential element is dishonesty during the previous seven years;~~ /

Amend the bill further, as and if amended, on page 21, by striking line 35.

Amend the bill further, as and if amended, by striking SECTION 3 in its entirety and inserting:

/SECTION 3. This act takes effect one year after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator CLIMER spoke on the Bill.

On motion of Senator DAVIS, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF

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THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (36R001.KMM.GEC), which was adopted:

Amend the bill, as and if amended, on page 2, by striking SECTION 4 in its entirety and inserting:

/SECTION 4. This act takes effect thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 427 -- Senators Alexander, Hutto and Scott: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (427R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 23 through 24 and inserting:

/ (C) A renal drug manufacturer may deliver a legend dialysate drug comprised of dextrose or icodextrin or a device to a patient of an RDF if the following criteria are met: /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN spoke on the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Senator M. JOHNSON objected to consideration of the Bill.

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**COMMITTEE AMENDMENT WITHDRAWN
AMENDED, READ THE SECOND TIME**

S. 497 -- Senators Campsen, McElveen, Peeler and Gustafson: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (497R001.KMM.GEC), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/SECTION 3. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

"Section 50-21-95. (A) It is unlawful for a person to operate upon the waters of this State a vessel powered by an engine of ten horsepower or greater, a personal watercraft, or a specialty propcraft without having possession of a South Carolina boating safety certificate issued by the department in the person's name, unless the person:

(1) was born on or before July 1, 2006;

(2) is in possession of a license to operate a vessel issued by the United States Coast Guard in the person's name, regardless of the expiration date on the license;

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(3) is in possession of a merchant mariner credential issued by the United States Coast Guard in the person's name, regardless of the expiration date on the credential;

(4) is a nonresident in possession of a boater education certificate, or an equivalency, issued by another state in the nonresident's name;

(5) is exempt pursuant to a regulation promulgated by the department; or

(6) is accompanied by a person at least eighteen years old who:

(a) is in possession of a South Carolina boating safety certificate issued by the department in the person's name; or

(b) meets one of the criteria in items (1) through (5) of this subsection.

(B) A person who violates this section commits a noncriminal offense and is subject to a civil fine of not less than fifty dollars and not more than three hundred dollars." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was withdrawn.

Senator CAMPSSEN proposed the following amendment (497R002.KMM.GEC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 in its entirety and inserting:

/SECTION 3. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

"Section 50-21-95. (A) It is unlawful for a person to operate upon the waters of this State a vessel powered by an engine of ten horsepower or greater, a personal watercraft, or a specialty propcraft without having possession of a South Carolina boating safety certificate issued by the department in the person's name, unless the person:

(1) was born on or before July 1, 2006;

(2) is in possession of a license to operate a vessel issued by the United States Coast Guard in the person's name, regardless of the expiration date on the license;

(3) is in possession of a merchant mariner credential issued by the United States Coast Guard in the person's name, regardless of the expiration date on the credential;

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(4) is a nonresident in possession of a boater education certificate, or an equivalency, issued by another state in the nonresident's name;

(5) is exempt pursuant to a regulation promulgated by the department; or

(6) is accompanied by a person at least eighteen years old who:

(a) is in possession of a South Carolina boating safety certificate issued by the department in the person's name; or

(b) meets one of the criteria in items (1) through (5) of this subsection.

(B) A person who is adjudicated to be in violation of this section must be fined not less than fifty dollars and not more than three hundred dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense and must not be included in the records maintained by the department or in the records maintained by SLED." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	Peeler	Rankin

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Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:48 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS

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TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

Amendment No. 12

Senator VERDIN proposed the following amendment (491R012.SP.DBV), which was tabled:

Amend the joint resolution, as and if amended, on page 2, by striking line 6 and inserting:

/four hundred million dollars (\$400,000,000) aggregate /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 7 through 8 and inserting:

/pursuant to this joint resolution must not exceed four hundred million dollars (\$400,000,000), and the maximum annual debt /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN spoke on the amendment.

Senator GROOMS spoke on the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator CASH spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 14

AYES

Alexander	Allen	Bennett
Campsen	Davis	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Leatherman	Loftis	Martin
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Setzler	Shealy	Stephens

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Talley	Turner	Williams
Young		

Total--31

NAYS

Adams	Cash	Climer
Corbin	Garrett	Harpootlian
Hembree	<i>Johnson, Michael</i>	Malloy
Massey	Peeler	Rice
Senn	Verdin	

Total--14

The amendment was laid on the table.

Amendment No. 18

Senator MARTIN proposed the following amendment (DG\491C006.NBD.DG21), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION _____. In each fiscal year for which bonds issued pursuant to this joint resolution are outstanding, the Department of Commerce shall transfer, from its Closing Fund, nine million dollars to the debt service general obligation bond program, V040-Debt Service, to offset the cost of the bond issuance, and one million dollars to Jasper County to aid in its port endeavors. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Joint Resolution.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Motion Adopted

On motion of Senator RANKIN, with unanimous consent, Senators RANKIN, HUTTO, HARPOOTLIAN, MATTHEWS, ADAMS, CAMPSEN and TALLEY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Amendment No. 16

Senator CASH proposed the following amendment (491R020.SP.RJC), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Three years after the first issuance of the bonds, the South Carolina State Ports Authority must make a one dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. The reimbursement must be provided until the one hundred fifty million dollar (\$150,000,000) principal of the bonds pursuant to this joint resolution has been retired. /

Renumber sections to conform.

Amend title to conform.

Senator CASH spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

PRESIDENT PRESIDES

At 4:34 P.M., the PRESIDENT assumed the Chair.

Senator CASH continued speaking on the amendment.

Senator MASSEY asked unanimous consent, with Senator CASH retaining the floor, to speak on the amendment.

Senator MASSEY spoke on the amendment.

Senator MALLOY asked unanimous consent, with Senator CASH retaining the floor, to speak on the amendment.

Senator MALLOY spoke on the amendment.

Senator CASH spoke on the amendment.

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The amendment was adopted.

Amendment No. 19

Senator MALLOY proposed the following amendment (491R016.SP.GM), which was withdrawn:

Amend the joint resolution, as and if amended, on page 6 at line 28 by inserting an appropriately numbered new SECTION to read:

/SECTION __. The provisions of Section 54-3-1010 are suspended at the first issuance of general obligation bonds issued pursuant to this joint resolution and will remain suspended until the South Carolina State Ports Authority reimburses the State for the principal amount of the bonds. The South Carolina State Ports Authority shall make an annual payment to the general fund to be disbursed to any account as necessary to comply with the provisions contained in Section 11-41-130, related to the payment of principal and interest on economic development bonds. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

On motion of Senator MALLOY, with unanimous consent, the amendment was withdrawn.

Senator KIMPSON spoke on the Resolution.

The question then was third reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy

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Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Rice

Total--1

There being no further amendments, the Resolution, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:09 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, February 25, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 4:13

The book of Proverbs tells us to: “Hold on to instruction, do not let it go; guard it well, for it is your life.”

Join me as we bow and pray: Glorious Lord, You urge us to honor instruction, to “guard it well, for it is your life.” We know the importance of teaching our children, O God. We realize how much learning has meant for us in our own lives. And even during this challenging pandemic era we’re living through, we each affirm how significant it is for education to continue, not just for the young, but also for the benefit of all society. We therefore ask special prayers today for our state’s school teachers and professors, for those in administration, for all who support education programs in South Carolina at every level and in each capacity. May these servants always know that this Senate cares, and that these leaders are ever committed to do what is necessary to benefit our children’s education. We pray this in Your holy name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:03 A.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator SETZLER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Davis	Fanning
Garrett	Goldfinch	Gustafson

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Hutto	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Massey	Peeler
Rice	Sabb	Scott
Setzler	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

COMMUNICATION

Columbia, S.C., February 24, 2021

Mr. President and Senators:

I am vetoing and returning without my approval R3, S.478:

(R3, S478) -- Senator K. Johnson: AN ACT TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT NO. 4, SO AS TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

Yours very truly,
Henry McMaster
Received as information

The veto was ordered placed on the Calendar for consideration tomorrow.

Doctor of the Day

Senator TURNER introduced Dr. Chris Fyock of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 11:19 A.M., Senator MALLOY requested a leave of absence for Senator MARTIN for the day.

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Leave of Absence

At 11:20 A.M., Senator KIMPSON requested a leave of absence for Senator MATTHEWS for the day.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 32 Sen. Corbin
S. 147 Sens. Martin and Campsen
S. 177 Sen. Loftis
S. 607 Sen. Hutto
S. 619 Sen. Climer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 612 -- Senator Davis: A BILL TO AMEND SECTION 34-3-850 OF THE 1976 CODE, RELATING TO THE CONSOLIDATION OR MERGER OF BANKS AND TRUST COMPANIES, TO PROVIDE THAT CERTAIN BANKS OR TRUST COMPANIES MAY MERGE OR CONSOLIDATE WITH, OR SELL OR TRANSFER ASSETS AND LIABILITIES TO, A SOUTH CAROLINA-HEADQUARTERED STATE OR FEDERALLY CHARTERED CREDIT UNION; TO AMEND SECTION 34-28-230(1) OF THE 1976 CODE, RELATING TO THE POWER TO REORGANIZE, MERGE, CONSOLIDATE, OR SELL ASSETS OUT OF THE ORDINARY COURSE OF BUSINESS, TO PROVIDE THAT AN ASSOCIATION MAY REORGANIZE, MERGE, OR CONSOLIDATE INTO A SOUTH CAROLINA-HEADQUARTERED STATE OR FEDERALLY CHARTERED CREDIT UNION; TO AMEND SECTION 34-30-350 OF THE 1976 CODE, RELATING TO THE MERGER OF STATE SAVINGS BANKS AND FEDERAL DEPOSITORY INSTITUTIONS, TO PROVIDE THAT A SOUTH CAROLINA-HEADQUARTERED STATE OR FEDERALLY CHARTERED CREDIT UNION MAY MERGE WITH CERTAIN DEPOSITORY INSTITUTIONS UNDER A STATE SAVINGS BANK CHARTER OR A FEDERAL CHARTER; AND TO AMEND SECTION 34-30-360(A) OF THE 1976 CODE, RELATING TO THE MERGER OF STOCK STATE SAVINGS BANKS WITH BANKS OR ASSOCIATIONS, TO PROVIDE THAT

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A STOCK STATE SAVINGS BANK MAY APPLY TO MERGE WITH A SOUTH CAROLINA-HEADQUARTERED STATE OR FEDERALLY CHARTERED CREDIT UNION.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 613 -- Senator Davis: A BILL TO AMEND SECTION 40-33-42(C) OF THE 1976 CODE, RELATING TO RESTRICTIONS ON THE DELEGATION OF TASKS TO UNLICENSED ASSISTIVE PERSONNEL UNDER THE NURSE PRACTICE ACT, TO PROVIDE AN EXCEPTION FOR CERTIFIED MEDICAL ASSISTANTS; TO AMEND ARTICLE 1, CHAPTER 47, TITLE 40 OF THE 1976 CODE, RELATING TO PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, BY ADDING SECTION 40-47-196, TO SPECIFY TASKS THAT CAN BE DELEGATED TO A CERTIFIED MEDICAL ASSISTANT; TO DELETE SECTION 40-47-30(A)(5) AND SECTION 40-47-935(C) OF THE 1976 CODE, RELATING TO THE RELEVANCE OF THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT TO PROHIBITING A LICENSED PHYSICIAN FROM DELEGATING TASKS TO UNLICENSED PERSONNEL AND TO A PA DELEGATING CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice and Adams: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 615 -- Senator Young: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED

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SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Education.

S. 616 -- Senators Turner, Allen and Scott: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

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Read the first time and referred to the Committee on Finance.

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer:
A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

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Read the first time and referred to the Committee on Judiciary.

S. 620 -- Senators Rankin, Alexander and Hutto: A JOINT RESOLUTION TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND ELECTRIC COOPERATIVES TO PARTICIPATE IN A PUBLIC SERVICE COMMISSION DOCKET IN ACCORDANCE WITH THE OFFICE OF REGULATORY STAFF'S MOTION TO SOLICIT COMMENTS FROM UTILITIES AND STAKEHOLDERS REGARDING MEASURES TO MITIGATE IMPACTS OF THREATS TO SAFE AND RELIABLE UTILITY SERVICES; TO REQUIRE THE PUBLIC SERVICE AUTHORITY AND ELECTRIC COOPERATIVES TO COOPERATE WITH AND ASSIST THE OFFICE OF REGULATORY STAFF IN ITS REVIEW

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TO EVALUATE SOUTH CAROLINA'S POWER GRID; AND TO STRONGLY ENCOURAGE OTHER NONREGULATED UTILITIES TO PARTICIPATE IN THAT PUBLIC SERVICE COMMISSION DOCKET AND TO COOPERATE WITH AND ASSIST THE OFFICE OF REGULATORY STAFF IN ITS REVIEW TO EVALUATE SOUTH CAROLINA'S POWER GRID.

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Read the first time and referred to the Committee on Judiciary.

H. 3262 -- Reps. Fry, Huggins, Davis, B. Newton, G. R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, McGarry, V. S. Moss, Haddon, Long, Pope, Forrest, Hixon, Hewitt, Bailey, Caskey, M. M. Smith, J. E. Johnson, Bradley, Brittain and Crawford: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, INCLUDING CANDIDATES FROM PARTIES THAT ARE NOT REQUIRED TO CONDUCT A PRIMARY ELECTION, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR POLITICAL PARTY CONVENTION; AND TO AMEND SECTION 7-11-210, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REQUIRE CANDIDATES TO AFFIRM THEIR PARTICIPATION IN AT LEAST THREE OF THE LAST FOUR STATEWIDE PARTY PRIMARIES, OR, IN THE ALTERNATIVE, IF PRECLUDED FROM PARTICIPATION DUE TO AGE, PERSONAL HEALTH, RESIDENCY, OR ACTIVE MILITARY SERVICE, CANDIDATES MAY PLEDGE THAT THEY ARE BONA FIDE MEMBERS OF THE POLITICAL PARTY WHOSE NOMINATION THEY ARE SEEKING, AND TO PROVIDE THAT THE STATE PARTY CHAIRMAN, IF PERMITTED BY PARTY RULE, MAY REQUIRE ADDITIONAL VERIFICATION WHEN A CANDIDATE'S AFFIRMATION OF BONA FIDE PARTY MEMBERSHIP IS DISPUTED, AND THAT THE STATE CHAIRMAN IS THE FINAL AUTHORITY TO RESOLVE QUESTIONS REGARDING BONA FIDE PARTY MEMBERSHIP.

Read the first time and referred to the Committee on Judiciary.

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H. 3263 -- Reps. Fry, Huggins, Davis, B. Newton, G. R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, McGarry, Hewitt, Bailey, W. Newton, Herbkersman, M. M. Smith, J. E. Johnson, Bradley and King: A BILL TO AMEND SECTION 7-17-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEES TO HEAR CERTAIN PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEES ALSO TO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS AND LESS THAN COUNTY OFFICERS; AND TO REPEAL SECTIONS 7-17-520, 7-17-530, 7-17-540, AND 7-17-550 RELATING TO HEARINGS BY COUNTY EXECUTIVE COMMITTEES AND APPEALS FROM DECISIONS OF COUNTY EXECUTIVE COMMITTEES.

Read the first time and referred to the Committee on Judiciary.

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G. R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M. M. Smith, J. E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.

Read the first time and referred to the Committee on Judiciary.

H. 3696 -- Reps. Lucas, G. M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

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INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES
IN THE FIRST AND SIXTEENTH CIRCUITS.

Read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEE

Senator CROMER from the Committee on Banking and Insurance
submitted a favorable report on:

S. 105 -- Senator Campsen: A BILL TO AMEND SECTION
29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976,
RELATING TO THE ENFORCEMENT OF CERTAIN LIENS
BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE
AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION
TO A MAGISTRATE.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance
submitted a favorable report on:

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO
AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY
ADDING SECTION 34-1-150 SO AS TO PROVIDE
REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION
TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS
TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO
AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY
ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE
REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A
PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO
PROVIDE THE REQUIREMENTS FOR THE BOARD OF
FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A
PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO
PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO
UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN
APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO
PROVIDE THE REQUIREMENTS FOR ISSUING A BANK
CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE
THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A
BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO
ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF
BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE
REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE
THAT THE COMMISSIONER OF BANKING SHALL FORWARD A

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COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED

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BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK

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IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF

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UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3586 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-55-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE OF THE ARTICLE, SO AS TO ESTABLISH THE FRAUD DIVISION WITHIN THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-530, RELATING TO DEFINITIONS, SO AS TO REMOVE REFERENCES TO THE SECOND INJURY FUND AND ADD A SEPARATE DEFINITION FOR "UNDESERVED ECONOMIC BENEFIT OR ADVANTAGE"; TO AMEND SECTION 38-55-550, RELATING TO CIVIL PENALTIES PAID TO THE INSURANCE FRAUD DIVISION, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 38-55-560, RELATING TO THE INSURANCE FRAUD DIVISION, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-570, RELATING TO NOTIFICATION OF KNOWLEDGE OR BELIEF OF FALSE STATEMENTS AND MISREPRESENTATIONS AND INFORMATION TO BE RELEASED, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-55-590, RELATING TO THE REQUIRED ANNUAL REPORT TO THE GENERAL ASSEMBLY, SO AS TO TRANSFER THE DUTIES AND OBLIGATIONS TO THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION 42-9-440, RELATING TO THE WORKERS' COMPENSATION COMMISSION'S REQUIREMENT TO REPORT SUSPECTED FRAUD, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF

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“REDUCTION IN COVERAGE”, SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER’S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 593 -- Senator Cromer: A BILL TO AMEND ACT 485 OF 1998, AS LAST AMENDED BY ACT 309 OF 2014, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY COUNTY BOARD OF EDUCATION, TO REMOVE THE PETITION REQUIREMENT FOR FILING AS A BOARD OF EDUCATION CANDIDATE AND REPLACE IT WITH FILING A STATEMENT OF INTENTION OF CANDIDACY.

On motion of Senator CROMER.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF

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BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

S. 427 -- Senators Alexander, Hutto and Scott: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

S. 497 -- Senators Campsen, McElveen, Peeler and Gustafson: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

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OBJECTION

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

Senator MARTIN objected to consideration of the Resolution.

OBJECTION

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE

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THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT

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UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

Senator MARTIN objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (457R001.KMM.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding two appropriately numbered new items to read:

“() ‘Narrow waterway’ means a segment of the waters of this State that is three hundred feet or less in width.

() ‘Wake surf’ means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person.”

SECTION 2. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of Lake Wylie in excess of idle speed within one

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hundred fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water;

(b) operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water; or

(c) operate a personal watercraft, specialty propcraft, or vessel while upon the all other waters of this State in excess of idle speed within 50 one hundred feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within 100 one hundred yards of the Atlantic Ocean coast line. The prohibitions contained in this item (6) do not apply to an unoccupied, moored vessel or watercraft;"

SECTION 3. Section 50-21-870(B) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() wake surf in excess of idle speed within three hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senators M. JOHNSON and CLIMER proposed the following amendment (DG457C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water; or

(b) operate a personal watercraft, specialty propcraft, or vessel while upon the waters of this State in excess of idle speed within 50 one hundred feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within 100 one hundred yards of the Atlantic Ocean coast line. The prohibitions contained in this item (6) do not apply to an unoccupied, moored vessel or watercraft;" /

Renumber sections to conform.

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Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

On motion of Senator CAMPSSEN, the Bill was carried over.

POINT OF ORDER

S. 38 -- Senators Grooms, Rice, Hembree, Verdin and Kimbrell: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

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Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 605 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPOTTED TURTLE; AND EXCHANGE AND TRANSFER FOR CERTAIN NATIVE REPTILES AND AMPHIBIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5007, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 606 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STATEMENT OF POLICY; AND SPECIFIC PROJECT STANDARDS FOR TIDELANDS AND COASTAL WATERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4995, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator CORBIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 3808 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RAVENEL STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH CHEVES STREET TO ITS INTERSECTION WITH PINE STREET "REVEREND DOCTOR NORMAN GAMBLE WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:24 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 147 -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms, Bennett, Martin and Campsen: A JOINT RESOLUTION TO ENACT

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THE “SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT”; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Joint Resolution, the question being the third reading of the Joint Resolution.

Amendment No. 3

Senator MATTHEWS proposed the following amendment (147MBM2), which was carried over:

Amend the joint resolution, as and if amended, by striking SECTION 5 and inserting the following:

/ SECTION 5. (A) Nothing in this joint resolution shall be construed to limit in any way any defense or right that exists under law, and the liability protection provided by this joint resolution is in addition to and cumulative of other defenses and rights that exist under law.

(B) Nothing in this joint resolution shall be construed to limit in any way any claim a claimant may have under the law against a covered entity or covered individual for liability as a result of acts or omissions that cause injuries, death, or damages other than from the coronavirus. /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

On motion of Senator SABB, the amendment was carried over.

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Amendment No. 6

Senator McLEOD proposed the following amendment (147R001.KMM.MSM), which was tabled:

Amend the joint resolution, as and if amended, on page 3, line 18, by inserting an appropriately numbered new SECTION to read:

/SECTION __. (A) Within thirty days after the effective date of this joint resolution, the Director of the Department of Labor, Licensing and Regulation shall promulgate emergency regulations to establish a mandatory, temporary standard for covered entities or covered individuals to control, prevent, and mitigate the spread of Coronavirus disease 2019 to and among employees and employers. This standard shall apply to every employer, employee, and place of employment within the jurisdiction of the South Carolina Occupational Safety and Health Administration (SC OSHA).

(B) This standard must be designed to supplement and enhance existing SC OSHA laws, rules, regulations, and standards applicable directly or indirectly to coronavirus disease-related hazards, such as, but not limited to, those dealing with personal protective equipment, respiratory protective equipment, sanitation, access to employee exposure and medical records, occupational exposure to hazardous chemicals in laboratories, and hazard communication. This standard must mandate the use of personal face coverings or masks to the extent possible and other personal protective equipment when appropriate.

(C) This standard must be applied to a place of employment based on the exposure risk level presented by coronavirus virus-related and disease-related hazards present or job tasks undertaken by employees at the place of employment. These risk levels must be designated as very high, high, medium, or lower exposure risk. This standard must recognize that:

(1) various hazards or job tasks at the same place of employment can be designated as very high, high, medium, or lower exposure risk for the purposes of the application of the requirements of this standard; and

(2) various required job tasks can prohibit an employee from being able to observe physical distancing from other persons.

(D) This standard must provide that, to the extent that an employer actually complies with a recommendation contained in the recommendations of the Centers for Disease Control and Prevention (CDC), whether mandatory or non-mandatory, to mitigate coronavirus virus-related and disease-related hazards or job tasks addressed by this standard, and provided that the CDC recommendation provides equivalent or greater protection than a provision of this standard, the

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employer's actions must be considered in compliance with this standard. An employer's actual compliance with a recommendation contained in the CDC recommendation, whether mandatory or non-mandatory, to mitigate coronavirus virus-related and disease-related hazards or job tasks addressed by this standard must be considered evidence of reasonable adherence to public health guidance for the purposes contained in SECTION 4.

(E) The Department of Labor, Licensing and Regulation, and any appropriate occupational licensing board, are authorized to utilize standard enforcement actions against a covered entity or covered individual that violates a provision of the regulations promulgated pursuant to this SECTION. /

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, the Senate proceeded to consideration of Amendment No. 9.

Amendment No. 9

Senators YOUNG, MALLOY, SETZLER and M. JOHNSON proposed the following amendment (147R005.KMM.TRY), which was adopted:

Amend the joint resolution, as and if amended, on page 1, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. The General Assembly hereby finds and declares that providing businesses and health care providers with reasonable protections from the risk and expense of lawsuits related to actual, alleged, or feared exposure to or contraction of the coronavirus will help encourage them to reopen and remain open and will help to protect those who provided services or goods that were novel or altered in an effort to combat the coronavirus pandemic. Providing such immunity to businesses and health care providers that operate consistently with

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applicable public health guidance will help ameliorate the adverse impacts of a closed economy and the resulting unemployment. /

Amend the joint resolution further, as and if amended, on page 2, by striking lines 4 through 16, as contained in SECTION 3, and inserting:

/ (1) "Coronavirus claim" means any claim or cause of action arising from:

(a) an actual, alleged, or feared exposure to or contraction of coronavirus:

(i) from the premises of a covered entity;

(ii) from the operations, products, or services provided on-premises or off-premises for a covered entity; or

(iii) from the acts or omissions of a covered individual or covered entity, to include the delay or withholding of medical care for the treatment or diagnosis of the coronavirus;

(b)(i) the prescribing or dispensing of medicines for off-label use to attempt to combat the coronavirus;

(ii) the providing of health care services related to the coronavirus that are outside of a provider's professional scope of practice; or

(iii) the utilizing of equipment or supplies to combat or treat the coronavirus in a manner outside of the equipment or supplies' normal use in medical practice or in the provision of health care services; or

(c) the manufacturing or donating of precautionary equipment or supplies, including personal protective equipment, due to shortages that occurred during the coronavirus pandemic. /

Amend the joint resolution further, as and if amended, on page 2, by striking lines 34 through 39 and inserting:

/ (5) "Public health guidance" means any applicable published guidance, directive, order, or rule provided by the South Carolina Occupational Safety and Health Administration, the South Carolina Department of Health and Environmental Control, or another state governmental entity, and federal guidance if referenced by state entities, that is applicable to the type of covered entity or covered individual at issue and to the coronavirus claim at issue. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 2 through 9, as contained in SECTION 4, and inserting:

/liability for any acts or omissions resulting in a coronavirus claim. This immunity will not apply:

(1) for claims arising pursuant to SECTION 3(1)(b), if a claimant proves by a preponderance of the evidence that the covered entity or covered individual caused the injury or damage by:

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(a) grossly negligent, reckless, willful, or intentional misconduct; or

(b) a failure to make any attempt to adhere to public health guidance; or

(2) for all other claims, if the claimant proves by clear and convincing evidence that the covered entity or covered individual caused the injury or damage by:

(a) grossly negligent, reckless, willful, or intentional misconduct; or

(b) a failure to make any attempt to adhere to public health guidance. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

Senator MALLOY spoke on the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator MALLOY, with unanimous consent, Amendment Nos. 7 and 8 were withdrawn.

Motion Adopted

On motion of Senator SABB, with unanimous consent, Amendment Nos. 2, 3, 4 and 5 were withdrawn.

Amendment No. 10

Senators SENN and KIMPSON proposed the following amendment (147R006.SP.SS), which was adopted:

Amend the joint resolution, as and if amended, on page 3, line 10, by adding an appropriately numbered new SECTION to read:

/SECTION __. Nothing in this joint resolution shall be construed to preclude an insured's claim against an insurer's business interruption insurance policy. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

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Amendment No. 11

Senators HUTTO and MATTHEWS proposed the following amendment (147R007.SP.CBH), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 5 and inserting:

/SECTION 5. (A) Nothing in this joint resolution shall be construed to limit in any way any defense or right that exists under law, and the liability protection provided by this joint resolution is in addition to and cumulative of other defenses and rights that exist under law.

(B) Nothing in this joint resolution shall be construed to limit in any way any claim a claimant may have under the law against a covered entity or covered individual for liability as a result of acts or omissions that cause injuries, death, or damages other than from a coronavirus claim. /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 12

Senators KIMPSON and MALLOY proposed the following amendment (147MK10), which was tabled:

Amend the joint resolution, as and if amended, page 2, by striking lines 41 through 43, and page 3, by striking line 1, as contained in SECTION 4 and inserting therein the following:

/ SECTION 4. Notwithstanding any other provision of law, a covered entity or covered individual that reasonably adheres to written public health guidance applicable to it and in effect at the time the conduct giving rise to a coronavirus claim occurs shall be entitled to raise as an affirmative defense immunity from /

Re-number sections to conform.

Amend title to conform.

Senator KIMPSON explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The amendment was laid on the table.

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Amendment No. 13

Senator MALLOY proposed the following amendment (JUD0147.011), which was tabled:

Amend the joint resolution, as and if amended, page 3, by striking lines 3 through 9, as contained in SECTION 4, and inserting therein the following:

/ claim. This immunity will not apply if the covered entity or covered individual caused the injury or damage by:

(1) grossly negligent, reckless, willful, or intentional misconduct; or

(2) a failure to make any attempt to adhere to public health guidance./

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator MASSEY spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 19

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Grooms	Hembree
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Massey	Peeler
Rice	Setzler	Shealy
Turner	Verdin	Young

Total--24

NAYS

Allen	Garrett	Goldfinch
Gustafson	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Malloy	McElveen	McLeod
Rankin	Sabb	Scott

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Senn	Stephens	Talley
Williams		

Total--19

The amendment was laid on the table.

The question then was third reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Massey	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

Total--40

NAYS

Harpoottlian	Kimpson	McLeod
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Total--3

There being no further amendments, the Resolution, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

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Recorded Vote

Senator WILLIAMS desired to be recorded as voting in favor of the third reading of the Resolution.

Statement by Senator MARTIN

I co-sponsored and fully support S. 147. A prior business obligation demanded my absence from the Chamber upon the vote for third reading, and I would have voted "aye." I helped rewrite the resolution on the Senate floor as a member of a three-vote majority that killed the anti-business language on February 18th prior to second reading. I have fought hard for the restoration of our unemployment trust fund in order to protect small business in South Carolina, and I am glad to support S. 147 as another pro-business act in the wake of the devastation caused by government actions during the pandemic.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:04 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, February 26, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER.

CO-SPONSOR ADDED

The following co-sponsors were added to the respective Bills:

S. 379 Sen. Kimbrell
S. 533 Sen. Gambrell
S. 590 Sens. Campsen and McElveen
S. 610 Sen. Gambrell

ADJOURNMENT

At 11:04 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, March 2, 2021, at 12:00 Noon.

* * *

Tuesday, March 2, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 62:5

The Psalmist declares: "Find rest, O my soul, in God alone; my hope comes from him."

Join me as we bow, if you will: Standing tall and blooming boldly this morning in the backyard, O God, is a bright yellow daffodil. That solitary blossom reminds me of the hope we all have, hope that this COVID winter will -- by your Grace -- not last forever, and hope that this Senate will continue to be diligent in its efforts to accomplish genuine good for the people of South Carolina. It is so easy for any body of leaders to lose focus, to try to do what is simply expedient. May that not happen with these leaders and their staff, dear Lord. Through their unfailing trust in You lead them to do what is truly best and most meaningful for our State and for her citizens, making hope real for everyone. We pray this in Your loving name, dear Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2021, and to expire June 9, 2024

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

Referred to the Committee on Medical Affairs.

TUESDAY, MARCH 2, 2021

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2018, and to expire May 19, 2022

1st Congressional District:

Peter A. Smith, 120 Dunnemann Ave., Charleston, SC 29403-3529

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2025

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

Referred to the Committee on Education.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754

Referred to the Committee on Education.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

4th Congressional District:

Bobby H. Mann, 140 Hammond Dr., Taylors, SC 29687-6923 *VICE*
Sharon L. Wilson

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2018, and to expire June 30, 2022

7th Congressional District:

Bryan H. Dowd, 1931 Osprey Drive, P. O. Box 5090, Florence, SC 29501-8133

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, MARCH 2, 2021

Initial Appointment, South Carolina State Board of Cosmetology,
with the term to commence March 20, 2021, and to expire March 20,
2025

Cosmetologist:

Ashley Tucker-Johnson, 208 Alice Farr Drive, Greenville, SC 29617-1506

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Financial Institutions,
with the term to commence June 30, 2019, and to expire June 30, 2023

Banker:

Kenneth Wayne Wicker, 601 Addison Court, Myrtle Beach, SC 29577-2277

Referred to the Committee on Banking and Insurance.

Reappointment, State Inspector General, with the term to commence
May 10, 2021, and to expire May 10, 2025

Brian D. Lamkin, 308 Old Course Loop, Blythewood, SC 29016

Referred to the Committee on Judiciary.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5004

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-149-10

SUBJECT: LIFE Scholarship Program and LIFE Scholarship
Enhancement

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Education

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted February 25, 2021

Document No. 5005

Agency: Commission on Higher Education

Chapter: 62

Statutory Authority: 1976 Code Section 59-104-20

SUBJECT: Palmetto Fellows Scholarship Program

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Received by Lieutenant Governor January 12, 2021
Referred to Committee on Education
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 25, 2021

Document No. 5006
Agency: Commission on Higher Education
Chapter: 62
Statutory Authority: 1976 Code Section 59-150-370
SUBJECT: South Carolina HOPE Scholarship
Received by Lieutenant Governor January 12, 2021
Referred to Committee on Education
Legislative Review Expiration May 12, 2021
Withdrawn and Resubmitted February 25, 2021

Doctor of the Day

Senator RANKIN introduced Dr. Gary Vukov of Myrtle Beach, S.C.,
Doctor of the Day.

Leave of Absence

At 12:46 P.M., Senator McLEOD requested a leave of absence for
Senator MATTHEWS for the day.

Leave of Absence

At 12:56 P.M., Senator VERDIN requested a leave of absence for
Wednesday, March 3, 2021.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 38 Sens. Corbin, Loftis and Campsen
S. 133 Sen. Goldfinch
S. 200 Sen. Turner
S. 208 Sens. Loftis and Gustafson
S. 510 Sens. Gustafson, Cash, Allen and Malloy
S. 584 Sens. Adams and Grooms

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OBJECTION

S. 602 -- Senator Massey: A BILL TO AMEND ARTICLE 1, CHAPTER 9, TITLE 56 OF THE 1976 CODE, RELATING TO THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, BY ADDING SECTION 56-9-85, TO PROVIDE THAT AN OFFER TO SETTLE A CLAIM FOR PERSONAL INJURY, BODILY INJURY, OR DEATH ARISING FROM THE USE OF A MOTOR VEHICLE THAT IS PREPARED, WITH THE ASSISTANCE OF COUNSEL, PRIOR TO FILING A CIVIL ACTION MUST BE IN WRITING AND CONTAIN CERTAIN TERMS.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation and commit the Bill to the Committee on Judiciary.

Senator MASSEY objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 621 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CRESCENT HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 622 -- Senator Gambrell: A SENATE RESOLUTION TO CELEBRATE THE MEMBERS OF THE BELTON-HONEA PATH HIGH SCHOOL WRESTLING TEAM ON A STELLAR SEASON AND TO CONGRATULATE THE TEAM MEMBERS AND COACHES ON WINNING THE 2021 CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL

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THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 624 -- Senator Davis: A BILL TO AMEND SECTION 40-47-1250 OF THE 1976 CODE, RELATING TO THE SUPERVISION OF ANESTHESIOLOGIST'S ASSISTANTS, TO INCREASE THE NUMBER OF ANESTHESIOLOGIST'S ASSISTANTS THAT AN ANESTHESIOLOGIST CAN SUPERVISE; AND TO DELETE SECTION 40-47-1240(8) OF THE 1976 CODE, RELATING TO THE LICENSURE REQUIREMENT FOR ANESTHESIOLOGIST'S ASSISTANTS TO APPEAR BEFORE A BOARD MEMBER AND PRESENT CERTAIN CERTIFICATIONS AND KNOWLEDGE.

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Read the first time and referred to the Committee on Medical Affairs.

S. 625 -- Senator Harpootlian: A JOINT RESOLUTION TO DIRECT THE CITADEL TO REMOVE THE CONFEDERATE NAVAL JACK FROM ITS DISPLAY IN SUMMERALL CHAPEL.

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Senator HARPOOTLIAN spoke on the Resolution.

Read the first time and referred to the Committee on Education.

S. 626 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE NEWBERRY ACADEMY GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A GIRLS STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

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S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett and Rankin: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

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Read the first time and referred to the Committee on Finance.

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING

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PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 629 -- Senator Senn: A BILL TO AMEND SECTION 50-5-997 OF THE 1976 CODE, RELATING TO OUT-OF-SEASON HARVEST PERMITS FOR SHELLFISH MARICULTURE PERMITTEES, TO PROHIBIT THE ISSUANCE OF OUT-OF-SEASON HARVEST PERMITS FOR THE PRIVILEGE OF HARVESTING OYSTERS OUT OF SEASON.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 630 -- Senator Davis: A BILL TO AMEND SECTION 40-75-5, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, SECTION 40-75-10, AS AMENDED, SECTION 40-75-20, AS AMENDED, SECTION 40-75-30, AS AMENDED, SECTION 40-75-110, AS AMENDED, SECTION 40-75-190, AS AMENDED, SECTION 40-75-200, SECTION 40-75-220, AS AMENDED, SECTION 40-75-250, AS AMENDED, SECTION 40-75-260, AS AMENDED, SECTION 40-75-285, AS AMENDED, ALL RELATING TO THE REGULATION OF LICENSED PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO PROVIDE FOR THE REGULATION OF BEHAVIOR ANALYSTS AND ASSISTANT BEHAVIOR ANALYSTS, AND TO MAKE MISCELLANEOUS AND

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CONFORMING CHANGES; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, BEHAVIOR ANALYSTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS", AND TO REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, BEHAVIOR ANALYSTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS".

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 631 -- Senator Talley: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 632 -- Senators Malloy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO CONGRATULATE DARLINGTON RACEWAY FOR ANNOUNCING A SECOND NASCAR CUP SERIES RACE, THEREBY DOUBLING THE ECONOMIC IMPACT TO THE STATE

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OF SOUTH CAROLINA AND HIGHLIGHTING THE RICH HISTORY OF THIS TREASURED ATTRACTION IN THE STATE, TO ACKNOWLEDGE NASCAR RACING AS AN INTEGRAL AND VITAL PART OF THE STATE AND ITS ECONOMY, AND TO RECOGNIZE THE WEEKS OF MAY 2ND THROUGH MAY 9TH, 2021, AND AUGUST 29TH THROUGH SEPTEMBER 5TH, 2021, AS "DARLINGTON RACEWAY WEEK" IN SOUTH CAROLINA.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 633 -- Senators Jackson and K. Johnson: A JOINT RESOLUTION TO PROVIDE FOR A STATEWIDE ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2022 GENERAL ELECTION TO DETERMINE WHETHER THE QUALIFIED ELECTORS OF THIS STATE FAVOR RAISING THE MINIMUM WAGE.

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Senator JACKSON spoke on the Resolution.

Read the first time and referred to the Committee on Judiciary.

S. 634 -- Senator Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MINIMUM WAGE ACT"; BY ADDING ARTICLE 3 TO CHAPTER 10, TITLE 41 SO AS TO PROVIDE FOR A CITATION, TO PROVIDE EMPLOYERS SHALL PAY EMPLOYEES A CERTAIN MINIMUM WAGE, TO PROVIDE IT IS UNLAWFUL FOR AN EMPLOYER TO RETALIATE AGAINST AN EMPLOYEE WHO EXERCISES HIS RIGHTS WITH RESPECT TO THE MINIMUM WAGE, TO PROVIDE CERTAIN REMEDIES TO THE EMPLOYEE AND STATE, TO PROVIDE A STATUTE OF LIMITATIONS, TO PROVIDE THAT AN ACTION BROUGHT UNDER THE ACT MAY BE BROUGHT AS A CLASS ACTION, AND TO LIMIT AUTHORITY OF THE DEPARTMENT WITH RESPECT TO IMPLEMENTING THE ACT; TO AMEND SECTION 6-1-130, RELATING TO THE SCOPE OF AUTHORITY OF A POLITICAL SUBDIVISION OF THE STATE TO SET A MINIMUM WAGE RATE, TO AMEND SECTION 44-22-160, RELATING TO COMPENSATION OF MENTAL HEALTH PATIENTS FOR THERAPEUTIC EMPLOYMENT, TO AMEND SECTION 53-1-100, RELATING TO COMPENSATION FOR SUNDAY WORK BY

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MACHINE SHOP EMPLOYEES, AND TO AMEND SECTION 53-1-110, RELATING TO COMPENSATION FOR SUNDAY WORK BY A PERSON EMPLOYED IN THE MANUFACTURE OR FINISHING OF TEXTILE PRODUCTS, ALL SO AS TO MAKE CONFORMING CHANGES; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 10, TITLE 41 AS ARTICLE 1 ENTITLED "PAYMENT OF WAGES GENERALLY".

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Senator SCOTT spoke on the Bill.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 635 -- Senator Setzler: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME

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THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 636 -- Senator Cromer: A BILL TO AMEND SECTION 37-3-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REBATES DUE UPON PREPAYMENT IN FULL OF A CONSUMER LOAN, SO AS TO PROVIDE THAT A REBATE MAY NOT BE DUE UPON PREPAYMENT OF A LOAN SECURED BY A MANUFACTURED HOME.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 637 -- Senator Cromer: A BILL TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".

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Read the first time and referred to the Committee on Banking and Insurance.

H. 3443 -- Reps. Lucas, Jordan, J. E. Johnson, McGarry, Fry, Taylor, B. Newton, Pope, McCravy, Forrest, Yow, Elliott, B. Cox, Wooten, T. Moore, Caskey, McGinnis, Oremus, Martin, Brittain, Hixon, Hiott, Blackwell, Davis, Erickson and Bradley: A BILL TO AMEND SECTION 1-3-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GUBERNATORIAL PROCLAMATIONS OF EMERGENCY, SO AS TO REMOVE REFERENCES TO PUBLIC HEALTH EMERGENCIES; AND TO AMEND SECTION 25-1-440, RELATING TO POWERS AND DUTIES OF THE GOVERNOR DURING A DECLARED EMERGENCY, SO AS TO PROVIDE

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THAT AFTER THE ELAPSE OF AT LEAST THIRTY DAYS FOLLOWING THE DECLARATION OF AN EMERGENCY BY THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE MAY CONVENE THEIR RESPECTIVE BODIES FOR THE PURPOSE OF CONSIDERING SUCH DECLARATION, THAT THE GENERAL ASSEMBLY BY CONCURRENT RESOLUTION, MAY TERMINATE, ALTER, AMEND, OR CONSENT TO THE TERMS OF ANY DECLARATION OF EMERGENCY DURING THIS CALLED SESSION, THAT SHOULD THE GENERAL ASSEMBLY NOT ACT, THEN THE TERMS OF THE DECLARATION SHALL CONTINUE UNTIL SUCH TIME AS THE GENERAL ASSEMBLY DOES ACT, THAT A GOVERNOR MAY NOT DECLARE SUCCESSIVE STATES OF EMERGENCY THAT HAVE THE EFFECT OF REINSTATING, CONTINUING, ALTERING, OR AMENDING ANY DECLARATION OF EMERGENCY ADDRESSED BY THE GENERAL ASSEMBLY, AND THAT THE GOVERNOR MAY NOT ISSUE ADDITIONAL OR SUCCESSIVE STATES OF EMERGENCY FOR THE SAME UNDERLYING EVENTS WITHOUT A SUBSTANTIAL CHANGE OF CIRCUMSTANCE.

Read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 108 -- Senator Campsen: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 505 -- Senators Talley, Alexander and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR

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OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson and Fanning: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Ordered for consideration tomorrow.

Appointment Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointment

Reappointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2018, and to expire June 30, 2022

Barber:

Renee H. Patton, 5535 Highway 9, Suite C, Inman, SC 29349-7195

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, READ THE SECOND TIME

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY

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DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION, OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Bill.

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Senators BENNETT, MALLOY, HEMBREE, McELVEEN and CLIMER proposed the following amendment (SA\510C002.BH.SA21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56-15-10(h)(1), (j), and (l) of the 1976 Code is amended to read:

“(1) manufacturers, distributors, or wholesalers;

(j) ~~‘Franchiser,’~~ Franchisor’ a manufacturer, distributor or wholesaler who grants a franchise to a motor vehicle dealer.

(l) ‘Sale,’ shall include the issuance, transfer, agreement for transfer, exchange, pledge, hypothecation, mortgage in any form, whether by transfer in trust or otherwise, of any motor vehicle or interest therein or of any franchise related thereto; and any option, lease, subscription or other contract, or solicitation, looking to a sale, or offer or attempt to sell in any form, whether spoken or written. A gift or delivery of any motor vehicle or franchise with respect thereto with, or as, a bonus on account of the sale of anything shall be deemed a sale of such motor vehicle or franchise.”

SECTION 2. Section 56-15-10 of the 1976 Code is amended by adding appropriately lettered items to read:

“() ‘Consumer data’ has the same meaning as ‘nonpublic personal information,’ as defined in 15 U.S.C. Section 6809(4), and that is collected by a dealer and provided directly to a manufacturer or third party acting on behalf of a manufacturer. ‘Consumer data’ does not include the same or similar data obtained by a manufacturer from any source other than the dealer or dealer’s data management system.

() (1) ‘Data management system’ means a computer hardware or software system that:

(a) is owned, leased, or licensed by a dealer, including a system of web-based applications, computer software, or computer hardware;

(b) is located at the dealership or hosted remotely; and

(c) stores and provides access to consumer data collected or stored by a dealer.

(2) ‘Data management system’ includes, but shall not be limited to, dealership management systems and customer relations management systems.

() ‘New motor vehicle dealer’ means a dealer that:

(1) buys, sells, exchanges, offers, or attempts to negotiate a sale or exchange of an interest in new, or new and used, motor vehicles; or

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(2) engages, wholly or in part, in the business of selling new, or new and used, motor vehicles.

() ‘Relevant market area’ means:

(1) an area within a ten mile radius around an existing dealer, for purposes of the relocation of an existing dealership; and

(2) an area within a fifteen mile radius around an existing dealer, for purposes of the addition of a new dealer to the market.

() ‘Stop-Sale Order’ means a notification issued by a manufacturer to its franchised new motor vehicle dealers stating that certain used vehicles in inventory may not be sold or leased, at either retail or wholesale, due to a federal safety recall for a defect or noncompliance, or a federal emissions recall.”

SECTION 3. Article 1, Chapter 15, Title 56 of the 1976 Code is amended by adding:

“Section 56-15-35. (A) If a franchisor, manufacturer, distributor, or third party acting on behalf of a franchisor, manufacturer, or distributor handles consumer data, then the franchisor, manufacturer, distributor, or third party:

(1) must comply with and shall not cause a dealer to violate applicable restrictions regarding reuse or consumer data disclosure established by federal or state law;

(2) upon a dealer’s written request, must provide a statement to the dealer describing procedures that meet or exceed any federal or state consumer data protection requirements;

(3) upon a dealer’s written request, must provide a written list of the consumer data obtained from the dealer and all persons to whom any consumer data has been furnished during the preceding six months. The dealer may make such a request no more than once every six months. The list must indicate the specific fields of consumer data that were provided to each person. Notwithstanding the foregoing, such a list may not be required to include:

(a) a person to whom consumer data was provided, or the specific consumer data provided to such person, if the person was, at the time the consumer data was provided, a service provider or subcontractor acting in the course of performance of services on behalf of or for the benefit of the franchisor, manufacturer, or distributor, provided that the franchisor, manufacturer, or distributor has entered into an agreement with the person requiring that the person comply with the safeguard requirements of applicable state and federal law including, but not limited to, those established in the Gramm-Leach-Bliley Act, 15 U.S.C. Section 6801, et seq.; or

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(b) a person to whom consumer data was provided, or the specific consumer data provided to the person, if the dealer has previously consented in writing to the person receiving the consumer data and the dealer has not withdrawn the consent in writing;

(4)(a) may not require a dealer to provide direct or indirect access to the dealer's data management system for obtaining consumer data. A dealer may furnish consumer data in a widely accepted file format, such as comma delimited, and through a third-party vendor selected by the dealer;

(b) may directly access or obtain consumer data from a dealer's data management system with the express written consent from the dealer. The consent must be a separate document executed by the dealer principal and may be withdrawn by the dealer upon providing a thirty-day written notice to the manufacturer or distributor. Consent is not required as a condition of a new motor vehicle dealer's participation in an incentive program, unless consent is necessary to obtain consumer data to implement the program; and

(5) must indemnify the dealer for any third-party claims or damages incurred by the dealer to the extent the damage is caused by access to, use of, or disclosure of consumer data in violation of this section by the franchisor, manufacturer, distributor, or a third party to whom the franchisor, manufacturer, or distributor has provided consumer data.

(B) This section is not a limitation on a franchisor, manufacturer, or distributor's ability to require the dealer to provide or use customer information exclusively related to the manufacturer or distributor's own vehicle makes to the extent necessary to:

(1) satisfy safety, recall, warranty, or other legal notice obligations required of the manufacturer;

(2) complete the sale and delivery of a new motor vehicle to a customer;

(3) validate and pay customer or dealer incentives;

(4) submit claims for any services supplied by the dealer for any claim for warranty parts or repair;

(5) perform market analysis;

(6) perform sales or service consumer satisfaction surveys; or

(7) perform reasonable marketing that benefit the dealer."

SECTION 4. Section 56-15-40 of the 1976 Code is amended to read:

"Section 56-15-40. (A) For the purposes of this section:

(1) 'Goods' does not include moveable displays, brochures, or promotional materials containing information subject to a manufacturer

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or distributor's intellectual property rights; special tools as reasonably required by the manufacturer; or repair parts under a manufacturer or distributor's warranty obligations.

(2) 'Financial services company' or 'captive finance source' means any finance source that provides automotive-related loans, or purchases retail installment contracts or lease contracts for motor vehicles and is, directly or indirectly, owned, operated, or controlled, in whole or in part, by a manufacturer, a distributor, a wholesaler, a distributor branch or division, a factory branch or division, or a wholesale branch or division.

~~(1)(B)~~ It shall be deemed a violation of ~~paragraph (a)~~ of Section 56-15-30~~(a)~~ for any manufacturer, factory branch, factory representative, distributor, or wholesaler, distributor branch, distributor representative or motor vehicle dealer to engage in any action which is arbitrary, in bad faith, or unconscionable and which causes damage to any of the parties or to the public.

~~(2)(C)~~ It shall be deemed a violation of ~~subsection (a)~~ of Section 56-15-30~~(a)~~ for a manufacturer, a distributor, a wholesaler, a distributor branch or division, a factory branch or division, or a wholesale branch or division, or an officer, agent or other representative, to require, coerce, or attempt to coerce, any motor vehicle dealer:

~~(a)(1)~~ to order or accept delivery of any motor vehicle or vehicles, appliances, equipment, parts or accessories, or any other commodity or commodities which such motor vehicle dealer has not voluntarily ordered;

~~(b)(2)~~ to order or accept delivery of any motor vehicle with special features, appliances, accessories, or equipment not included in the list price of said motor vehicles as publicly advertised by the manufacturer thereof;

~~(c)(3)~~ to order for any person any parts, accessories, equipment, machinery, tools, appliances, or any commodity whatsoever;

~~(d)(4)~~ to offer to sell or to sell any extended service contract, extended maintenance plan, financial product, or insurance product offered, sold, or sponsored by the manufacturer, distributor, or wholesaler. Nothing in this item shall prohibit a manufacturer or distributor or financial arm from providing functionally available incentive programs to a motor vehicle dealer who voluntarily offers to sell or sells any extended service contract, extended maintenance plan, financial product, or insurance product offered, sold, or sponsored by the manufacturer or distributor or financial arm to coerce, require, threaten, measure performance, or take any adverse action against a dealer for

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offering or declining to offer or promote, service contracts, debt cancellation agreements, maintenance agreements, or other similar products. This does not prohibit a manufacturer, distributor, affiliate, or captive finance source from offering voluntary incentives to the motor vehicle dealer;

~~(e)(5)~~ to sell, assign, or transfer any retail installment sales contract or lease obtained by the motor vehicle dealer in connection with the sale or lease of a new motor vehicle manufactured by the manufacturer to a specified finance company, class of finance companies, leasing company, class of leasing companies, or to any other specified person.

~~(3)(D)~~ It shall be deemed a violation of ~~paragraph (a)~~ of Section 56-15-30~~(a)~~ for a manufacturer, a distributor, a wholesaler, a distributor branch or division, a factory branch or division, or a wholesale branch or division, or officer, agent or other representative thereof:

~~(a)(1)~~ to refuse to deliver in reasonable quantities and within a reasonable time after receipt of dealer's order, to any motor vehicle dealer having a franchise or contractual arrangement for the retail sale of new motor vehicles sold or distributed by such manufacturer, distributor branch or division, factory branch or division or wholesale branch or division, any such motor vehicles as are covered by such franchise or contract specifically publicly advertised by such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division to be available for immediate delivery; provided, however, the failure to deliver any motor vehicle shall not be considered a violation of this chapter if such failure be due to an act of God, work stoppage or delay due to a strike or labor difficulty, shortage of materials, freight embargo or other cause over which the manufacturer, distributor, or wholesaler, or any agent thereof, shall have no control;

~~(b)(2)~~ to coerce, or attempt to coerce, any motor vehicle dealer to enter into any agreement with such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, or officer, agent or other representative thereof, or to do any other act prejudicial to such dealer by threatening to cancel any franchise or any contractual agreement existing between such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, and such dealer; provided, however, that notice in good faith to any motor vehicle dealer of such dealer's violation of any terms or provisions of such franchise or contractual agreement shall not constitute a violation of this chapter;

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(e)(3) to terminate or cancel the franchise or selling agreement of any such dealer without due cause. The nonrenewal of a franchise or selling agreement, without due cause, shall constitute an unfair termination or cancellation, regardless of the terms or provisions of such franchise or selling agreement. Such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, or officer, agent or other representatives thereof shall notify a motor vehicle dealer in writing of the termination or cancellation of the franchise or selling agreement of such dealer at least ~~sixty~~ ninety days before the effective date thereof, stating the specific grounds for such termination or cancellation, except that such notification may not be provided less than fifteen days before the effective date of the termination, cancellation, or nonrenewal with respect to any of the following: (a) insolvency of the new motor vehicle dealer, or filing of any petition by or against the new motor vehicle dealer under any bankruptcy or receivership law; (b) failure of the new motor vehicle dealer to conduct its customary sales and service operations during its customary business hours for seven consecutive business days, except for acts of God or circumstances beyond the direct control of the new motor vehicle dealer; (c) revocation of any license which the new motor vehicle dealer is required to have to operate a dealership; or (d) conviction of a felony involving moral turpitude, under the laws of this State or any other state, territory, or the District of Columbia; and such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, or officer, agent or other representative thereof shall notify a motor vehicle dealer in writing by registered or certified mail with a return receipt requested at least ~~sixty~~ ninety days before the contractual term of his franchise or selling agreement expires that the same will not be renewed, stating the specific grounds for such nonrenewal in those cases where there is no intention to renew, and in no event shall the contractual term of any such franchise or selling agreement expire, without the written consent of the motor vehicle dealer involved, prior to the expiration of at least ~~sixty~~ ninety days following such written notice, or before the expiration of at least fifteen days following written notice of termination, cancellation, or nonrenewal for any of the following: (a) insolvency of the new motor vehicle dealer, or filing of any petition by or against the new motor vehicle dealer under any bankruptcy or receivership law; (b) failure of the new motor vehicle dealer to conduct its customary sales and service operations during its customary business hours for seven consecutive business days, except for acts of God or circumstances beyond the direct

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control of the new motor vehicle dealer; (c) revocation of any license which the new motor vehicle dealer is required to have to operate a dealership; or (d) conviction of a felony involving moral turpitude, under the laws of this State or any other state, territory, or the District of Columbia. During a termination, cancellation, or nonrenewal requiring the ~~sixty-day~~ ninety-day notification period, either party may in appropriate circumstances petition a court to modify such ~~sixty-day~~ ninety-day stay or to extend it pending a final determination of such proceedings on the merits. The court shall have authority to grant preliminary and final injunctive relief. A dealer who receives notice of franchise termination, cancellation, or nonrenewal as provided herein shall continue to have the right to assign, sell, or transfer the franchise to a third party under the franchise and pursuant to Section 56-15-70 unless otherwise ordered by a court and until franchise termination, cancellation, or nonrenewal are effective;

~~(4)~~(4) to resort to or use any false or misleading advertisement in connection with his business as such manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, or officer, agent or other representative thereof;

~~(e)~~(5) to offer to sell or to sell any new motor vehicle to any motor vehicle dealer at a lower actual price therefor than the actual price offered to any other motor vehicle dealer for the same model vehicle similarly equipped or to utilize any device including, but not limited to, a sales promotion ~~plans plan~~ or ~~programs a program~~ which ~~result results~~ in such lesser actual price; provided, however, the provisions of this paragraph shall not apply to sales to a motor vehicle dealer for resale to any unit of the United States Government, the State or any of its political subdivisions; and provided, further, the provisions of this paragraph shall not apply to sales to a motor vehicle dealer of any motor vehicle ultimately sold, donated or used by such dealer in a driver education program; and provided, further, that the provisions of this paragraph shall not apply so long as a manufacturer, distributor, or wholesaler, or any agent thereof, offers to sell or sells new motor vehicles to all motor vehicle dealers at an equal price. This provision shall not apply to sales by manufacturer, distributor, or wholesaler to the United States Government or any agency thereof;

~~(f)~~(6) to wilfully discriminate, either directly or indirectly, in price between different purchasers of a commodity of like grade or quality where the effect of such discrimination may be substantially to lessen

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competition or tend to create a monopoly or to injure or destroy the business of a competitor-;

~~(g)~~(7) to offer to sell or to sell parts or accessories to any new motor vehicle dealer for use in his own business for the purpose of repairing or replacing the same on a comparable part or accessory, at a lower actual price therefor than the actual price charged to any other new motor vehicle dealer for similar parts or accessories for use in his own business; provided, however, in those cases where motor vehicle dealers operate and serve as wholesalers of parts and accessories to retail outlets or other dealers, whether or not such dealer is regularly designated as a wholesaler, nothing herein contained shall be construed to prevent a manufacturer, distributor, or wholesaler, or any agent thereof, from selling to such motor vehicle dealer who operates and services as a wholesaler of parts and accessories, such parts and accessories as may be ordered by such motor vehicle dealer for resale to retail outlets, at a lower actual price than the actual price charged a motor vehicle dealer who does not operate or serve as a wholesaler of parts and accessories-;

~~(h)~~(8) to prevent or attempt to prevent by contract or otherwise, any motor vehicle dealer from changing the capital structure of his dealership or the means by or through which he finances the operation of his dealership, provided the dealer at all times meets any reasonable capital standards agreed to between the dealership and the manufacturer, distributor or wholesaler, and provided such change by the dealer does not result in a change in the executive management of the dealership-;

~~(i)~~(9) to prevent or attempt to prevent by contract or otherwise, any motor vehicle dealer or any officer, partner or stockholder of any motor vehicle dealer from selling or transferring any part of the interest of any of them to any other person or persons or party or parties; provided, however, that no dealer, officer, partner or stockholder shall have the right to sell, transfer or assign the franchise or power of management or control thereunder without the consent of the manufacturer, distributor or wholesaler except that such consent shall not be unreasonably withheld. If a manufacturer or distributor objects, then the objection must state the reasons for the denial of the request. A copy must be provided to the motor vehicle dealer by certified mail, return receipt requested, within forty-five days of the receipt of the dealer candidate's application and all documents reasonably required by the manufacturer, distributor, or wholesaler;

~~(j)~~(10) to obtain money, goods, services, anything of value, or any other benefit from any other person with whom the motor vehicle dealer does business, on account of or in relation to the transactions between

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the dealer and such other person, unless such benefit is promptly accounted for and transmitted to the motor vehicle dealer-;

~~(4e)(11)~~to require a motor vehicle dealer to assent to a release, assignment, novation, waiver or estoppel which would relieve any person from liability imposed by this chapter-;

(12) to refuse to pay, or claim reimbursement from, a dealer for sales, incentives, or payments related to a motor vehicle sold by the dealer because the purchaser exported or resold the motor vehicle in violation of the manufacturer's policy, unless the manufacturer can show that the dealer knew or reasonably should have known at the time of the sale that the purchaser intended to export or resell the motor vehicle. There is a rebuttable presumption that the dealer did not know or should not have reasonably known that the vehicle would be exported if the vehicle is titled and registered in any state of the United States;

(13) to allocate its products within this State in a manner that provides any of its franchised dealers an unfair, unreasonable, and inequitable supply of products and vehicles by series, product line, and model, based on each dealer's historical selling pattern as compared to other same line-make dealers. Additionally, a manufacturer or distributor may not establish a specific sales performance standard that does not take into account the actual vehicle allocation offered to the dealer by the manufacturer or distributor, as well as the dealer's inventory levels relevant to achieve any minimum performance standards to which the manufacturer or distributor holds the dealer accountable; provided, however, the failure to provide allocation of any products or vehicles, including by series, product line, or model, may not be considered a violation of this chapter if such failure is due to an act of God, natural disaster, force majeure, work stoppage or delay due to a strike or labor difficulty, shortage of materials, production limitation, freight embargo, or other cause over which the manufacturer, distributor, or wholesaler, or any agent thereof, has no control, including the dealer's refusal or declination to accept product allocation offered; or

(14) to require, coerce, or attempt to coerce a dealer that is constructing, renovating, or substantially altering its dealership facility to purchase goods or services from a vendor selected, identified, or designated by a manufacturer, distributor, affiliate, or captive finance source if the dealer may obtain goods or services, that are of substantially similar material, quality, and design to those required by the manufacturer, distributor, affiliate, or captive finance source from a vendor selected by the dealer. Prior to selecting a vendor, the dealer must obtain approval from the manufacturer, distributor, affiliate, or captive

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finance source. Approval may not be unreasonably withheld. If the manufacturer, distributor, affiliate, or captive finance source claims that a vendor selected by the dealer cannot supply substantially similar goods or services, then the dealer may file a protest with the court of common pleas. The court shall conduct a hearing on the merits of the protest within ninety days following the filing of a response to the protest. The manufacturer, distributor, affiliate, or captive finance source shall bear the burden of proving that the goods or services chosen by the dealer are not of substantially similar material, quality, and design to those required by the manufacturer, distributor, affiliate, or captive finance source. Nothing in this item may be construed to allow a dealer to impair or eliminate a manufacturer, distributor, affiliate, or captive finance source's intellectual property or trademark rights and trade dress usage guidelines or impair other intellectual property interests owned or controlled by the manufacturer, distributor, affiliate, or captive finance source, including the design and use of signs. This section does not apply to any facility or premise improvement or alteration that is voluntarily agreed to by the new motor vehicle dealer and for which the dealer receives facilities-related compensation from the manufacturer or distributor for the facility improvement or alteration equivalent to at least a majority of the cost incurred by the dealer for the facility improvement or alteration.

~~(4)(E)~~ It shall be deemed a violation of ~~paragraph (a)~~ of Section 56-15-30(a) for a motor vehicle dealer:

~~(a)(1)~~ To require a purchaser of a new motor vehicle, as a condition of sale and delivery thereof, to also purchase special features, appliances, equipment, parts or accessories not desired or requested by the purchaser; provided, however, that this prohibition shall not apply as to special features, appliances, equipment, parts or accessories which are already installed on the car when received by the dealer; provided, further, that the motor vehicle dealer prior to the consummation of the purchase reveals to the purchaser the substance of this ~~paragraph item~~.

~~(b)(2)~~ To represent and sell as a new motor vehicle any motor vehicle which has been used and operated for demonstration purposes or which is otherwise a used motor vehicle.

~~(c)(3)~~ To resort to or use any false or misleading advertisement in connection with his business as such motor vehicle dealer.

~~(5)(F)~~ There is hereby created the Office of Administrator, within the Attorney General's office, and he shall appoint such personnel within his office for the purpose of regulating this chapter. The Administrator shall have the power to investigate, issue cease and desist orders and

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injunctive relief on any valid abuse connected with the sale, rental or leasing of a new or used motor vehicle; provided, however, this power shall only apply after reasonable attempts by the consumer have been made with the seller, dealer, manufacturer or lessor of the motor vehicle to alleviate the complaint.

~~(6)(a)(G) For purposes of this subsection, a ‘financial services company’ means any finance source that provides automotive related loans, or purchases retail installment contracts or lease contracts for motor vehicles and is, directly or indirectly, owned, operated, or controlled, in whole or in part, by a manufacturer, a distributor, a wholesaler, a distributor branch or division, a factory branch or division, or a wholesale branch or division. A manufacturer or distributor may not use any financial services company, captive finance source, or leasing company owned or controlled by the manufacturer or distributor to accomplish what would otherwise be illegal conduct on the part of the manufacturer or distributor pursuant to subitems (2)(4) subsection (C)(4) or (e)(5).”~~

SECTION 5. Section 56-15-45(A)(3) and (D) of the 1976 Code are amended to read:

“(3) at the same location at which the manufacturer or franchisor has been continuously engaged in the retail sale of new motor vehicles as the owner, operator, or controller of the dealership ~~for a continuous two-year period of time immediately before~~ since January 1, ~~1998~~ 2000, ~~where there is no prospective new motor vehicle dealer available to own or operate the dealership in a manner consistent with the public interest.~~

(D) Except as may be provided otherwise in subsections (A) and (B) of this section, a manufacturer or franchisor may not sell, or lease, directly or indirectly, a motor vehicle to a consumer in this State, except through a new motor vehicle dealer holding a franchise for the line make that includes the motor vehicle. This subsection does not apply to manufacturer or franchisor sales of new motor vehicles to the federal government, nor to manufacturer or franchisor leases of new motor vehicles to employees of the manufacturer or franchisor. Nothing in this subsection prohibits a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor operating as a motor vehicle lessor from selling a motor vehicle to the lessee at the conclusion of a lease agreement between the two parties. Nothing in this subsection prevents a manufacturer or franchisor from establishing an e-commerce website for the purpose of referring prospective customers to motor vehicle

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dealers holding a franchise for the same line make of the manufacturer or franchisor.”

SECTION 6. Section 56-15-46(A) and (B) of the 1976 Code are amended to read:

“Section 56-15-46. (A) A franchisor that intends to establish a new dealership or to relocate a current dealership for a particular line-make motor vehicle within ~~a ten-mile radius~~ the relevant market area of an existing dealership of the same line-make motor vehicle shall give at least sixty-days’ prior written notice of that intent by certified mail to the existing dealership. The notice must include the:

- (1) specific location of the additional or relocated dealership;
- (2) date of commencement of operation of the additional or relocated dealership at the new location;
- (3) identities of all existing dealerships located in the market area of the new or relocated dealership; and
- (4) names and addresses of the dealer and principals in the new or relocated dealership.

(B) If a franchisor intends to establish a new dealership or to relocate ~~a current~~ an existing dealership within ~~a ten-mile radius~~ the relevant market area of an existing dealership, then that existing dealership may petition the court, within sixty days of the receipt of the notice, to enjoin or prohibit the establishment of the new or relocated dealership within a ~~ten-mile radius~~ the relevant market area of the existing dealership. The court shall enjoin or prohibit the establishment of the new or relocated dealership within a ~~ten-mile radius~~ the relevant market area of the protesting dealership unless the franchisor shows by a preponderance of the evidence that the existing dealership is not providing adequate representation of the line-make motor vehicle and that the new or relocated dealership is necessary to provide the public with reliable and convenient sales and service within that area. The burden of proof in establishing adequate representation is on the franchisor. In determining if the existing dealership is providing adequate representation and if the new or relocated dealership is necessary, the court may consider, but is not limited to considering:

- (1) the impact the establishment of the new or relocated dealership will have on consumers, the public interest, and the protesting dealership, except that financial impact may be considered only with respect to the protesting dealership;
- (2) the size and permanency of investment reasonably made and the reasonable obligations incurred by the protesting dealership to perform its obligation pursuant to the dealership's franchise agreement;

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(3) the reasonably expected market penetration of the line-make motor vehicle, after consideration of all factors which may affect the penetration including, but not limited to, demographic factors such as age, income, education, size class preference, product popularity, retail lease transactions, and other factors affecting sales to consumers;

(4) actions by the franchisor in denying its existing dealership of the same line make the opportunity for reasonable growth, market expansion, or relocation, including the availability of line-make motor vehicles in keeping with reasonable expectations of the franchisor in providing an adequate number of dealerships;

(5) attempts by the franchisor to coerce the protesting dealership into consenting to an additional or relocated dealership of the same line make within a ten-mile radius of the protesting dealership;

(6) distance, travel time, traffic patterns, and accessibility between the protesting dealership of the same line make and the location of the proposed new or relocated dealership;

(7) the likelihood of benefits to consumers from the establishment or relocation of the dealership, which benefits may not be obtained by other geographic or demographic changes or other expected changes within a ten-mile radius of the protesting dealership;

(8) if the protesting dealership is in substantial compliance with its franchise agreement;

(9) if there is adequate interbrand and intrabrand competition with respect to the line-make motor vehicles, including the adequacy of sales and service facilities;

(10) if the establishment or relocation of the proposed dealership appears to be warranted and justified based on economic and market conditions pertinent to dealerships competing within a ten-mile radius of the protesting dealership, including anticipated changes; and

(11) the volume of registrations and service business transacted by the protesting dealership.

(C) This section does not apply to the:

(1) ~~addition of a new dealership at a location that is~~ relocation of an existing new motor vehicle dealer within a three-mile radius of a former dealership of the same line make and that has been closed for less than two years two miles of the existing site of the new motor vehicle dealership if the franchise has been operating on a regular basis from the existing site for a minimum of three years immediately preceding the relocation; or

(2) relocation of an existing dealership to a new location that is ~~further away from the protesting dealer's location than the relocated~~

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dealer's previous location; or new motor vehicle dealer if the proposed site of the relocated new motor vehicle dealership is further away from all other new motor vehicle dealers of the same line make in that relevant market area

~~(3) relocation of an existing dealership to a new location that is within a three-mile radius of the dealership's current location, when it has been at the current location at least ten years."~~

SECTION 7. Section 56-15-50 of the 1976 Code is amended to read:

"Section 56-15-50. (A) Every manufacturer shall specify to the dealer the delivery and preparation obligations of its motor vehicle dealers prior to delivery of new motor vehicles to retail buyers. A copy of the delivery and preparation obligations of its motor vehicle dealers and a schedule or statement of the compensation to be paid or credited to its motor vehicle dealers for the work and services they shall be required to perform in connection with such delivery and preparation obligations shall be filed with the Department of Motor Vehicles by every motor vehicle manufacturer and shall constitute any such dealer's only responsibility for product liability as between such dealer and such manufacturer. The compensation as set forth on such schedule or statement shall be reasonable and paid or credited as set out in Section 56-15-60.

(B) Every manufacturer and franchisor shall indemnify and hold harmless its franchised dealers licensed in this State against any judgment for damages or settlements agreed to by the manufacturer or franchisor including, but not limited to, court costs and reasonable attorneys' fees of the motor vehicle dealer arising out of complaints, claims, or lawsuits including, but not limited to, strict liability, negligence, misrepresentation, express or implied warranty, or rescission or revocation of acceptance of the sale of a motor vehicle to the extent that the judgment or settlement relates to the alleged defective negligent manufacture, assembly, or design of new motor vehicles, parts, or accessories or other functions by the manufacturer or franchisor, but excluding any judgment or settlement that is the result, in whole or in part, of the dealer's negligence or wrong doing."

SECTION 8. Section 56-15-60 of the 1976 Code is amended to read:

~~"Section 56-15-60. (A)(1) Every manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division must fulfill properly a warranty agreement and compensate adequately and fairly each of its motor vehicle dealers for labor and parts. All warranty claims, service claims, or incentive claims made by motor vehicle dealers pursuant to this section and~~

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~~Section 56-15-50 for labor and parts must be paid within thirty days following their approval. All claims must be either approved or disapproved within thirty days after their receipt. Any claim not specifically disapproved in writing within thirty days of receipt shall be construed as approved and payment must follow within thirty days. The motor vehicle dealer who submits a disapproved claim must be notified in writing of its disapproval within that period, and the notice must state the specific grounds upon which the disapproval is based.~~

~~(2) A claim disapproval must be based on a material defect. A manufacturer shall not disapprove claims:~~

~~(a) for which the motor vehicle dealer has received preauthorization from the manufacturer or its representative; or~~

~~(b) based on the motor vehicle dealer's incidental failure to comply with a specific claim processing requirement that results in a clerical or administrative error.~~

~~(3) In the event of neglect, oversight, or mistake by the motor vehicle dealer, the dealer may submit an amended claim for labor and parts up to sixty days from the date on which the manufacturer provided written notice to the motor vehicle dealer of the material defect or deviation. The motor vehicle dealer must substantiate the claim in accordance with the manufacturer's reasonable written procedures.~~

~~(4) Any special handling of claims required by the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, or wholesale branch or division, but not uniformly required of all dealers of that make, may be enforced only after thirty days' notice in writing of good and sufficient reason.~~

~~(B) An audit for sales incentives, service incentives, rebates, or other forms of incentive compensation may include only the twelve-month period immediately following the date of the termination of the incentive compensation program. This limitation is not effective in the case of fraudulent claims.~~

~~(C) If an audit or other authorized means of review by the manufacturer or franchisor discloses a material defect in the claim, the manufacturer or franchisor may demand reimbursement for funds previously paid to a dealer for warranty service provided the audit is completed within twelve months of filing a claim. It is unlawful for a new motor vehicle manufacturer to recover any portion of its costs for compensating dealers for recalls or warranty parts and service, either by reduction in the amount due to the dealer, or by separate charge, surcharge, or other imposition.~~

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(B) A manufacturer or distributor shall specify in writing to each of its dealers operating in this State the dealer's obligations for preparation, delivery, and warranty services related to the manufacturer or distributor's products. The manufacturer or distributor shall compensate the dealer for the warranty services the manufacturer or distributor requires the dealer to provide, including warranty and recall obligations related to repairing and servicing motor vehicles of the manufacturer or distributor and all parts and components authorized by the manufacturer to be installed in or manufactured for installation in such motor vehicles.

(C)(1) The manufacturer or distributor shall provide to the dealer a schedule of compensation that specifies reasonable compensation the manufacturer or distributor will pay to the dealer for the warranty services, including for parts, labor, and diagnostics. For parts and labor warranty reimbursement, reasonable compensation shall not be less than the rate charged by the dealer for like services to nonwarranty customers for nonwarranty parts, service, and repairs if the dealer has submitted a request for retail reimbursement pursuant to item (4).

(2) If the dealer has requested retail reimbursement pursuant to item (4), the schedule of compensation for parts must be determined by multiplying the price paid by the dealer for warranty parts by the sum of one and the dealer's average percentage markup. The dealer's average percentage markup is calculated by subtracting one from the result of dividing the total amounts charged by the dealer for parts used in warranty-like repairs by the total cost to the dealer for the parts in the retail service orders submitted pursuant to item (4).

(3) If the dealer has requested retail reimbursement pursuant to item (4), the schedule of compensation for labor-related warranty services must be determined by dividing the total amount of retail sales attributable to labor for warranty-like services by the number of hours of labor spent to generate the retail sales in the retail service orders submitted pursuant to item (4).

(4)(a) The dealer may establish its retail average percentage markup for parts or its labor rate by submitting to the manufacturer copies of one hundred sequential retail service orders paid by the dealer's customers, or all of the dealer's retail service orders paid by the dealer's customers in a ninety-day period, whichever is less, for services provided within the previous one hundred eighty-day period. The manufacturer or distributor may not consider retail service orders or portions of retail service orders attributable to the following types of repairs:

(i) repairs to motor vehicles owned by the dealer;

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(ii) repairs made pursuant to manufacturer special events and manufacturer discounted service campaigns;

(iii) parts sold at wholesale or discounted by a dealer for repairs made to government vehicles or insurance work for which volume discounts have been negotiated;

(iv) tires;

(v) routine maintenance such as alignments, flushes, oil changes, brake pads or rotors, lightbulbs, fluids, filters, batteries, belts, and hoses;

(vi) nuts, bolts, fasteners, and similar items that do not have an individual part number.

(b) Within thirty days of receiving the dealer's submission, the manufacturer or distributor may request additional necessary documentation to support the submitted orders. If the manufacturer or distributor requests additional documentation to support the submission, then the time period in which the manufacturer or distributor must approve or deny the establishment of the franchise motor vehicle dealer's average percentage markup must be extended by thirty days. The manufacturer or distributor then shall approve or deny the establishment of the dealer's average percentage markup or labor rate. If the manufacturer or distributor approves the establishment of the dealer's average percentage markup or labor rate, the markup or rate calculated under this subitem goes into effect thirty days after the date of the manufacturer or distributor's approval.

(c) A manufacturer or distributor may not require a dealer to establish an average percentage markup or labor rate by a methodology, or by requiring the submission of information, that is unduly burdensome or time-consuming to the dealer including, but not limited to, requiring part-by-part or transaction-by-transaction calculations.

(d) A dealer may not request a change in the dealer's average percentage markup or labor rate more than once in any twelve-month period.

(D)(1) If a manufacturer or distributor provides a part or component to a dealer at reduced or no cost for repairs completed because of a recall, campaign service action, or warranty repair, then the manufacturer or distributor shall compensate the dealer for the part or component in the same manner as compensation for warranty parts based on the dealer's average markup less the cost for the part or component as listed in the manufacturer's or distributor's price schedule.

(2) A manufacturer may not take or threaten to take any adverse action against a dealer seeking to obtain compensation pursuant to this

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subsection including, but not limited to, creating or implementing an obstacle or process that is inconsistent with the manufacturer's obligations to the dealer.

(3) Within thirty days of receiving a manufacturer's notice of denial of the dealer's parts or labor submission, a new motor vehicle dealer may file a protest with the court of common pleas to protest a manufacturer's denial. If a protest is filed, then the manufacturer possesses the burden of proof to establish that the dealer's submission did not meet the respective submission requirements contained within this subsection or is inaccurate or unreasonable. If a dealer prevails in a protest filed under this subsection, then the dealer's increased parts or labor reimbursement must be provided retroactively as of the date the submission would have been effective but for the manufacturer's denial.

(E) It is a violation of this section for any new motor vehicle manufacturer to fail to:

(1) perform any warranty obligations; or

(2) compensate any new motor vehicle dealer for repairs effected by a recall.

(F)(1) All claims made by a new motor vehicle dealer pursuant to this section for labor and parts shall be paid within thirty days following approval; provided, however, that the manufacturer may audit claims for up to one year after payment and charge the dealer for fraudulent claims, work done unnecessarily, or work not properly performed. All claims must be approved or disapproved within thirty days after receipt on forms and in the manner specified by the manufacturer. Any claim not specifically disapproved in writing within thirty days after receipt shall be construed to be approved and payment must follow within thirty days.

(2) The manufacturer or distributor shall not disapprove a reimbursement claim if the dealer can substantiate the claim, in accordance with the manufacturer's reasonable policies and procedures. A claim may not be denied or charged back due to a dealer's unintentional administrative error if the claim meets the requirements of this subsection. The one-year limitation on the manufacturer's right to audit a claim shall not be in effect in the case of fraudulent claims.

(G)(1) Any audit for warranty or recall parts, service compensation, or compensation for a qualifying used motor vehicle in accordance with subsection (I) only may be conducted once within any twelve-month period and only must be for the twelve-month period immediately following the date of the payment of the claim by the manufacturer, factory branch, distributor, or distributor branch.

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(2) Any audit for sales incentives, service incentives, rebates, or other forms of incentive compensation only may be conducted once within any twelve-month period and only must be for the twelve-month period immediately following the date of the payment of the claim by the manufacturer, factory branch, distributor, or distributor branch pursuant to a sales incentives program, service incentives program, rebate program, or other form of incentive compensation program.

(3) The limitations of this subsection do not apply to fraudulent claims.

(H) A manufacturer or distributor shall not charge a dealer back for sales incentives, service incentives, rebates, or other forms of incentive compensation subsequent to the payment of the claim unless it can be shown that the claim was false, fraudulent, or that the dealer failed to reasonably substantiate the claim in accordance with the manufacturer's reasonable written procedures.

(I)(1) A manufacturer shall compensate its new motor vehicle dealers for all labor and parts required by the manufacturer to perform recall repairs. Compensation for recall repairs must be reasonable. If parts or a remedy are not reasonably available to perform a recall service or repair on a used vehicle held for sale by a dealer authorized to sell and service new vehicles of the same line-make within thirty days of the manufacturer issuing the initial notice of recall, and the manufacturer has issued a Stop-Sale or Do-Not-Drive order on the vehicle, the manufacturer shall compensate the dealer at a prorated rate of at least one percent of the value of the vehicle each month beginning on the date that is thirty days after the date on which the Stop-Sale or Do-Not-Drive order was provided to the dealer until the earlier of either of the following:

(a) The date the recall or remedy parts are made available.

(b) The date the dealer sells, trades, or otherwise disposes of the affected used motor vehicle.

(2) The value of a used vehicle must be the average trade-in value for used vehicles as indicated in an independent third-party guide for the year, make, and model of the recalled vehicle.

(3) This subsection only applies to used vehicles subject to safety or emissions recalls pursuant to and recalled in accordance with federal law and regulations and where a Stop-Sale or Do-Not-Drive order has been issued and repair parts or remedy remain unavailable for thirty days or longer. This subsection further applies only to new motor vehicle dealers holding an affected used vehicle for sale:

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(a) in inventory at the time the Stop-Sale or Do-Not-Drive order was issued;

(b) which was taken in the used vehicle inventory of the dealer as a consumer trade-in incident to the purchase of a new vehicle from the dealer after the Stop-Sale or Do-Not-Drive order was issued; and

(c) that is a line-make that the dealer is franchised to sell or on which the dealer is authorized to perform recall repairs.

(4) Subject to the audit provisions of subsection (G)(1), it is a violation of this section for a manufacturer to reduce the amount of compensation otherwise owed to an individual new motor vehicle dealer, whether through a chargeback, removal of the individual dealer from an incentive program, or reduction in amount owed under an incentive program solely because the new motor vehicle dealer has submitted a claim for reimbursement under this section. This item does not apply to an action by a manufacturer that is applied uniformly among all dealers of the same line-make in the State.

(5) All reimbursement claims made by new motor vehicle dealers pursuant to this section for recall remedies or repairs, or for compensation where no part or repair is reasonably available and the vehicle is subject to a Stop-Sale or Do-Not-Drive order, is subject to the same limitations and requirements as a warranty reimbursement claim made under this section. In the alternative, a manufacturer may compensate its franchised dealers under a national recall compensation program, provided the compensation under the program is equal to or greater than that provided under this subsection; or as the manufacturer and dealer otherwise agree.

(6) A manufacturer may direct the manner and method in which a dealer shall demonstrate the inventory status of an affected used motor vehicle to determine eligibility under this section, provided that the manner and method may not be unduly burdensome and may not require information that is unduly burdensome to provide.

(7) Nothing in this section requires a manufacturer to provide total compensation to a dealer which would exceed the total average trade-in value of the affected used motor vehicle as originally determined under item (2).

(8) Any remedy provided to a dealer under this subsection is exclusive and may not be combined with any other state or federal recall compensation remedy.”

SECTION 9. Section 56-15-65 of the 1976 Code is amended to read:

“Section 56-15-65. (A) It is unlawful for any manufacturer, distributor, factory representative, or distributor representative to

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require, coerce, or attempt to coerce any motor vehicle dealer to change the location of the motor vehicle dealership or to make any substantial alterations to the dealer's premises or facilities unless:

- (1) the manufacturer demonstrates that such change or alteration is reasonable in light of the current market and economic conditions; and
- (2) the motor vehicle dealer has been provided written assurance from the manufacturer or distributor of a sufficient supply of motor vehicles to justify such change or alteration.

(B)(1) It is unlawful for any manufacturer, distributor, factory representative, or distributor representative to require, coerce, or attempt to coerce any motor vehicle dealer to change the location of the dealership, or to make any substantial alterations to its dealership premises or facilities if:

(a) the dealer changed the location of the dealership or made substantial alterations to the same signs, franchisor image elements, or other improvements to its premises or facilities within the preceding ten years; and

(b) the change in location or alteration was made pursuing compliance with a facility initiative or program that was sponsored or supported by the manufacturer, factory branch, distributor, or distributor branch, with the approval of the manufacturer, factory branch, distributor, or distributor branch.

(2) This subsection does not apply if the required facility alteration or improvement is necessary to comply with health and safety requirements or are necessary in order to sell and service a motor vehicle offered for sale by the dealer.”

SECTION 10. Section 56-15-70 of the 1976 Code is amended to read:

“Section 56-15-70. It ~~shall be unlawful~~ is unlawful to directly or indirectly ~~to~~ impose unreasonable restrictions on the motor vehicle dealer or franchisee relative to transfer, sale, relocation, right to renew, termination, discipline, noncompetition covenants, site-control (whether by sublease, collateral pledge of lease, or otherwise), or to exercise a right of first refusal to purchase, option to purchase, or compliance with subjective standards and assertion of legal or equitable rights.”

SECTION 11. Section 56-15-90 of the 1976 Code is amended to read:

“Section 56-15-90. (A) ~~Anything to the contrary notwithstanding, it shall be~~ It is unlawful for ~~the a~~ manufacturer, wholesaler, distributor, or franchisor, without due cause, to fail to renew on terms then equally available to all its motor vehicle dealers of the same line-make, to

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terminate a franchise or to unreasonably restrict the transfer of a franchise ~~unless the franchisee~~. In the event of a termination for due cause, the dealer must shall receive fair and reasonable compensation for the value of the business and compensation for its dealership facilities or location as provided in subsection (C).

(B)(1) In determining the fair and reasonable compensation for a business, pursuant to subsection (A) or (D), the value of the business shall include, but not be limited to:

~~(1)(a)~~ (a) the dealer cost for all new untitled, undamaged, and unaltered motor vehicles in the dealer's inventory with less than one thousand miles on the odometer, purchased from the manufacturer or from another same line-make dealer in the ordinary course of business within ~~eighteen~~ twenty-four months of termination;

~~(2)(b)~~ (b) the dealer cost for all new, unused, and undamaged parts and motor vehicle supplies listed in the manufacturer's or distributor's current ~~price~~ parts catalog and still in the original, resalable merchandising package and in unbroken lots, purchased from the manufacturer or distributor;

~~(3)(c)~~ (c) the fair market value of equipment, furnishings, and signage bearing a trademark or trade name of the manufacturer or line-make ~~purchased from and~~ which are in useable and good condition, normal wear and tear excepted, that have not been substantially altered or damaged, required by the manufacturer or distributor and purchased from the manufacturer, distributor, or their approved sources, provided the manufacturer is entitled to an offset for any monetary compensation provided to the dealer at the original purchase of the items;

~~(4)(d)~~ (d) the fair market value of special tools and automotive service equipment owned by the dealer that were designated as special tools or equipment required by and purchased from the manufacturer or distributor, if the tools and equipment are in useable and good condition, normal wear and tear excepted; and

~~(5)(e)~~ (e) the reasonable cost of return shipping and handling charges incurred as a result of returning such items.

(2) Provided ~~the~~ that a new motor vehicle dealer has clear title to the inventory and other items and is in a position to convey that title to the manufacturer, the payments required under this section shall be paid by the manufacturer, wholesaler, distributor, or franchisor within ninety days of the effective date of the termination, nonrenewal, or cancellation of a franchise. If the inventory or other items are subject to a security interest, the manufacturer, wholesaler, distributor, or franchisor may make payment jointly to the dealer and the holder of the security interest.

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(C)(1) Within ninety days of the termination, cancellation, or nonrenewal of a franchise by a manufacturer, wholesaler, distributor, or franchisor, due to a dealer's poor sales and service performance, or due to the discontinuation of a line-make, the party shall pay the franchisee an amount equal to:

~~(1)(a)~~ the franchisee's reasonable cost to rent or lease its dealership facility or location for one year or the unexpired term of the lease or rental period, whichever is less; or

~~(2)(b)~~ the reasonable rental value of the facilities or location for one year if the franchisee owns the facility or location.

(2) If more than one franchise is being terminated, canceled, or not renewed, then the reimbursement shall be prorated equally among the different manufacturers, wholesalers, distributors, and franchisors. If the facility is used for the operations of more than one franchise and only one is being terminated, then the reasonable rent shall be paid based upon the prorated portion of new vehicle sales for the previous year attributable to the line-make being terminated, canceled, or nonrenewed for the prior one-year period.

(D) In the event a franchisee terminates the franchise agreement with the manufacturer, wholesaler, distributor, or franchisor, it is unlawful for the manufacturer, wholesaler, distributor, or franchisor to not abide by the provisions included in subsection (B) in determining fair and reasonable compensation to the dealer. However, the requirements of subsection (B) do not apply to a termination, cancellation, or nonrenewal due to the sale of the assets or stock of a motor vehicle franchisee.

~~(E)(1) In the case of a franchise for motor homes as defined in Section 56-15-10(q), subsections (B), (C), and (D) do not apply. If a termination, cancellation, or nonrenewal occurs pursuant to item (2), then the manufacturer or distributor shall compensate the dealer in an amount at least equivalent to the fair market value of the franchise as of:~~

~~(a) the date the franchisor announces the action that results in termination, cancellation, or nonrenewal;~~

~~(b) the date the action that results in termination, cancellation, or nonrenewal first became general knowledge; or~~

~~(c) the day eighteen months before the date on which the notice of termination, cancellation, or nonrenewal is issued, whichever amount is higher.~~

~~(2) The provisions of this subsection apply if a termination, cancellation, or nonrenewal occurs as a result of:~~

~~(a) any change in ownership, operation, or control of all or any part of the business of the manufacturer or distributor, whether by sale~~

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or transfer of assets, corporate stock or other equity interest, assignment, merger, consolidation, combination, joint venture, redemption, operation of law or otherwise;

(b) the termination, suspension, or cessation of a part or all of the business operations of the manufacturer or distributor; or

(c) the discontinuance of the sale of the line-make or brand, or a change in distribution system by the manufacturer, whether through a change in distributors or the manufacturer's decision to cease conducting business through a distributor altogether."

SECTION 12. Section 56-15-140 of the 1976 Code is amended to read:

"Section 56-15-140. In an action brought pursuant to this article, venue is in the state courts of South Carolina. A provision of a franchise or other agreement with contrary provisions is void and unenforceable."

SECTION 13. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 14. This act takes effect upon approval by the Governor and applies to all current and future franchises and other agreements in existence between any franchisee located in this State and a franchisor as of the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

ABSTAIN

Martin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE

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PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

OBJECTION

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED

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TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN

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VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

Senator SENN objected to further consideration of the Bill.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis and Campsen: A BILL TO ENACT THE “REINFORCING COLLEGE EDUCATION ON AMERICA’S CONSTITUTIONAL HERITAGE ACT” OR THE “REACH ACT”; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\38C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59-29-120(A) of the 1976 Code is amended to read:

“Section 59-29-120. (A)(1) All public high schools, ~~colleges, and universities in this State that are sustained or in any manner supported~~

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~~by public funds shall~~ must give instruction in the essentials of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, ~~including the study of and devotion to American institutions and ideals, and no.~~ No student in any such school, college, or university may receive a certificate of graduation without previously passing a ~~satisfactory examination upon~~ course that includes instruction in the provisions and principles of the United States Constitution, the Declaration of Independence, the Emancipation Proclamation, and the Federalist Papers, and, if a citizen of the United States, satisfying the examining power of his loyalty thereto.”

SECTION 2. A. Section 59-29-130 of the 1976 Code is amended to read:

“Section 59-29-130. ~~(A)(1)(a) The instruction provided for in Section 59-29-120 shall be given for at least one year of the high school, college and university grades, respectively. A public institution of higher learning, as defined in Section 59-103-5 shall require each undergraduate student, except a student eligible for the exemption provided in item (2), to complete no fewer than three semester credit hours or their equivalent in American history, American government, or another equivalent course of instruction that provides a comprehensive overview of the major events and turning points of American history and government which includes, at a minimum, reading:~~

- ~~(i) the United States Constitution in its entirety;~~
- ~~(ii) the Declaration of Independence in its entirety;~~
- ~~(iii) the Emancipation Proclamation in its entirety; and~~
- ~~(iv) a minimum of five essays in their entirety from the~~

~~Federalist Papers as selected by an instructor.~~

~~(b) No public institution of higher learning may grant a certificate of graduation for a baccalaureate degree program to a student unless he successfully completes the requirements of this subsection.~~

~~(2) A public institution of higher learning may exempt a student who has completed three semester credit hours, or their equivalent, in an Advanced Placement, International Bacclaureate (IB), or dual-credit course with a passing grade in the subject of American government or American history, provided the completed three semester credit hours, or their equivalent, in an Advanced Placement, International Bacclaureate, or dual-credit course must satisfy the requirements of item (1).~~

~~(B) A public institution of higher learning shall ensure that the requirements of this section are incorporated into the degree~~

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requirements of all undergraduate degree programs in a manner that does not:

- (1) add to the total number of credit hours for any degree; and
- (2) conflict with any school accreditation process.

(C) The Commission on Higher Education shall ensure the compliance of each public institution of higher learning with all provisions of this section. The commission annually shall collect information necessary to ensure that a public institution of higher learning is in compliance with this section. This information annually must be reported to the Chairman of the House of Representatives Ways and Means Committee, the Chairman of the House of Representatives Education and Public Works Committee, the Chairman of the Senate Finance Committee, and the Chairman of the Senate Education Committee.”

B. Section 59-29-130, as amended by this act, applies to the first incoming undergraduate freshman class entering a public institution of higher learning after the effective date of this act and each subsequent undergraduate class thereafter. Nothing contained in Section 59-29-130 may be construed to prevent an undergraduate student enrolled in a public institution of higher learning on the effective date of this act from receiving a certificate of graduation.

SECTION 3. The Commission on Higher Education shall submit the provisions of Section 59-29-130, as amended by this act, to the Southern Association of Colleges and Schools Commission on Colleges and request an advisory opinion as to whether such provisions can be incorporated into degree requirements without infringing on the accreditation process, as required by Section 59-29-130(C)(2).

SECTION 4. Section 59-29-140 of the 1976 Code, relating to the enforcement of the program of study of the United States Constitution by the State Superintendent, is repealed.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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SECTION 6. This act takes effect beginning with the 2021-2022 School Year. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\376C001.RT.WAB21):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act must be known and may be cited as the "State Institution of Higher Education Efficiency Act".

SECTION 2. Title 59 of the 1976 Code is amended by adding:

"CHAPTER 157

Efficiency of State Institutions of Higher Education

Section 59-157-10. As used in this chapter:

(1) 'Board of trustees' means the boards of trustees of the colleges and universities listed in Section 59-101-10.

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(2) 'Capital project' means the construction, improvement, equipment, renovation, or repair of any buildings, structure, facility, or other permanent improvement project; the acquisition of land to construct or establish a building, structure, or facility; or a permanent improvement project as defined in Section 2-47-50.

(3) 'Institution' means a research university identified in Section 11-51-30(5) or a nonresearch, four-year college or university described in Section 59-103-15(B)(2), (B)(3), and (B)(4).

Section 59-157-30. (A) Notwithstanding any other provision of the law, any permanent improvement project, as defined in Section 2-47-50, that costs more than five million dollars for research universities as identified in Section 11-51-30(5) and more than two and one-half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3), and (B)(4), that requires the use of lease-purchase agreements, state institution bond funds, capital improvement bond funds, capital reserve funds, state general-appropriated funds, or state infrastructure bond funds or student tuition and fee funds for its funding must be submitted to the Commission on Higher Education and the Joint Bond Review Committee for review and the State Fiscal Accountability Authority for approval after full architecture and engineering design work is completed but prior to execution of a construction contract, and thereafter to the Executive Budget Office for publication upon approval.

(B) The Chairman of the Joint Bond Review Committee may, on behalf of the committee, request to review and comment on any other permanent improvement project, as defined in Section 2-47-50, that costs more than five million dollars for research universities as identified in Section 11-51-30(5) and more than two and one-half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3), and (B)(4).

Section 59-157-40. Institutions are exempt from the requirements of Section 2-47-50 for permanent improvement projects that cost less than five million dollars for research universities as identified in Section 11-51-30(5) and less than two and one-half million dollars for all other institutions as described in Section 59-103-15(B)(2), (B)(3), and (B)(4). However, such projects that exceed one million dollars are subject to Joint Bond Review Committee staff review, and may be referred to the committee if staff, after consultation with the chairman, determines necessary. Nothing in this section may be construed to approve such a project without an institution's governing board having first voted to approve the project in a public session. Institutions shall provide a report of projects approved by their governing boards pursuant to this

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subsection to the Chairman of the Commission on Higher Education, the Joint Bond Review Committee, and the State Fiscal Accountability Authority by September thirtieth of each year

Section 59-157-50. The board of trustees shall provide on an annual basis a fiscal year report of property acquired and any capital projects which cost less than five million dollars for research universities and less than two and one-half million dollars for all other institutions, commenced under the authority granted in this chapter, to the Governor, the Senate Finance Committee, and the House of Representatives Ways and Means Committee. The report must be submitted annually by September thirtieth.”

SECTION 3. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator LEATHERMAN, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

The Senate proceeded to a consideration of the Bill.

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The Committee on Family and Veterans' Services proposed the following amendment (430R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 34 and inserting:

/commission to be held at least once each ~~month~~ year. The /
Renumber sections to conform.
Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 605 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPOTTED TURTLE; AND EXCHANGE AND TRANSFER FOR CERTAIN NATIVE REPTILES AND AMPHIBIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5007, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSSEN explained the Joint Resolution.

Senator CAMPSSEN objected to further consideration of the Resolution.

OBJECTION

S. 606 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STATEMENT OF POLICY; AND SPECIFIC PROJECT STANDARDS FOR TIDELANDS AND COASTAL WATERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4995, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

Senator CAMPSSEN objected to further consideration of the Resolution.

CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator HEMBREE explained the Resolution.

On motion of Senator HEMBREE, the Resolution was carried over.

POINT OF ORDER

S. 105 -- Senator Campsen: A BILL TO AMEND SECTION 29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF CERTAIN LIENS BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION TO A MAGISTRATE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE

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THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE

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DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS

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12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE

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SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 208 -- Senators Hembree, Bennett, Gustafson and Loftis: A BILL TO AMEND SECTION 59-19-350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH

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EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 1:06 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

CARRIED OVER

(R3, S478) -- Senator K. Johnson: AN ACT TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT NO. 4, SO AS TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.

On motion of Senator MASSEY, the Veto was carried over.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

AMENDED, READ THE SECOND TIME

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A

TUESDAY, MARCH 2, 2021

PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

The Senate proceeded to a consideration of the Bill.

Senators HARPOOTLIAN and HEMBREE proposed the following amendment (200R003.SP.RAH), which was adopted:

Amend the bill, as and if amended, on page 2, by striking line 1 and inserting:

/penalty by electrocution_or, at the election of the convicted person, by firing squad or /

Amend the bill further, as and if amended, on page 2, by striking line 4 and inserting:

/The election for death by electrocution, firing squad, or lethal injection must be /

Amend the bill further, as and if amended, on page 2, by striking line 19 and inserting:

/by firing squad or lethal injection, if it is available, in writing fourteen days before /

Amend the bill further, as and if amended, on page 2, at line 37, by adding an appropriately lettered new subsection to read:

/ () The Department of Corrections shall promulgate regulations that establish protocols and procedures for carrying out executions pursuant to this section. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator HARPOOTLIAN spoke on the amendment.

The amendment was adopted.

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Senator MALLOY spoke on the Bill.

Senator K. JOHNSON spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	McElveen
Peeler	Rankin	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Allen	Bennett	Fanning
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	McLeod	Sabb
Scott	Stephens	

Total--11

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 11:45 A.M. tomorrow for the purpose of attending the Joint Assembly.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator ALLEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Larry Drummond, Sr. of Greenville, S.C. Larry was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bill Mooneyhan, Sr. of West Columbia, S.C. Bill was the owner of Mooneyhan's Auto Service. He was a member of the West Columbia Planning Commission, Cayce-West Columbia Lions Club and Chamber of Commerce. Bill was one of the founders of the Taste of the River and was the leader of the River District business organization. Bill was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator SCOTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Vernon Jordan of Columbia, S.C. Vernon was a civil rights leader. He graduated from Howard University School of Law and became a law clerk where he worked on the case that desegregated the University of Georgia. He served as Georgia field director of the N.A.A.C.P., became the director of the Voter Education Project of the Southern Regional Council and was named executive director of the United Negro College Fund and was selected to head the National Urban League. Vernon was a loving husband, devoted father and doting grandson who will be dearly missed.

TUESDAY, MARCH 2, 2021

ADJOURNMENT

At 2:47 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, March 3, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 57:19

In Isaiah we read that the Lord offers these words of consolation to his people as they struggle: “ ‘Peace, peace, to those far and near,’ says the Lord. ‘And I will heal them.’ ”

Let us pray: We do thank You for your presence with us, O Gracious God. This coming Sunday it will be one year since COVID-19 reached our State, first identified in Charleston and in Kershaw Counties. Since then, Lord, as we all know so well, the pandemic has not only ravaged this State we love, but also our Nation and the world. As a result, our hearts reach out to all those who have indeed lost loved ones and to those who still struggle with the residual effects of the disease -- including for all of us the loss of some of our societal freedoms.

So today we pray, O God, that this Senate will continue doing whatever it deems best to help bring genuine healing to our people and ever-greater progress to our State, even as our struggles persist. All this we pray in Your precious name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, at the conclusion of the Joint Assembly, the Senate would stand in recess for one hour after the conclusion of the Joint Assembly.

RECESS

At 11:55 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

WEDNESDAY, MARCH 3, 2021

JOINT ASSEMBLY

Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 546 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MARCH 3, 2021, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT A MEMBER OF THE LANDER UNIVERSITY BOARD OF TRUSTEES TO FILL THE TERM OF THE AT-LARGE SEAT 9, WHOSE TERM EXPIRES JUNE 30, 2022; TO ELECT A MEMBER OF THE SOUTH CAROLINA STATE UNIVERSITY BOARD OF TRUSTEES FOR THE AT-LARGE SEAT 10, WHOSE TERM EXPIRES JUNE 30, 2024; TO ELECT A MEMBER OF THE CITADEL BOARD OF VISITORS, AT-LARGE SEAT, WHOSE TERM WILL EXPIRE JUNE 30, 2026; AND TO ELECT A MEMBER OF THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES TO FILL THE TERM OF THE MEMBER OF THE FIFTH JUDICIAL CIRCUIT, WHOSE TERM EXPIRES JUNE 30, 2022.

**Election to the Board of Trustees for
Lander University, At-Large, Seat 9**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Lander University, at-large, Seat 9.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated Esther R. "Toni" Able and James C. Shubert had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, the name of Esther R. "Toni" Able was withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable James C. Shubert was elected to a position on the Board of Trustees for Lander University, at-large, Seat 9 for a term to expire June 30, 2022.

WEDNESDAY, MARCH 3, 2021

**Election to the Board of Trustees for
S.C. State University, At-Large, Seat 10**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for S.C. State University, at-large, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Macie P. Smith had been screened and found qualified to serve and placed her name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Macie P. Smith was elected to a position on the Board of Trustees for S.C. State University, at-large, Seat 10 for a term to expire June 30, 2024.

Election to the Board of Trustees for The Citadel, At-Large

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for The Citadel, at-large.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that C. Douglas Barnes, Kenneth L. Davis III, F. Gregory Delleney, Jr., and Andrew L. Helfer had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, the names of C. Douglas Barnes and Kenneth L. Davis III were withdrawn from consideration.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for F. Gregory Delleney, Jr.:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott

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Senn	Shealy	Stephens
Turner	Williams	Young

Total--36

The following named Senator voted for Andrew L. Helfer:
Harpootlian

Total--1

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for F. Gregory Delleney,

Jr.:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Collins	B. Cox
W. Cox	Crawford	Dabney
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Govan
Haddon	Hardee	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Jones	Jordan
Kimmons	King	Kirby
Ligon	Long	Lowe
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore

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Morgan	D. C. Moss	V. S. Moss
Murphy	Murray	B. Newton
W. Newton	Nutt	Oremus
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stavrinakis	Stringer
Taylor	Tedder	Thayer
Thigpen	Trantham	Weeks
West	Wetmore	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--118

The following named Representative voted for Andrew L. Helfer:
Hill

Total--1

RECAPITULATION

Total number of Senators voting	37
Total number of Representatives voting.....	<u>119</u>
Grand Total.....	156
Necessary to a choice	79
Of which F. Gregory Delleney, Jr. received	154
Of which Andrew L. Helfer received	2

Whereupon, the PRESIDENT announced that the Honorable F. Gregory Delleney, Jr. was elected to a position on the Board of Trustees for The Citadel, at-large, for the term to expire June 30, 2026.

WEDNESDAY, MARCH 3, 2021

**Election to the Board of Trustees for the
University of South Carolina, 5th Judicial Circuit**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Robert F. Dozier, Jr., Alexander English, and Kevin M. Hunter had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire, with unanimous consent, the names of Kevin M. Hunter and Robert F. Dozier, Jr. were withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative for Mr. Alexander English:

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Malloy	McElveen	Peeler
Sabb	Shealy	Stephens
Turner	Williams	Young

Total--24

The following named Senators voted present:

Cash	Climer	Corbin
Gustafson	<i>Johnson, Michael</i>	Loftis
Martin	Massey	Rice

Total--9

WEDNESDAY, MARCH 3, 2021

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative for Mr. Alexander English:

Allison	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bernstein	Blackwell	Bradley
Brawley	Brittain	Bustos
Calhoon	Carter	Clyburn
Cobb-Hunter	Collins	W. Cox
Daning	Dillard	Elliott
Erickson	Forrest	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Govan	Hardee
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Jordan
Kimmons	King	Kirby
Ligon	Lowe	Lucas
Martin	Matthews	McDaniel
McGarry	McGinnis	McKnight
J. Moore	V. S. Moss	Murphy
Murray	B. Newton	W. Newton
Ott	Parks	Pendarvis
Pope	Rivers	Robinson
Rose	Rutherford	Simrill
G. M. Smith	M. M. Smith	Stavrinakis
Stringer	Tedder	Thayer
Thigpen	Weeks	West
Wetmore	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten		

Total--88

The following named Representatives voted in the negative:

Burns	Chumley	Dabney
Haddon	Hill	Jones

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Long	Magnuson	May
McCabe		

Total--10

RECAPITULATION

Total number of Senators voting	24
Total number of Representatives voting.....	<u>98</u>
Grand Total.....	122
Necessary to a choice	62
Ayes	112
Nays	10

Whereupon, the PRESIDENT announced that the Honorable Alexander English was elected to a position on the Board of Trustees for the University of South Carolina, 5th Judicial Circuit for a term to expire June 30, 2022.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:25 P.M., the Senate resumed.

Point of Quorum

At 1:33 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Fanning	Garrett
Goldfinch	Grooms	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Martin	Massey
Peeler	Rice	Senn
Setzler	Stephens	Talley
Turner	Verdin	Young

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A quorum being present, the Senate resumed.

Doctor of the Day

Senator VERDIN introduced Dr. C. Wendell James of Greenville S.C., Doctor of the Day.

Leave of Absence

At 11:50 A.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 1:50 P.M., Senator KIMPSON requested a leave of absence for Senator MATTHEWS for the day.

Leave of Absence

At 1:50 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 2:40 P.M.

Leave of Absence

At 1:53 P.M., Senator McELVEEN requested a leave of absence for Senator GUSTAFSON until 3:00 P.M.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

- S. 28 Sen. Stephens
- S. 38 Sens. Bennett and Young
- S. 94 Sen. Adams
- S. 133 Sens. Shealy and Cromer
- S. 150 Sen. McLeod
- S. 177 Sen. Verdin
- S. 268 Sen. McLeod
- S. 500 Sen. Allen
- S. 506 Sen. Corbin
- S. 590 Sen. Shealy
- S. 633 Sen. McLeod
- S. 639 Sens. Goldfinch, Shealy, Talley and Scott

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 638 -- Senators M. Johnson, Climer, Peeler, Gustafson and Fanning:
A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF MURRAY WHITE, JR., OF FORT MILL AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 639 -- Senators Davis, Goldfinch, Scott, Shealy and Talley: A BILL TO AMEND SECTION 40-33-20 OF THE 1976 CODE, RELATING TO DEFINITIONS UNDER THE NURSE PRACTICE ACT, TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM SPECIFIC MEDICAL ACTS PURSUANT TO APPROVED WRITTEN GUIDELINES, TO REMOVE THE SUPERVISION REQUIREMENT FROM THE DEFINITION OF "APPROVED WRITTEN GUIDELINES" AND CERTIFIED REGISTERED NURSE ANESTHETIST (CRNA) PRACTICE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-33-34(H) OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR THE PERFORMANCE OF MEDICAL ACTS, TO REVISE THE GUIDELINES FOR ANESTHESIA CARE, AND TO PROVIDE NOTICE REQUIREMENTS; AND TO REPEAL SECTION 40-47-197 OF THE 1976 CODE, RELATING TO THE SUPERVISION OF CRNAS.

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Read the first time and referred to the Committee on Medical Affairs.

H. 3179 -- Reps. G. M. Smith, McCabe, Caskey, Yow and Brawley: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.

Read the first time and referred to the Committee on Medical Affairs.

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H. 3193 -- Rep. Kirby: A BILL TO AMEND SECTION 4-23-810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND BOUNDARIES OF THE SOUTH LYNCHES FIRE DISTRICT IN FLORENCE AND WILLIAMSBURG COUNTIES, SO AS TO ALTER THE BOUNDARIES OF THE SOUTH LYNCHES FIRE DISTRICT TO INCLUDE THE AREA WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF SCRANTON IN FLORENCE COUNTY.

Read the first time and referred to the Committee on Judiciary.

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR

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LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

WEDNESDAY, MARCH 3, 2021

H. 3325 -- Reps. King, Murray, Rivers, M. M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

Read the first time and referred to the Committee on Medical Affairs.

H. 3606 -- Reps. G. M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976,

WEDNESDAY, MARCH 3, 2021

RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3608 -- Reps. Lucas, G.M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3609 -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 3, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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H. 3584 -- Reps. Sandifer and Whitmire: A BILL TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 632 -- Senators Malloy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO CONGRATULATE DARLINGTON RACEWAY FOR ANNOUNCING A SECOND NASCAR CUP SERIES RACE, THEREBY DOUBLING THE ECONOMIC IMPACT TO THE STATE OF SOUTH CAROLINA AND HIGHLIGHTING THE RICH HISTORY OF THIS TREASURED ATTRACTION IN THE STATE, TO ACKNOWLEDGE NASCAR RACING AS AN INTEGRAL AND VITAL PART OF THE STATE AND ITS ECONOMY, AND TO RECOGNIZE THE WEEKS OF MAY 2ND THROUGH MAY 9TH, 2021, AND AUGUST 29TH THROUGH SEPTEMBER 5TH, 2021, AS "DARLINGTON RACEWAY WEEK" IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley,

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Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION, OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A

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NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION, OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO

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AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO spoke on the Bill.

The Bill was read the third time, ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 430 -- Senator Alexander: A BILL TO AMEND SECTION 43-25-10 OF THE 1976 CODE, RELATING TO THE COMMISSION FOR THE BLIND, TO PROVIDE THAT MEETINGS SHALL BE HELD AT LEAST ONCE A QUARTER.

CARRIED OVER

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE

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ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

Senator MARTIN spoke on the committee amendment.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MESSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MESSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MESSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MESSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MESSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MESSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MESSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MESSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MESSAGE THERAPY WITHOUT A LICENSE, TO

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PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE

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APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

On motion of Senator SENN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (457R003.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 39 through 42, and on page 2, by striking lines 1 through 3 and inserting:

/ (b) operate a personal watercraft, specialty propcraft, or vessel while upon ~~the~~ all other waters of this State in excess of idle speed within ~~50~~ one hundred feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within ~~400~~ one hundred yards of the Atlantic Ocean coast line. The prohibitions contained in this

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item (6) do not apply to an unoccupied, moored vessel or watercraft or to a person behind a vessel or watercraft who is on water skis or a floating device with the permission of the operator of the vessel or watercraft;" /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

READ THE SECOND TIME

S. 105 -- Senator Campsen: A BILL TO AMEND SECTION 29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF CERTAIN LIENS BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION TO A MAGISTRATE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO

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REPLACE “CASHIER” WITH “CHIEF EXECUTIVE”; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE “STATE BOARD OF BANK CONTROL” WITH “COMMISSIONER OF BANKING” AND TO REPLACE “PRESIDENT OR CASHIER” WITH “CHIEF EXECUTIVE”; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE “PRESIDENT OR CASHIER” WITH “CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER” AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER STATE’S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR

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CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION

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34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

On motion of Senator CROMER, the Bill was carried over.

CARRIED OVER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO

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AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT spoke on the Bill.

On motion of Senator YOUNG, the Bill was carried over.

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POINT OF ORDER

S. 108 -- Senator Campsen: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 505 -- Senators Talley, Alexander and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning and Corbin: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND

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THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL spoke on the Bill.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:06 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

COMMITTED TO LOCAL DELEGATION

(R3, S478) -- Senator K. Johnson: AN ACT TO AMEND SECTION 2 OF ACT 183 OF 2020, RELATING TO THE CONSOLIDATION OF CLARENDON COUNTY SCHOOL DISTRICTS ONE AND THREE INTO CLARENDON COUNTY SCHOOL DISTRICT NO. 4, SO AS TO INCREASE THE INITIAL MEMBERSHIP OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES FROM SEVEN TO NINE MEMBERS, TO PROVIDE THAT THE BOARD OF TRUSTEES SHALL BE COMPRISED OF

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SEVEN MEMBERS BEGINNING WITH THE 2024 GENERAL ELECTION, AND TO MAKE CONFORMING CHANGES.
bill title

On motion of Senator K. JOHNSON, with unanimous consent, the Veto was committed to the Clarendon County Delegation.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 208 -- Senators Hembree, Bennett, Gustafson and Loftis: A BILL TO AMEND SECTION 59-19-350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Education proposed the following amendment (208R001.SP.GH), which was adopted:

Amend the bill, as and if amended, on page 1, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a ~~school~~ schools of ~~choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

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(2) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.” /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the committee amendment.

Senator FANNING spoke on the committee amendment.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

Senator FANNING continued speaking on the committee amendment.

The amendment was adopted.

PRESIDENT PRESIDES

At 3:17 P.M., the PRESIDENT assumed the Chair.

Amendment No. 1

Senator KIMPSON proposed the following amendment (WAB\208C001.RT.WAB21), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a ~~school~~ schools of choice innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the

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proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(B)(1) In designating schools of innovation, local school boards of trustees shall:

(a) prioritize and focus on transforming schools that the State Department of Education classifies as comprehensive support and improvement schools under the federal Every Student Succeeds Act;

(b) ensure that at least one-third of the teachers in any school under consideration for designation as a school of innovation are retained to teach at the school of innovation, with necessary training provided by the district;

(c) solicit and consider community engagement and feedback, and obtain sufficient community buy-in on the direction of a proposed school of innovation; and

(d) require the independent operator of the school of innovation to form a nonprofit to ensure that the school of innovation is run by a public entity.

(2) In determining whether to approve requests for exemption made by local boards of trustees, the State Board of Education shall confirm the local boards' compliance with the requirements of subitem (2) and may not approve a request if any noncompliance is found.

~~(B)~~(C) In seeking exemptions, the local board of trustees may not exempt:

(1) federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, national origin, religion, ancestry, or need for special education services;

(2) health, safety, civil rights, and disability rights requirements as are applied to other public schools operating in the district;

(3) minimum student attendance requirements;

(4) state assessment requirements; and

(5) certification requirements for teachers in the core academic areas as defined by the federal No Child Left Behind Act, Public Law 107-110; however, up to twenty-five percent of the teaching staff of the school may be employed if the individual possesses a baccalaureate or graduate degree in the subject he is hired to teach.

~~(C)~~(D) Any school created pursuant to this section shall admit all children eligible to attend the school subject to space limitations and may not limit or deny admission or show preference in admission decisions to any individual or group of individuals.

~~(D)~~(E) A local school district that provides exemptions pursuant to subsection (A) shall provide the State Department of Education with

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documentation of the approved exemptions and shall submit evaluation documentation to be reviewed by the State Board of Education after three years of the exemption to ensure that the district continues to meet the needs of its students. Upon review, if the State Board of Education determines the continuation of the exemption does not meet the needs of the students attending the district school of choice, the board may suspend exemptions granted by the local board of trustees with a two-thirds vote. Before suspending the exemptions, the State Board of Education shall notify the district and provide the district with any opportunity to defend the continuation of approved exemptions.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator KIMPSON spoke on the amendment.

On motion of Senator KIMPSON, with unanimous consent, the amendment was carried over and subsequently withdrawn.

Amendment No. 2

Senator FANNING proposed the following amendment (WAB\208C006.RT.WAB21), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-19-350(A)(2) and inserting:

/ (2) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation. Schools of innovation may not be managed or operated by a for-profit corporation or any other for-profit private entity.” /

Renumber sections to conform.
Amend title to conform.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

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Amendment No. 3

Senator FANNING proposed the following amendment (WAB\208C008.RT.WAB21), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-19-350(A) and inserting:

/ SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a ~~school~~ schools of choice innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education.

(2) To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, first shall:

(a) identify specific statutes and regulations which will be considered for exemption;

(b) disclose the financial model to be used.

(3) The exemption then may be granted by the governing board of the district, but only if there is a two-thirds affirmative vote of the board for each exemption, and subsequently, the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(4) Each school of innovation annually before July first shall:

(a) demonstrate compliance with the financial model identified in subitem (2)(b);

(b) provide full financial statements detailing how it receives and expends funds; and

(c) report academic achievement of its students as indicated by the performance of their students on the same assessments and matrices required of all other public schools, based on grade level.

(5) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.” /

Renumber sections to conform.

Amend title to conform.

On motion of Senator FANNING, with unanimous consent, the amendment was withdrawn.

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Amendment No. 4

Senator FANNING proposed the following amendment (WAB\208C007.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-19-350(A), by adding an appropriately numbered item to read:

/ () In addition to exempting one or more schools within a district as provided in item (1), a local school board of trustees may choose to exempt all schools in the district by following the procedures in item (1) for exempting individual schools. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

Amendment No. 5

Senators HEMBREE and FANNING proposed the following amendment (208R002.SP.GH), which was adopted:

Amend the bill, as and if amended, on page 1, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a ~~school~~ schools of choice innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption and shall disclose the financial model to be used. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(2) Each school of innovation annually before July first shall:

(a) demonstrate compliance with the financial model identified in item (1);

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(b) provide full financial statements detailing how it receives and expends funds; and

(c) report the academic achievement of its students as indicated by the performance of its students on the same assessments and matrices required of all other public schools, based on grade level.

(3) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.” /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

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NAYS

Kimpson

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Statement by Senator MALLOY

I am not convinced that S. 200 has import in our state's deliberations on the death penalty. Whether additional methods of execution are

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approved by this Body or not, does not impact whether this State facilitates or impedes putting persons to death. Other potential legislation could better rectify the position of the State as to its ability to carry out executions as is currently outlined in statute, but the Body has not taken up those solutions. Finally, it is my continuing belief that the Senate should be addressing other priorities of the State such as promoting and facilitating the distribution of COVID-19 vaccines rather than S. 200.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Reverend Joseph H. Pringle of Manning, S.C. Joseph was a former member of the Clarendon County School Board. He was very active in the democratic party and election process. He was a loving father and devoted grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators HUTTO and SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of the Honorable Judge Paul Short of Chester, S.C. Judge Short was the husband of former Senator Linda Short. He served in the S.C. House of Representatives for more than a decade before he became a judge in 1991. He served the 6th Circuit Court for Chester, Lancaster and Fairfield counties until 2004 when he was elected to the South Carolina Court of Appeals. Judge Short served until retirement in 2019. He was a mentor to many and served our State well. Judge Short was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 3:42 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 4, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 3:5-6

In Proverbs we read: “Trust in the Lord with all your heart and lean not on your own understanding; in all your ways acknowledge him and he will make your paths straight.”

Bow in prayer with me, please: We are all indeed grateful, O Lord, for the many gifted and talented Senators and staff members who, with great dedication, serve this State and her people. We all benefit from their wisdom and diligence in so many meaningful ways. Yet the challenges and even the opportunities for further service never seem to diminish. Every significant accomplishment is virtually always followed by some new challenges, it seems. And so the struggle to solve problems and to seek new answers to issues great and small goes on and on, taxing the strengths of even the most diligent public servants. Therefore, dear Lord, grant to these leaders renewed determination to keep moving forward, to continue doing their genuine best for every woman, man, and child in this State. And may all of their successes, ultimately, be to Your glory, O God. We pray this in Your loving name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Leave of Absence

At 11:04 A.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 11:14 A.M., Senator FANNING requested a leave of absence for Senator McLEOD until 11:30 A.M.

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Leave of Absence

At 11:14 A.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Remarks by Senator ALEXANDER

Thank you, Mr. PRESIDENT and members of the Senate, lead by example. I will do two points of interest within this five minute period of time. So many times we talk about, complain and criticize that things could be done better. These two things are dealing with the COVID-19. I am taking the other approach. These are things we really need to appreciate. We hear the DHEC name thrown around a lot. This is really designed to make sure we understand that there are a lot of dedicated employees in the DHEC organization. Day in and day out they are on the front line taking care of citizens in trying and difficult times with COVID. They have been on front lines with other health care professionals, hospitals and all the other ones. So many times we throw around the name of DHEC, and maybe we talk about the administration of the agency. I just want to make sure that we understand and are clear and appreciative of the work of those that are on the front lines in our communities across South Carolina day in and day out. I personally and publicly thank you for all those who work so hard for the citizens of our State in these unique times.

After we had just given second reading to pay step increases -- and I want to say this is not reflective of any other district -- but I did want to recognize the Oconee County School District from several weeks ago. Actually, the local paper on February 4th recognized that the Oconee County School District celebrated their 100th day in class meeting five days a week, face to face with their students and teachers. Granted, it has not been easy. They had things they had to deal with and did so during that period of time. The district always celebrates on their 100th day, and the newspaper wrote a nice article and it was a special celebration this year of the milestone day. The Superintendent of Education of Oconee County, Michael Thorsland, said, "Our teachers and particularly the school staff have been the ones to get us to this point." He went on to outline how different schools from kindergarten to high school celebrated this 100th day of in school five days a week face to face -- from that standpoint. I want to point out that that James M. Brown Kindergarten to 5th grade celebrated through STEM education

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of science, technology, engineering and math activities, including building items such as 100 cups, 100 legos and even 100 marshmallows. Also, another class says they went to boot camp to complete top secret missions while showing kindness. That is a lesson for all of us. This is pause to recognize that there is a lot of good work in schools across the State of South Carolina. Again, not criticizing anyone if they have taken a different approach. I did want to celebrate August 24, 2020, as the first day of school. There were many doubts and questions about was that the right thing to do and this demonstrates it was with their 100th day. Thank you for allowing me this time to recognize the DHEC dedicated staff. While I recognize the School District of Oconee County and those dedicated teachers and staff, I want to say yes we appreciate the dedicated staff and employees all across the great State of South Carolina.

On motion of Senator GUSTAFSON, with unanimous consent, the remarks of Senator ALEXANDER, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

- S. 48 Sen. Shealy
- S. 108 Sen. Senn
- S. 627 Sen. Leatherman
- S. 643 Sen. Cash, Bennett, Rice, Massey, Turner, Martin, Talley and Peeler

RECALLED

H. 3691 -- Rep. Murphy: A BILL TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

Senator YOUNG asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF

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OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD FORT ROAD “DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED, AMENDED AND READ THE SECOND TIME

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

Senator HEMBREE asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

The Bill was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

Senators HEMBREE and FANNING proposed the following amendment (3589R001.SP.GH), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“Section 59-19-350. (A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create a

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~~school schools of choice~~ innovation within the district that ~~is~~ are exempt from state statutes which govern other schools in the district and regulations promulgated by the State Board of Education. To achieve the status of exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption and shall disclose the financial model to be used. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by a two-thirds affirmative vote of the State Board of Education.

(2) Each school of innovation annually before July first shall:

(a) demonstrate compliance with the financial model identified in item (1);

(b) provide full financial statements detailing how it receives and expends funds; and

(c) report the academic achievement of its students as indicated by the performance of its students on the same assessments and matrices required of all other public schools, based on grade level.

(3) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.

(4) In addition to exempting one or more schools within a district as provided in item (1), a local school board of trustees may choose to exempt all schools in the district by following the procedures in item (1) for exempting individual schools.” /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

On motion of Senator HEMBREE, with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

H. 3589 -- Ordered to a Third Reading

On motion of Senator HEMBREE, H. 3589 was ordered to receive a third reading on Friday, March 5, 2021.

THURSDAY, MARCH 4, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 640 -- Senators Setzler and Jackson: A SENATE RESOLUTION TO CONGRATULATE DR. CHARLES B. JACKSON, SR. UPON THE OCCASION OF HIS FIFTIETH ANNIVERSARY AS PASTOR OF BROOKLAND BAPTIST CHURCH AND TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO HIS CONGREGATION AND THE WEST COLUMBIA COMMUNITY.

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The Senate Resolution was adopted.

S. 641 -- Senator Rankin: A BILL TO AMEND SECTION 25-11-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO DESIGNATE COUNTY VETERANS' AFFAIRS OFFICERS AS COUNTY EMPLOYEES AND TO PROVIDE THAT THEY MAY BE REMOVED BY THE COUNTY LEGISLATIVE DELEGATION.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 642 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-2270 SO AS TO ENSURE FAIRNESS IN COST SHARING BY PHARMACY BENEFITS MANAGERS; AND TO AMEND SECTION 38-71-2200, RELATING TO PHARMACY BENEFITS MANAGERS DEFINITIONS, SO AS TO DEFINE APPLICABLE TERMS.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 643 -- Senators Kimbrell, Corbin, M. Johnson, Adams, Rice, Shealy, Cash, Bennett, Massey, Turner, Martin, Talley and Peeler: A SENATE RESOLUTION TO STRONGLY ENCOURAGE THE SOUTH CAROLINA HIGH SCHOOL LEAGUE TO ALLOW PARENTS OR GUARDIANS TO ATTEND INDIVIDUAL MATCHES FOR THE SOUTH CAROLINA HIGH SCHOOL

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LEAGUE'S WRESTLING FINALS TO BE HELD ON MARCH 5 AND 6, 2021.

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Senator KIMBRELL spoke on the Resolution.

The Senate Resolution was introduced and referred to the Committee on Education.

RECALLED, AMENDED AND ADOPTED

S. 643 -- Senators Kimbrell, Corbin, M. Johnson, Adams, Rice, Shealy, Cash, Bennett, Massey and Turner: A SENATE RESOLUTION TO STRONGLY ENCOURAGE THE SOUTH CAROLINA HIGH SCHOOL LEAGUE TO ALLOW PARENTS OR GUARDIANS TO ATTEND INDIVIDUAL MATCHES FOR THE SOUTH CAROLINA HIGH SCHOOL LEAGUE'S WRESTLING FINALS TO BE HELD ON MARCH 5 AND 6, 2021.

Senator MARTIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator MARTIN asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

Senator MARTIN proposed the following amendment (643R001.KMM.SRM), which was adopted:

Amend the resolution, as and if amended, on page 1, by striking line 42 and inserting:

/Be it resolved by the Spartanburg County Legislative Delegation:

/ Amend the resolution further, as and if amended, on page 2, by striking line 2 and inserting:

/That the members of the Spartanburg County Legislative Delegation, by this resolution, /

Re-number sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

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The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator MARTIN, the Resolution was adopted.

S. 644 -- Senator Scott: A BILL TO AMEND SECTION 11-35-5270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF SMALL AND MINORITY BUSINESS CONTRACTING AND CERTIFICATION IN THE DEPARTMENT OF ADMINISTRATION, SO AS TO TRANSFER THE DIVISION TO THE COMMISSION FOR MINORITY AFFAIRS; TO AMEND SECTION 1-11-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE A CONFORMING CHANGE; TO PROVIDE VARIOUS NECESSARY PROVISIONS TO EFFECT THE TRANSFER; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

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Read the first time and referred to the Committee on Finance.

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS

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TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

Read the first time and referred to the Committee on Transportation.

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, G. M. Smith, Brawley and Govan: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3208 -- Reps. Allison, Felder, Nutt and Calhoun: A BILL TO AMEND SECTION 59-67-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL PASSING OF A SCHOOL BUS BY ANOTHER SCHOOL BUS, SO AS TO PROVIDE THAT A SCHOOL BUS MAY LAWFULLY PASS ANOTHER SCHOOL BUS ON A MULTILANE HIGHWAY; AND

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TO REPEAL SECTION 59-67-515 RELATING TO SPEED LIMITS FOR PUBLIC SCHOOL BUSES.

Read the first time and referred to the Committee on Education.

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

Read the first time and referred to the Committee on Transportation.

H. 3726 -- Reps. West, G. M. Smith, W. Cox, M. M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkersman, White, Wheeler, Rutherford, Ballentine and Ott: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

Read the first time and referred to the Committee on Finance.

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H. 3765 -- Reps. Burns, Chumley and Long: A BILL TO AMEND SECTION 27-40-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND TO AMEND SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

Read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 571 -- Senators Shealy and Hutto: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3501 -- Reps. Collins, V.S. Moss and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out H. 3900 favorable:

H. 3900 -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

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**Poll of the Medical Affairs Committee
Polled 17; Ayes 15; Nays 0; Abstain 0; Not Voting 2**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	Kevin Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	Loftis	Garrett

Total--15

NAYS

Total--0

ABSTAIN

Total--0

NOT VOTING

Matthews	McLeod
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Total--2

Ordered for consideration tomorrow.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

OBJECTION

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Senator RICE objected to consideration of the Bill.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 105 -- Senator Campsen: A BILL TO AMEND SECTION 29-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF CERTAIN LIENS BEFORE A MAGISTRATES COURT, SO AS TO INCREASE THE AMOUNT OF A LIEN THAT MAY BE ENFORCED BY A PETITION TO A MAGISTRATE.

CARRIED OVER

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING

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TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY.

On motion of Senator MASSEY, the Bill was carried over.

RECOMMITTED

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 563 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDING AND REPORTING OCCUPATIONAL INJURIES AND ILLNESSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5013, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 564 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION,

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RELATING TO FEES ASSESSED BY THE STATE ATHLETIC COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5024, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 565 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES ASSESSED BY THE AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5025, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 566 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, RELATING TO SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4993, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

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RECOMMITTED

S. 567 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BULK LICENSURE VERIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5008, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 568 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES FOR THE REAL ESTATE APPRAISERS BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5009, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 570 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE ATTORNEY GENERAL, RELATING TO FEES TO ACCOMPANY REQUEST FOR CONFIRMATION OF SOLICITATION EXEMPTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4983, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

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The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

READ THE SECOND TIME

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 34-1-150 TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 TO PROVIDE CONDITIONS TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 TO PROVIDE FOR THE ARTICLES OF INCORPORATION; BY ADDING SECTION 34-1-180 TO PROVIDE THE REQUIREMENTS FOR A BOARD TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 TO PROVIDE THAT THE BOARD SHALL DECIDE TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT A BANK BRANCH; BY ADDING SECTION 34-1-220 TO ALLOW DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350 TO PROVIDE THAT THE BANKING COMMISSIONER SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTIONS 34-3-360, 34-3-370, AND 34-3-380 TO MAKE CONFORMING CHANGES; TO AMEND SECTION 34-3-810 TO PROVIDE FOR THE CONVERSION OF A BANK TO A STATE BANK; TO AMEND SECTIONS 34-3-820 AND 34-3-830 TO PROVIDE CORRESPONDING REFERENCES; TO AMEND SECTION 34-3-840, TO PROVIDE FOR THE DISSOLUTION OF BOARD MEMBERS; TO AMEND SECTION 34-9-10 TO PROVIDE

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FOR CURRENCY; TO AMEND SECTION 34-9-40 TO REQUIRE A MINIMUM CAPITAL AMOUNT; TO AMEND SECTION 34-11-60 TO REMOVE A REQUIREMENT RELATING TO FRAUDULENT CHECKS; TO AMEND SECTION 34-13-140 TO PROVIDE AN EXCEPTION RELATING TO OWNERSHIP OF BANK STOCK; TO AMEND SECTION 34-26-350, TO REQUIRE MAINTENANCE OF A CREDIT UNION FACILITY; TO AMEND SECTION 34-26-530 TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640 AND 34-26-645 TO PROVIDE FOR BOARD MEETINGS AND THEIR DUTIES; TO AMEND SECTION 34-26-1220 TO PROVIDE FOR THE ASSETS AND LIABILITIES OF THE CREDIT UNION; AND TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 AND SECTIONS 34-1-70, 34-3-60, 34-9-70, 34-9-80, 34-11-40, AND 34-11-50.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO

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AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator HARPOOTLIAN, the Bill was carried over.

READ THE SECOND TIME

S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS

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AND ESTABLISH REQUIREMENTS FOR THE INFORMATION
COLLECTED DURING THE TOPOGRAPHIC MAPPING.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 505 -- Senators Talley, Alexander and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR

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OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning and Corbin: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

On motion of Senator MARTIN, the Bill was carried over.

AMENDED, READ THE SECOND TIME

H. 3608 -- Reps. Lucas, G.M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

The Senate proceeded to a consideration of the Resolution.

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Senator SETZLER proposed the following amendment (3608NS1), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking line 28 and inserting the following:

/ Act 91 of 2019, Part 1.B. Proviso 1.A.50. This funding shall not be used for administrative salary increases. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

THURSDAY, MARCH 4, 2021

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

H. 3608 --Ordered to a Third Reading

On motion of Senator MALLOY, H. 3608 was ordered to receive a third reading on Friday, March 5, 2021.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3609 -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkerson, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (DG3609C002.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. (A) From the 2018-2019 Contingency Reserve Fund, and notwithstanding Act 135 of 2020, Part II, Section (4)(D), there is appropriated \$50,000,000 to the Executive Budget Office to provide teacher step increases, including fringe, for the 2020-2021 School Year in accordance with Act 91 of 2019, Part 1.B. Proviso 1.A.36. The funds must be held in a separate account and disbursed to school districts in accordance with subsection (B). Any funds remaining in the account after June 30, 2021, must be remitted to the Contingency Reserve Fund.

(B)(1) The Department of Education shall distribute the funds to each school district in an amount, determined by the Revenue and Fiscal Affairs Office, equal to the increased cost of salaries to the school district, including fringe, due to the step increase in the state minimum salary schedule.

(2) The Department of Education shall provide the Revenue and Fiscal Affairs Office the number of full-time equivalent state-funded

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positions that were eligible for the step increase pursuant to Section 59-20-50(4)(b) in School Years 2019-2020 and 2020-2021 that each district has in each cell of the state minimum teacher salary schedule. For School Year 2019-2020, the department shall provide the number of positions as of the end of the school year. For School Year 2020-2021, the department shall provide the number of positions as of March 1, 2021.

(3) The Revenue and Fiscal Affairs Office shall determine the actual increased cost of the step increase, including fringe, in the state minimum salary schedule by determining the increase in the amount of total salaries of such positions in School Year 2020-2021 when compared to School Year 2019-2020 due to the change in the salaries of eligible positions for the step increase that are in the same school district in School Year 2020-2021 as they were in School Year 2019-2020 due to moving up one year of experience on the state minimum salary schedule. The Revenue and Fiscal Affairs Office shall include in the cost of the step increase calculation position codes eligible for the step increase that have no experience rating or credentials associated with their respective position codes. The Revenue and Fiscal Affairs Office shall notify the Executive Budget Office and the Department of Education of its determination for each school district. Then, the Executive Budget Office shall distribute the cumulative amount to the Department of Education to be distributed to each school district that experienced an increase in the manner determined by the Revenue and Fiscal Affairs Office.

(C) For each position that is eligible for the step increase for the 2020-2021 School Year, each school district shall provide a one-time lump sum payment of the entire step increase due to the employee, including any amounts in arrears, by June 15, 2021, or the school district may utilize its current payroll system to pay the step increase as long as the first payment retroactively includes all previous payments that would have been due the eligible employee. A position is eligible for the step increase if that position was fulfilling the requirements of their School Year 2020-2021 contract as of March 1, 2021. In order for any amounts in arrears to be considered earnable compensation for the purposes of the South Carolina Retirement System, the amounts in arrears and the contributions thereon must be reported by allocating the amounts in arrears to the affected employees by quarter for the periods during which the amounts would have been earned. The Department of Education, the Revenue and Fiscal Affairs Office, and the Public Employee Benefit

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Authority must collaborate so that retirement reporting for any amounts in arrears can be submitted in a consolidated, electronic format.

SECTION 2. Pursuant to the intent and appropriation set forth in SECTION 1, the provisions of Act 135 of 2020, Part II, Section (4)(D) relating to step increases, are deleted. The step increases required and authorized by SECTION 1 for the 2020-2021 School Year are permanent.

SECTION 3. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

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NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

H. 3609--Ordered to a Third Reading

On motion of Senator MALLOY, H. 3609 was ordered to receive a third reading on Friday, March 5, 2021.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 11:30 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 208 -- Senators Hembree, Bennett, Gustafson and Loftis: A BILL TO AMEND SECTION 59-19-350(A) OF THE 1976 CODE, RELATING TO SCHOOLS OF CHOICE, TO PROVIDE THAT SCHOOL DISTRICTS MAY INSTEAD CREATE MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE THAT EACH EXEMPTION FROM STATE STATUTES AND REGULATIONS BY SCHOOLS OF INNOVATION MUST BE APPROVED BY A TWO-THIRDS VOTE OF THE STATE BOARD OF EDUCATION.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Carl Brown of Elgin, S.C. Mr. Brown was a fierce advocate for foster parents and children in South Carolina for over 45 years. He was the founder of the South Carolina Foster Parent Association where he served as Executive Director. He was the President of the National Foster Parent Association, and Vice-president of the International Foster Parent Association. Carl was named an “Angel in Adoption” by the Congressional Coalition on Adoption Institute, received the Order of the Palmetto and was appointed by the Governor to serve on a Department of Social Services advisory panel. He was a champion for foster children and provided support and resources for foster parents across the State. Carl was a loving husband, devoted father and doting grandfather who served our State well and will be dearly missed.

ADJOURNMENT

At 11:58 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 5, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McELVEEN.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:

S. 641 Sens. Hembree, Goldfinch, Williams and Sabb

HOUSE BILLS RETURNED

The following House Bill and Resolutions were read the third time and ordered returned to the House with amendments:

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

On motion of Senator HEMBREE.

H. 3608 -- Reps. Lucas, G.M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.

On motion of Senator MALLOY.

H. 3609 -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan,

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Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

On motion of Senator MALLOY.

ADJOURNMENT

At 11:06 A.M., on motion of Senator MASSEY, the Senate adjourned to meet next Tuesday, March 9, 2021, at 12:00 Noon.

* * *

Tuesday, March 9, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Amos 7:7

As the prophet Amos tells us: "This is what he showed me: The Lord was standing by a wall that had been built true to plumb, with a plumb line in his hand."

Please join me as we bow in prayer: Holy Lord, no matter what circumstance awaits us or what we are already in the middle of, guide us to be acutely aware of how we ourselves are measuring up. In our individual lives, here in this Chamber, in committee meetings, back home in our districts, whatever the situation, may each and every one of us try always to be at our very best, doing what we are called to do in the most meaningful way we can, and caring always for the people whom we serve. We know full well that You expect nothing less of us, O God, and neither do the citizens of South Carolina. They all want so much for this Senate to lead our State in ways that bring meaningful results to and for us all. So always guide these Senators and their staff members in ways that are right and true. We so pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE PRESIDENT

The following appointment was transmitted by the Honorable Harvey S. Peeler, Jr.:

Statewide Appointment

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Senate - Majority:

Scott E. Frick, 33 Sunset Drive, Greenville, SC 29605 *VICE* Samuel L. Erwin (resigned)

Referred to the Committee on Judiciary.

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Doctor of the Day

Senator SETZLER introduced Dr. March Seabrook of West Columbia, S.C., Doctor of the Day.

Leave of Absence

At 12:02 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 12:14 P.M., Senator KIMPSON requested a leave of absence for Senator MATTHEWS for the day.

Leave of Absence

At 12:14 P.M., Senator MALLOY requested a leave of absence for Senator MARTIN for the day.

Leave of Absence

At 12:14 P.M., Senator FANNING requested a leave of absence for Senator McLEOD for the day.

Leave of Absence

At 12:14 P.M., Senator CLIMER requested a leave of absence for Senator GOLDFINCH for the day.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 177 Sen. Martin
S. 219 Sens. K. Johnson and Kimpson
S. 571 Sen. Senn
S. 624 Sen. Gustafson
S. 639 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 645 -- Senators Talley, Turner, Climer, Kimbrell, Rice, Adams, Cash, Senn and Gustafson: A BILL TO AMEND CHAPTER 5, TITLE 59 OF THE 1976 CODE, RELATING TO THE STATE BOARD OF

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EDUCATION, BY ADDING SECTION 59-5-170, TO ESTABLISH THE DIVISION OF INTERSCHOLASTIC ATHLETICS WITHIN THE STATE DEPARTMENT OF EDUCATION AND TO PROVIDE FOR THE POWERS, DUTIES, AND AUTHORITY OF THE DIVISION; TO AMEND SECTION 59-39-160 OF THE 1976 CODE, RELATING TO INTERSCHOLASTIC ACTIVITIES, TO MAKE CONFORMING CHANGES; AND TO ALLOW THE DEPARTMENT TO ENACT EMERGENCY REGULATIONS TO ENSURE THAT HIGH SCHOOL INTERSCHOLASTIC ATHLETIC ACTIVITIES CONTINUE WITHOUT INTERRUPTION.

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Senator TALLEY spoke on the Bill.

Read the first time and referred to the Committee on Education.

S. 646 -- Senator Alexander: A BILL TO AMEND ARTICLE 5, CHAPTER 43, TITLE 44 OF THE 1976 CODE, RELATING TO THE REVISED UNIFORM ANATOMICAL GIFT ACT, BY ADDING SECTION 44-43-372, TO PROVIDE THAT A FOR-PROFIT ENTITY SHALL NOT ENGAGE, DIRECTLY OR INDIRECTLY, IN THE PROCUREMENT, TRANSFER, OR DISTRIBUTION OF ANY HUMAN EYE, CORNEA, EYE TISSUE, CORNEAL TISSUE, OR PORTION OF AN EYE.

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Read the first time and referred to the Committee on Medical Affairs.

S. 647 -- Senators Massey and Climer: A JOINT RESOLUTION TO DIRECT THE DIVISION OF AERONAUTICS WITHIN THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO SELL ALL STATE-OWNED AIRCRAFT THAT ARE USED PURSUANT TO SECTION 55-1-90.

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Senator MASSEY spoke on the Resolution.

Read the first time and referred to the Committee on Finance.

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S. 648 -- Senator K. Johnson: A BILL TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT, BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 649 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF REGISTRATION FOR FORESTERS, RELATING TO BOARD OF REGISTRATION FOR FORESTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5012, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 650 -- Senators Adams and Grooms: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GARY L. CALDWELL OF GOOSE CREEK FOR HIS DEDICATED MILITARY AND CIVIL SERVICE, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT FROM CIVIL SERVICE, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 651 -- Senators Jackson and Fanning: A SENATE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED FIFTIETH ANNIVERSARY OF BENEDICT COLLEGE AND TO CONGRATULATE AND COMMEND THE ADMINISTRATION, FACULTY, STAFF, AND STUDENTS FOR MORE THAN A CENTURY AND A HALF OF DEDICATED SERVICE TO PROVIDING SIGNIFICANT EDUCATIONAL OPPORTUNITIES IN SOUTH CAROLINA.

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Senators JACKSON and FANNING spoke on the Resolution.

The Senate Resolution was adopted.

Remarks by Senator JACKSON

I rise to speak for just a few moments on the historic celebration of Benedict College along with the other Senators from Charleston and Richland. 150 years celebrated this year -- I not only had the privilege of graduating from that institution -- I'm the third generation graduating there. My grandmother went there. Benedict College has done so much good for this community -- created right after the end of slavery. We are honored to be part of its legacy and part of its history. And so we want to help celebrate this joyous occasion and in the age of COVID they are not able to have a physical celebration so we are sending them this video so they know that the members of the South Carolina Senate join them in celebrating 150 wonderful years. We wish them many, many more.

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I'll leave with you one wonderful story. The Senator to my left's father, the late Dr. Kimpson was a board member -- member of Benedict College and went on to work in Governor Riley's office. I was the student body president, which not only allowed me an opportunity to be a page in this Senate, but to also be an intern for Governor Dick Riley and it was all because of the ability and the desire to pass it on to the next generation. So I will always eternally be grateful to Benedict College and its family.

Remarks by Senator FANNING

Thank you, Mr. PRESIDENT. Thank you, Senator JACKSON. Benedict College has been around since 1870 and has educated generations and generations of South Carolinians -- providing opportunities to folks who didn't have the opportunity to go to college for literally 150 years. I join Senator JACKSON today, as a proud graduate of Benedict College, Class of 1991, so I know first-hand the quality of their teacher education program and their commitment to outreach. While other programs may focus on schools achieving great things, Benedict has always had as its mission to teach those and to reach those that the rest of society has overlooked in the past. We join together in celebrating 150 years of our own HBCU in South Carolina that has done some amazing things. I hope you all will join with us in congratulating Benedict College on its sesquicentennial anniversary.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senators JACKSON and FANNING were ordered printed in the Journal.

S. 652 -- Senators Gambrell and McElveen: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.
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Read the first time and referred to the Committee on Medical Affairs.

H. 3011 -- Reps. West, G. M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Caskey, Hosey, Oremus, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE

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DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Read the first time and referred to the Committee on Transportation.

H. 3770 -- Reps. G. M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

Read the first time and referred to the Committee on Finance.

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II

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VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

Read the first time and referred to the Committee on Transportation.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senator RICE proposed the following amendment (457R004.KMM.RFR), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() ‘Narrow waterway’ means a segment of the waters of this State that is three hundred feet or less in width.”

SECTION 2. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet

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of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water; or

(b) operate a personal watercraft, specialty propcraft, or vessel while upon ~~the~~ all other waters of this State in excess of idle speed within 50 ~~one hundred~~ feet of a moored or ~~an~~ anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within 100 ~~one hundred~~ yards of the Atlantic Ocean coast line. The prohibitions contained in this item (6) do not apply to an unoccupied, moored vessel or watercraft or to a person behind a vessel or watercraft who is on water skis or a floating device with the permission of the operator of the vessel or watercraft;”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Massey
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--36

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House with amendments.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 467 -- Senators Cromer, Kimbrell and Bennett: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 34-1-150 TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 TO PROVIDE CONDITIONS TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 TO PROVIDE FOR THE ARTICLES OF INCORPORATION; BY ADDING SECTION 34-1-180 TO PROVIDE THE REQUIREMENTS FOR A BOARD TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 TO PROVIDE THAT THE BOARD SHALL DECIDE TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT A BANK BRANCH; BY ADDING SECTION 34-1-220 TO ALLOW DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350 TO PROVIDE THAT THE BANKING COMMISSIONER SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTIONS 34-3-360, 34-3-370, AND 34-3-380 TO MAKE CONFORMING CHANGES; TO AMEND SECTION 34-3-810 TO PROVIDE FOR THE CONVERSION OF A BANK TO A STATE BANK; TO AMEND SECTIONS 34-3-820 AND 34-3-830 TO PROVIDE CORRESPONDING REFERENCES; TO AMEND SECTION 34-3-840, TO PROVIDE FOR THE DISSOLUTION OF BOARD MEMBERS; TO AMEND SECTION 34-9-10 TO PROVIDE FOR CURRENCY; TO AMEND SECTION 34-9-40 TO REQUIRE A MINIMUM CAPITAL AMOUNT; TO AMEND SECTION 34-11-60 TO REMOVE A REQUIREMENT RELATING TO FRAUDULENT CHECKS; TO AMEND SECTION 34-13-140 TO PROVIDE AN EXCEPTION RELATING TO OWNERSHIP OF BANK STOCK; TO AMEND SECTION 34-26-350, TO REQUIRE MAINTENANCE OF A CREDIT UNION FACILITY; TO AMEND SECTION 34-26-530 TO

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REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640 AND 34-26-645 TO PROVIDE FOR BOARD MEETINGS AND THEIR DUTIES; TO AMEND SECTION 34-26-1220 TO PROVIDE FOR THE ASSETS AND LIABILITIES OF THE CREDIT UNION; AND TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 AND SECTIONS 34-1-70, 34-3-60, 34-9-70, 34-9-80, 34-11-40, AND 34-11-50. (Abbreviated Title)

S. 108 -- Senators Campsen and Senn: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

S. 505 -- Senators Talley, Alexander and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE

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ANNUALLY ADJUSTED IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0082.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 11 through 19, and inserting therein the following:

/ TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION. /

Amend the bill further, as and if amended, page 2, by striking lines 25 through 40, as contained in subsection 5(c), and inserting therein the following:

/ (c) A party that files an offer of judgment, as provided for in Section 15-35-400(A), which is not accepted, shall be allowed to recover from the offeree, as provided in Section 15-35-400(B), regardless of whether the total of administrative, filing, or other court costs, and eight percent interest on the amount of the verdict or award from the date of the offer, combined with the verdict or award, exceeds the liability limits provided for in subsection (a) of this section. The eight percent interest must be determined from the date of the offer and must be computed on the amount of the verdict or award subsequent to the application of any limitations on liability provided for in subsection (a) of this section. Nothing in this subsection shall be construed to limit or restrict the right of a defendant who is an offeror pursuant to Section 15-35-400(A) from receiving administrative, filing, or other court costs, or a reduction from

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the judgment or award of eight percent interest on the amount of the verdict or award as provided in Section 15-35-400(B). /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 9

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimpson	Malloy
McElveen	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Williams	Young

Total--30

NAYS

Bennett	Cash	Corbin
Cromer	Kimbrell	Loftis
Massey	Rice	Turner

Total--9

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch,

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Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Joint Resolution was carried over.

OBJECTION

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

Senator SENN objected to the consideration of the Bill.

CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240,

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RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

On motion of Senator HUTTO, the Bill was carried over.

OBJECTION

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

Senator MALLOY objected to the consideration of the Bill.

CARRIED OVER

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning and Corbin: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

On motion of Senator MALLOY, the Bill was carried over.

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COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (545R001.KMM.GEC), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 50-13-675(55)(a) of the 1976 Code is amended by adding:

“(i) commercial license only—ten;” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley
Young

Turner

Williams

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 571 -- Senators Shealy, Hutto and Senn: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (571R003.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 11 through 13 and inserting:

/information required by subsections (A)(2) and (3) may be subject to discipline by the appropriate licensing board. This /

Amend the bill further, as and if amended, on page 2, by striking line 18 and inserting:

/SECTION 2. This act takes effect ninety days after approval by the Governor. /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3691 -- Rep. Murphy: A BILL TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3900 -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD FORT ROAD "DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Point of Order

Senator MALLOY raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:37 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:51 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 10, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 61:10

The prophet Isaiah declares: "I delight greatly in the Lord, my soul rejoices in my God."

Let us pray: Your blessings upon us all are indeed so incredibly great, O God. We are humbled by them at every turn. And here in South Carolina, this State we love and are honored to serve, we find blessings in abundance. The people of this State themselves, the heritage that is so much a part of our lives, the hope we all have of an unfailingly bright future -- every aspect of life here leads us all to give you praise, dear Lord. Moreover, it all increases the responsibilities which are ever on the shoulders of all who serve You here in this Senate -- these Senators themselves, each staff member, all the support workers who labor behind the scenes. We are thankful for them all, and we ask Your richest blessings upon each one. In Your name we humbly pray, O Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Doctor of the Day

Senator CASH introduced Dr. Amanda Davis of Anderson, S.C., Doctor of the Day.

Leave of Absence

At 1:05 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 1:33 P.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

WEDNESDAY, MARCH 10, 2021

Leave of Absence

At 2:00 P.M., Senator GAMBRELL requested a leave of absence for Thursday, March 11, 2021.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 151 Sen. Fanning
S. 156 Sen. McLeod
S. 219 Sen. Gambrell
S. 360 Sen. Gambrell
S. 373 Sen. Turner
S. 425 Sen. McLeod
S. 433 Sen. McLeod
S. 506 Sen. Alexander
S. 639 Sen. Fanning
S. 645 Sens. Martin and Gambrell

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 537 Sen. Shealy
S. 624 Sen. Gustafson
S. 639 Sen. Shealy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 653 -- Senator Allen: A BILL TO AMEND SECTION 24-3-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWING INMATES TO ATTEND CERTAIN FUNERAL SERVICES AND VISIT HOSPITALIZED FAMILY MEMBERS, SO AS TO PROVIDE THIS SECTION ALSO APPLIES TO INMATES CONFINED IN A DETENTION FACILITY.

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Read the first time and referred to the Committee on Corrections and Penology.

WEDNESDAY, MARCH 10, 2021

S. 654 -- Senator Campsen: A BILL TO AMEND SECTION 46-9-110 OF THE 1976 CODE, RELATING TO CIRCUMSTANCES IN WHICH LOCAL ORDINANCES ARE VOID, TO PROVIDE THAT A UNIT OF LOCAL GOVERNMENT MAY ADOPT AN ORDINANCE RESTRICTING THE USE OF CERTAIN PESTICIDE PRODUCTS.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GRANT ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST SEVEN MILE ROAD TO ITS INTERSECTION WITH BASSWOOD ROAD "JUDGE TAFT GUILLE, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 656 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE NEAL ALEXANDER FOR HIS INDUCTION INTO THE NORTH CAROLINA LIONS HALL OF FAME.

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The Senate Resolution was adopted.

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D. C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

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H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 3225 -- Reps. Garvin, Robinson, Thigpen, Cobb-Hunter, Matthews, K. O. Johnson, Brawley and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA DIGNITY IN PREGNANCY AND CHILDBIRTH ACT" BY ADDING CHAPTER 42 TO TITLE 44 SO AS TO REQUIRE PERINATAL HEALTH CARE PROVIDERS TO IMPLEMENT AN EVIDENCE-BASED IMPLICIT BIAS PROGRAM TO TRAIN HEALTH CARE STAFF, TO ESTABLISH REQUIREMENTS FOR THE PROGRAM, AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3605 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.

Read the first time and referred to the Committee on Finance.

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

Read the first time and referred to the Committee on Judiciary.

H. 3907 -- Rep. McKnight: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HEMMINGWAY HIGHWAY IN WILLIAMSBURG COUNTY FROM ITS INTERSECTION WITH

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WILD TURKEY ROAD TO ITS INTERSECTION WITH HENRY ROAD "W.B. WILSON 'THE WORKHORSE' HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

REPORTS OF STANDING COMMITTEES

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE

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OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 94 -- Senators Malloy and Adams: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST RESPONDER

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DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER,
AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

S. 241 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEAR'S OF THE VETERAN'S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED

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USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 425 -- Senators Alexander and McLeod: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO

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AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL

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SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A

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PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 631 -- Senator Talley: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointment

Initial Appointment, Director of Department of Public Safety, with the term to commence February 1, 2020, and to expire February 1, 2024

Director:

Robert G. Woods IV, 503 Varsity Court, Chapin, SC 29036-7362
VICE Leroy Smith

Received as information.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointment

Reappointment, South Carolina Commission for the Blind, with the term to commence December 16, 2018, and to expire December 16, 2022

4th Congressional District:

Mary S. Sonksen, 102 Edgebrook Ct., Spartanburg, SC 29302

Received as information.

Message from the House

Columbia, S.C., March 10, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3608 -- Reps. Lucas, G.M. Smith, Allison, Whitmire and McGarry:
A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.
and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., March 10, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3609 -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 648 -- Senator K. Johnson: A BILL TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON

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COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT, BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator K. JOHNSON.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 82 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE 1976 CODE, RELATING TO LIMITATIONS ON LIABILITY, TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER, COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

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S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

S. 571 -- Senators Shealy, Hutto and Senn: A BILL TO AMEND ARTICLE 3, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO NARCOTICS AND CONTROLLED SUBSTANCES, BY ADDING SECTION 44-53-361, TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3691 -- Rep. Murphy: A BILL TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

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AMENDED, CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (227R002.SP.SS), which was adopted:

Amend the bill, as and if amended, on page 9, by striking line 8 and inserting:

/renewal fee, not to exceed ~~two~~ seventy-five ~~hundred~~ dollars; /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240,

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RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator YOUNG, the Bill was carried over.

OBJECTION

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin and Alexander: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

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The Committee on Agriculture and Natural Resources proposed the following amendment (506R001.SP.JK), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 44-1-143 of the 1976 Code is amended to read:

“Section 44-1-143. (A) For the purposes of this section:

(1) ‘Home-based food production operation’ means an individual, operating out of the individual's dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person, including online and by mail order, or to retail stores, including grocery stores. ‘Home-based food production operation’ does not include preparing, processing, packaging, storing, or distributing aluminum canned goods or charcuterie boards.

(2) ‘Nonpotentially hazardous foods’ are foods ~~candy and baked goods~~ that are not potentially hazardous foods.

(3) ‘Person’ means an individual consumer.

(4) ‘Potentially hazardous foods’ includes:

(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values	pH values
4.6 or less	>4.6—5.6 >5.6

(1)	<0.92	non-PHF	non-PHF	non-PHF
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(2)	>0.92—0.95	non-PHF	non-PHF	PHF
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(3)	>0.95	non-PHF	PHF	PHF
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Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Food Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items, including, but not limited to:

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(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and

(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.

(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods, including, but not limited to:

(1) department-approved water supply;

(2) a separate storage place for ingredients used in foods intended for sale;

(3) a properly functioning refrigeration unit;

(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;

(5) adequate facilities for the storage of utensils and equipment;

(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;

(7) a properly functioning toilet facility;

(8) no evidence of insect or rodent activity; and

(9) department-approved sewage disposal, either onsite treatment or publicly provided.

(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:

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(1) the name and address of the home-based food production operation. If a home-based food production operator does not want to include his address on the label, then the department shall provide an identification number to the operator, upon the operator's request, that can be used on the label instead;

(2) the name of the product being sold;

(3) the ingredients used to make the product in descending order of predominance by weight; and

(4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: '~~NOT FOR RESALE~~ PROCESSED AND PREPARED BY A HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'

(E) Home-based food operations only may sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail stores, including grocery stores ~~for his own use and not for resale. A home-based food operation may not sell, or offer to sell, food items at wholesale.~~ Food produced from a home-based food production operation must not be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.

(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.

(G) The provisions of this section do not apply to an operation with net earnings of less than ~~five~~ fifteen hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

(H) ~~[Deleted].~~ In addition to penalties provided by regulation, violations of this section shall, for a first offense, be punishable by a warning. Repeated non-minor violations may be punishable by a fine not exceeding one hundred dollars per violation.

(I) The provisions of this section apply in the absence of a local ordinance to the contrary."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (506R002.SP.GM), which was adopted:

Amend the bill, as and if amended, by striking Section 44-1-143(H) and inserting:

/ (H) [Deleted]. /
Renumber sections to conform.
Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3501 -- Reps. Collins, V.S. Moss and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, READ THE SECOND TIME

H. 3900 -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY proposed the following amendment (3900R001.SP.ASM), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. This joint resolution takes effect upon approval by the Governor and terminates on September 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Johnson, Kevin	Johnson, Michael	Kimbrell
Kimpson	Loftis	Malloy

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Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 649 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF REGISTRATION FOR FORESTERS, RELATING TO BOARD OF REGISTRATION FOR FORESTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5012, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN objected to consideration of the Resolution.

AMENDED, ADOPTED

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD FORT ROAD "DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Senate proceeded to the consideration of the Resolution.

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Senator GROOMS proposed the following amendment (3785R001.KMM.LKG), which was adopted:

Amend the concurrent resolution, as and if amended, on page 1, by striking lines 14 through 18 and inserting:

/HIGHWAY 52 TO ITS INTERSECTION WITH OLD HIGHWAY 52 “DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Whereas, the members of the South Carolina General Assembly were deeply saddened to learn of the death of Dr. Tonia Aiken Taylor on August 29, 2019; and /

Amend the concurrent resolution further, as and if amended, on page 2, by striking lines 35 through 40 and inserting:

/intersection with Old Highway 52 “Dr. Tonia Aiken Taylor Memorial Highway” and erect appropriate markers or signs along this portion of highway containing these words.

Be it further resolved that a copy of this resolution be provided to the family of Dr. Tonia Aiken Taylor and forwarded to the Department of Transportation. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

There being no further amendments, the Resolution, as amended, was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:56 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Amanda Booth Metts of Reevesville, S.C. Amanda was a graduate of the University of South Carolina and worked as an exercise physiologist at Palmetto Health Richland Cardiac Rehab for almost 20 years and HealthPlex at the Regional Medical Center of Orangeburg for 16 years. Amanda served as president of the Lockett Elementary PTSO. She was active with Delta Gamma and the women's group at Mt. Tabor Baptist Church. Amanda was a loving wife and devoted mother who will be dearly missed.

ADJOURNMENT

At 2:02 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 11, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Philippians 4:8

In Philippians we read: “Finally, beloved, whatever is true, whatever is honorable, whatever is just, whatever is pure, whatever is pleasing, whatever is commendable, if there is any excellence, and if there is anything worthy of praise, think about these things.”

Good friends, join me as we pray: O Ever-loving God, it is so clear and obvious that the expectations of and the demands upon everyone who serves You in this Senate are sky-high. The citizens of South Carolina, the many pressures imposed by modern society, the acute sense of responsibility each servant in this place brings to his and her role-- it all can absolutely overwhelm all who work here. Therefore, dear Lord, we pray fervently that You will inspire, ennoble, and bless every individual involved in the work of this Senate. And by Your grace bring about great results that will indeed be worthy of praise by all. In Your holy name we humbly pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Gustafson	Harpootlian	Hembree

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Motion to Ratify Adopted

At 11:08 A.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, Chief Resilience Officer, with term coterminous with Governor

Benjamin I. Duncan II, 205 Running Fox Rd., Columbia, SC 29223-3022

Referred to the Committee on Agriculture and Natural Resources.

Doctor of the Day

Senator GARRETT introduced Dr. Bryan Green of Greenwood, S.C., Doctor of the Day.

Leave of Absence

At 11:05 A.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 33	Sen. Senn
S. 133	Sen. Senn
S. 141	Sen. Senn

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S. 219 Sen. Sabb
S. 363 Sen. Senn
S. 506 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 657 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE RIVER BLUFF HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 5A BOYS BASKETBALL STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE

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1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND

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TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

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Read the first time and referred to the Committee on Finance.

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND

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INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

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S. 660 -- Senators Kimbrell, M. Johnson, Rice, Garrett and Adams: A SENATE RESOLUTION TO SUPPORT AND URGE THE ATTORNEY GENERAL TO TAKE ALL NECESSARY AND PROPER LEGAL ACTION AGAINST THE ENACTMENT AND ENFORCEMENT OF H.R. 1.

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The Senate Resolution was introduced and referred to the Committee on Judiciary.

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 664 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO THE PALMETTO STATE'S QUALITY OF LIFE, AND TO DECLARE TUESDAY, MARCH 23, 2021, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 665 -- Senator Rankin: A BILL TO AMEND SECTION 61-2-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION FOR AN ALCOHOL LICENSE OR PERMIT FROM THE DEPARTMENT OF REVENUE, SO AS TO PROVIDE THAT THE STATEMENT ON THE APPLICATION MUST BE MADE UNDER OATH OR UNDER PENALTIES OF PERJURY.

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Read the first time and referred to the Committee on Judiciary.

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Caskey, McGinnis, Hosey, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J. E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M. M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL

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INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

Read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 615 -- Senator Young: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 447 -- Senator Malloy: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF

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THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

On motion of Senator MALLOY.

READ THE THIRD TIME

SENT TO THE HOUSE

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 648 -- Senator K. Johnson: A BILL TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT, BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator K. JOHNSON.

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S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3501 -- Reps. Collins, V.S. Moss and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 3900 -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

OBJECTION

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE

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PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

The Senate proceeded to a consideration of the Resolution.

Senator MARTIN spoke on the Resolution.

Senator RANKIN spoke on the Resolution.

Senator MASSEY spoke on the Resolution.

Senator MASSEY objected to further consideration of the Resolution.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

On motion of Senator MARTIN, the Bill was carried over.

RECOMMITTED

S. 605 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR SPOTTED TURTLE; AND EXCHANGE AND TRANSFER FOR CERTAIN NATIVE REPTILES AND AMPHIBIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5007, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN asked unanimous consent to recommit the Resolution to the Committee on Fish, Game and Forestry.

There was no objection.

The Resolution was recommitted to the Committee on Fish, Game and Forestry.

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RECOMMITTED

S. 606 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STATEMENT OF POLICY; AND SPECIFIC PROJECT STANDARDS FOR TIDELANDS AND COASTAL WATERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4995, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN asked unanimous consent to recommit the Resolution to the Committee on Fish, Game and Forestry.

There was no objection.

RECOMMITTED

S. 611 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4970, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 617 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO MINIMUM STANDARDS OF STUDENT CONDUCT AND DISCIPLINARY ENFORCEMENT PROCEDURES TO BE IMPLEMENTED BY LOCAL SCHOOL DISTRICTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4981, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

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RECOMMITTED

S. 618 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4991, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

OBJECTION

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240,

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RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

Senator MALLOY objected to consideration of the Bill.

POINT OF ORDER

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE

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TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 94 -- Senators Malloy and Adams: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST RESPONDER DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 241 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEAR'S OF THE VETERAN'S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 425 -- Senators Alexander and McLeod: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE “RESPONSIBLE ALCOHOL SERVER TRAINING ACT”; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL

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**SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES
FOR VIOLATIONS OF CERTAIN PROVISIONS.**

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A

THURSDAY, MARCH 11, 2021

JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 631 -- Senator Talley: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO

THURSDAY, MARCH 11, 2021

COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 11, 2021, at 12:30 P.M. and the following Acts and Joint Resolutions were ratified:

(R5, S. 160) -- Senators Scott and Setzler: AN ACT TO AMEND SECTION 59-53-1784, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MIDLANDS TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY EXEMPTIONS FROM SURPLUS GOVERNMENT PROPERTY DISPOSAL LAWS, SO AS TO CLARIFY AND REVISE THE SCOPE OF THE EXEMPTIONS, AND TO PROVIDE THE AUTHORITY SHALL FILE CERTAIN DOCUMENTS CONCERNING THE SALE OF EXEMPT REAL PROPERTY WITH THE DEPARTMENT OF ADMINISTRATION AND THE STATE FISCAL ACCOUNTABILITY AUTHORITY.

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(R6, S. 242) -- Senators Young and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DRIVERS FOR A CURE" SPECIAL LICENSE PLATES.

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THURSDAY, MARCH 11, 2021

(R7, S. 287) -- Senators Gambrell and Loftis: AN ACT TO AMEND SECTION 40-45-220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, AND SECTION 40-45-240, RELATING TO APPLICANTS FOR LICENSURE BY ENDORSEMENT FOR LICENSEES FROM OTHER JURISDICTIONS, BOTH SO AS TO REQUIRE CERTAIN FINGERPRINT-SUPPORTED STATE AND NATIONAL CRIMINAL RECORDS CHECKS FOR INITIAL LICENSURE APPLICANTS, TO PROVIDE THE RESULTS OF THESE RECORDS CHECKS MUST BE PROVIDED TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO AUTHORIZE THE STATE LAW ENFORCEMENT DIVISION TO RETAIN FINGERPRINTS FOR CERTAIN PURPOSES, TO PROVIDE APPLICANTS MUST BARE RELATED COSTS, AND TO PROVIDE THE DEPARTMENT SHALL KEEP INFORMATION RECEIVED PURSUANT TO THIS ACT CONFIDENTIAL, SUBJECT TO AN EXCEPTION.
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(R8, H. 3584) -- Reps. Sandifer and Whitmire: AN ACT TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.
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(R9, H. 3608) -- Reps. Lucas, G.M. Smith, Allison, Whitmire and McGarry: A JOINT RESOLUTION TO ADDRESS A FUNDING SHORTFALL FOR THE PUBLIC CHARTER SCHOOL DISTRICT AS A RESULT OF THE GENERAL ASSEMBLY ENACTING ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING NINE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION FOR DISTRIBUTION TO THE PUBLIC CHARTER SCHOOL DISTRICT, INCLUDING THE CHARTER INSTITUTE AT ERSKINE, FOR PER PUPIL FUNDING FOR THE 2020-2021 SCHOOL YEAR.
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THURSDAY, MARCH 11, 2021

(R10, H. 3609) -- Reps. Lucas, G.M. Smith, Allison, Whitmire, Huggins, Ballentine, Wooten, Calhoon, McGarry, M.M. Smith, Yow, Jefferson, R. Williams, Wheeler, K.O. Johnson, Haddon, Magnuson, Morgan, Henegan, B. Newton, Anderson, Govan, Murray, Davis, Hixon, Taylor, Oremus, Blackwell, W. Newton, Herbkersman, Bradley and Weeks: A JOINT RESOLUTION TO RESTORE TEACHER STEP INCREASES THAT WERE SUSPENDED BY ACT 135 OF 2020 DUE TO FINANCIAL UNCERTAINTIES CAUSED BY THE COVID-19 VIRUS, BY APPROPRIATING FIFTY MILLION DOLLARS TO PROVIDE FOR TEACHER STEP INCREASES FOR THE 2020-2021 SCHOOL YEAR.

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(R11, H. 3691) -- Rep. Murphy: AN ACT TO ADOPT REVISED CODE VOLUMES 1A AND 14A OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2021.

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(R12, H. 3740) -- Rep. McGarry: AN ACT TO AMEND ACT 126 OF 1959, AS AMENDED, RELATING TO THE LANCASTER COUNTY COMMISSION FOR HIGHER EDUCATION, SO AS TO PROVIDE FOR THE COMMISSION'S RECEIPT AND ADMINISTRATION OF LANCASTER COUNTY MILLAGE-DERIVED FUNDS, TO PROVIDE THAT THE DEAN OF THE UNIVERSITY OF SOUTH CAROLINA LANCASTER MUST BE AN EX OFFICIO MEMBER OF THE COMMISSION, TO CLARIFY THE COMMISSION'S ROLE RELATING TO THE OFFERING OF POST-SECONDARY COURSES; TO REMOVE CERTAIN ARCHAIC LANGUAGE, AND TO REQUIRE THE COMMISSION TO SUBMIT AN ANNUAL REPORT TO LANCASTER COUNTY COUNCIL.

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THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

THURSDAY, MARCH 11, 2021

MOTION ADOPTED

At 12:38 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators CORBIN, MARTIN and Representative Magnuson, with unanimous consent, the Senate stood adjourned out of respect to the memory of Chief William “Ed” Edward McNeil, Jr. of Campobello, S.C. Ed was a member of Campobello First Baptist Church and a veteran of the Army National Guard. He was a member of the Campobello Fire Department for 44 years of which he served as chief the last 25 years. Ed was a loving husband, devoted father and doting grandfather who served his community well and will be dearly missed.

ADJOURNMENT

At 12:39 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 12, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, March 16, 2021, at 12:00 Noon.

* * *

Tuesday, March 16, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 11:4

In Genesis chapter 11:4 we read: "Then they said, 'Come, let us build for ourselves a city, with a tower that reaches to the heavens, so that we may make a name for ourselves.' "

Let us pray: O Glorious and all-loving Lord, we pray that You will embrace each one of these leaders as they continue to use their gifts and talents to "build" an ever greater South Carolina. In this day and time the challenges in their doing so are enormous. Needs are greater than ever. Goals seem to be harder than ever to achieve. The temptations to take shortcuts emerge around almost every corner. And the temptations to build for personal glory are right there staring each Senator and every staff member in the face, as well. However, O God, may it never be that these leaders seek to do and accomplish meaningful results simply in order to bring credit to themselves. Rather, may they -- may all of us -- continually focus on ways to honor You, O Lord, most of all. And may it ever be so. In Your holy name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4994

Agency: Department of Consumer Affairs

Chapter: 28

Statutory Authority: 1976 Code Sections 37-6-104, 37-6-402, 37-6-403, 37-6-506, and 58-27-2660

SUBJECT: Sale or Lease of Renewable Energy Facilities

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted March 11, 2021

TUESDAY, MARCH 16, 2021

Doctor of the Day

Senator LEATHERMAN introduced Dr. Coleman Buckhouse of Florence, S.C., Doctor of the Day.

Leave of Absence

At 12:07 P.M., Senator RICE requested a leave of absence for Senator CASH for the day.

Leave of Absence

At 12:12 P.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

Leave of Absence

At 12:12 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 2:15 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 525 Sen. Gustafson
S. 530 Sen. Kimbrell
S. 541 Sen. Senn
S. 615 Sen. Campsen
S. 631 Sen. Campsen
S. 645 Sen. Corbin

RECALLED

H. 3739 -- Reps. J.L. Johnson, Brawley and Henegan: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARNERS FERRY ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE POINT WHERE IT CROSSES THE WATEREE RIVER "LIEUTENANT ULYSSES FLEMMING MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

TUESDAY, MARCH 16, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 666 -- Senator Grooms: A BILL TO AMEND CHAPTER 37, TITLE 27 OF THE 1976 CODE, RELATING TO THE EJECTMENT OF TENANTS, BY ADDING SECTION 27-37-45, TO PROVIDE FOR THE EXPEDITED EJECTMENT OF CERTAIN TENANTS BY LANDLORDS; AND TO AMEND SECTION 8-21-1010(A) OF THE 1976 CODE, RELATING TO MAGISTRATES' FEES, TO PROVIDE A FEE FOR FILING AN EXPEDITED EJECTMENT.

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Read the first time and referred to the Committee on Judiciary.

S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

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Read the first time and referred to the Committee on Transportation.

S. 668 -- Senators Goldfinch and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NICHOLS HIGHWAY FROM ITS INTERSECTION WITH SARVIS ROAD TO ITS INTERSECTION WITH TRULUCK JOHNSON ROAD IN HORRY COUNTY "BRENDA COOK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE

TUESDAY, MARCH 16, 2021

NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 670 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE APRIL 15, 2021, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE MILITARY, AND OUR COUNTRY AS A WHOLE.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 671 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 7, 2021, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT WORK DONE TO COMBAT THE SIGNIFICANT PROBLEM OF CHILD MALTREATMENT.

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The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

S. 672 -- Senators Massey, Setzler and Garrett: A SENATE RESOLUTION TO CONGRATULATE THE SALUDA HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 2A GIRLS BASKETBALL STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR

TUESDAY, MARCH 16, 2021

INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 674 -- Senators Kimbrell, Rice, Talley, M. Johnson and Harpootlian: A BILL TO AMEND CHAPTER 17, TITLE 59 OF THE 1976 CODE, RELATING TO SCHOOL DISTRICTS, BY ADDING SECTION 59-17-170, TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE CHIEF FINANCIAL OFFICER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Education.

S. 675 -- Senators Kimbrell, Rice and Talley: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

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Read the first time and referred to the Committee on Finance.

TUESDAY, MARCH 16, 2021

S. 676 -- Senators Grooms, Kimbrell, Climer, Loftis, Shealy, Gustafson, Hembree, Corbin, Massey, Bennett, Adams, Turner, Verdin, Campsen, Garrett, Rice, Goldfinch, Senn, Davis and Rankin: A BILL TO ENACT THE "EQUAL OPPORTUNITY EDUCATION SCHOLARSHIP ACCOUNT ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE ESTABLISHMENT AND FUNDING OF ACCOUNTS FOR USE IN MEETING CERTAIN EDUCATION EXPENSES OF ELIGIBLE STUDENTS, TO PROVIDE GUIDELINES FOR THE USE OF SUCH FUNDS AND PENALTIES FOR MISUSE, TO PROVIDE CERTAIN RELATED POWERS AND DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE, TO CREATE A PARENTAL REVIEW PANEL TO ASSIST IN DETERMINING WHETHER CERTAIN EXPENSES CONSTITUTE QUALIFIED EDUCATION EXPENSES, AMONG OTHER THINGS, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Education.

S. 677 -- Senator Davis: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

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Read the first time and referred to the Committee on Finance.

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Read the first time and referred to the Committee on Fish, Game and Forestry.

TUESDAY, MARCH 16, 2021

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M. M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 3772 -- Reps. Bernstein, G. M. Smith, Stavrinakis, Herbkersman, Rutherford, Elliott, Collins, W. Newton, Bannister, M. M. Smith, Brittain, Murray, Gilliard, Hewitt, Fry, Erickson, Bradley, Martin, Kirby, Davis, Kimmons, Garvin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO ALLOW A RETAIL DEALER LICENSED TO SELL BEER AND WINE IN THIS STATE TO USE A DELIVERY SERVICE, OR ITS OWN EMPLOYEES OR INDEPENDENT CONTRACTORS TO FACILITATE THE DELIVERY OF CERTAIN BEER AND WINE, TO PROVIDE FOR A DELIVERY LICENSE, TO SPECIFY CERTAIN DELIVERY PROHIBITIONS AND OTHER REQUIREMENTS FOR THE DELIVERY OF SUCH BEER AND WINE.

Read the first time and referred to the Committee on Judiciary.

H. 4058 -- Reps. M. M. Smith, Bennett and Bustos: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, MARCH 25, 2021, AS MEDAL OF HONOR DAY IN SOUTH CAROLINA AND TO EXPRESS HEARTFELT GRATITUDE FOR THE SERVICE AND SACRIFICES OF THE RECIPIENTS OF THE MEDAL OF HONOR.

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

H. 4076 -- Rep. Lowe: A CONCURRENT RESOLUTION TO RECOGNIZE THE ONE HUNDREDTH ANNIVERSARY OF THE AMERICAN PHYSICAL THERAPY ASSOCIATION, THE LEADING PROFESSIONAL MEMBERSHIP ORGANIZATION FOR

TUESDAY, MARCH 16, 2021

THE PHYSICAL THERAPY PROFESSION, WITH THE MISSION OF BUILDING A COMMUNITY THAT ADVANCES THE PROFESSION OF PHYSICAL THERAPY TO IMPROVE THE HEALTH OF SOCIETY.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

Ordered for consideration tomorrow.

Appointments Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

Veterinarian - At-Large:

Elizabeth M. Fuller, 1236 Sunset Dr., Charleston, SC 29407

Received as information.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

2nd Congressional District:

Tracie Quick, 1125 Sam Bradshaw Road, Irmo, SC 29063-9057 *VICE*
Ginger Macaulay

Received as information.

TUESDAY, MARCH 16, 2021

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2021, and to expire April 6, 2027

1st Congressional District:

LaDon S. Wallis, 886 Hunt Club Run, Charleston, SC 29414-9111

Received as information.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

Consumer:

Deloris Mungo, 379 Hollywood Rd., Columbia, SC 29212-8400 *VICE*
Rebecca L. Shealy

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 446 -- Senator Malloy: A BILL TO AMEND ACT 259 OF 1961, AS AMENDED, RELATING TO THE HARTSVILLE COMMUNITY CENTER BUILDING COMMISSION, TO INCREASE THE COMMISSION'S MEMBERSHIP FROM THREE TO FIVE MEMBERS.

On motion of Senator MALLOY.

S. 447 -- Senator Malloy: A BILL TO PROVIDE THAT EACH MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL BE ALLOWED AND PAID ONE HUNDRED DOLLARS FROM LEE COUNTY "C" FUND REVENUES FOR EACH MEETING AT WHICH HE IS IN ATTENDANCE, TO PROVIDE THAT THE MEMBERS OF THE LEE COUNTY TRANSPORTATION COMMITTEE SHALL RECEIVE PAYMENTS UPON THE ISSUANCE OF APPROVED VOUCHERS BY THE COMMITTEE'S CHAIRMAN, EXCEPT THAT THE CHAIRMAN MAY NOT APPROVE VOUCHERS FOR MORE THAN FIFTEEN

TUESDAY, MARCH 16, 2021

MEETINGS PER FISCAL YEAR FOR EACH MEMBER OF THE COMMITTEE, AND TO PROVIDE THAT THE CHAIRMAN OF THE LEE COUNTY LEGISLATIVE DELEGATION SHALL BE AN EX-OFFICIO, NONVOTING MEMBER OF THE LEE COUNTY TRANSPORTATION COMMITTEE.

On motion of Senator MALLOY.

OBJECTION

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

Senator MASSEY objected to consideration of the Resolution.

CARRIED OVER

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MESSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MESSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MESSAGE THERAPY. (Abbreviated Title)

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING

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FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER

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OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION

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56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 94 -- Senators Malloy and Adams: A BILL TO AMEND SECTION 42-1-160 OF THE 1976 CODE, RELATING TO INJURY AND PERSONAL INJURY IN WORKERS' COMPENSATION, TO PROVIDE THAT A LIMITATION ON STRESS, MENTAL INJURIES, AND MENTAL ILLNESS FOR WORKERS' COMPENSATION DOES NOT APPLY TO A FIRST RESPONDER DIAGNOSED WITH POST-TRAUMATIC STRESS DISORDER, AND TO DEFINE NECESSARY TERMS.

Senator TURNER objected to consideration of the Bill.

READ THE SECOND TIME

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 241 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEAR'S OF THE VETERAN'S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF

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INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator YOUNG, the Bill was carried over.

OBJECTION

S. 425 -- Senators Alexander and McLeod: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Senator GAMBRELL objected to consideration of the Bill.

CARRIED OVER

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

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On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Davis
Fanning	Gambrell	Garrett
Goldfinch	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Climer	Corbin	Cromer
Grooms	Gustafson	Loftis
Massey		

Total--7

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER

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SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\607C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-47-75(B), page 1, by striking line 41 and inserting:

/ the charter school's bylaws. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 631 -- Senators Talley and Campsen: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

On motion of Senator HUTTO, the Bill was carried over.

CARRIED OVER

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO

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PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

On motion of Senator HEMBREE, the Bill was carried over.

POINT OF ORDER

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:39 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

CARRIED OVER

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES

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LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

DEBATE INTERRUPTED BY ADJOURNMENT

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (525R001.SP.MWG):

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

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/SECTION 1. Section 44-96-40 of the 1976 Code is amended by adding appropriately numbered new items to read:

“() ‘Advanced recycling’ means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) ‘Depolymerization’ means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) ‘Gasification’ means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) ‘Pyrolysis’ means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(d) ‘Solvolysis’ means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to,

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monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonolysis, methanolysis, ethanolysis, and glycolysis.

() ‘Advanced recycling facility’ means a manufacturing facility that receives, separates, stores and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

() ‘Post-use polymer’ means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

() (a) ‘Recovered feedstock’ means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

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(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste; or

(b) Recovered feedstock does not include unprocessed municipal solid waste.” /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() Review and consider the environmental compliance history of an applicant or person in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status; prohibit the transfer of a permit or the transfer or achievement of interim status; or prohibit a change in the ownership of or a controlling interest in an existing facility.” /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

Debate was interrupted by adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Public Charter School District Board of Trustees, with the term to commence August 1, 2020, and to expire August 1, 2023

South Carolina Education Oversight:

Jonathan Butcher, 105 Bridgeton Dr., Greenville, SC 29615-2652

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On motion of Senator HEMBREE, the question was confirmation of Jonathan Butcher.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Jonathan Butcher was confirmed.

Reappointment, South Carolina Commission on Higher Education,
with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Ben W. Satcher, Jr., 358 Catawba Court, P. O. Box 921, Lexington,
SC 29072-9500

On motion of Senator HEMBREE, the question was confirmation of Ben W. Satcher, Jr.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Ben W. Satcher, Jr. was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Commission for the Blind, with the term to commence December 16, 2018, and to expire December 16, 2022
4th Congressional District:
Mary S. Sonksen, 102 Edgebrook Ct., Spartanburg, SC 29302

On motion of Senator SHEALY, the question was confirmation of Mary S. Sonksen.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Mary S. Sonksen was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Public Safety, with the term to commence February 1, 2020, and to expire February 1, 2024

Director:

Robert G. Woods IV, 503 Varsity Court, Chapin, SC 29036-7362
VICE Leroy Smith

On motion of Senator RANKIN, the question was confirmation of Robert G. Woods IV.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Robert G. Woods IV was confirmed.

Motion Adopted

On motion of Senator GAMBRELL, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Jerry Ellig of Cassatt, S.C. Dr. Ellig was an economist, researcher and regulatory reform advocate whose work was invaluable. Dr. Ellig was a research professor at the George Washington University Regulatory Studies Center. Before that, Jerry served as chief economist at the Federal Communications Commission and served on the Joint Economic Committee of Congress. He published numerous articles on government regulation and management over the course of his career. Jerry was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Gloria Vivian Wilson of Walhalla, S.C. Gloria was a beautician and worked for 40 years with the Torrington Company. She was a member of Flat Rock Baptist Church where she was very active. She was a member of the 50 Year Club, Woman's Missionary Society and Sunday school and Bible study. Gloria was a devoted Christian who loved her community and will be dearly missed.

ADJOURNMENT

At 2:09 P.M., on motion of Senator GAMBRELL, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 17, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Job 12:7-8

In the Old Testament book of Job we find these verses: “. . .ask the animals and they will teach you, or the birds of the air, and they will tell you; or speak to the earth, and it will teach you, or let the fish of the sea inform you.”

Please join me as we bow and pray: All around us, O Lord, the incredible wonders of our State unfold, from the mountains and the Piedmont, through the Sandhills to the coast: everywhere we turn a new vista, a special setting touches our hearts. Yet sadly, Lord, so many of us simply take for granted Your wonderful gifts of nature, and we fail to act in ways that can preserve and even enrich the very sights right in front of us. Rather, dear God, by Your grace, lead Your servants in this Senate to listen even to the birds and the fish and the forest animals as they clearly remind all of us to be caring and wise stewards of everything that You have created. And may we thereby honor You all the more, dear God, by the care we give to Your world. In Your blessed name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

3rd Congressional District:

Frank Daniel Wideman, 126 Stratford Road, Greenwood, SC 29649-9110 *VICE* Dan Lindsay Batson

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Referred to the Committee on Corrections and Penology.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5033

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140(3) and 44-1-150

SUBJECT: Raw Milk for Human Consumption; and Pasteurized Milk and Milk Products

Received by Lieutenant Governor March 17, 2021

Referred to Committee on Agriculture and Natural Resources

Doctor of the Day

Senator SHEALY introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.

Leave of Absence

At 2:01 P.M., Senator RICE requested a leave of absence for Senator CASH for the day.

Leave of Absence

At 3:45 P.M., Senator SABB requested a leave of absence for Senator K. JOHNSON for the balance of the day.

Leave of Absence

At 3:45 P.M., Senator McELVEEN requested a leave of absence for Senator JACKSON for the balance of the day.

Leave of Absence

At 4:15 P.M., Senator HUTTO requested a leave of absence for Senator MATTHEWS for the balance of the day.

Expression of Personal Interest

Senator CAMPSER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 401 Sen. Fanning
S. 556 Sen. Campsen
S. 604 Sen. Gambrell
S. 675 Sens. Peeler and Gambrell
S. 677 Sens. Goldfinch, Jackson, Shealy and Grooms
S. 681 Sen. Loftis

RECALLED AND ADOPTED

H. 4058 -- Reps. M.M. Smith, Bennett and Bustos: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, MARCH 25, 2021, AS MEDAL OF HONOR DAY IN SOUTH CAROLINA AND TO EXPRESS HEARTFELT GRATITUDE FOR THE SERVICE AND SACRIFICES OF THE RECIPIENTS OF THE MEDAL OF HONOR.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

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The Resolution was recalled from the Committee on Education and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 569 -- Senator Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 52 RIVERS AVENUE FROM ITS INTERSECTION WITH MALL DRIVE TO ITS INTERSECTION WITH MCMILLAN AVENUE IN CHARLESTON COUNTY "ROBERT ANTHONY 'TONY' WAY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 678 -- Senator Hutto: A BILL TO AMEND SECTION 56-1-2080, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR A COMMERCIAL DRIVER'S LICENSE, SO AS TO ESTABLISH THE INTRASTATE VISION WAIVER PROGRAM, TO PROVIDE CERTAIN VISUALLY IMPAIRED INDIVIDUALS MAY OBTAIN A WAIVER FROM THE SIGHT REQUIREMENTS ASSOCIATED WITH A COMMERCIAL DRIVER'S LICENSE, AND TO PROVIDE FOR THE ELIGIBILITY REQUIREMENTS FOR THE WAIVER, THE CIRCUMSTANCES UNDER WHICH A WAIVER MAY BE GRANTED, AND THE PROCEDURES FOR OBTAINING A WAIVER.

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Read the first time and referred to the Committee on Transportation.

S. 679 -- Senators Climer and Harpootlian: A BILL TO AMEND SECTION 13-1-1710 OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, TO PROVIDE FOR THE APPOINTMENT OF FOUR LEGISLATIVE MEMBERS; AND

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TO AMEND SECTION 13-1-1720 OF THE 1976 CODE, RELATING TO THE PURPOSE AND DUTIES OF THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, TO PROHIBIT THE COORDINATING COUNCIL FROM GRANTING EXTENSIONS, MODIFICATIONS, OR WAIVERS AND FROM OTHERWISE FORGIVING CONDITIONS UNDER WHICH COMPANIES WERE AWARDED INCENTIVES OR CREDITS; TO REQUIRE THE COORDINATING COUNCIL TO MAKE RECOMMENDATIONS TO THE STATE FISCAL ACCOUNTABILITY AUTHORITY, AND TO VEST THE STATE FISCAL ACCOUNTABILITY AUTHORITY WITH THE RESPONSIBILITY FOR MAKING FINAL DETERMINATIONS FOR INCENTIVE OR CREDIT EXTENSIONS, MODIFICATIONS, OR WAIVERS OR FOR OTHERWISE FORGIVING CONDITIONS FOR RECEIVING A CREDIT OR INCENTIVE.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 680 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DENTAL ACCESS CAROLINA, LLC, OF YORK COUNTY AND TO CONGRATULATE DR. JOHN E. REESE III AND HIS ASSOCIATES FOR TWO DECADES OF SUCCESSFULLY MEETING THE DENTAL NEEDS OF UNDERSERVED CHILDREN IN ROCK HILL AND THROUGHOUT SOUTH CAROLINA.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 681 -- Senators Setzler, Rice, Senn, Corbin, Scott and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 59 TO TITLE 11 SO AS TO PROVIDE FISCAL ACCOUNTABILITY OF QUASI-STATE AGENCIES BY THE SENATE FINANCE COMMITTEE AND THE HOUSE WAYS AND MEANS COMMITTEE, TO REQUIRE SUCH AGENCIES TO PROVIDE CERTAIN FINANCIAL INFORMATION, OPERATING

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PLANS, BONDING INFORMATION, AND CERTAIN
INFORMATION RELATING TO REAL ESTATE TRANSACTIONS.

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Senator SETZLER spoke on the Bill.

Read the first time and referred to the Committee on Finance.

H. 3105 -- Reps. Yow, Burns, Chumley, Magnuson, McCravy, Wooten, Fry, B. Cox, May, Haddon, Long, Gilliam, Forrest, Nutt, Trantham, Oremus, McGarry, Bennett, Jones, Thayer, Hiott, Willis, Huggins, Hixon, McCabe, Dabney, B. Newton, Bryant, Elliott, M. M. Smith, Pope, D. C. Moss, Ballentine, Lucas, Crawford, Erickson, Bradley, T. Moore, Wheeler, Herbkersman, W. Newton, Martin, Taylor and Davis: A BILL TO AMEND CHAPTER 32, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA RELIGIOUS FREEDOM ACT", SO AS TO PROVIDE THAT RELIGIOUS SERVICES ARE DEEMED AN ESSENTIAL SERVICE DURING A STATE OF EMERGENCY AND MUST BE ALLOWED TO CONTINUE OPERATING THROUGHOUT THE STATE OF EMERGENCY.

Read the first time and referred to the Committee on Judiciary.

H. 3281 -- Reps. King and Robinson: A BILL TO AMEND SECTION 17-5-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS FOR CREMATION WHICH MUST BE ISSUED BY CORONERS, SO AS TO PROVIDE THAT NO FEE FOR A PERMIT FOR CREMATION MAY BE CHARGED; AND TO AMEND SECTION 44-63-40, RELATING TO COUNTY REGISTRARS AND THE ISSUANCE OF BURIAL-REMOVAL-TRANSIT PERMITS, SO AS TO PROHIBIT A CORONER OR MEDICAL EXAMINER FROM CHARGING A FEE FOR SUCH PERMIT.

Read the first time and referred to the Committee on Judiciary.

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V. S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD

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OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Read the first time and referred to the Committee on Judiciary.

H. 3541 -- Reps. Hixon, Burns and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V. S. Moss, Lowe, Bryant, Forrest and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

Read the first time and referred to the Committee on Fish, Game and Forestry.

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H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3921 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 58-23-1610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE TRANSPORTATION NETWORK COMPANY ACT, SO AS TO REVISE THE DEFINITIONS OF "PERSONAL VEHICLE" AND "PREARRANGED RIDE".

Read the first time and referred to the Committee on Judiciary.

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G. M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S

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SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4035 -- Reps. Hiott, Bailey and Hewitt: A BILL TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

REPORTS OF STANDING COMMITTEES

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEY'S FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 195 -- Senator Hembree: A BILL TO AMEND SECTION 12-37-2650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND THE DELEGATION OF COLLECTION OF TAXES, SO AS TO PROVIDE THAT THE TAX NOTICE MUST SET FORTH THE FAIR MARKET VALUE USED FOR THE VEHICLE.

Ordered for consideration tomorrow.

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Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 401 -- Senators Gustafson, Hembree and Fanning: A BILL TO AMEND SECTION 6-1-320 OF THE 1976 CODE, RELATING TO THE LIMITATION ON MILLAGE INCREASES, TO ALLOW THE GOVERNING BODY OF A COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 461 -- Senator Alexander: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 463 -- Senators Alexander, Cromer, Grooms, Scott and Loftis: A BILL TO DELETE SECTION 2.B. OF ACT 134 OF 2016, RELATING TO THE EXPIRATION OF TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE

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“LEGALLY SEPARATED” FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM “COMMERCIAL PURPOSES” TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM “AGENT”; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE

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CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin and Leatherman: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3059 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

Ordered for consideration tomorrow.

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Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3684 -- Reps. Herbkersman, Erickson, Bradley and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., March 17, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3900 -- Reps. G.M. Smith, Herbkersman, Howard and Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE COVID-19 VACCINE.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 17, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

Very respectfully,

Speaker of the House

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE “SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT”; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN’S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN’S ADVOCACY CENTERS, TO REQUIRE CHILDREN’S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

S. 241 -- Senator Young: A BILL TO AMEND SECTION 59-112-50(C) OF THE 1976 CODE, RELATING TO THE DEFINITION OF “COVERED INDIVIDUAL” FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEAR’S OF THE VETERAN’S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.

S. 472 -- Senators Rankin and Hutto: A BILL TO ENACT THE “RESPONSIBLE ALCOHOL SERVER TRAINING ACT”; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE

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GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

S. 607 -- Senators Hembree and Hutto: A BILL TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE BASES FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

OBJECTION

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS

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IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

Senator MARTIN objected to consideration of the Bill.

CARRIED OVER

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

On motion of Senator SCOTT, the Bill was carried over.

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CARRIED OVER

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

Senator MALLOY spoke on the Bill.

On motion of Senator SCOTT, the Bill was carried over.

CARRIED OVER

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO

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REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

On motion of Senator MALLOY, the Bill was carried over.

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CARRIED OVER

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 456 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

The Senate proceeded to a consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD0456.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Section 23-3-90. (A) Notwithstanding any other provision of law, if an agency in this State is authorized by statute to obtain a fingerprint-based background check on an individual applicant for employment or licensure, the applicant shall undergo a state criminal records check, supported by fingerprints, by the South Carolina Law Enforcement Division (SLED), and a national criminal records check, supported by fingerprints, by the Federal Bureau of Investigation. The results of these criminal records checks must be reported to the agency and must not be further disseminated. The South Carolina Law Enforcement Division is authorized to retain the fingerprints for certification purposes and for notification of the agency regarding criminal charges.

(B)(1) SLED, upon request by the agency, may submit the fingerprints collected by agencies authorized to request state and national fingerprint-based background checks conducted by SLED and the Federal Bureau of Investigation to the Federal Bureau of Investigation’s Next Generation Identification (NGI) program.

(2) SLED and the Federal Bureau of Investigation may retain collected fingerprints. Retained fingerprints may be searched by future submissions to SLED and the NGI system, including latent fingerprint searches, and appropriate responses sent to SLED and authorized recipients.

(C) SLED may charge a reasonable fee for the collection and retention of fingerprints.”

SECTION 2. Chapter 2, Title 12 of the 1976 Code is amended by adding:

“Section 12-2-140. (A) Each state agency and each political subdivision of the State, is authorized, as necessary to comply with Internal Revenue Service Publication 1075, including amendments thereto and publications replacing Publication 1075, to obtain a state criminal records check, supported by fingerprints, conducted by the South Carolina Law Enforcement Division, and a national criminal records check, supported by fingerprints, conducted by the Federal Bureau of Investigation on all employees and contractors with access to federal tax information. The results of these criminal records checks must be reported to the requesting state agency or political subdivision.

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(B) An employee or contractor of a state agency or a political subdivision of the State with access to or that uses federal tax information must:

(1) agree to a national background check and the release of all investigative records to the applicable state agency or political subdivision for the purpose of verifying criminal history information for non-criminal justice purposes; and

(2) supply a fingerprint sample and submit to a state criminal history background check and investigation to be conducted by the South Carolina Law Enforcement Division and a national criminal history background check to be conducted by the Federal Bureau of Investigation.

(C) Except as otherwise provided in this section, the state agency or political subdivision shall pay any costs incurred to conduct background checks and investigations requested by the state agency or political subdivision. The state agency or political subdivision may require a person or entity contracting with the agency or political subdivision to pay the costs associated with the background investigations for all employees of the contractor. The requirement may be a condition of the contract with the state agency or political subdivision.

(D) Each state agency or political subdivision required to conduct background checks and investigations pursuant to this section shall establish written policies concerning the implementation and use of the background checks and investigations conducted pursuant to this section.

(E) For purposes of this section, 'state agency' includes state departments and state institutions."

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 631 -- Senator Talley: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO

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CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (631R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 11, by striking lines 4 through 8 and inserting:

/ (2) If the Secretary of State terminates an electronic notary public's registration, then the Secretary of State shall send written notice by certified mail to the electronic notary public at his last known address. A person who has had his electronic notary public registration terminated has thirty days from the receipt of the notice to appeal the termination by filing a request for a contested case hearing with the South Carolina Administrative Law Court. /

Amend the bill further, as and if amended, on page 12, line 29, by adding:

/SECTION __. Section 26-1-160 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“() The Secretary of State may terminate a notary public's commission upon notification that the notary public has been charged with an offense listed in this section or may terminate the notary public's commission at any subsequent point until the final adjudication of the charges. If the Secretary of State terminates a notary public's commission, then the Secretary of State shall send written notice by certified mail to the notary public at his last known address. A person who has had his notary public commission terminated has thirty days from the receipt of the notice to appeal the termination by filing a request for a contested case hearing with the South Carolina Administrative Law Court.”

SECTION __. This act does not apply to wills and trusts in South Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Senator HUTTO objected to consideration of the Bill.

OBJECTION

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO

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PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

Senator FANNING objected to consideration of the Bill.

CARRIED OVER

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

POINT OF ORDER

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 3739 -- Reps. J.L. Johnson, Brawley and Henegan: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARNERS FERRY ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 TO THE POINT WHERE IT CROSSES THE WATEREE RIVER "LIEUTENANT ULYSSES FLEMMING MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:17 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

**COMMITTEE AMENDMENT TABLED
AMENDED, READ THE SECOND TIME**

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

The Senate proceeded to a consideration of the Bill.

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The Committee on Medical Affairs proposed the following amendment (525R001.SP.MWG), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Section 44-96-40 of the 1976 Code is amended by adding appropriately numbered new items to read:

“() ‘Advanced recycling’ means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) ‘Depolymerization’ means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) ‘Gasification’ means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) ‘Pyrolysis’ means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

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(d) ‘Solvolysis’ means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to, monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonolysis, methanolysis, ethanolysis, and glycolysis.

() ‘Advanced recycling facility’ means a manufacturing facility that receives, separates, stores, and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

() ‘Post-use polymer’ means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

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(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

() (a) 'Recovered feedstock' means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste; or

(b) Recovered feedstock does not include unprocessed municipal solid waste." /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered new item to read:

"() Review and consider the environmental compliance history of an applicant or person in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status; prohibit the transfer of a permit or the transfer or achievement of interim status; or prohibit a change in the ownership of or a controlling interest in an existing facility." /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN spoke on the committee amendment.

Senator VERDIN moved to lay the amendment on the table.

The amendment was laid on the table.

Motion Adopted

Senator VERDIN asked unanimous consent to proceed to Amendment No. 4.

There was no objection.

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Amendment No. 4

Senator VERDIN proposed the following amendment (525R007.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking the bill after the enacting words and inserting:

/ /SECTION 1. Section 44-96-40 of the 1976 Code is amended by adding appropriately numbered new items to read:

“() ‘Advanced recycling’ means manufacturing processes that convert post-use polymers and recovered feedstocks into basic hydrocarbon raw materials, feedstocks, chemicals, waxes, lubricants, and other products through processes that include pyrolysis, gasification, depolymerization, solvolysis, catalytic cracking, reforming, hydrogenation, and other similar technologies. The recycled products produced from advanced recycling include, but are not limited to, monomers, oligomers, plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, waxes, lubricants, coatings, and other basic hydrocarbons. Advanced recycling is not incineration, combustion, energy recovery, material recovery, or treatment. For the purpose of advanced recycling:

(a) ‘Depolymerization’ means a manufacturing process at an advanced recycling facility where post-use polymers are broken into smaller molecules such as monomers and oligomers or raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.

(b) ‘Gasification’ means a manufacturing process at an advanced recycling facility through which recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere and the mixture is converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

(c) ‘Pyrolysis’ means a manufacturing process at an advanced recycling facility through which post-use polymers or recovered feedstock are heated in the absence of oxygen until melted and thermally decomposed and are then cooled, condensed, and converted to crude oil, diesel, gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, chemical feedstocks, diesel and gasoline blendstocks, or other raw materials or intermediate or final products that are returned to the economic mainstream in the form of raw materials, products, or fuels.

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(d) ‘Solvolysis’ means a manufacturing process at an advanced recycling facility through which post-use plastics are reacted with the aid of solvents while heated at low temperatures or pressurized to make useful products, while allowing additives and contaminants to be separated. The products of solvolysis include, but are not limited to, monomers, intermediates, and valuable raw materials. The process includes, but is not limited to, hydrolysis, aminolysis, ammonolysis, methanolysis, ethanolysis, and glycolysis.

() ‘Advanced recycling facility’ means a manufacturing facility that receives, separates, stores, and converts the post-use polymers and recovered feedstocks it receives using advanced recycling. An advanced recycling facility is not a solid waste processing facility, solid waste management facility, materials recovery facility, waste-to-energy facility, or incinerator, but the facility is subject to department inspections to ensure compliance. Solid waste generated by an advanced recycling facility is subject to all applicable laws and regulations for manufacturers relating to storage and disposal of solid waste. Post-use polymers and recovered feedstock may not be mixed with solid waste or hazardous waste onsite or during processing at an advanced recycling facility. At least seventy-five percent of the weight or volume of recovered feedstocks or post-use polymers received during the previous calendar year must be processed at an advanced recycling facility or transferred to a different site for processing in order for a facility to qualify as an advanced recycling facility. If an advanced recycling facility does not comply with the requirements of this definition, then it is not an advanced recycling facility and is subject to all applicable solid waste laws and regulations as determined by the department. Within sixty days of the termination of operations at an advanced recycling facility, all unused pre-converted and post-converted post-use polymers or recovered feedstock must be sold or disposed of by the advanced recycling facility in compliance with applicable laws.

() ‘Post-use polymer’ means a plastic polymer that is not solid waste when the following apply:

(a) it is derived from any industrial, commercial, agricultural, or domestic activities;

(b) its use or intended use is to manufacture crude oil, fuels, feedstocks, blendstocks, raw materials, or other intermediate products or final products using advanced recycling;

(c) it may contain incidental contaminants or impurities, such as paper labels or metal rings; and

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(d) it is processed at an advanced recycling facility or held at an advanced recycling facility prior to processing.

() (a) 'Recovered feedstock' means one or more of the following materials that has been processed so that it may be used as feedstock in an advanced recycling facility:

(i) post-use polymers;

(ii) materials for which the United States Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. 241.3(c); or

(iii) materials that the United States Environmental Protection Agency has otherwise determined are feedstocks and not solid waste; or

(b) Recovered feedstock does not include unprocessed municipal solid waste."

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator VERDIN spoke on the amendment.

The amendment was adopted.

Amendment No. 5

Senators SENN and VERDIN proposed the following amendment (525R008.SP.SS), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered new item to read:

"() Review and consider the environmental compliance history of an applicant or person that is or operates an advanced recycling facility, as defined by Section 44-96-40, in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status; prohibit the transfer of a permit or the transfer or achievement of interim status; or prohibit a change in the ownership of or a controlling interest in an existing advanced recycling facility." /

Renumber sections to conform.

Amend title to conform.

Senator VERDIN spoke on the amendment.

The amendment was adopted.

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Amendment No. 6

Senator MARTIN proposed the following amendment (DG\525C001.NBD.DG21), which was carried over and subsequently tabled:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION ____ . A. Section 44-96-250(13) of the 1976 Code is amended to read:

“(13) ‘Financial responsibility mechanism’ means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities and advanced recycling facilities. Available financial responsibility mechanisms include, but are not limited to, insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees as determined by the department by regulation.”

B. Article 2, Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44-96-480. Notwithstanding any other provision of this title, advanced recycling facilities shall demonstrate financial responsibility before the issuance of any permit related to such a facility or before operation of the facility. The financial responsibility mechanism must be in the form of a cash trust fund in the control of the department or a surety bond for which the department is the sole beneficiary, sufficient in form and amount to meet all reasonably foreseeable costs of clean up, environmental remediation, fire-fighting, ground water or surface water contamination, private property contamination, public health impacts, displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management or abandonment of any pyrolysis and gasification facilities, including but not limited to the operation and storage of post-use polymer, plastic polymer, incidental contaminants or impurities. The costs of a surety bond being used to demonstrate financial responsibility may be borne by the South Carolina Department of Commerce’s Closing Fund.”

SECTION ____ . The provisions of this act are repealed on December 31, 2026. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

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ACTING PRESIDENT PRESIDES

Senator DAVIS assumed the Chair.

Senator MARTIN continued speaking on the amendment.

PRESIDENT PRESIDES

At 2:44 P.M., the PRESIDENT assumed the Chair.

Senator MARTIN continued speaking on the amendment.

Motion Adopted

Senator K. JOHNSON asked unanimous consent to proceed to Amendment No. 7 with Senator MARTIN retaining the floor on Amendment No. 6.

There was no objection.

Amendment No. 7

Senators K. JOHNSON and McELVEEN proposed the following amendment (525R005.SP.KLJ), which was tabled:

Amend the bill, as and if amended, on page 3, line 27, by adding an appropriately numbered new SECTION to read:

/SECTION __. Article 2, Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44-96-345. (A) The department shall not consider any permit application to renew, expand, or build an advanced recycling facility if the advanced recycling facility is located, or proposed to be located, in whole or in part, in any Tier IV or Tier III county or in a county in which at least forty percent of the households have limited English proficiency, unless the permit applicant first:

(1) prepares an assessment of the potential environmental and public health impacts associated with the proposed new or expanded advanced recycling facility, including any adverse environmental or public health impacts that cannot be avoided if the permit is granted, and the environmental or public health impacts already borne by the county as a result of existing conditions located in or affecting the county; and

(2) conducts a public hearing in the county in which the advanced recycling facility is or is proposed to be located;

(B) After a review of the assessment and any other relevant information, including testimony and written comments received at the public hearing, the department shall:

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(1) deny a permit for a new advanced recycling facility upon a finding by the department that the approval of the permit would cause or contribute to adverse cumulative environmental or public health impacts in the county that are higher than those borne by other counties within the State; or

(2) apply conditions to a permit for the expansion of an existing advanced recycling facility, or the renewal of an existing advanced recycling facility's permit, concerning the construction and operation of the advanced recycling facility to protect public health, upon a finding by the department that the approval of a permit or permit renewal, as proposed, would, together with other environmental or public health impacts affecting the county, cause or contribute to adverse cumulative environmental or public health impacts in the overburdened county that are higher than those borne by other counties within the State.

(B) For all permits and authorizations related to advanced recycling facilities, the department shall be required to assess the cumulative impacts of that action and other related actions geographically and on the county in question.” /

Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON spoke on the amendment.

Senator VERDIN spoke on the amendment.

Senator VERDIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Senn	Setzler

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Shealy	Talley	Turner
Verdin	Young	

Total--32

NAYS

Allen	Fanning	Harpootlian
Kimpson	Matthews	McElveen
McLeod	Sabb	Scott
Stephens	Williams	

Total--11

The amendment was laid on the table.

Amendment No. 6

Senator MARTIN proposed the following amendment (DG\525C001.NBD.DG21), which was tabled:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION ____ . A. Section 44-96-250(13) of the 1976 Code is amended to read:

“(13) ‘Financial responsibility mechanism’ means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities and advanced recycling facilities. Available financial responsibility mechanisms include, but are not limited to, insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees as determined by the department by regulation.”

B. Article 2, Chapter 96, Title 44 of the 1976 Code is amended by adding:

“Section 44-96-480. Notwithstanding any other provision of this title, advanced recycling facilities shall demonstrate financial responsibility before the issuance of any permit related to such a facility or before operation of the facility. The financial responsibility mechanism must be in the form of a cash trust fund in the control of the department or a surety bond for which the department is the sole beneficiary, sufficient in form and amount to meet all reasonably foreseeable costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property

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contamination, public health impacts, displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management or abandonment of any pyrolysis and gasification facilities, including, but not limited to the operation and storage of post-use polymer, plastic polymer, incidental contaminants or impurities. The costs of a surety bond being used to demonstrate financial responsibility may be borne by the South Carolina Department of Commerce's Closing Fund."

SECTION _____. The provisions of this act are repealed on December 31, 2026. / _____

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

Senator VERDIN spoke on the amendment.

Senator VERDIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 15

AYES

Adams	Alexander	Bennett
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Kimbrell	Leatherman	Loftis
Massey	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Turner
Verdin	Williams	Young

Total--27

NAYS

Allen	Campsen	Davis
Fanning	Harpootlian	Hutto
<i>Johnson, Michael</i>	Kimpson	Malloy

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Martin
Sabb

McElveen
Stephens

McLeod
Talley

Total--15

The amendment was laid on the table.

Amendment No. 1A

Senator SENN proposed the following amendment (525R010.KM.SS), which was carried over:

Amend the bill, as and if amended, on page 3, line 27, by adding:

/ SECTION 2. Section 44-96-250(B)(13) of the 1976 Code is amended to read:

“(13) ‘Financial responsibility mechanism’ means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities and advanced recycling facilities. Available financial responsibility mechanisms include, but are not limited to, insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees as determined by the department by regulation.”

SECTION 3. Section 44-96-290 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“() An advanced recycling facility must demonstrate financial responsibility prior to being issued a permit for the facility or prior to the facility being placed in operation. To demonstrate financial responsibility, the facility must establish a cash trust fund under the control of the department or obtain a surety bond for which the department is the sole beneficiary, sufficient in form and amount to meet all reasonably foreseeable costs of clean up, environmental remediation, fire-fighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities, including, but not limited to, the operation and storage of post-use polymer, plastic polymer, or incidental contaminants or impurities.” /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. The provisions of this act terminate on June 30, 2026. /

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Renumber sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

Remarks by Senator SENN

To my colleagues, especially my newest colleagues, I want to tell you that about four -- maybe five years ago we voted on something and it was unanimous. It had to do with allowing triploid oysters to have summer harvest. I'm bringing this up to you because that Bill -- we did not foresee any problems with. We thought everything would be okay. But now it's become a big problem and I feel like it's the duty of all of us to warn. When we sit in on a subcommittee meeting, it is our duty to tell the rest of you any potential dangers. I certainly expect that y'all will do that for me. So to let you know, I don't have any problem with what I heard in subcommittee with this industry except that they are so new and there are so many unknowns. I highly disagree with any statement that says, "Oh it's proven clean or it's proven safe." That, I can tell you, is not what we heard in subcommittee. So, the reason I sit here -- I know that there are 46 Senators, only 11 of us are from urban areas, and so we are going to be greatly outnumbered by those in rural areas who want the industry and want any industry and I get that. I understand that. But what I don't want -- and I feel sure this industry is not coming to the urban areas because the land prices are too much. They are not going to go where we are, I doubt. But, I still care very much about the rural areas and I want to help them, but I also want to protect them. So, there was a couple of mentions that we are talking about the Sumter County Landfill -- that's totally different. But as we know, plastics are made from petroleum and there are many plastics fires. I didn't hear from Senator FANNING, which kind of surprises me because there was a major fire there not very long ago. It was a heck of a battle and it involved a plastic industry and that same week another one in that plastic industry had one of its locations in another state also get set on fire. In the Chester County case it burned for days. It had not only plastics on fire -- tires, tractor-trailers -- all sort of stuff because these materials are combustible. I had heard someone say yesterday that, well it's really not that volatile; we don't need to worry about it. But one of the things that concerns me about how we push this thing through is we didn't get enough answers, even in subcommittee. There was a move that it needed to come out. I don't ever want to stop anything when my chairman or other rural Senators really want this. I don't want to stop it from coming out, but we really didn't

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get a lot of answers. And one of the questions I still have is what are they manufacturing? We don't know. We don't know. They have not successfully manufactured anything. I am told that they can make jet fuel. I am told that they can make crayons and candles. First, nobody is going to want wax candles. We don't use those anymore. Remember how we used to go to weddings and they would drip all over the carpet? We don't do that, you know. Crayons...no company is going to come in here and put that kind of money into making some crayons. What the Bill says if you read the Bill -- I hope you take the time to read the Bill -- is that they can make all sorts. First of all, I don't understand half the words. I really don't and I've read it over and over again. If you take a look at it, it not only can make jet fuel as we've heard, or they want it to. They've not been successful, but chemical feedstock, unfinished chemicals, crude oil, naphtha, waxes, lubricants, coating, hydrocarbons, crude oil, diesel gasoline, home heating oil or other fuels, chemicals, waxes, lubricants, blah blah blah, including gasoline blend stocks. So just hearing that and hearing the word pyrolysis, something I do think I have some knowledge of, it sounds to me like there would be some volatility. Hearing that from my colleagues that I heard here yesterday -- I was hearing Senator GAMBRELL, I believe it was, talking about how when he went to the Nexus plant in Atlanta that it seemed very clean and that basically they would fill up these tankers with the melted product, and take it out of there when they could. Where does it go? Where does that stuff go? Is it going somewhere in South Carolina? I'm having to do my own research. So here I am looking to try and figure out, okay there are 37 of them I think that started -- very few really doing anything or still in existence. But where does it go? I don't want it to go and stay in South Carolina because of the volatility. The only thing that I've learned is that it can go -- just from my own research -- not that I heard in subcommittee, that it's going to go to one of three different places usually. One of those being in Texas, another I know is in Oregon and there's one other I can't remember. But why are they all wanting to be in the southeast? Why, if they're going to be having to take this melted product to these other states? That, I don't have an answer to and I don't get. I did see this though. There is a company called Agilyx. That's the one in Oregon. One thing I did learn from reading about them and I found them because they had been fined \$46,500 for violations that they stored hazardous waste at the site. They violated the 90-day storage limit. They stored waste improperly and they did not maintain a contingency plan. That particular group, their primary output, what they do is they send it for combustion to cement kilns. What, are we just taking these things, melting them

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down, sending them to combustion and if we don't have anything useful what kind of dangers could there possibly be, and I do not know? There's another company, as well, called Nexus and that's the one in Atlanta that we heard our Senators talk about yesterday -- the one in Atlanta. If you read the website, again, this is from my own research, but if you read Nexus's website it says they convert waste plastics into feedstock for plastic. And also the website says that they accept contaminated plastic and stockpile plastic. So, again, what are they manufacturing and why can't they just come in here under recyclers or waste? They don't want to do that because of a bond and that's the part that scares me so very much. I did want to point out that we don't have a cap on what this facility can take in. So even though they are supposed to get rid of 75% of it -- 75% of what? I mean, there is no cap, so we don't know what that 75% is. I actually contacted DHEC because I wanted to know how much a bond would be. They came back with what I thought was a very low number, \$1 million dollars, and I thought well, you know, at least the company can easily put that kind of money up. But I even warned DHEC. I said now I'm really worried about the agency because if something bad happens are you sure you got this covered? They said the biggest concern was fire, but that they felt like they could contain something like that and that this industry could contain it. Well, you know we saw what happened in Chester. It is not exactly the same, but still it was plastics and it was just an awful explosion out there in Chester County, not very long ago at all -- within the year. And we still don't have a closeout on the investigation there, so I think that's important.

Like I said, I was on the Medical Affairs Committee. Not even sure why in the world this thing went through Medical Affairs, but it did and that's okay. My main goal in coming here is to let all of you know that I do not think that this is something that we should take lightly. I have told my colleagues that really want to push this that it will have my vote. It will have my vote if there is a bond. So what my Bill does, it does not involve commerce or anything like that. My Bill requires the bond that is going to be set by DHEC, which I have been told is \$1 million and it also will sunset in five years. That's a clean Bill and I can't understand why anybody would oppose that. And if the industry opposes a small bond like that my "spidey" senses go way up and it will not have my vote.

Senator SENN requested her remarks be placed in the journal.

Senator KIMPSON spoke on the amendment.

Senator VERDIN spoke on the amendment.

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Senator VERDIN moved to carry over the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The amendment was carried over.

Amendment No. 2

Senator SENN proposed the following amendment (525R004.SP.SS), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. No post-use polymers or recovered feedstocks that are subject to the provisions of this act may be received from an out-of-state entity for a period of ten years after the effective date of this act. /

Re-number sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

WEDNESDAY, MARCH 17, 2021

On motion of Senator SENN, the amendment was carried over.

Amendment No. 3

Senators CAMPSEN and SENN proposed the following amendment (525R006.SP.GEC), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION _____. The Department of Health and Environmental Control shall promulgate regulations to provide for an environmentally responsible manner for storage, handling, and transporting plastic pellets, commonly referred to as nurdles, that were used as feedstock for advanced recycling, that were produced from advanced recycling, or that were manufactured using a product produced from advanced recycling./

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN spoke on the amendment.

On motion of Senator CAMPSEN, the amendment was withdrawn.

Amendment No. 8

Senator McELVEEN proposed the following amendment (DG\525C006.NBD.DG21), which was subsequently withdrawn:

Amend the bill, as and if amended, by striking the unnumbered SECTION containing the amendment to Section 48-1-50, as contained in the committee amendment, and inserting:

/ SECTION _____. Section 48-1-50 of the 1976 Code is amended by adding an appropriately numbered item to read:

“() The department may review and consider the environmental compliance history of an applicant or person in making a determination to issue, reissue, deny, revoke, modify, or suspend a permit or interim status, prohibit the transfer of a permit or the transfer or achievement of interim status, or prohibit a change in ownership or controlling interest in an existing facility.” /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN spoke on the amendment.

WEDNESDAY, MARCH 17, 2021

Motion Adopted

Senator VERDIN asked unanimous consent to proceed to Amendment No. 16.

There was no objection.

Amendment No. 16

Senators DAVIS, GAMBRELL, MALLOY, McELVEEN, CAMPSER, SENN, KIMPSON, SABB, SCOTT, STEPHENS, McLEOD and ALLEN proposed the following amendment (525R013.KM.TD), which was adopted:

Amend the bill, as and if amended, on page 3, line 27, by adding:

/SECTION 2. Section 44-96-250(B)(13) of the 1976 Code is amended to read:

“(13) ‘Financial responsibility mechanism’ means a mechanism designed to demonstrate that sufficient funds will be available to meet specific environmental protection needs of solid waste management facilities and advanced recycling facilities. Available financial responsibility mechanisms include, but are not limited to, insurance, trust funds, surety bonds, letters of credit, personal bonds, certificates of deposit, financial tests, and corporate guarantees as determined by the department by regulation.”

SECTION 3. A. Section 44-96-290 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“() An advanced recycling facility must demonstrate financial responsibility prior to being issued a permit for the advanced recycling facility or prior to the advanced recycling facility being placed in operation. To demonstrate financial responsibility, the advanced recycling facility must establish a cash trust fund under the control of the department or obtain a surety bond for which the department is the sole beneficiary, sufficient in form and amount to meet all reasonably foreseeable costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities, including, but not limited to, the operation and storage of post-use polymer, plastic polymer, or incidental contaminants or impurities, provided, however that no cash trust fund or surety bond shall be required if the advanced recycling facility establishes to the department that such costs are not reasonably foreseeable.”

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B. The Department of Health and Environmental Control shall, on or before the second anniversary of the effective date of this act, issue a report to the General Assembly. The report must include the department's analysis of the advanced recycling facility industry and its recommendation as to whether, given the industry's record in this State or elsewhere in regard to matters including, without limitation, its costs of clean up, environmental remediation, firefighting, ground water or surface water contamination, private property contamination, public health impacts, and displacement and relocation of affected persons, and any other reasonably foreseeable costs associated with the operation, management, or abandonment of any pyrolysis and gasification facilities, a cash trust fund or surety bond should be required of the advanced recycling facility, and if so, in what amount.

C. The provisions of this SECTION terminate on the third anniversary of the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator McELVEEN, with unanimous consent, Amendment Nos. 8-14 were withdrawn.

Motion Adopted

On motion of Senator DAVIS, with unanimous consent, Amendment No. 15A was withdrawn.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson

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Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Harpootlian	Kimpson	McElveen
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Total--3

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

S. 525--Ordered to a Third Reading

On motion of Senator MASSEY, with unanimous consent, S. 525 was ordered to receive a third reading on Thursday, March 18, 2021.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:00 A.M., under the provisions of Rule 1B.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

WEDNESDAY, MARCH 17, 2021

MOTION ADOPTED

On motion of Senator MASSEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Michael Ryan Wood of Edgefield, S.C. Michael was a freshman at Furman University. He was a member of the 2017 AA Band Directors Association State Championship squad, an All-Region Band member and was chosen for the University of South Carolina Band Clinic. Ryan was a member of the State Champion Mock Trial team in 2017, 2019 and 2020. Ryan loved acting and singing and performed in Murder's in the Heir, Big Fish, Aladdin and Shrek. Ryan was a James Otis Scholar and attended Palmetto Boys State. Ryan was a loving son, devoted brother and loyal friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Frank Tourville, Sr. of Orangeburg, S.C. Frank was the founder of Zeus Industrial Products, Inc. Frank served in the Korean War. After working in the extrusion industry for 10 years, he launched Zeus Industrial Products, Inc. and created over 1,200 jobs in South Carolina. He received numerous awards including the M.I. "Whitney" Bro Lifetime Achievement Award, the Order of the Palmetto and the S.C. Rural Entrepreneur of the Year to mention a few. Frank shared his time, experience and resources to many charities, community initiatives and colleges. Frank was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 7:16 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, March 18, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 19, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 677 Sen. Gambrell

ADJOURNMENT

At 11:03 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, March 23, 2021, at 12:00 Noon.

* * *

Tuesday, March 23, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Samuel 12:20

Speaking to the Lord's people, Samuel said: ‘ “. . .serve the Lord with all your heart.’ ”

Join me as we bow in prayer, please: O God of mercy and love, we note that had we gathered here after all last Thursday, the 18th, it would have been the birthdate of John C. Calhoun. Calhoun's rather forbidding expression in his portrait behind me reflects the reports that the man himself was not known as a person of faith. Even on his deathbed he allegedly turned away the U.S. Senate Chaplain who had come to minister to him. However, not at all like John C. Calhoun, O Lord, we warmly invite You to be present with us in this place. Moreover, dear God, embrace in Your care all of these servants who faithfully seek to honor You. And may the good work of each Senator and staff member always benefit every citizen of South Carolina. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5032

Agency: Clemson University

Chapter: 27

Statutory Authority: 1976 Code Section 46-21-625

SUBJECT: Seed Certification

Received by Lieutenant Governor March 19, 2021

Referred to Committee on Agriculture and Natural Resources

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REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5007

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-15-15, 50-15-70, and 50-15-80

SUBJECT: Regulations for Spotted Turtle; and Exchange and Transfer for Certain Native Reptiles and Amphibians

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted March 18, 2021

Doctor of the Day

Senator CAMPSEN introduced Dr. John Corless of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 12:34 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:20 P.M.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 177 Sen. Garrett

S. 195 Sen. Martin

S. 456 Sen. Senn

S. 461 Sen. Setzler

S. 627 Sen. Young

S. 675 Sen. Turner

S. 677 Sens. Matthews, Turner and Alexander

RECALLED

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES;

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AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

On motion of Senator TALLEY, with unanimous consent, the Bill was recalled from the Committee on Agriculture and Natural Resources and committed to the Committee on Judiciary.

RECALLED

S. 668 -- Senators Goldfinch and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NICHOLS HIGHWAY FROM ITS INTERSECTION WITH SARVIS ROAD TO ITS INTERSECTION WITH TRULUCK JOHNSON ROAD IN HORRY COUNTY "BRENDA COOK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GRANT ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST SEVEN MILE ROAD TO ITS

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INTERSECTION WITH BASSWOOD ROAD “JUDGE TAFT GUILF, JR. ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 682 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE FREDDY MUBARAK UPON THE OCCASION OF HIS RETIREMENT FROM ELGIN PHARMACY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE ELGIN COMMUNITY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 683 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE TONY CASEY UPON THE OCCASION OF HIS RETIREMENT FROM ELGIN PHARMACY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE ELGIN COMMUNITY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 684 -- Senator Talley: A SENATE RESOLUTION TO CONGRATULATE COACH MARK FREEZE UPON THE OCCASION OF HIS INDUCTION INTO THE SOUTH CAROLINA BASKETBALL COACHES ASSOCIATION HALL OF FAME.

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The Senate Resolution was adopted.

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S. 685 -- Senators Hembree, Kimpson and Setzler: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

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Senator HEMBREE spoke on the Bill.

Read the first time and referred to the Committee on Education.

S. 686 -- Senator Shealy: A BILL TO ENACT THE "SEXUAL ASSAULT SURVIVORS' BILL OF RIGHTS ACT"; TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST THE PERSON, BY ADDING ARTICLE 21, TO PROVIDE CERTAIN RIGHTS TO A SURVIVOR OF SEXUAL ASSAULT.

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Read the first time and referred to the Committee on Judiciary.

S. 687 -- Senator Kimpson: A JOINT RESOLUTION TO AUTHORIZE A BUSINESS OR OTHER ESTABLISHMENT PATRONIZED BY THE GENERAL PUBLIC TO NOTIFY ITS PATRONS OF THE PERCENTAGE OF ITS EMPLOYEES FULLY VACCINATED FOR THE COVID-19 VIRUS, TO AUTHORIZE A BUSINESS TO ADVERTISE THE PERCENTAGE OF FULLY VACCINATED EMPLOYEES, AND TO REQUIRE A BUSINESS TO DISCLOSE THE PERCENTAGE OF FULLY VACCINATED EMPLOYEES UPON REQUEST.

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Senator KIMPSON spoke on the Resolution.

Read the first time and referred to the Committee on Medical Affairs.

S. 688 -- Senator Adams: A BILL TO AMEND SUBARTICLE 5, ARTICLE 3, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO INDIVIDUAL ACCIDENT AND HEALTH INSURANCE POLICIES, BY ADDING SECTION 38-71-625, TO PROVIDE THAT AN INSURER MUST PROVIDE A DISCOUNT TO

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A POLICY HOLDER WHO HAS AND MAINTAINS A DECLARATION PURSUANT TO THE DEATH WITH DIGNITY ACT.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 689 -- Senators Leatherman, Massey, Malloy, Alexander, Peeler, Setzler, Williams, Scott and Fanning: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS UNTIL THE SAME DATE AS FEDERAL RETURNS AND PAYMENTS FOR INDIVIDUALS ARE DUE.

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Senator MASSEY spoke on the Resolution.

Read the first time and ordered placed on the Calendar without reference.

S. 690 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES, INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 691 -- Senator Hutto: A BILL TO CONSOLIDATE BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE

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BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY SCHOOL DISTRICT NO. 29 ON JULY 1, 2022; TO PROVIDE THAT THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BARNWELL COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 29; TO PROVIDE THAT THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 692 -- Senators Kimbrell, M. Johnson, Garrett, Adams and Corbin:
A BILL TO AMEND SECTION 59-19-40 OF THE 1976 CODE, RELATING TO CERTAIN SPECIAL PROVISIONS FOR THE ELECTION OR APPOINTMENT OF SCHOOL TRUSTEES, TO PROVIDE THAT ELECTIONS FOR SCHOOL TRUSTEES MUST BE

TUESDAY, MARCH 23, 2021

HELD AT THE SAME TIME AS THE GENERAL ELECTION IN EVEN-NUMBERED YEARS.

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Senator KIMBRELL spoke on the Bill.

Read the first time and referred to the Committee on Education.

S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 694 -- Senators Corbin, Shealy and Malloy: A SENATE RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 14, 2021, AS "STATE TREASURER'S OFFICE PROGRAMS DAY" IN SOUTH CAROLINA AND TO ENCOURAGE INDIVIDUALS, FAMILIES, AND BUSINESSES TO LEARN MORE ABOUT THE CONSUMER-FACING PROGRAMS OFFERED AT THE STATE TREASURER'S OFFICE.

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The Senate Resolution was introduced and referred to the Committee on Finance.

S. 695 -- Senator Gambrell: A SENATE RESOLUTION TO CELEBRATE THE BELTON-HONEA PATH HIGH SCHOOL COMPETITIVE CHEER TEAM, COACHES, AND SCHOOL OFFICIALS FOR A SUPERB SEASON AND TO CONGRATULATE THEM ON CAPTURING THE CLASS AAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

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H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V. S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J. E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

Read the first time and referred to the Committee on Judiciary.

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Read the first time and referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEE

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 296 -- Senators Climer, Fanning and M. Johnson: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO

TUESDAY, MARCH 23, 2021

THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY OF A CERTAIN SIZE AND POPULATION MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION DURING NON-DAYLIGHT HOURS OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO

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PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS
DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., March 18, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3785 -- Reps. J. Moore, Jefferson, Daning, Davis, Matthews and M.M. Smith: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OAKLEY ROAD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 52 TO ITS INTERSECTION WITH OLD HIGHWAY 52 "DR. TONIA AIKEN TAYLOR MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 680 -- Senator Fanning: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DENTAL ACCESS CAROLINA, LLC, OF YORK COUNTY AND TO CONGRATULATE DR. JOHN E. REESE III AND HIS ASSOCIATES FOR TWO DECADES OF SUCCESSFULLY MEETING THE DENTAL NEEDS OF UNDERSERVED CHILDREN IN ROCK HILL AND THROUGHOUT SOUTH CAROLINA.

Returned with concurrence.

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

TUESDAY, MARCH 23, 2021

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 456 -- Senators Alexander and Senn: A BILL TO AMEND ARTICLE 1, CHAPTER 3, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, BY ADDING SECTION 23-3-90, TO PROVIDE THAT AN AGENCY AUTHORIZED TO REQUEST A STATE FINGERPRINT BACKGROUND CHECK MAY REQUEST A FEDERAL FINGERPRINT BACKGROUND CHECK, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, UPON REQUEST, MAY SUBMIT THE FINGERPRINTS COLLECTED BY AGENCIES AND INFORMATION RELATED TO THOSE PRINTS TO THE FEDERAL BUREAU OF INVESTIGATION'S NEXT GENERATION IDENTIFICATION PROGRAM, TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION MAY RETAIN COLLECTED FINGERPRINTS AND SEARCH ANY RETAINED FINGERPRINTS AT A LATER DATE PURSUANT TO AN APPROPRIATE INQUIRY, AND TO PROVIDE THAT THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION MAY CHARGE A REASONABLE FEE FOR THE COLLECTION AND RETENTION OF FINGERPRINTS.

S. 631 -- Senators Talley and Campsen: A BILL TO ENACT THE "SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT"; TO AMEND TITLE 26 OF THE 1976 CODE, RELATING TO NOTARIES PUBLIC AND ACKNOWLEDGEMENTS, BY ADDING CHAPTER 2, TO PROVIDE FOR PROCEDURES AND TRAINING REQUIREMENTS, TO PROVIDE FOR ACTS THAT MAY BE PERFORMED, RESTRICTIONS ON THOSE ACTS, AND REQUIREMENTS TO COMPLETE THOSE ACTS, TO ESTABLISH MAXIMUM FEES, TO ESTABLISH PROCEDURES FOR ELECTRONIC NOTARIES PUBLIC, TO PROVIDE THAT THE SECRETARY OF STATE MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE TERMINATION OF ELECTRONIC NOTARIES PUBLIC, TO PROVIDE A PENALTY, TO PROVIDE REQUIREMENTS TO CERTIFY AUTHENTICITY, AND TO DEFINE NECESSARY TERMS.

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READ THE SECOND TIME

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Climmer	Corbin	Senn
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Total--3

The Bill was read the second time, passed and ordered to a third reading.

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READ THE SECOND TIME

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

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Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens:
A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE,
RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR
DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS
UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR
VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL
CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF

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TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND

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MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (243R001.KMM.KS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking line 42 and inserting:

/ “() ‘Near fatality’ means an act of abuse or neglect that, as certified by a physician, /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

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Senator YOUNG proposed the following amendment (243R002.SP.TRY), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 28 through 32 and inserting:

/ “(a) the state director or the director’s designee, for the purpose of publicly disclosing findings or information about a prior unfounded case of child abuse or neglect in the preparation and release of reports pursuant to Section 63-7-1990(H), provided that the disclosed information is limited to the following: /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE

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SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

The Senate proceeded to a consideration of the Resolution.

The Committee on Agriculture and Natural Resources proposed the following amendment (3071R001.SP.WC), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 27 through 31 and inserting:

/other states in the Southeast as well as nationally; /

Amend the joint resolution further, as and if amended, on page 2, by striking line 42 and inserting:

/by February 15, 2022, providing its findings and recommendations.

The committee shall not recommend a tax or fee increase in its findings and recommendations. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEY'S FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\154C001.NBD.DG21):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

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“Section 12-54-20. (A) An individual that is a party in any action or proceeding with, or on behalf of, the department regarding any tax imposed by this title and administered by the department, is entitled to reasonable attorneys’ fees and costs associated with the action or proceeding if:

(1) the individual prevails in the action or proceeding; or
(2) the department does not meet the timeliness requirements set forth in law. For purposes of this item, reasonable attorneys’ fees and costs means the fees and costs incurred by the individual due to the department’s delay.

(B) For purposes of this section, an individual also includes sole proprietorships, partnerships, and ‘S’ corporations, including limited liability companies taxed as sole proprietorships, partnerships, or ‘S’ corporations.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

On motion of Senator K. JOHNSON, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 195 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 12-37-2650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND THE DELEGATION OF COLLECTION OF TAXES, SO AS TO PROVIDE THAT THE TAX NOTICE MUST SET FORTH THE FAIR MARKET VALUE USED FOR THE VEHICLE.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\195C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ .Section 12-37-3210(A) of the 1976 Code, as added by Act 223 of 2018, is amended to read:

“(A) The auditor shall prepare a tax notice for all boats, boat motors, and watercraft owned by the same person and titled at the same time for each tax year. A notice must describe the boats, boat motors, or watercraft by name, model, and identification number. The notice must

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set forth fair market value used for the boat, the assessed value of the boat, the millage, the taxes due on each boat, and the tax year. The notice must be delivered to the county treasurer or official charged with the collection of taxes, who must collect or receive payment of the taxes. One copy of the notice must be in the form of a bill or statement for the taxes due on the boat and, when practical, the auditor shall mail that copy to the owner of the boat. When the tax and all other charges included on the tax bill have been paid, the county treasurer or official charged with the collections of taxes shall issue the taxpayer a paid receipt once all charges on the tax bill including the taxes have been paid. The receipt or a copy may be delivered by the taxpayer to the Department of Natural Resources with either the application for and issuance of number and certificate referenced in Section 50-23-340 or the renewal application for a certificate of number referenced in Section 50-23-370. A record of the payment of the tax must be retained by the treasurer. The auditor shall maintain a separate duplicate for boats, boat motors, and watercraft. No certificate of number may be issued by the Department of Natural Resources unless the application is accompanied by the receipt, or notice from the county treasurer, by other means satisfactory to the Department of Natural Resources, of payment of the tax.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman

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Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

S. 401 -- Senators Gustafson, Hembree and Fanning: A BILL TO AMEND SECTION 6-1-320 OF THE 1976 CODE, RELATING TO THE LIMITATION ON MILLAGE INCREASES, TO ALLOW THE GOVERNING BODY OF A COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.

Senator JACKSON objected to consideration of the Bill.

CARRIED OVER

S. 461 -- Senators Alexander and Setzler: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER explained the Bill.

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On motion of Senator MALLOY, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 463 -- Senators Alexander, Cromer, Grooms, Scott and Loftis: A BILL TO DELETE SECTION 2.B. OF ACT 134 OF 2016, RELATING TO THE EXPIRATION OF TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\463C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. SECTION 2.B. of Act 134 of 2016, as amended by Act 47 of 2019, is amended to read:

B.The provisions contained in this section related to geothermal machinery and equipment are repealed January 1, ~~2022~~ 2032. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen

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Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--38

NAYS

Hutto	Malloy	Matthews
McElveen	Rice	Setzler
Stephens	Williams	

Total--8

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE

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USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (CZ\556C001.JN.CZ21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 11, Title 50 of the 1976 Code is amended by adding:

"Section 50-11-107. Unless otherwise provided, a person violating a provision of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars, or imprisoned for not more than sixty days, or both."

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SECTION 2. Section 50-9-450(A) of the 1976 Code is amended to read:

“(A) In addition to a valid state hunting license, an annual ~~commercial fur trapping~~ license is required of all persons who sell or take, by any means, fur-bearing animals for commercial purposes, and all persons who trap or who attempt to trap any fur bearing animals during a trapping season established by the department on a wildlife management area, heritage trust land, or other property owned or leased by the department. The license is issued by the department at a cost of twenty-five dollars for residents and two hundred dollars for nonresidents. ~~Any person having in his possession more than five fur bearing animals or raw or green pelts shall have a valid commercial fur license.~~ The provisions of this section do not apply to a processor, manufacturer, or retailer.”

SECTION 3. Section 50-11-2400(d) of the 1976 Code is amended to read:

“(d) ‘Commercial purposes’ means taking or possessing any fur, pelt, hide, or whole fur-bearing animal for a fee, exchange, sale, trade, or barter ~~and taking or possessing more than five furs, pelts, hides, or whole animals.~~”

SECTION 4. Section 50-11-2430 of the 1976 Code is amended to read:

“Section 50-11-2430. A person engaged in the act of trapping on private land must be the owner of the property on which ~~the traps or devices are set or has written permission from the landowner or his agent in possession to use the property for trapping~~ a trap is set or be the agent of the owner.”

SECTION 5. Section 50-11-2445 of the 1976 Code is amended to read:

“Section 50-11-2445. It is unlawful for a person, other than the owner of the trap, or the owner’s ~~designee agent~~, to remove any lawfully trapped wildlife from ~~any a~~ legally set trap. ~~A designee must have in his possession written permission from the owner of the trap or the owner’s agent, and must meet all commercial fur licensing requirements or be listed on a valid depredation permit.~~ A person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than two hundred dollars, or imprisoned for no more than thirty days.”

SECTION 6. Section 50-11-2450 of the 1976 Code is amended to read:

“Section 50-11-2450. Any person required to be licensed under Section ~~50-11-2420~~ 50-9-450 shall report to the department by April

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fifteenth of each year the number and type of ~~furbearing~~ fur-bearing animals taken, sold, or shipped, together with the names and addresses of persons to whom sold or shipped using forms as the department may prescribe. Any person failing to report by April fifteenth of each year shall, on the second offense, be denied a license for the following fiscal year.”

SECTION 7. Section 50-11-2460(C) of the 1976 Code is amended to read:

“(C) All traps on a wildlife management area, heritage trust land, or other property owned or leased by the department must bear the owner’s name and address or department-issued customer number either directly thereon or by an attached identification tag.”

SECTION 8. Section 50-11-2480 of the 1976 Code is amended to read:

“Section 50-11-2480. The following persons are not required to obtain a fur buyer’s license:

(1) a person who acquires ~~not more than five~~ furs, pelts, hides, or whole animals for his own personal use ~~during one season~~ and not for barter, exchange, or sale;

(2) a person licensed as a fur processor;

(3) a taxidermist who possesses a fur, pelt, hide, or whole ~~furbearing~~ fur-bearing animal legally owned by another person which he is holding temporarily solely for the purposes of processing;

(4) a person acquiring ~~furbearing~~ fur-bearing animal carcasses without hides; and

(5) an owner or enclosure operator of a permitted fox and coyote hunting enclosure who purchases live foxes or coyotes for release into the enclosure.”

SECTION 9. Section 50-11-2515 of the 1976 Code is amended to read:

“Section 50-11-2515. ~~Except as otherwise permitted in this article, it is unlawful to possess, acquire, or transfer any raw or green fur, pelt, hide, or whole furbearing animal.~~ It is also unlawful to possess, acquire, or transfer any untagged fur, pelt, hide, or whole animal that requires a tag pursuant to the provisions of Section 50-11-2510. ~~Any A~~ A person convicted of a violation of this section is guilty of a misdemeanor and ~~must be punished as provided in Section 50-11-2560, upon conviction,~~ must be fined not less than three hundred dollars but not more than one thousand dollars, or imprisoned for not more than sixty days, or both. Each fur, pelt, hide, or whole animal found in violation of this section constitutes a separate offense.”

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SECTION 10. Section 50-11-2540 of the 1976 Code is amended to read:

~~“Section 50-11-2540. (A) It is lawful to trap furbearing animals for commercial purposes from~~ The trapping season for fur-bearing animals is December first of each year to March first of the succeeding year. It is unlawful to trap any other times unless authorized pursuant to a provision of this article or by the department. ~~It is lawful to take furbearing animals by other lawful means during the general open hunting seasons established therefor.~~

~~(B) It is lawful to trap coyotes from December first of each year to March first of the succeeding year. It is unlawful to trap coyotes at any other time unless authorized by the department. Notwithstanding the provisions of Section 50-11-1080, it is lawful to take coyotes by other lawful means at any time during the year.~~

~~(B)(1) A property owner, or an agent authorized by the owner, may trap beaver on the property of the owner year round without a license or permit from the department for the noncommercial purposes of:~~

~~(a) wildlife habitat, wetland, pond, agricultural, or silviculture management; or~~

~~(b) the protection of property improvements.~~

~~(2) A property owner, or an agent authorized by the owner, may trap all other fur-bearing animals on the property of the owner from December first of each year to March first of the succeeding year without a license or permit from the department for the noncommercial purposes of:~~

~~(a) wildlife habitat, wetland, pond, agricultural, or silviculture management;~~

~~(b) predator control; or~~

~~(c) the protection of property improvements.~~

~~(C) It is lawful to take fur-bearing animals by other lawful means during the general open hunting seasons established therefore.”~~

SECTION 11. Section 50-11-2565 of the 1976 Code is amended to read:

~~“Section 50-11-2565. Any~~ Unless otherwise provided, a person violating the provisions a provision of this article ~~unless otherwise specified in Section 50-11-2560~~ is guilty of a misdemeanor and, upon conviction, must be fined not less than fifty dollars nor more than two hundred dollars, or imprisoned for not more than thirty days for each violation.”

SECTION 12. Section 50-11-2560 of the 1976 Code is repealed.

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SECTION 13. The Department of Natural Resources is directed to study the public trapping opportunities in Florida, Georgia, and North Carolina and to promulgate regulations for the establishment of trapping seasons on its owned or leased lands that are the most appropriate for public trapping.

SECTION 14. The Code Commissioner of the Legislative Council is directed to change all references to “commercial fur license” or “commercial fur licensee” not specifically addressed in this act to “trapping license” or “trapping licensee.”

SECTION 15. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senators McELVEEN and CAMPSSEN proposed the following amendment (556R001.SP.JTM), which was adopted:

Amend the bill, as and if amended, by striking SECTION 7, relating to Section 50-11-2460(C), in its entirety.

Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

On motion of Senator RICE, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman and Young: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND “S” CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX

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PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE,
SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH
BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment
(DG\627C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and
inserting:

/ SECTION 1. Section 12-6-545 of the 1976 Code is amended by
adding a new subsection at the end to read:

“(G)(1) Notwithstanding Section 12-6-510 and any other provision
of this section, a partnership or ‘S’ corporation, including a limited
liability company taxed as a partnership or ‘S’ corporation, may elect
annually under this subsection to have income tax on its active trade or
business income at the rate provided in subsection (B)(2) imposed on the
pass-through business entity itself. Such elections must be made no later
than the due date for filing the applicable income tax return, including
any extensions.

(2) Also notwithstanding Section 12-6-510, in computing South
Carolina taxable income, an individual shall exclude net income or losses
from an electing entity of which the individual is a shareholder, partner,
or member provided that the entity properly filed an income tax return
and paid the taxes pursuant to this subsection that included the net
income or loss.

(3) A pass-through business entity making an election under this
subsection shall report to each of its owners the owner’s pro rata or
distributive share of the trade or business income on which the
pass-through business entity paid tax under this subsection. To the extent
of the share, the net active trade or business losses of the owner from
other pass-through entities that are reported directly by such owner may
not reduce tax at a rate higher than the rate provided in subsection (B)(2).

(4) An owner of a pass-through business entity making an election
under this subsection is not allowed a credit under Section 12-6-3400 for
taxes paid to another state on the entity’s active trade or business income
taxed to the entity pursuant to the election, but the entity itself is allowed
a credit under Section 12-6-3400 for the taxes that would otherwise be
creditable to its owners under the section in the absence of such election,
subject to the limitation contained in that section applied at the entity
level.

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(5) Section 12-8-590, dealing with tax withholding on distributions to nonresident shareholders of 'S' corporations and nonresident partners, does not apply to electing entities regarding their active trade or business income.

(6) For tax years beginning after 2021, an electing entity shall submit estimated tax payments pursuant to Section 12-6-3910.

(7) If the electing entity fails to pay the amount owed to the department with respect to income as a result of the election, the department may collect the amount from the electing entity or the shareholders, partners, or members based upon their proportionate share of the income, or both." /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3059 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3549R001.KMM.GEC), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 40 through 42, and on page 2, by striking lines 1 through 4 and inserting:

/ (B) A person exercising the privileges of a license, permit, or stamp may provide proof of the license, permit, or stamp to a law enforcement officer upon demand by use of a mobile electronic device in a format prescribed by the department. A person carrying a mobile electronic device with access to electronic proof of a license, permit, or stamp is deemed to be carrying the license, permit, or stamp on his person. /

Re-number sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3684 -- Reps. Herbkersman, Erickson, Bradley and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE

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WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS

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FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM,
AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST
BE DISTRIBUTED.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment
(SA\3770C001.BH.SA21):

Amend the joint resolution, as and if amended, SECTION 2, by
striking subsection (A)(1) and inserting:

/ (A)(1) There is created the South Carolina Emergency Rental
Assistance Program (program) administered by the South Carolina State
Housing Financing and Development Authority (SC Housing), under the
direction of its board of commissioners, with the funds appropriated in
SECTION 1, to assist eligible households that are unable to pay rent,
utilities, and other expenses incurred related to housing due to the
COVID-19 pandemic, as defined by the Secretary of the Treasury. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

On motion of Senator CLIMER, the Resolution was carried over.

OBJECTION

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins,
Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO
WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE
1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL
STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL
INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND
2022-2023 SCHOOL YEARS.

Senator KIMPSON objected to consideration of the Resolution.

ADOPTED

S. 569 -- Senator Adams: A CONCURRENT RESOLUTION TO
REQUEST THAT THE DEPARTMENT OF TRANSPORTATION
NAME THE PORTION OF UNITED STATES HIGHWAY 52
RIVERS AVENUE FROM ITS INTERSECTION WITH MALL
DRIVE TO ITS INTERSECTION WITH MCMILLAN AVENUE IN
CHARLESTON COUNTY "ROBERT ANTHONY 'TONY' WAY

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ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

Senator MASSEY moved that the Bill be made a Special Order.

Senator FANNING argued in opposition of the motion.

Senator MARTIN argued in favor of the motion.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 14

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Massey	Peeler	Rankin
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Young	

Total--32

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NAYS

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Martin	Matthews	McElveen
McLeod	Sabb	Scott
Stephens	Williams	

Total--14

The Bill was made a Special Order.

MADE SPECIAL ORDER

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

Senator MASSEY moved that the Resolution be made a Special Order.

Senator MARTIN argued in opposition of the motion.

The Resolution was made a Special Order.

MOTION ADOPTED

At 2:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF

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INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 45

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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ADJOURNMENT

At 2:20 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 24, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Numbers 6:24-26

An ancient priestly blessing proclaims: “The Lord bless you and keep you, the Lord make his face to shine upon you and be gracious to you, the Lord lift up his countenance upon you, and give you peace.”

Bow with me, if you will: Truly, O God, You indeed bless each and every one of us so very richly. With all our hearts do we join together to give You our thanks and our praise for Your unending care. Furthermore, we pray today that by Your Spirit You will continue to allow each Senator and staff member personally to feel your strength in marvelously encouraging ways as they and our state’s other elected officials all use their gifts to Your glory, staying focused upon doing what is right and best for every South Carolinian. Moreover, as our hearts brim with sorrow, O God, we ask You today to embrace in Your tender care all of those across our land who have lost loved ones in our nation’s most recent mass shootings. We humbly pray all this in Your wondrous name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:03 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Bennett	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson

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Harpootlian	Hembree	Hutto
Kimbrell	Kimpson	Martin
Massey	Peeler	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Doctor of the Day

Senator WILLIAMS introduced Dr. Joseph Hoyle of Florence, S.C., Doctor of the Day.

Leave of Absence

At 1:03 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 1:34 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:40 P.M..

Leave of Absence

At 2:41 P.M., Senator McLEOD requested a leave of absence for Senator MATTHEWS for the day.

Leave of Absence

At 3:58 P.M., Senator SABB requested a leave of absence for Senator KIMPSON for the balance of the day.

Leave of Absence

At 5:14 P.M., Senator TURNER requested a leave of absence for Senator TALLEY for the balance of the day.

Expression of Personal Interest

Senator SHEALY rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 14	Sen. Senn
S. 499	Sen. Climer
S. 528	Sen. Shealy

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S. 596 Sens. Campsen and McElveen
S. 614 Sen. Gustafson
S. 627 Sen. Gustafson
S. 677 Sens. Hutto, Talley, Kimpson and McElveen
S. 685 Sens. Scott and Turner

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 150 Sen. Gustafson

RECALLED

S. 455 -- Senator Davis: A BILL TO AMEND SECTION 40-33-36 OF THE 1976 CODE, RELATING TO THE TEMPORARY LICENSURE OF NURSES, TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PRESCRIBE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH TEMPORARY LICENSURE AS A GRADUATE NURSE SHALL BE IMMEDIATELY REVOKED, AND TO DEFINE NECESSARY TERMS.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

The Bill was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis and Young: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

Senator CLIMER asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Agriculture and Natural Resources.

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The Joint Resolution was recalled from the Committee on Agriculture and Natural Resources and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN "HARVEY MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 671 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 7, 2021, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT WORK DONE TO COMBAT THE SIGNIFICANT PROBLEM OF CHILD MALTREATMENT.

Senator SHEALY asked unanimous consent to make a motion to recall the Resolution from the Committee on Family and Veterans' Services.

The Resolution was recalled from the Committee on Family and Veterans' Services.

Senator SHEALY asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator SHEALY, the Resolution was adopted and ordered sent to the House.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 696 -- Senators Setzler and Shealy: A CONCURRENT RESOLUTION TO SEEK TO DESTIGMATIZE SUBSTANCE USE DISORDER, SHARE REAL STORIES OF HOPE AND RECOVERY, AND INSPIRE LEXINGTON COUNTY RESIDENTS TO SEEK HELP AND SUPPORT BY CHOOSING #COURAGEOVERSTIGMA.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 697 -- Senator Verdin: A BILL TO AMEND SECTION 44-43-400 OF THE 1976 CODE, RELATING TO THE JURISDICTION OF A CORONER OVER A BODY THAT IS THE SUBJECT OF AN ANATOMICAL GIFT, TO CLARIFY THAT THE CORONER MUST COOPERATE EXPEDITIOUSLY WITH A PROCUREMENT ORGANIZATION TO MAXIMIZE THE OPPORTUNITY TO RECOVER ANATOMICAL GIFTS FOR THE PURPOSE OF TRANSPLANTATION, THERAPY, RESEARCH, OR EDUCATION, EVEN WHEN PERFORMING AN INVESTIGATION.

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Read the first time and referred to the Committee on Medical Affairs.

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young and Rice: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5, 2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT

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SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2025; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

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The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

S. 700 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN "HARVEY MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Finance.

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Read the first time and referred to the Committee on Finance.

REPORTS OF STANDING COMMITTEES

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable with amendment report on:

S. 101 -- Senators Cromer and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-671 SO AS TO PROVIDE FOR THE DESIGN, COLOR, AND OTHER ELEMENTS OF THE SOUTH CAROLINA STATE FLAG AND TO DESIGNATE THE FLAG OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 235 -- Senator Turner: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO REVISE THE MEMBERSHIP OF ITS GOVERNING COMMISSION BY REMOVING ONE MEMBER FROM SPARTANBURG COUNTY AND ADDING ONE MEMBER FROM GREENVILLE COUNTY, AND TO AMEND REWA'S SERVICE AREA.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out S. 245 favorable:

S. 245 -- Senators Young, Rankin and Climer: A BILL TO AMEND SECTION 56-5-3435 OF THE 1976 CODE, RELATING TO MAINTAINING A SAFE OPERATING DISTANCE BETWEEN A MOTOR VEHICLE AND A BICYCLE, TO DEFINE "SAFE OPERATING DISTANCE".

**Poll of the Transportation Committee
Polled 17; Ayes 17; Nays 0**

AYES

Grooms	Leatherman	Rankin
Verdin	Malloy	Campsen
Peeler	Bennett	Hembree
McElveen	<i>K. Johnson</i>	Kimpson
Sabb	Matthews	Climer
Rice	Senn	

Total--17

NAYS

Total--0

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Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE

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DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 499 -- Senators Campsen, Rice, Talley, Loftis and Climer: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25

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OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation polled out S. 667 favorable:

S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

**Poll of the Transportation Committee
Polled 17; Ayes 16; Nays 1**

AYES

Grooms	Leatherman	Rankin
Verdin	Malloy	Campsen
Peeler	Bennett	Hembree
McElveen	<i>K. Johnson</i>	Kimpson
Sabb	Matthews	Climer
Rice		

Total--16

NAYS

Senn

Total--1

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3262 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott,

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Willis, Felder, McGarry, V.S. Moss, Haddon, Long, Pope, Forrest, Caskey, Hixon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Brittain and Crawford: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, INCLUDING CANDIDATES FROM PARTIES THAT ARE NOT REQUIRED TO CONDUCT A PRIMARY ELECTION, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR POLITICAL PARTY CONVENTION; AND TO AMEND SECTION 7-11-210, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REQUIRE CANDIDATES TO AFFIRM THEIR PARTICIPATION IN AT LEAST THREE OF THE LAST FOUR STATEWIDE PARTY PRIMARIES, OR, IN THE ALTERNATIVE, IF PRECLUDED FROM PARTICIPATION DUE TO AGE, PERSONAL HEALTH, RESIDENCY, OR ACTIVE MILITARY SERVICE, CANDIDATES MAY PLEDGE THAT THEY ARE BONA FIDE MEMBERS OF THE POLITICAL PARTY WHOSE NOMINATION THEY ARE SEEKING, AND TO PROVIDE THAT THE STATE PARTY CHAIRMAN, IF PERMITTED BY PARTY RULE, MAY REQUIRE ADDITIONAL VERIFICATION WHEN A CANDIDATE'S AFFIRMATION OF BONA FIDE PARTY MEMBERSHIP IS DISPUTED, AND THAT THE STATE CHAIRMAN IS THE FINAL AUTHORITY TO RESOLVE QUESTIONS REGARDING BONA FIDE PARTY MEMBERSHIP.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES

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REGARDING COUNTY CONVENTIONS IN A NEWSPAPER
HAVING GENERAL CIRCULATION IN THE COUNTY.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

Ordered for consideration tomorrow.

**THE SENATE PROCEEDED TO A CALL OF THE
UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY. (Abbreviated Title)

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3585 -- Reps. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO

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AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY, SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.

H. 3587 -- Reps. Sandifer and Hardee: A BILL TO AMEND SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN INSURER FROM TREATING A CORRECTION OF A TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION IN COVERAGE AND TO AMEND SECTION 38-77-120, RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE CONFORMING CHANGES.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE

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“EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE” TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 195 -- Senators Hembree and Martin: A BILL TO AMEND SECTION 12-37-2650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF TAX NOTICES AND PAID RECEIPTS AND THE DELEGATION OF COLLECTION OF TAXES, SO AS TO PROVIDE THAT THE TAX NOTICE MUST SET FORTH THE FAIR MARKET VALUE USED FOR THE VEHICLE.

S. 463 -- Senators Alexander, Cromer, Grooms, Scott and Loftis: A BILL TO DELETE SECTION 2.B. OF ACT 134 OF 2016, RELATING TO THE EXPIRATION OF TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT.

OBJECTION

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE “LEGALLY SEPARATED” FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

Senator MARTIN objected to further consideration of the Bill.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3059 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

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ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3684 -- Reps. Herbkersman, Erickson, Bradley and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1713 SO AS TO PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN; AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING TO THE APPLICATION OF FEDERAL FISHING REGULATIONS IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE EXCEPTION FOR COBIA.

OBJECTION

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO

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OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to consideration of the Bill.

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CARRIED OVER

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

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CARRIED OVER

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator HEMBREE, the Resolution was carried over.

CARRIED OVER

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEY'S FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 461 -- Senators Alexander and Setzler: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO

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AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

On motion of Senator MARTIN, the Bill was carried over.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (SA\3770C001.BH.SA21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 2, by striking subsection (A)(1) and inserting:

/ (A)(1) There is created the South Carolina Emergency Rental Assistance Program (program) administered by the South Carolina State Housing Financing and Development Authority (SC Housing), under the direction of its board of commissioners, with the funds appropriated in SECTION 1, to assist eligible households that are unable to pay rent, utilities, and other expenses incurred related to housing due to the COVID-19 pandemic, as defined by the Secretary of the Treasury./

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator CASH proposed the following amendment (3770R001.SP.RJC), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. SC Housing must take action, to include working with the judicial department, to ensure that eligible households and landlords are aware of the program and that program information is distributed in rental deferrals and evictions cases. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

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Senator CAMPSen proposed the following amendment (3770R004.SP.GEC), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 in its entirety and inserting”

/ SECTION 1. A.The federal funds disbursed to the State pursuant to the federal “Consolidated Appropriations Act, 2021” for the Emergency Rental Assistance Program, are hereby authorized to be expended as set forth in this Joint Resolution.

B.In accordance with the provisions of the Consolidated Appropriations Act, 2021, applications for funding can be made by a utility, landlord, or tenant on behalf of the eligible household. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSen explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--41

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NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

S. 689 -- Senators Leatherman, Massey, Malloy, Alexander, Peeler, Setzler, Williams, Scott and Fanning: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS UNTIL THE SAME DATE AS FEDERAL RETURNS AND PAYMENTS FOR INDIVIDUALS ARE DUE.

The Senate proceeded to a consideration of the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--42

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

POINT OF ORDER

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 655 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GRANT ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH EAST SEVEN MILE ROAD TO ITS INTERSECTION WITH BASSWOOD ROAD "JUDGE TAFT GULE,

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JR. ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

S. 668 -- Senators Goldfinch and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NICHOLS HIGHWAY FROM ITS INTERSECTION WITH SARVIS ROAD TO ITS INTERSECTION WITH TRULUCK JOHNSON ROAD IN HORRY COUNTY “BRENDA COOK MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:36 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Education proposed the following amendment (615R001.SP.TRY), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 27 through 41, and on page 2, by striking lines 1 through 12 and inserting:

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/ “(1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district’s school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity.” /

Renumber sections to conform.

Amend title to conform.

Senator TURNER explained the committee amendment.

The amendment was adopted.

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Amendment No. 1

Senator MARTIN proposed the following amendment (615R003.KMM.SRM), which was tabled:

Amend the bill, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 59-63-540 of the 1976 Code is amended to read:

“Section 59-63-540. (A) Notwithstanding any other provision of law, in the distribution of state funds provided on a per pupil basis in the State Annual General Appropriation Act, no pupil shall be counted as enrolled, or as having been enrolled, in any primary or secondary school who has not attended such school at least thirty-five days during the school year on which the allocation of such funds is based. A pupil shall be counted as enrolled only in the first school district, or operating unit, such pupil legally attended.

(B) Notwithstanding subsection (A), a high school student who attends a private school but participates in a high school league sport offered at a public high school pursuant to Section 59-63-100, for the purposes of the distribution of state funds provided on a per-pupil basis, shall be counted as enrolled in the public high school at which he is participating in a high school league sport.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 6

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis

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Massey	McElveen	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Fanning	Malloy	Martin
McLeod	Sabb	Stephens

Total--6

The amendment was laid on the table.

Amendment No. 2

Senator FANNING proposed the following amendment (WAB\615C001.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“() (1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program, excluding middle school football programs and high school football programs, offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

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(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity." /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Point of Quorum

At 3:44 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator FANNING resumed speaking on the amendment.

Senator TURNER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell

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Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Fanning	McLeod	Sabb
Scott		

Total--4

The amendment was laid on the table.

Motion Adopted

On motion of Senator TALLEY, with unanimous consent, Senators HUTTO, CLIMER, SENN, CASH and HARPOOTLIAN were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Amendment No. 5C

Senator KIMBRELL proposed the following amendment (615R010.SP.JK), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by striking Section 59-63-100()(1)(g) and inserting:

/ (g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the association administering the interscholastic sports. /

Amend the bill , as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. The provisions of this act shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a

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certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 6

Senators CAMPSER and GROOMS proposed the following amendment (615R004.KMM.GEC), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. A. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59-5-170. (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that take into account factors such as seriousness and frequency, and other relevant factors, when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

(2)(a) a guarantee that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics, including, but not limited to, state playoffs or championships, based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

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(b) a guarantee that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics, including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team;

(3) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel that consists of seven members who serve four-year terms, with one person appointed by the delegation of each congressional district, provided that:

(a) a member of the appellate panel serves until his successor is appointed and qualifies. A vacancy on the appellate panel is filled in the manner of the original appointment; and

(b) a member of the appellate panel shall not concurrently serve as an officer of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the appellate panel. The appellate panel must also provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices; and

(5) provisions that require the composition of the executive committee of the association, body, or entity to be geographically representative of this State.

(B) In the event that an association, body, or entity fails to include one of the items listed in this section, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

Section 59-5-180. An interscholastic athletic association, body, or entity in this State that provides oversight of interscholastic athletics amongst the public schools in this State is required to submit a financial audit by no later than January first of each year to the General Assembly, Governor, and Secretary of Education. Any such association, body, or entity is subject to review by the House of Representatives and Senate

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Legislative Oversight Committees and investigation by the State Inspector General.”

B.Provisions pursuant to Section 59-5-170(5), as added by this act, shall be implemented within one year after the effective date of this act.

SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CAMPSSEN, with unanimous consent, the amendment was withdrawn.

Amendment No. 7

Senators CAMPSSEN and GROOMS proposed the following amendment (615R005.KMM.GEC), which was carried over and subsequently adopted:

Amend the bill, as and if amended, page 1, by striking line 24 and inserting:

/by adding appropriately lettered new subsections at the end to /

Amend the bill further, as and if amended, page 2, line 13, by inserting:

/ () Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.”/

Amend the bill further, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this

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act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

ACTING PRESIDENT PRESIDES

Senator GAMBRELL assumed the Chair.

PRESIDENT PRESIDES

At 4:32 P.M., the PRESIDENT assumed the Chair.

Senator CAMPSSEN continued speaking on the amendment.

On motion of Senator CAMPSSEN, with unanimous consent, the amendment was carried over.

Amendment No. 3

Senator FANNING proposed the following amendment (WAB\615C002.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“(1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

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(c) private school attended by the student does not offer the particular sport for the student's gender;

(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport, and the State provides the district with funding in the amount of at least eight percent of the base student cost for the current fiscal year in order to fund the participation of the private school student in the public school sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity." /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator TURNER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree

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Hutto	Jackson	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Massey	McElveen	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--34

NAYS

Allen	Fanning	<i>Johnson, Kevin</i>
Martin	McLeod	Sabb
Stephens	Williams	

Total--8

The amendment was laid on the table.

Amendment No. 4

Senator FANNING proposed the following amendment (WAB\615C003.RT.WAB21), which was tabled:

Amend the bill, as and if amended, by striking SECTION 1. A. and inserting:

/ SECTION 1. A. Section 59-63-100 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“() (1) Notwithstanding the provisions of this section, individual students who attend private schools in this State may not be denied by a public school district the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(a) student resides within the attendance zone boundaries of the public school;

(b) private school that the student attends is not a member of the South Carolina High School League and the private school’s enrollment for grades nine through twelve does not exceed two hundred students;

(c) private school attended by the student does not offer the particular sport for the student’s gender;

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(d) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(e) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(f) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(g) student meets all public school district eligibility requirements with the exception of the:

(i) school district's school or class attendance requirements; and

(ii) class and enrollment requirements of the private entity that supervises the particular sport.

(2) A public school district may not contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of private school students in interscholastic athletic programs supervised by the entity.

(3) The provisions of this subsection are contingent upon the General Assembly appropriating an amount equal to at least eight percent of the base student cost for all private school students to all receiving districts, allocated to each district based on the number of private school students participating in public school sports in the district. Absent such funding to every district in the State, the provisions of this subsection may not be enforced in any public school or district. /

Renumber sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator TURNER moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch

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Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--29

NAYS

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
McElveen	McLeod	Sabb
Scott	Setzler	Stephens
Williams		

Total--13

The amendment was laid on the table.

Amendment No. 7

Senators CAMPSSEN and GROOMS proposed the following amendment (615R005.KMM.GEC), which was adopted:

Amend the bill, as and if amended, page 1, by striking line 24 and inserting:

/by adding appropriately lettered new subsections at the end to /

Amend the bill further, as and if amended, page 2, line 13, by inserting:

/ () Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.” /

Amend the bill further, as and if amended, on page 2, line 24, by adding an appropriately numbered new SECTION to read:

/SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of

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the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Rice	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	Fanning	Harpootlian
Hutto	McElveen	McLeod
Sabb	Scott	Stephens

Total--9

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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AMENDED, READ THE SECOND TIME

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

The Senate proceeded to a consideration of the Resolution.

Amendment No. 1

Senator HEMBREE proposed the following amendment (WAB\3925C003.RT.WAB21), which was ruled out of order:

Amend the joint resolution, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION __. For the 2020-2021 School Year, every school district in the State must offer five-day, in-person classroom instruction to students no later than April 12, 2021. For the 2021-2022 School Year, every school district in the State must offer five-day, in-person classroom instruction to students.

SECTION __. (A) Due to the significant health threat and risks associated with the 2019 novel coronavirus, also referred to as COVID-19, the earnings limitation imposed pursuant to Section 9-1-1790 does not apply to the extent provided in subsection (B) if the retired member of the South Carolina Retirement System:

- (1) retired on or before April 1, 2020; and
- (2) returns to covered employment in the K-12 public education system to participate in the state's public health response to the COVID-19 virus.

(B) A retired member who meets the qualifications of subsection (A) may be hired and return to employment covered by the system and earn up to fifty thousand dollars annually without affecting the monthly retirement allowance that the member is receiving from the system. No retired member participating under this section may be compensated more than fifty thousand dollars per academic year or for an employment period exceeding thirty-six consecutive months. An employer shall notify the system of the engagement of a retirement member to perform services, and if an employer fails to notify the system of the engagement of a retired member to perform services, the employer shall reimburse the system for all benefits wrongly paid to the retired member. Nothing

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in this joint resolution may be construed to require an employer to hire a person after that person has retired. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Resolution.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 4

Senator HEMBREE proposed the following amendment (AHB\3925C001.BH.AHB21), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . The four academic course requirement provided by Section 59-39-160, and as also may be provided by regulation, for all students to participate in interscholastic activities, including all sports-related activities, is waived due to the COVID-19 pandemic for the 2020-2021 school year. And for this school year, to participate in interscholastic activities, including all sports-related activities, students must achieve an overall passing average in at least three academic courses and be on track for graduation. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question then was second reading of the Resolution.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 5:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, March 25, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joel 2:12

We read in the Book of Joel:

“Yet even now, says the Lord, return to me with all your heart, with fasting, with weeping, and with mourning.”

Let us pray, friends: Many of us, O Lord, here during this season of Lent, find ourselves thinking about how we live. And we pray, dear God, that You will forgive us for those many, many times when we know that we have ultimately disappointed You. And we recall those moments when we’ve disappointed ourselves as well. Instead, Lord, lead us to change our ways. Let every single one of us embrace Your care anew, to have hearts that reflect Your love, and help all of us in this Senate to show genuine concern for one another. And even when there might be some measure of disagreement that presents itself, let graciousness and true thoughtfulness prevail in this place, allowing each of these leaders always to bring blessings to the people of this State. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:04 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett

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Goldfinch	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Malloy
Martin	Massey	Peeler
Rankin	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Turner	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

At 11:27 A.M., Senator SABB requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 11:27 A.M., Senator BENNETT requested a leave of absence for Senator GROOMS for the day.

Leave of Absence

At 11:27 A.M., Senator McELVEEN requested a leave of absence for Senator MATTHEWS for the day.

Leave of Absence

At 12:43 P.M., Senator DAVIS requested a leave of absence for Senator VERDIN for the day.

Leave of Absence

At 12:43 P.M., Senator YOUNG requested a leave of absence for Senator SHEALY for the balance of the day.

Leave of Absence

At 12:43 P.M., Senator GOLDFINCH requested a leave of absence for Senator CLIMER for the balance of the day.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

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CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 145 Sen. Gambrell
S. 461 Sen. Cromer
S. 500 Sen. Stephens
S. 528 Sen. Gambrell
S. 533 Sen. Allen
S. 537 Sen. Shealy
S. 675 Sen. Alexander
S. 677 Sens. Stephens and M. Johnson
S. 698 Sen. Stephens

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 702 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF NINA LEE JEFFERSON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 703 -- Senators M. Johnson, Kimbrell, Garrett, Young and Climer: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO PROVIDE THAT THE ASSESSOR MAY NOT REQUIRE COPIES OF AN OWNER-OCCUPANT'S FEDERAL OR STATE INCOME TAX RETURN TO CLAIM THE FOUR PERCENT ASSESSMENT RATIO.

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Read the first time and referred to the Committee on Finance.

S. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS

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LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.

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Read the first time and, on motion of Senator MASSEY, with unanimous consent, S. 704 was ordered placed on the Calendar without reference.

S. 705 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 706 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR REINSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5029, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 707 -- Senator Gustafson: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND CLAY CATOE OF LANCASTER COUNTY UPON BEING NAMED 2020 SOUTH CAROLINA EMS DIRECTOR OF THE YEAR AND TO THANK HIM FOR HIS OUTSTANDING SERVICE TO LANCASTER COUNTY AND THE STATE OF SOUTH CAROLINA.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 708 -- Senators Gustafson and M. Johnson: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND JOSH FAULKENBERRY OF LANCASTER COUNTY UPON BEING NAMED 2020 SOUTH CAROLINA PARAMEDIC OF THE YEAR

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AND TO THANK HIM FOR HIS OUTSTANDING SERVICE TO LANCASTER COUNTY AND THE STATE OF SOUTH CAROLINA.
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The Concurrent Resolution was adopted, ordered sent to the House.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator MARTIN from the Committee on Corrections and Penology polled out S. 351 favorable with amendment:

S. 351 -- Senator McLeod: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5,

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CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

**Poll of the Corrections and Penology Committee
Polled 17; Ayes 16; Nays 0; Not Voting 1**

AYES

Martin	Allen	Shealy
Turner	Kimpson	Matthews
McLeod	Rice	Harpootlian
Hembree	Adams	Garrett
Gustafson	Michael Johnson	Kimbrell
Stephens		

Total--16

NAYS

Total--0

NOT VOTING

Senn

Total--1

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Ordered for consideration tomorrow.

Senator CROMER from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

Ordered for consideration tomorrow.

Appointments Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2021, and to expire June 30, 2025

2nd Congressional District:

Earl McLeod, 317 Country Lake Court, Lexington, SC 29072 *VICE*
Walter D. Spruill

Received as information.

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2021, and to expire March 20, 2025

Cosmetologist:

Ashley Tucker-Johnson, 208 Alice Farr Drive, Greenville, SC 29617-1506

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

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CARRIED OVER

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

On motion of Senator ALEXANDER, the Bill was carried over.

**READ THE THIRD TIME
THIRD READING RECONSIDERED**

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

Having voted on the prevailing side, Senator MALLOY moved to reconsider the vote whereby the Resolution received third reading.

The question then was the motion reconsider third reading. Third reading was reconsidered.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Joint Resolution was read the third time and ordered sent to the House of Representatives:

S. 689 -- Senators Leatherman, Massey, Malloy, Alexander, Peeler, Setzler, Williams, Scott and Fanning: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS UNTIL THE SAME DATE AS FEDERAL RETURNS AND PAYMENTS FOR INDIVIDUALS ARE DUE.

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RECOMMITTED

S. 649 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF REGISTRATION FOR FORESTERS, RELATING TO BOARD OF REGISTRATION FOR FORESTERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5012, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN asked unanimous consent to recommit the Resolution to the Committee on Fish, Game and Forestry.

There was no objection.

The Resolution was recommitted to the Committee on Fish, Game and Forestry.

READ THE SECOND TIME

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON

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CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

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The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler

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Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED

READ THE SECOND TIME

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (202R001.SP.GH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

“Section 1-6-35. Notwithstanding any provision of law to the contrary, the State Inspector General may initiate, supervise, and coordinate any investigation provided for under this chapter of a public school, public school district, public charter school, or public charter school sponsor:

(1) upon the request of the Governor;

(2) upon the request of the State Superintendent of Education. The State Superintendent of Education may consider a request for an investigation from the school district’s superintendent as the basis for an investigation request under this section;

(3) by a two-thirds vote of the legislative delegation for the area where the subject of the investigation is located; or

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(4) by a two-thirds vote of the local school district board membership for the area where a public school or public school district is located or by a two-thirds vote of the sponsor board membership for a public charter school authorized by a public charter school sponsor.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.
Senator CAMPSSEN spoke on the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator HEMBREE asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

RECOMMITTED

S. 661 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP PROGRAM AND LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5004, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 662 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP PROGRAM, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 5005, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

RECOMMITTED

S. 663 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 5006, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator HEMBREE asked unanimous consent to recommit the Resolution to the Committee on Education.

There was no objection.

The Resolution was recommitted to the Committee on Education.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEY'S FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\154C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

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“Section 12-54-20. (A) An individual that is a party in any action or proceeding with, or on behalf of, the department regarding any tax imposed by this title and administered by the department, is entitled to reasonable attorneys’ fees and costs associated with the action or proceeding if:

(1) the individual prevails in the action or proceeding; or
(2) the department does not meet the timeliness requirements set forth in law. For purposes of this item, reasonable attorneys’ fees and costs means the fees and costs incurred by the individual due to the department’s delay.

(B) For purposes of this section, an individual also includes sole proprietorships, partnerships, and ‘S’ corporations, including limited liability companies taxed as sole proprietorships, partnerships, or ‘S’ corporations.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator K. JOHNSON proposed the following amendment (154R001.SP.KJ), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

“Section 12-54-20. (A) For the purposes of this section:

(1) ‘Reasonable attorneys’ fees and costs’ means any fees and costs incurred by an individual due to the department’s delay.

(2) ‘Individual’ includes sole proprietorships, partnerships, and ‘S’ corporations, including limited liability companies taxed as sole proprietorships, partnerships, or ‘S’ corporations.

(B) An individual who is a party to an action or proceeding with, or on behalf of, the department regarding any tax imposed by this title and administered by the department is entitled to reasonable attorneys’ fees and costs associated with the action or proceeding if the department acted in bad faith and:

(1) the individual prevails in the action or proceeding; or
(2) the department does not meet the timeliness requirements set forth in law.” /

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Renumber sections to conform.

Amend title to conform.

Senator K. JOHNSON explained the amendment.

Senator DAVIS spoke on the Bill.

On motion of Senator K. JOHNSON, with unanimous consent, the amendment was withdrawn.

On motion of Senator DAVIS, the Bill was carried over.

READ THE SECOND TIME

S. 461 -- Senators Alexander and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

The Senate proceeded to a consideration of the Bill.

Senator ALEXANDER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Martin

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Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Stephens	Talley	Turner
Williams	Young	

Total--38

NAYS

Malloy

Total--1

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO

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REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott

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Senn
Turner

Stephens
Williams

Talley
Young

Total--39

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (354R001.KMM.LKG):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 56-2-105 of the 1976 Code is amended by adding:

“(H)A municipality may, by ordinance, allow the operation of a permitted golf cart within its jurisdiction on primary highways upon which the posted speed limit is thirty miles per hour or less, secondary highways upon which the posted speed limit is thirty-five miles per hour or less, streets, or roads.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The question being the second reading of the Bill.

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The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator BENNETT asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Stephens	Talley
Turner	Williams	Young

Total--39

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (595R001.KMM.LKG):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 54-3-10 of the 1976 Code is amended to read:

“Section 54-3-10. (A) There is created the South Carolina State Ports Authority. The governing body of the authority is a board of directors consisting of eleven members; ~~nine voting members~~ appointed by the Governor as provided in Section 54-3-20, the Secretary of Transportation, ~~or his designee~~, and the Secretary of Commerce, ~~or his designee~~. The ~~voting~~ members shall be responsible for setting policies and direction for the authority so that the authority may achieve its mission. The powers and duties of the authority shall be exercised by the board. The board may delegate to one or more officers, agents, or employees such powers and duties as it determines are necessary and proper for the effective, efficient operation of the port.

(B) The Secretary of Transportation and the Secretary of Commerce:

~~(1) shall serve on the board, ex officio, as nonvoting members; and~~

~~(2) are ineligible for election as chairman, vice chairman, secretary, treasurer, or any other office elected by the board; and~~

~~(3) may only attend meetings or portions of meetings open to the public. They are not permitted to attend executive session meetings.~~

SECTION 2. Section 54-3-60(A) of the 1976 Code is amended to read:

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“Section 54-3-60. (A) Each member of the board, except for the Secretary of Transportation and the Secretary of Commerce, ~~or their designees~~, must possess a four-year baccalaureate or more advanced degree from:

- (1) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;
- (2) an institution of higher learning that has been accredited by a regional or national accrediting body; or
- (3) an institution of higher learning in this State chartered prior to 1962.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator BENNETT explained the amendment.

On motion of Senator LEATHERMAN, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (3011R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 13, Chapter 5, Title 56 of the 1976 Code is amended by adding:

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“Section 56-5-1885. (A) A vehicle may not be driven in the farthest left lane of a controlled access highway of three or more lanes except when overtaking and passing another vehicle.

(B) Subsection (A) of this section does not apply:

(1) when no other vehicle is directly behind the vehicle in the left lane;

(2) when traffic conditions and congestion make it impractical to drive in the right lane;

(3) when snow and other inclement weather conditions make it safer to drive in the left lane;

(4) when obstructions or hazards exist in the right lane;

(5) when, because of highway design, a vehicle must be driven in the left lane when preparing to exit;

(6) to law enforcement vehicles, ambulances, or other emergency vehicles engaged in official duties and vehicles engaged in highway maintenance and construction operations;

(7) when a driver of a tractor-trailer commercial motor vehicle combination is unable to move into the right lane safely due to another vehicle overtaking or passing his vehicle to the right; or

(8) when a driver of a vehicle requiring a commercial motor vehicle license to operate is unable to move into the right lane safely due to a highway grade or another vehicle overtaking or passing his vehicle on the right.

(C) Nothing in this section shall limit the Department of Transportation’s ability to establish and delineate lane restrictions for certain types of vehicles.

(D) The Department of Transportation must place signs along interstate highways directing slower traffic to move to the right. The signs must be placed at intervals of no more than thirty-five miles.

(E)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty-five dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for a failure to appear in court when summoned or for a failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56-1-640, a violation of this section must not be:

(a) included in the offender’s motor vehicle records maintained by the Department of Motor Vehicles;

(b) included in the criminal records maintained by SLED; or

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(c) reported to the offender's motor vehicle insurer.

(2) A violation of this section is not negligence per se, or contributory negligence, and is not admissible as evidence in a civil action.

(3) A law enforcement officer must not search, and may not request consent to search, a vehicle, or the driver or occupant of the vehicle, solely because of a violation of this section.

(4) A person charged with a violation of this section may admit or deny the violation, enter a plea of nolo contendere, or be tried before either a judge or a jury. If the trier of fact is convinced beyond a reasonable doubt that the person violated the provisions of this section, then the penalty is a civil fine pursuant to item (1) of this subsection. If the trier of fact determines that the State has failed to prove beyond a reasonable doubt that the person violated the provisions of this section, then no penalty shall be assessed.

(5) A person found to be in violation of this section may bring an appeal to the court of common pleas."

SECTION 2. This act takes effect ninety days after approval by the Governor. For a period of ninety days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell

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Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Stephens	Talley
Turner	Williams	Young

Total--39

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third

OBJECTION

S. 101 -- Senators Cromer and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-671 SO AS TO PROVIDE FOR THE DESIGN, COLOR, AND OTHER ELEMENTS OF THE SOUTH CAROLINA STATE FLAG AND TO DESIGNATE THE FLAG OF THIS DESIGN, COLOR, AND ELEMENTS AS THE OFFICIAL SOUTH CAROLINA STATE FLAG.

Senator HUTTO objected to consideration of the Bill.

POINT OF ORDER

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 245 -- Senators Young, Rankin and Climer: A BILL TO AMEND SECTION 56-5-3435 OF THE 1976 CODE, RELATING TO MAINTAINING A SAFE OPERATING DISTANCE BETWEEN A MOTOR VEHICLE AND A BICYCLE, TO DEFINE "SAFE OPERATING DISTANCE".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE

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SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 455 -- Senator Davis: A BILL TO AMEND SECTION 40-33-36 OF THE 1976 CODE, RELATING TO THE TEMPORARY LICENSURE OF NURSES, TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PRESCRIBE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH TEMPORARY LICENSURE AS A GRADUATE NURSE SHALL BE IMMEDIATELY REVOKED, AND TO DEFINE NECESSARY TERMS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 499 -- Senators Campsen, Rice, Talley, Loftis and Climer: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976

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CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

OBJECTION

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Senator HARPOOTLIAN objected to consideration of the Bill.

POINT OF ORDER

S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young, Rice and Stephens: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS

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GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

The Senate proceeded to a consideration of the Resolution.

Senator CLIMER explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

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S. 698--Ordered to a Third Reading

On motion of Senator WILLIAMS, with unanimous consent, S. 698 was ordered to receive a third reading on Friday, March 26, 2021.

OBJECTION

H. 3262 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, McGarry, V.S. Moss, Haddon, Long, Pope, Forrest, Caskey, Hixon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Brittain and Crawford: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, INCLUDING CANDIDATES FROM PARTIES THAT ARE NOT REQUIRED TO CONDUCT A PRIMARY ELECTION, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR POLITICAL PARTY CONVENTION; AND TO AMEND SECTION 7-11-210, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REQUIRE CANDIDATES TO AFFIRM THEIR PARTICIPATION IN AT LEAST THREE OF THE LAST FOUR STATEWIDE PARTY PRIMARIES, OR, IN THE ALTERNATIVE, IF PRECLUDED FROM PARTICIPATION DUE TO AGE, PERSONAL HEALTH, RESIDENCY, OR ACTIVE MILITARY SERVICE, CANDIDATES MAY PLEDGE THAT THEY ARE BONA FIDE MEMBERS OF THE POLITICAL PARTY WHOSE NOMINATION THEY ARE SEEKING, AND TO PROVIDE THAT THE STATE PARTY CHAIRMAN, IF PERMITTED BY PARTY RULE, MAY REQUIRE ADDITIONAL VERIFICATION WHEN A CANDIDATE'S AFFIRMATION OF BONA FIDE PARTY MEMBERSHIP IS DISPUTED, AND THAT THE STATE CHAIRMAN IS THE FINAL AUTHORITY TO RESOLVE QUESTIONS REGARDING BONA FIDE PARTY MEMBERSHIP.

Senator RICE objected to consideration of the Bill.

POINT OF ORDER

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith,

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J.E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN "HARVEY MIDDLETON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:38 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time, passed and ordered sent to the House of Representatives with amendments:

S. 615 -- Senators Young and Campsen: A BILL TO AMEND SECTION 59-63-100 OF THE 1976 CODE, RELATING TO NONPUBLIC SCHOOL STUDENT PARTICIPATION IN THE INTERSCHOLASTIC ACTIVITIES OF PUBLIC SCHOOLS, TO

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PROVIDE LIMITED SITUATIONS IN WHICH HIGH SCHOOL STUDENTS WHO ATTEND PRIVATE SCHOOLS MAY PARTICIPATE IN HIGH SCHOOL LEAGUE SPORTS OFFERED AT PUBLIC HIGH SCHOOLS; AND TO DEFINE NECESSARY TERMS.

Recorded Vote

Senator CROMER desired to be recorded as voting against the third reading of the Bill.

**READ THE THIRD TIME
RETURNED TO THE HOUSE**

The following Joint Resolution was read the third time, passed and ordered returned to the House of Representatives with amendments:

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 1:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, March 26, 2021
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator HARPOOTLIAN.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 698 -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young, Rice and Stephens: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.

On motion of Senator WILLIAMS.

MOTION ADOPTED

On motion of Senator SHEALY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Elizabeth Penny Timmerman of Cayce, S.C. Ms. Timmerman was the grandmother of our beloved Mason Thomas, Research Director for the Family and Veterans' Services Committee. Ms. Timmerman graduated from Pomaria High School and Columbia College. She was an active member of Mt. Tabor Lutheran Church and provided a card ministry that brought her much joy. Ms. Timmerman was a loving mother, devoted grandmother and caring friend who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator JACKSON, the Senate adjourned to meet next Tuesday, March 30, 2021, at 12:00 Noon.

* * *

Tuesday, March 30, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 34:2

The Psalmist reminds us that: "My soul makes its boast in the Lord; let the humble hear and be glad."

Join me as we bow in prayer, please: O Glorious Lord, even here during Holy Week it remains a challenge for a lot of us to be the kind of servant You want us to be. The stereotype of a public servant is that she or he needs to be not only capable and dedicated, but also a hard-driving, no-nonsense individual in order to accomplish the good she or he strives to do. Some of that may be true, Lord. Yet the evidence clearly tells us that the Senators and staff members who routinely make the greatest impact on those they serve possess a genuine servant's heart. They are the ones who grasp the reality that being humble is perhaps one of the very best ways of honoring You, O God, even as they labor on behalf of the people of our State. May that ever be so in this Senate, Lord. In Your loving name we pray. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Gustafson
Harpootlian	Hutto	<i>Johnson, Michael</i>

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Kimbrell	Leatherman	Loftis
Malloy	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE HORRY COUNTY COUNCIL

The following appointment was transmitted by the Horry County Council:

Local Appointment

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2020, and to expire June 30, 2024

County Council:

D. Blaine Garren, 5727 Downybrook Road, Myrtle Beach, SC 29588

Doctor of the Day

Senator VERDIN introduced Dr. C. Wendell James of Greenville, S.C., Doctor of the Day.

Leave of Absence

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 12:35 P.M.

Leave of Absence

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator JACKSON for the day.

Leave of Absence

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator MATTHEWS for the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 145 Sen. Alexander

S. 245 Sen. Turner

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S. 248 Sen. Turner
S. 464 Sen. McElveen
S. 614 Sen. Verdin
S. 677 Sen. Williams
S. 698 Sen. Campsen

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 536 Sen. Kimbrell
S. 587 Sen. Loftis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 709 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF REVEREND DR. AZALEE REBEKAH CHAPLIN BISHOP AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 710 -- Senator Gambrell: A BILL TO AMEND SECTION 6-1-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MILLAGE RATE INCREASE LIMITATIONS, SO AS TO ALLOW A MUNICIPALITY WITHOUT AN OPERATING MILLAGE ON JANUARY 1, 2021, OR A MUNICIPALITY THAT INCORPORATES AFTER JANUARY 1, 2021, TO IMPOSE AN OPERATING MILLAGE AND TO IMPOSE LIMITATIONS.

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Read the first time and referred to the Committee on Finance.

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

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S. 712 -- Senator Davis: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Education.

S. 713 -- Senator Williams: A BILL TO AMEND SECTIONS 4-10-470 AND 4-10-420, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX, SO AS TO AUTHORIZE ITS IMPOSITION IN CERTAIN SITUATIONS.

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Read the first time and referred to the Committee on Finance.

S. 714 -- Senator Martin: A SENATE RESOLUTION TO EXTEND THE PERIOD AFTER WHICH AN APPOINTMENT TO THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES IS CONSIDERED REJECTED UNTIL MAY 13, 2021.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 500 -- Senators Scott, Loftis, Kimbrell, Allen and Stephens: A BILL TO AMEND SECTION 40-3-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

Ordered for consideration tomorrow.

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Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

Ordered for consideration tomorrow.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, Chief Resilience Officer, with term coterminous with Governor

Benjamin I. Duncan II, 205 Running Fox Rd., Columbia, SC 29223-3022

Received as information.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned on Wednesday, March 31, 2021, that it will adjourn to meet Thursday, April 1, 2021, at 11:00 A.M., under the provisions of Rule 1B.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR

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THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

On motion of Senator ALEXANDER, the Bill was carried over.

HOUSE BILL RETURNED

The following Resolution was read the third time and ordered returned to the House with amendments:

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

The Senate proceeded to a consideration of the Resolution.

Senator SETZLER explained the Resolution.

The question being the third reading of the Resolution.

The Resolution was read the third time passed and ordered sent to the House.

OBJECTION

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE

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REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY

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ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

CARRIED OVER

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

On motion of Senator TURNER, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 461 -- Senators Alexander, Setzler and Cromer: A BILL TO ENACT THE "SOUTH CAROLINA PAY FOR SUCCESS PERFORMANCE ACCOUNTABILITY ACT"; TO AMEND TITLE 11 OF THE 1976 CODE, RELATING TO PUBLIC FINANCE, BY

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ADDING CHAPTER 60, TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.

S. 556 -- Senators Goldfinch and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-107 SO AS TO PROVIDE A PENALTY FOR A VIOLATION OF THE PROVISIONS OF CHAPTER 11, TITLE 50; TO AMEND SECTION 50-9-450, RELATING TO COMMERCIAL FUR LICENSES, SO AS TO REMOVE THE LICENSE REQUIREMENT FOR PERSONS WHO TRAP FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2200, RELATING TO UNLAWFUL CONDUCT ON WILDLIFE MANAGEMENT AREAS, SO AS TO REMOVE THE PROHIBITION ON TRAPPING; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS, SO AS TO LIMIT THE DEFINITION OF THE TERM "COMMERCIAL PURPOSES" TO FUR-BEARING ANIMALS; TO AMEND SECTION 50-11-2430, RELATING TO THE PROOF OF OWNERSHIP OR PERMISSION TO SET TRAPS ON LAND, SO AS TO LIMIT THE USE OF TRAPS ON PRIVATE LAND TO THE OWNER OR HIS AGENT; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE, SO AS TO REMOVE REFERENCES TO A DESIGNEE AND INSERT THE TERM "AGENT"; TO AMEND SECTION 50-11-2450, RELATING TO REPORTING REQUIREMENTS FOR COMMERCIAL FUR LICENSEES, SO AS TO REMOVE A REFERENCE TO A REPEALED CODE SECTION; TO AMEND SECTION 50-11-2460, RELATING TO TRAPS ALLOWED FOR TRAPPING, SO AS TO REQUIRE ONLY CERTAIN INFORMATION TO BE ON TRAPS ON PUBLIC LAND; TO AMEND SECTION 50-11-2515, RELATING TO PROHIBITED ACTS, SO AS TO ESTABLISH A PENALTY FOR CERTAIN ACTS; TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON, SO AS TO ESTABLISH TRAPPING SEASONS ON PUBLIC AND PRIVATE LAND AND TO REMOVE CERTAIN PROHIBITIONS ON TRAPPING COYOTES; TO AMEND SECTION 50-11-2565, RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12, SO AS TO REMOVE A

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REFERENCE; TO AMEND SECTION 50-11-2570, RELATING TO SPECIAL PERMITS TO CAPTURE DESTRUCTIVE WILDLIFE, SO AS TO ALLOW A PROPERTY OWNER OR HIS AGENT TO TAKE FUR-BEARING ANIMALS OR SQUIRRELS FOR AGRICULTURAL OR WILDLIFE MANAGEMENT PURPOSES WITHOUT A LICENSE OR PERMIT AND TO REMOVE THE PROHIBITION ON THE COMMERCIAL DISPOSAL OF A FUR-BEARING ANIMAL TAKEN IN ACCORDANCE WITH A DEPREDATION PERMIT; AND TO REPEAL SECTION 50-11-2560 RELATING TO PENALTIES FOR VIOLATIONS OF ARTICLE 12.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 503 -- Senator Hutto: A BILL TO AMEND SECTION 40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME HEALTH SERVICES.

The Senate proceeded to a consideration of the Bill.

Senators DAVIS and HUTTO proposed the following amendment (503R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 2, line 33, by inserting an appropriately numbered new SECTION to read:

/SECTION __. Section 44-69-20(5)(a) of the 1976 Code is amended to read:

“(a) Part-time or intermittent skilled nursing care as ordered by a physician, an APRN pursuant to Section 40-33-34(D)(2)(h), or a PA pursuant to Section 40-47-935(B)(8) and as provided by or under the supervision of a registered nurse and at least one other service listed below;” /

Amend the bill further, as and if amended, on page 2, by striking line 34 and inserting:

/SECTION 3. This act takes effect sixty days after the approval of the Governor. /

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Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Recorded Vote

Senator ADAMS desired to be recorded as voting against the third reading of the Bill.

READ THE SECOND TIME

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEY'S FEES AND

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COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS spoke on the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator DAVIS asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

CARRIED OVER

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator SETZLER, the Bill was carried over.

COMMITTEE AMENDMENT ADOPTED

CARRIED OVER

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE

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FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0236.004), which was adopted:

Amend the bill, as and if amended, starting on page 1, line 31, and ending on page 2, line 13, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 7-7-1000 of the 1976 Code is amended to read:

“Section 7-7-1000. (A) For purposes of municipal general elections only, a municipality may pool one or more precincts with other precincts and have one voting place for all of these pooled precincts upon the following conditions:

(1) Any precinct which contains five hundred or more registered voters within the municipality must have its own voting place.

(2) The total number of registered voters within the municipality in each group of pooled precincts cannot exceed one-thousand five hundred.

(3) The voting place of any precinct pooled with others cannot be more than three miles from the nearest part of any pooled precinct.

(4) The notice requirements of Section 7-7-15 must be complied with and in addition to this requirement, the location of voting places for all precincts including those pooled must be published in a newspaper of general circulation in the municipality on the day of the election. If the newspaper is not published daily, then on the date of publication nearest and prior to the date of election.

(5) Whenever precincts are pooled in a municipal general election, the voter registration lists, poll lists, and ballots for each precinct represented must be used by the managers of election. Results of the election must also be reported and certified by individual precinct.

(B) For purposes of municipal primary elections only, a municipality may pool one or more precincts with other precincts and have one voting place for all of these pooled precincts upon the following conditions:

(1) Any precinct which contains three thousand or more registered voters within the municipality must have its own voting place.

(2) The total number of registered voters within the municipality in each group of pooled precincts cannot exceed three thousand.

(3) The voting place of any precinct pooled with others cannot be more than three miles from the nearest part of any pooled precinct.

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(4) The notice requirements of Section 7-7-15 must be complied with and in addition to this requirement, the location of voting places for all precincts including those pooled must be published in a newspaper of general circulation in the municipality on the day of the election. If the newspaper is not published daily, then on the date of publication nearest and prior to the date of election.

(5) Whenever precincts are pooled in a municipal primary election, the voter registration lists, poll lists, and ballots for each precinct represented must be used by the managers of election. Results of the election must also be reported and certified by individual precinct.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator LEATHERMAN, the Bill was carried over.

OBJECTION

S. 245 -- Senators Young, Rankin, Climer and Turner: A BILL TO AMEND SECTION 56-5-3435 OF THE 1976 CODE, RELATING TO MAINTAINING A SAFE OPERATING DISTANCE BETWEEN A MOTOR VEHICLE AND A BICYCLE, TO DEFINE “SAFE OPERATING DISTANCE”.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

Senator LOFTIS objected to further consideration of the Bill.

READ THE SECOND TIME

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR

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ENERGY CONSUMPTION ASSOCIATED WITH
TRANSPORTATION ELECTRIFICATION SHALL NOT
CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Kimpson

Total--1

The Bill was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

On motion of Senator RANKIN, the Bill was carried over.

CARRIED OVER

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

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AMENDED, READ THE SECOND TIME

S. 455 -- Senator Davis: A BILL TO AMEND SECTION 40-33-36 OF THE 1976 CODE, RELATING TO THE TEMPORARY LICENSURE OF NURSES, TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PRESCRIBE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH TEMPORARY LICENSURE AS A GRADUATE NURSE SHALL BE IMMEDIATELY REVOKED, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (455R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 24 through 33 and inserting:

/ (d) the graduate nurse has not taken the NCLEX within ninety days of receiving a temporary license, except that the board may extend this time period if circumstances prevent the NCLEX from being offered during the period for which temporary licensure has been granted;

(e) the graduate nurse misrepresents being a registered nurse or a licensed practical nurse; or

(f) the graduate nurse is charged with a felony or misdemeanor, other than a minor traffic violation, while authorized to practice as a graduate nurse. For the purposes of this subitem, a minor traffic violation does not include instances related in any way to driving under the influence of alcohol or other drugs, or instances that result in the revocation or suspension of a graduate nurse's driver's license." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 499 -- Senators Campsen, Rice, Talley, Loftis and Climer: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO

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PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

On motion of Senator CAMPSen, the Bill was carried over.

READ THE SECOND TIME

S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.

The Senate proceeded to a consideration of the Bill.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod

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Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

POINT OF ORDER

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, AND TO MAKE CONFORMING CHANGES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 351 -- Senator McLeod: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT A INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

TUESDAY, MARCH 30, 2021

POINT OF ORDER

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

S. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

The question being the second reading of the Resolution.

The Resolution was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator MASSEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

TUESDAY, MARCH 30, 2021

POINT OF ORDER

S. 705 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 706 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR REINSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5029, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:43 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

TUESDAY, MARCH 30, 2021

Initial Appointment, Myrtle Beach Air Force Base Redevelopment Authority, with the term to commence June 30, 2020, and to expire June 30, 2024

County Council:

D. Blaine Garren, 5727 Downybrook Road, Myrtle Beach, SC 29588

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 12:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, March 31, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Samuel 17:23

We read in I Samuel that, while David was speaking with his brothers:

“Goliath, the Philistine champion from Gath, stepped out from his lines and shouted his usual defiance, and David heard it...”

Friends, let us pray: O God, even today it seems that these Senators and their dedicated staff members -- like David -- find themselves again and again up against giants. And these modern day giants are indeed formidable ones, as unnerving and menacing as Goliath of old seems to have been. Education issues, budget difficulties, business development challenges, the protection and well-being of our citizens -- the list seems endless. And all of this, Lord, is why we pray that You will grant strength and courage to each one of these leaders. By Your grace allow this Senate to fight unfailingly for the good of the people of South Carolina, always standing up for what is right and best, even as they strive to honor You, O Lord. So we pray in Your wondrous name, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:05 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5034

Agency: Department of Labor, Licensing and Regulation-Board of Cosmetology

Chapter: 35

WEDNESDAY, MARCH 31, 2021

Statutory Authority: 1976 Code Sections 40-1-70, 40-13-60, and 40-13-230(D)

SUBJECT: Emergency Temporary Work Permits

Received by Lieutenant Governor March 31, 2021

Referred to Committee on Labor, Commerce and Industry

Doctor of the Day

Senator SENN introduced Dr. Marcelo Hochman of Charleston, S.C., Doctor of the Day.

Leave of Absence

At 1:19 P.M., Senator LOFTIS requested a leave of absence for Senator CORBIN for the day.

Leave of Absence

At 1:19 P.M., Senator SABB requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 1:39 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:50 P.M.

Leave of Absence

At 4:00 P.M., Senator SENN requested a leave of absence from April 6, 2021, through April 8, 2021.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 245	Sens. Bennett and M. Johnson
S. 290	Sen. Turner
S. 351	Sen. Malloy
S. 425	Sen. Young
S. 499	Sen. Kimbrell
S. 596	Sen. Leatherman
S. 675	Sen. Bennett
S. 677	Sen. Kimbrell
S. 685	Sen. Malloy

WEDNESDAY, MARCH 31, 2021

RECALLED

S. 153 -- Senator Martin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAME OF THE SPARTANBURG HIGH SCHOOL VOTING PRECINCT TO THE MCCrackEN MIDDLE SCHOOL VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE SPARTANBURG COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 716 -- Senator Climer: A BILL TO AMEND SECTION 7-7-530 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND.

Senator CLIMER asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

WEDNESDAY, MARCH 31, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 715 -- Senators Shealy, Setzler and Harpootlian: A BILL TO AMEND SECTION 59-53-1710 OF THE 1976 CODE, RELATING TO THE COMPOSITION OF THE MIDLANDS TECHNICAL COLLEGE COMMISSION, TO EXPAND THE MEMBERSHIP OF THE COMMISSION BY ADDING AN ADDITIONAL SEAT APPOINTED BY THE LEXINGTON COUNTY LEGISLATIVE DELEGATION AND ADDING AN ADDITIONAL SEAT APPOINTED BY THE RICHLAND COUNTY LEGISLATIVE DELEGATION.

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Read the first time and referred to the Committee on Education.

S. 716 -- Senator Climer: A BILL TO AMEND SECTION 7-7-530 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND.

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Read the first time and referred to the Committee on Judiciary.

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

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Read the first time and referred to the Committee on Medical Affairs.

S. 718 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE AND NOT SUBJECT TO REGULATION BY THE DEPARTMENT OF INSURANCE, AND TO DEFINE THE TERM DIRECT PRIMARY CARE AGREEMENT.

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Read the first time and referred to the Committee on Banking and Insurance.

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S. 719 -- Senator Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE WESTSIDE HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 720 -- Senator Fanning: A CONCURRENT RESOLUTION TO CONGRATULATE DR. GREG F. RUTHERFORD UPON THE OCCASION OF HIS RETIREMENT AS PRESIDENT OF YORK TECHNICAL COLLEGE, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 721 -- Senators Alexander and Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Transportation.

S. 722 -- Senator Loftis: A CONCURRENT RESOLUTION TO REITERATE THE GENERAL ASSEMBLY'S WELL-FOUNDED EXPECTATION THAT THE GREENVILLE HEALTH AUTHORITY BOARD OF TRUSTEES SHALL CONSCIENTIOUSLY AND PROACTIVELY SUPERVISE THE LESSEE'S COMPLIANCE WITH ALL OF ITS DUTIES AND RESPONSIBILITIES ENUMERATED IN THE MASTER AFFILIATION AGREEMENT AND THE LEASE

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AND CONTRIBUTION AGREEMENT RATIFIED BY THE GENERAL ASSEMBLY IN ACT 274 OF 2018.

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The Concurrent Resolution was introduced and referred to the Committee on Medical Affairs.

S. 723 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MRS. JACQUELINE EVON WIGGINS YASIN FOR HER THIRTY-SEVEN YEARS OF DEDICATED SERVICE AS AN EDUCATOR IN SOUTH CAROLINA AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

S. 29 -- Senators Hutto and McElveen: A BILL TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-107, TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN FIFTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Adams, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO

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EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 177 -- Senators Corbin, Rice, Loftis, Verdin, Martin and Garrett: A JOINT RESOLUTION TO PROVIDE THAT COVID-19 VACCINATIONS ARE PURELY VOLUNTARY, TO PROVIDE THAT AN EMPLOYER CANNOT TAKE AN ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CANNOT REQUIRE ISOLATION OR QUARANTINE FOR A PERSON WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources polled out S. 308 favorable:

S. 308 -- Senator Fanning: A BILL TO AMEND SECTION 44-1-143, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO ALLOW A HOME-BASED FOOD PRODUCTION OPERATION TO SELL FOOD TO AN INFORMED PERSON AND TO REQUIRE A DISCLOSURE ON CERTAIN FOOD PRODUCTS.

Poll of the Agriculture and Natural Resources Committee
Polled 17; Ayes 16; Nays 0; Not Voting 1

AYES

Climer	Verdin	Williams
McElveen	Fanning	Goldfinch
Talley	Harpootlian	Loftis

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Davis
Gustafson
Stephens

Adams
Michael Johnson

Garrett
Kimbrell

Total--16

NAYS

Total--0

NOT VOTING

Sabb

Total--1

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 379 -- Senators Cash and Kimbrell: A BILL TO AMEND CHAPTER 89, TITLE 44 OF THE 1976 CODE, RELATING TO THE BIRTHING CENTER LICENSURE ACT, BY ADDING ARTICLE 3, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROMULGATE REGULATIONS TO INTEGRATE BIRTHING CENTERS AND LICENSED MIDWIVES INTO PERINATAL CARE SERVICES, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 464 -- Senators Rankin and McElveen: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR

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POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer: A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61

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OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 644 -- Senator Scott: A BILL TO AMEND SECTION 11-35-5270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF SMALL AND MINORITY BUSINESS CONTRACTING AND CERTIFICATION IN THE DEPARTMENT OF ADMINISTRATION, SO AS TO TRANSFER THE DIVISION TO THE COMMISSION FOR MINORITY AFFAIRS; TO AMEND SECTION 1-11-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE A CONFORMING CHANGE; TO PROVIDE VARIOUS NECESSARY PROVISIONS TO EFFECT THE TRANSFER; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO

WEDNESDAY, MARCH 31, 2021

PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT

WEDNESDAY, MARCH 31, 2021

BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander and Bennett: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson and Williams: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

Ordered for consideration tomorrow.

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Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner and Malloy: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out S. 699 favorable:

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5, 2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2025; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

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Poll of the Operations & Management Committee

Polled 9; Ayes 9; Nays 0

AYES

Peeler	Leatherman	Rankin
Malloy	Massey	Shealy
Turner	Hutto	Setzler

Total--9

NAYS

Total--0

Ordered for consideration tomorrow.

Adopted

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5, 2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2025; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

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Senator ALEXANDER asked unanimous consent to make a motion to take the Concurrent Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Concurrent Resolution. The question then was the adoption of the Concurrent Resolution.

On motion of Senator ALEXANDER, the Concurrent Resolution was adopted and ordered sent to the House.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3726 -- Reps. West, G.M. Smith, W. Cox, M.M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkersman, White, Wheeler, Rutherford, Ballentine and Ott: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Ordered for consideration tomorrow.

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Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Morris E. Brown III, 300 Charles Street, Lake City, SC 29560-2138
VICE Alex Albert Singleton

Received as information.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2019, and to expire March 21, 2024

1st Congressional District:

Elliott E. Levy, 846 Seafarer Way, Charleston, SC 29412-4918

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Educator on the faculty of a college or university, specializing in the field of dietetics:

Elizabeth Weikle, 2138 Cavendale Drive, Rock Hill, SC 29732-8303

Received as information.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Dietician, Nutritional Services Management:

Valerie L. Meador, 6 South Hillcrest St., Liberty, SC 29657-1016
VICE Ann F. Childers

Received as information.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

4th Congressional District:

Bobby H. Mann, 140 Hammond Dr., Taylors, SC 29687-6923 *VICE*
Sharon L. Wilson

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Received as information.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Gary Kocher, 170 Woodcreek Rd., Elgin, SC 29045-9158 *VICE* Lori Shealy Unumb

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

CARRIED OVER

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE "LEGALLY SEPARATED" FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

On motion Senator ALEXANDER, the Bill was carried over.

CARRIED OVER

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens: A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION

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56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION

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56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0028.002), which was not adopted:

Amend the bill further, as and if amended, beginning on page 11, line 11, and ending on page 14, line 3, by striking SECTION 3 in its entirety and inserting therein the following:

/ SECTION 3. Section 56-1-400 of the 1976 Code is amended to read:

“Section 56-1-400. (A)(1) The Department of Motor Vehicles, upon suspending or revoking a license, shall require that the license be surrendered to the department. At the end of the suspension period, other than a suspension for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or pursuant to the point system, the department shall issue a new license to the person.

(2) If the person has not held a license within the previous nine months, the department shall not issue or restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or for violations under the point system, until the person has filed an application for a new license, submitted to an examination as upon an original application, and satisfied the department, after an investigation of the person's driving ability, that it would be safe to grant the person the privilege of driving a motor vehicle on the public highways. The department, in the department's discretion, where the suspension is for a violation under the point system, may waive the examination, application, and investigation. A record of the suspension must be endorsed on the license issued to the person, showing the grounds of the suspension.

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(B) If a person is permitted to operate a motor vehicle only with an ignition interlock device installed pursuant to Section 56-5-2941, the restriction on the license issued to the person must conspicuously identify the person as a person who only may drive a motor vehicle with an ignition interlock device installed, and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Sections ~~56-1-286; 56-1-1090; 56-5-2945; and 56-5-2947~~ except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.

(C) For purposes of Title 56, the license must be referred to as an ignition interlock restricted license. The fee for an ignition interlock restricted license is one hundred dollars, which shall be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

(D) ~~Unless the person establishes that the person is entitled to the exemption set forth in subsection (B),~~ No ignition interlock restricted license may be issued by the department without written notification from the authorized ignition interlock service provider that the ignition interlock device has been installed and confirmed to be in working order.

(E) If a person chooses to not have an ignition interlock device installed when required by law, the license will remain suspended indefinitely. If the person subsequently decides to have the ignition interlock device installed, the device must be installed for the length of time set forth in ~~Sections 56-1-286, 56-5-2945, and 56-5-2947~~ except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990 subsection (B).

(F) This provision does not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 23, Chapter 5 of this title.

~~(B)(1) A person who does not own a vehicle, as shown in the Department of Motor Vehicles' records, and who certifies that the person:~~

~~(a) cannot obtain a vehicle owner's permission to have an ignition interlock device installed on a vehicle;~~

~~(b) will not be driving a vehicle other than a vehicle owned by the person's employer; and~~

~~(c) will not own a vehicle during the ignition interlock period; may petition the department, on a form provided by the department, for issuance of an ignition interlock restricted license that permits the person~~

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~~to operate a vehicle specified by the employee according to the employer's needs as contained in the employer's statement during the days and hours specified in the employer's statement without having to show that an ignition interlock device has been installed.~~

~~(2) The form must contain:~~

~~(a) identifying information about the employer's noncommercial vehicles that the person will be operating;~~

~~(b) a statement that explains the circumstances in which the person will be operating the employer's vehicles; and~~

~~(c) the notarized signature of the person's employer.~~

~~(3) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person;~~

~~(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(4) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the form specified by this subsection.~~

~~(5) The determination of eligibility for the waiver is subject to periodic review at the discretion of the department. The department shall revoke a waiver issued pursuant to this exemption if the department determines that the person has been driving a vehicle other than the vehicle owned by the person's employer or has been operating the person's employer's vehicle outside the locations, days, or hours specified by the employer in the department's records. The person may seek relief from the department's determination by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings.~~

~~(C) A person whose license has been suspended or revoked for an offense within the jurisdiction of the court of general sessions shall~~

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~~provide the department with proof that the fine owed by the person has been paid before the department may issue the person a license. Proof that the fine has been paid may be a receipt from the clerk of court of the county in which the conviction occurred stating that the fine has been paid in full.”~~ /

Amend the bill further, as and if amended, beginning on page 16, line 14, and ending on page 26, line 23, by striking SECTION 7 in its entirety and inserting therein the following:

/ SECTION 7. Section 56-5-2941 of the 1976 Code is amended to read:

“Section 56-5-2941. (A)(1) The Department of Motor Vehicles shall require a person ~~who is a resident of this State and who~~ is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. ~~This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one-hundredths of one percent or more.~~

(2) The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person’s driver’s license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person’s medical condition has improved to the extent that the person has become capable of properly operating an installed device.

(3) The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver’s license suspension, denial of license to operate a vehicle as an habitual offender pursuant to Section 56-1-1090, or denial of the issuance of a driver’s license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped or motorcycle.

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(4) The length of time that a device is required to be affixed to a motor vehicle as is set forth in ~~Sections~~ Section 56-1-286; 56-1-1090; 56-5-2945; 56-5-2947 ~~except if the conviction was for Sections 56-5-750, 56-5-2951, and 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.~~

(B) Notwithstanding the pleadings, for purposes of a second or a subsequent offense, the specified length of time that a device is required to be affixed to a motor vehicle is based on the Department of Motor Vehicle's records for offenses pursuant to Section 56-1-286; 56-1-1090; 56-5-2930; 56-5-2933; 56-5-2945; 56-5-2947 ~~except if the conviction was for Sections 56-5-750, 56-5-2950; or 56-5-2951; or 56-5-2947, except if the conviction was for Section 56-5-750.~~

(C) If a resident of this State is convicted of violating a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, and, as a result of the conviction, the person is subject to an ignition interlock device requirement in the other state, the person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(D) If a person from another state becomes a resident of South Carolina while subject to an ignition interlock device requirement in another state, the person only may obtain a South Carolina driver's license if the person enrolls in the South Carolina Ignition Interlock Device Program pursuant to this section. The person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(E) The person must be subject to an Ignition Interlock Device Point System managed by the Department of Probation, Parole and Pardon Services. A person accumulating a total of:

(1) two points or more, but less than three points, must have the length of time that the device is required extended by two months;

(2) three points or more, but less than four points, must have the length of time that the device is required extended by four months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and shall successfully complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan, or not make progress toward completing the plan, the Department of Motor Vehicles shall

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suspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan;

(3) four points or more must have the person's ignition interlock restricted license suspended for a period of six months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and successfully shall complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan or not make progress toward completing the plan, the Department of Motor Vehicles shall leave the person's ignition interlock restricted license in suspended status, or, if the license has already been reinstated following the six-month suspension, shall resuspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan. The Department of Alcohol and Other Drug Abuse Services is responsible for notifying the Department of Motor Vehicles of a person's completion and compliance with education and treatment programs. Upon reinstatement of driving privileges following the six-month suspension, the Department of Probation, Parole and Pardon Services shall reset the person's point total to zero points, and the person shall complete the remaining period of time on the ignition interlock device.

(F) The cost of the device must be borne by the person. However, unless a person is participating in the Interlock Ignition Device Program as an habitual offender pursuant to Section 56-1-1090(A), if the person is indigent and cannot afford the cost of the device, the person may submit an affidavit of indigency to the Department of Probation, Parole and Pardon Services for a determination of indigency as it pertains to the cost of the device. The affidavit of indigency form must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. If the Department of Probation, Parole and Pardon Services determines that the person is indigent as it pertains to the device, the Department of Probation, Parole and Pardon Services may authorize a device to be affixed to the motor vehicle and the cost of the initial installation and standard use of the device to be paid for by the Ignition Interlock Device Fund managed by the Department of Probation, Parole and Pardon Services. Funds remitted to the Department of Probation, Parole and Pardon Services for the Ignition Interlock Device Fund also may be used by the Department of Probation, Parole and Pardon Services to support the Ignition Interlock Device Program. For purposes of this section, a person is indigent if the person is financially unable to afford the cost of the ignition interlock device. In making a determination

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whether a person is indigent, all factors concerning the person's financial conditions should be considered including, but not limited to, income, debts, assets, number of dependents claimed for tax purposes, living expenses, and family situation. A presumption that the person is indigent is created if the person's net family income is less than or equal to the poverty guidelines established and revised annually by the United States Department of Health and Human Services published in the Federal Register. 'Net income' means gross income minus deductions required by law. The determination of indigency is subject to periodic review at the discretion of the Department of Probation, Parole and Pardon Services.

(G) The ignition interlock service provider shall collect and remit monthly to the Ignition Interlock Device Fund a fee as determined by the Department of Probation, Parole and Pardon Services not to exceed thirty dollars per month for each month the person is required to drive a vehicle with a device. A service provider who fails to properly remit funds to the Ignition Interlock Device Fund may be decertified as a service provider by the Department of Probation, Parole and Pardon Services. If a service provider is decertified for failing to remit funds to the Ignition Interlock Device Fund, the cost for removal and replacement of a device must be borne by the service provider.

(H)(1) The person shall have the device inspected every sixty days to verify that the device is affixed to the motor vehicle and properly operating, and to allow for the preparation of an ignition interlock device inspection report by the service provider indicating the person's alcohol content at each attempt to start and running retest during each sixty-day period. Failure of the person to have the interlock device inspected every sixty days must result in one ignition interlock device point.

(2) Only a service provider authorized by the Department of Probation, Parole and Pardon Services to perform inspections on ignition interlock devices may conduct inspections. The service provider immediately shall report devices that fail inspection to the Department of Probation, Parole and Pardon Services. The report must contain the person's name, identify the vehicle upon which the failed device is installed, and the reason for the failed inspection.

(3) If the inspection report reflects that the person has failed to complete a running retest, the person must be assessed one ignition interlock device point.

(4) If any inspection report or any photographic images collected by the device shows that the person has violated subsection (M), (O), or

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(P), the person must be assessed one and one-half ignition interlock device points.

(5) The inspection report must indicate the person's alcohol content at each attempt to start and running retest during each sixty-day period. If the report reflects that the person violated a running retest by having an alcohol concentration of:

(a) two one-hundredths of one percent or more but less than four one-hundredths of one percent, the person must be assessed one-half ignition interlock device point;

(b) four one-hundredths of one percent or more but less than fifteen one-hundredths of one percent, the person must be assessed one ignition interlock device point; or

(c) fifteen one-hundredths of one percent or more, the person must be assessed two ignition interlock device points.

(6) A person may appeal less than four ignition interlock device points received to an administrative hearing officer with the Department of Probation, Parole and Pardon Services through a process established by the Department of Probation, Parole and Pardon Services. The administrative hearing officer's decision on appeal is final and no appeal from such decision is allowed.

(I)(1) If a person's license is suspended due to the accumulation of four or more ignition interlock device points, the Department of Probation, Parole and Pardon Services must provide a notice of assessment of ignition interlock points which must advise the person of his right to request a contested case hearing before the Office of Motor Vehicle Hearings. The notice of assessment of ignition interlock points also must advise the person that, if he does not request a contested case hearing within thirty days of the issuance of the notice of assessment of ignition interlock points, he waives his right to the administrative hearing and the person's driver's license is suspended pursuant to subsection (E).

(2) The person may seek relief from the Department of Probation, Parole and Pardon Services' determination that a person's license is suspended due to the accumulation of four or more ignition interlock device points by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act. The filing of the request for a contested case hearing will stay the driver's license suspension pending the outcome of the hearing. However, the filing of the request for a contested case hearing will not stay the requirements of the person having the ignition interlock device.

(3) At the contested case hearing:

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(a) the assessment of driver's license suspension can be upheld;
(b) the driver's license suspension can be overturned, or any or all of the contested ignition interlock points included in the device inspection report that results in the contested suspension can be overturned, and the penalties as specified pursuant to subsection (E) will then be imposed accordingly.

(4) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the ignition interlock device. However, if the ignition interlock device is found to not be in working order due to failure of regular maintenance and upkeep by the person challenging the accumulation of ignition interlock points pursuant to the requirement of the ignition interlock program, such allegation cannot serve as a basis to overturn point accumulations.

(5) A written order must be issued by the Office of Motor Vehicle Hearings to all parties either reversing or upholding the assessment of ignition interlock points.

(6) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal does not stay the ignition interlock requirement.

(J) Five years from the date of the person's driver's license reinstatement and every five years thereafter, a fourth or subsequent offender whose license has been reinstated pursuant to Section 56-1-385, or a person with a lifetime ignition interlock requirement due to a conviction on or after October 1, 2014, may apply to the Department of Probation, Parole and Pardon Services for removal of the ignition interlock device and the removal of the restriction from the person's driver's license. The Department of Probation, Parole and Pardon Services may, for good cause shown, notify the Department of Motor Vehicles that the person is eligible to have the restriction removed from the person's license.

(K)(1) Except as otherwise provided in this section, it is unlawful for a person who is subject to the provisions of this section to drive a motor vehicle that is not equipped with a properly operating, certified ignition interlock device. A person who violates this subsection:

(a) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year. The person must have the length of

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time that the ignition interlock device is required extended by six months;

(b) for a second offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than five thousand dollars or imprisoned not more than three years. The person must have the length of time that the ignition interlock device is required extended by one year; and

(c) for a third or subsequent offense, is guilty of a felony, and, upon conviction, must be fined not less than ten thousand dollars or imprisoned not more than ten years. The person must have the length of time that the ignition interlock device is required extended by three years.

(2) No portion of the minimum sentence imposed pursuant to this subsection may be suspended.

(3) Notwithstanding any other provision of law, a first or second offense punishable pursuant to this subsection may be tried in summary court.

(4) Nothing in this subsection shall be construed to prevent a person who is participating in the Ignition Interlock Device Program pursuant to Section 56-1-1090(A) and who drives a motor vehicle that is not equipped with a properly operating, certified ignition interlock device from being charged with a violation of Section 56-1-1100.

~~(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.~~

~~(2) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.;~~

~~(b) a person who is self employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that~~

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~~titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).~~

~~(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).~~

~~(M)~~(L) It is unlawful for a person to tamper with or disable, or attempt to tamper with or disable, an ignition interlock device installed on a motor vehicle pursuant to this section. Obstructing or obscuring the camera lens of an ignition interlock device constitutes tampering. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(N)~~(M) It is unlawful for a person to knowingly rent, lease, or otherwise provide a person who is subject to this section with a motor vehicle without a properly operating, certified ignition interlock device. This subsection does not apply if the person began the lease contract period for the motor vehicle prior to the person's arrest for a first offense violation of Section 56-5-2930 or 56-5-2933 or prior to a person who is participating in the Ignition Interlock Device Program as an habitual offender pursuant to Section 56-1-1090(A) receiving his license with an ignition interlock restriction. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(O)~~(N) It is unlawful for a person who is subject to the provisions of this section to solicit or request another person, or for a person to solicit or request another person on behalf of a person who is subject to the provisions of this section, to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while the vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(P)~~(O) It is unlawful for another person on behalf of a person subject to the provisions of this section to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while that vehicle is in operation. A person who

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violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(Q)~~(P) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(2)(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal

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requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(3)(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

~~(R)~~(Q) In addition to availability under the Freedom of Information Act, any Department of Probation, Parole and Pardon Services policy concerning ignition interlock devices must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. The information regarding a person's participation in the Ignition Interlock Device Program recorded by the ignition interlock device is collected at the direction of the Department of Probation, Parole and Pardon Services and is a record of the department. Information obtained by the Department of Probation, Parole and Pardon Services and ignition interlock service providers regarding a person's participation in the Ignition Interlock Device Program is to be used for internal purposes only and is not subject to the Freedom of Information Act. A person participating in the Ignition Interlock Device Program or the person's family member may request that the Department of Probation, Parole and Pardon Services provide the person or family member with information obtained by the department and ignition interlock service providers. The Department of Probation, Parole and Pardon Services may release the information to the person or family member at the department's discretion. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all photographic images collected by the device no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program. The Department of Probation, Parole and Pardon Services may retain the images past twelve months if there are any pending appeals or contested case hearings involved with that person, and at their conclusion must purge the images. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all personal information regarding a person's participation in the Ignition Interlock Device Program no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program except for that information which is relevant for pending legal matters.

~~(S)~~(R) The Department of Probation, Parole and Pardon Services shall develop policies including, but not limited to, the certification, use,

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maintenance, and operation of ignition interlock devices and the Ignition Interlock Device Fund.

~~(T)~~(S) This section shall apply retroactively to any person currently serving a suspension or denial of the issuance of a license or permit due to a suspension listed in subsection (A).” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was not adopted.

On motion Senator MALLOY, the Bill was carried over.

AMENDMENT PROPOSED, OBJECTION

S. 202 -- Senator Hembree: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment (202R001.SP.GH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 6, Title 1 of the 1976 Code is amended by adding:

“Section 1-6-35. Notwithstanding any provision of law to the contrary, the State Inspector General may initiate, supervise, and coordinate any investigation provided for under this chapter of a public school, public school district, public charter school, or public charter school sponsor:

(1) upon the request of the Governor;

(2) upon the request of the State Superintendent of Education. The State Superintendent of Education may consider a request for an investigation from the school district’s superintendent as the basis for an investigation request under this section;

(3) by a two-thirds vote of the legislative delegation for the area where the subject of the investigation is located; or

(4) by a two-thirds vote of the local school district board membership for the area where a public school or public school district

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is located or by a two-thirds vote of the sponsor board membership for a public charter school authorized by a public charter school sponsor.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator CAMPSSEN objected to further consideration of the Bill.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 154 -- Senator Martin: A BILL TO AMEND CHAPTER 54, TITLE 12 OF THE 1976 CODE, RELATING TO THE UNIFORM METHOD OF COLLECTION AND ENFORCEMENT OF TAXES LEVIED AND ASSESSED BY THE SOUTH CAROLINA DEPARTMENT OF REVENUE, BY ADDING SECTION 12-54-20, TO PROVIDE THAT A TAXPAYER THAT PREVAILS IN AN ACTION OR PROCEEDING TO RECOVER A TAX OR PENALTY IS ENTITLED TO REASONABLE ATTORNEYS’ FEES AND COSTS ASSOCIATED WITH DEFENDING THE ACTION OR PROCEEDING.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS proposed the following amendment (SA\154C003.BH.SA21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Chapter 54, Title 12 of the 1976 Code is amended by adding:

“Section 12-54-20. (A) An individual that is a party in any action or proceeding with, or on behalf of, the department regarding any tax imposed by this title and administered by the department, is entitled to an equitable award by the court, at the conclusion of the action, of reasonable attorneys’ fees and costs associated with the action or proceeding if the court finds:

(1) the individual is the substantially prevailing party in the action or proceeding; or

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(2) the department does not meet the timeliness requirements set forth in law. For purposes of this subsection, reasonable attorneys' fees and costs means the fees and costs incurred by the individual due to the department's delay.

(B) The department is entitled to an equitable award of reasonable attorneys' fees and costs associated with an action commenced against it by an individual regarding any tax imposed by this title and administered by the department if the court finds that the action commenced by the individual is frivolous, unreasonable, without foundation, or in bad faith.

(C) In determining an award made pursuant to subsections (A) and (B), the court shall consider the following:

- (1) the nature, extent, and difficulty of the legal services rendered;
- (2) the time and labor necessarily devoted to the case;
- (3) the professional standing of counsel; and
- (4) the beneficial results obtained.

(D) For purposes of this section, an individual also includes sole proprietorships, partnerships, and 'S' corporations, including limited liability companies taxed as sole proprietorships, partnerships, or 'S' corporations." /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey

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Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

S. 455 -- Senator Davis: A BILL TO AMEND SECTION 40-33-36 OF THE 1976 CODE, RELATING TO THE TEMPORARY LICENSURE OF NURSES, TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PRESCRIBE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH TEMPORARY LICENSURE AS A GRADUATE NURSE SHALL BE IMMEDIATELY REVOKED, AND TO DEFINE NECESSARY TERMS.

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S. 667 -- Senators Grooms, Verdin and Climer: A BILL TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3264 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Crawford and King: A BILL TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.

The Senate proceeded to a consideration of the Resolution.

Senators MASSEY and HEMBREE proposed the following amendment (704R001.SP.ASM), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

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/SECTION __. (A) Due to the need for ongoing, high-quality instruction to address learning disruptions associated with COVID-19 for the 2021-2022 School Year, school districts are prohibited from assigning a teacher to deliver instruction to students simultaneously in-person and virtually, an approach often referred to as “dual-modality instruction,” unless it is reasonable and necessary due to extreme and unavoidable circumstances in order to ensure that all students have access to highly qualified instructors.

(B) In the event that a school district determines it is necessary for a teacher to deliver dual-modality instruction, the school district must provide additional compensation to the teacher.

(C) For any teacher assigned by a school district to dual-modality instruction, the school district must provide the State Department of Education with the name of the teacher, school where the teacher is employed, and subject area in which the teacher was hired to teach. The State Department of Education shall report the information to the General Assembly at the completion of the school year. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senators ALEXANDER and MARTIN proposed the following amendment (704R002.KMM.TCA), which was adopted:

Amend the joint resolution, as and if amended, on page 1, by striking line 33 and inserting:

/ (1) retired on or before April 1, 2019; and /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

The question being the third reading of the Resolution.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, READ THE SECOND TIME

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE

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SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS proposed the following amendment (40R003.SP.LKG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 57-5-840 of the 1976 Code is amended to read:

“Section 57-5-840. A municipality may not alter any ~~State~~ state highway facility without the prior approval of the ~~Department~~ department, and any use or restriction made by ~~the city~~ a municipality of ~~the~~ a highway or highway right of way for ~~city~~ municipality utilities, parking, or ~~for~~ other purposes ~~shall be~~ is subject to prior approval of the ~~Department~~ department by encroachment permit.”

SECTION 2. Article 5, Chapter 5, Title 57 of the 1976 Code is amended by adding:

“Section 57-5-845. (A) Parking facilities on state highway facilities located in beach communities that are eligible for beach renourishment funds:

- (1) must include free public beach parking;
- (2) may include paid public beach parking; and
- (3) may only be restricted by the department if the department determines that the restrictions are necessary under the circumstances.

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(B) Any municipality electing to charge for public beach parking may use the parking revenues for the operation, maintenance, preservation, or funding of:

- (1) public beach parking facilities;
- (2) beach access, maintenance, and renourishment;
- (3) traffic and parking enforcement;
- (4) first responders;
- (5) sanitation; and
- (6) litter control and removal for beaches.”

SECTION 3. Section 57-7-210 of the 1976 Code is amended to read:

“Section 57-7-210. (A) For the purposes of this section, ‘highway’ includes the entire area within a highway right of way, including the shoulders and parking areas.

(B) It ~~shall be~~ is unlawful for any person wilfully to obstruct ditches and drainage openings along any highway, to place obstructions upon any such highway or to throw or place on any such highway any objects likely to cut or otherwise injure vehicles using them.

(C) A violation of this section shall be punishable by a fine of not more than one hundred dollars per day, ~~or~~ imprisonment for not more than thirty days, or both.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>

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Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 425 -- Senators Alexander, McLeod and Young: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (425R002.KM.KS), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Article 1, Chapter 35, Title 43 of the 1976 Code is amended by adding:

“Section 43-35-87. (A) For the purposes of this section, ‘financial institution’ means any bank, credit union, wealth management institution, or other financial services company. This section excludes a

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‘broker-dealer’ as defined in Section 35-1-102(4) and an ‘investment adviser’ as defined in Section 35-1-102(15).

(B) If a financial institution reasonably believes that the financial exploitation of a vulnerable adult has occurred or may occur, then the financial institution may, but is not required to, decline or place on hold any transaction involving:

- (1) the account of the vulnerable adult;
- (2) an account in which the vulnerable adult is a beneficiary, including a trust or guardianship account; or
- (3) the account of a person who is suspected of engaging in the financial exploitation of the vulnerable adult.

(C) A financial institution may also decline or place on hold any transaction pursuant to this section if an investigative entity or law enforcement agency provides information to the financial institution demonstrating that it is reasonable to believe that the financial exploitation of a vulnerable adult has occurred or may occur.

(D) A financial institution is not required to decline or place on hold a transaction pursuant to this section. Such a decision is in the financial institution’s discretion, based on the information available to the financial institution.

(E)(1) Any financial institution that declines or places on hold a transaction pursuant to this section shall:

- (a) make a reasonable effort to provide notice, orally or in writing, to all parties authorized to transact business on the account from which the transfer or disbursement was declined or placed on hold; and
- (b) report the incident to the appropriate investigative entity in accordance with Section 43-35-25.

(2) Notwithstanding the provisions of this subsection, a financial institution has no duty to notify any party that is suspected of financial exploitation pursuant to this section.

(F) Any decline or hold of a disbursement or transaction as authorized by this section will expire upon the sooner of:

- (1) a determination by the financial institution that allowing the transaction will not result in the financial exploitation of a vulnerable adult;
- (2) thirty business days after the date on which the financial institution first declined or placed on hold the transaction, unless an appropriate investigative entity as set forth in Section 43-35-10(5) requests that the financial institution extend the delay, in which case the delay shall expire no more than fifty-five business days after the date on

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which the financial institution first declined or placed on hold the transaction; or

(3) the order of a court of competent jurisdiction.

(G) A financial institution may provide access to or copies of records relevant to the suspected financial exploitation of a vulnerable adult to law enforcement agencies or investigative entities responsible for administering the provisions of this article. Such records may include relevant historical records and recent transactions relating to suspected financial exploitation.

(H) If the determinations and actions of a financial institution or an employee of a financial institution are made in good faith and in accordance with the provisions of this section, then the financial institution or employee shall be immune from criminal, civil, or administrative liability for declining transactions to disburse monies pursuant to this section, and for taking actions in furtherance of a determination, including the making of a report or the providing of access to or copies of relevant records to an investigative entity or law enforcement agency.”

SECTION 2. Chapter 1, Title 35 of the 1976 Code is amended by adding:

“ARTICLE 8

The Protection of Vulnerable Adults from Financial Exploitation

Section 35-1-800. In this article, unless the context otherwise requires:

(1) ‘Agencies’ means the Adult Protective Services Program in the Department of Social Services and the Securities Division of the Office of the Attorney General.

(2) ‘Eligible adult’ means:

- (a) a person sixty years of age or older; or
- (b) a vulnerable adult subject to Section 43-35-10(11).

(3) ‘Financial exploitation’ means:

(a) the wrongful or unauthorized taking, withholding, appropriation, or use of the money, assets, or property of an eligible adult; or

(b) any act or omission taken by a person, including through the use of a power of attorney, guardianship, or conservatorship of an eligible adult, to:

(i) obtain control, through deception, intimidation or undue influence, over the eligible adult’s money, assets, or property to deprive the eligible adult of the ownership, use, benefit, or possession of his money, assets, or property; or

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(ii) convert the money, assets, or property of the eligible adult to deprive the eligible adult of the ownership, use, benefit, or possession of his money, assets, or property.

(4) 'Qualified individual' means any agent, broker-dealer, investment adviser representative, investment adviser, or person who serves in a supervisory, compliance, or legal capacity for a broker-dealer or investment adviser.

(5) 'Reasonably associated individual' means any person known to a qualified individual to be reasonably associated with an eligible adult or his account.

Section 35-1-810. If a qualified individual reasonably believes that the financial exploitation of an eligible adult may have occurred, may have been attempted, or is being attempted, then the qualified individual shall promptly notify the agencies.

Section 35-1-820. A qualified individual who, in good faith and exercising reasonable care, makes a disclosure of information pursuant to Section 35-1-810 shall be immune from any administrative or civil liability that might otherwise arise from such a disclosure or from the failure to notify an eligible adult of such a disclosure.

Section 35-1-830. If a qualified individual reasonably believes that the financial exploitation of an eligible adult may have occurred, may have been attempted, or is being attempted, then the qualified individual may notify any third party previously designated by the eligible adult or, if such a person has not been designated or cannot be contacted, a reasonably associated individual. Disclosure may not be made to any designated third party that is suspected of the financial exploitation or other abuse of the eligible adult.

Section 35-1-840. A qualified individual who, in good faith and exercising reasonable care, complies with Section 35-1-830 shall be immune from any administrative or civil liability that might otherwise arise from such a disclosure.

Section 35-1-850. (A) A broker-dealer or investment adviser may delay a disbursement from, or a transaction in connection with, an account of an eligible adult or an account on which an eligible adult is a beneficiary if:

(1) the broker-dealer, the investment adviser, or a qualified individual reasonably believes that, after initiating an internal review of the requested disbursement or transaction and the suspected financial exploitation, the requested disbursement or transaction may result in the financial exploitation of the eligible adult; and

(2) the broker-dealer or investment adviser:

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(a) immediately, and in no event more than two business days after the requested disbursement or transaction is delayed, provides written notification of the delay and the reason for the delay to all parties authorized to transact business on the account, unless any such party is reasonably believed to have engaged in the suspected or attempted financial exploitation of the eligible adult;

(b) immediately, and in no event more than two business days after the requested disbursement or transaction is delayed, notifies the agencies; and

(c) continues an internal review of the suspected or attempted financial exploitation of the eligible adult, as necessary, and provides status updates to the agencies upon request.

(B) Any delay of a disbursement or transaction as authorized by this section will expire upon the sooner of:

(1) a determination by the broker-dealer or investment adviser that the disbursement or transaction will not result in the financial exploitation of the eligible adult; or

(2) thirty business days after the date on which the broker-dealer or investment adviser first delayed the requested disbursement or transaction, unless either of the agencies requests that the broker-dealer or investment adviser extends the delay, in which case the delay shall expire no more than fifty-five business days after the date on which the broker-dealer or investment adviser first delayed the disbursement or transaction, unless sooner terminated or extended by either of the agencies or an order of a court of competent jurisdiction.

(C) The Court of Common Pleas may enter an order extending the delay of the disbursement or transaction, or may order other protective relief based on the petition of either of the agencies, the broker-dealer or investment adviser that initiated the delay under this section, or another interested party.

Section 35-1-860. A qualified individual who, in good faith and exercising reasonable care, complies with Section 35-1-850 shall be immune from any administrative or civil liability that might otherwise arise from such delay of a requested disbursement or transaction.

Section 35-1-870. A broker-dealer or investment adviser shall provide access to or copies of records that are relevant to the suspected or attempted financial exploitation of an eligible adult to the agencies or to law enforcement, as part of a referral to either the agencies or to law enforcement pursuant to an investigation. The records may include historical records, as well as records relating to the most recent transaction or transactions that may comprise the financial exploitation

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of an eligible adult. All records made available to the agencies under this section are not public records and are not available for public examination. Nothing in this section shall limit or otherwise impede the authority of the Securities Division of the Office of the Attorney General from accessing or examining the books and records of broker-dealers and investment advisers as otherwise provided by law.”

SECTION 3. Section 35-1-509(g)(5) of the 1976 Code is amended to read:

~~“(5) a person who, with actual knowledge that a person is committing acts sufficient to violate Sections 35-1-501 and 35-1-502, nonetheless intentionally furthers the violation with actual awareness that the person is rendering substantial assistance to the person committing the violation of Sections 35-1-501 and 35-1-502, thereby becomes an aider and abettor of the violation, and is therefore jointly and severally liable with and to the same extent as the assisted person who engaged in the fraudulent activity, provided, however, this subsection (5) does not require any due diligence investigation nor impose liability for failure to perform any due diligence investigation otherwise required~~ any person who furthers or facilitates a violation of, or renders substantial assistance to, a person committing a violation of Sections 35-1-501 or 35-1-502 becomes an aider and abettor of the violation and is therefore jointly and severally liable with, to the same extent as, the assisted person who engaged in the fraudulent activity, unless the person furthering or facilitating the violation sustains the burden of proof that he did not know and, in the exercise of reasonable care, could not have known of the existence of the violation by reason of which the liability is alleged to exist.”

SECTION 4. Section 35-1-607(b) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() a record provided to the Securities Division of the Office of the Attorney General pursuant to Section 35-1-870.”

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

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Senator YOUNG proposed the following amendment (425R004.SP.TRY), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by striking Section 43-35-87(H) and inserting:

/ (H) If the determinations and actions of a financial institution or an employee of a financial institution are made in good faith and in accordance with the provisions of this section, then the financial institution or employee shall be immune from criminal, civil, or administrative liability for declining transactions to disburse monies pursuant to this section, and for taking actions in furtherance of a determination, including making a report or providing access to or copies of relevant records to an investigative entity or law enforcement agency. Nothing in this section is intended to nor does it limit or shield in any manner a financial institution from civil liability against any claim, including reasonable attorneys' fees, costs, and litigation expenses, for participating in or materially aiding the financial exploitation of a vulnerable adult. Any such claims shall be asserted by the vulnerable adult, or on his behalf by an appropriate guardian or representative who is not involved in or otherwise suspected of participating in the financial exploitation of the vulnerable adult, by filing a civil action in circuit court." /

Amend the bill further, as and if amended, in SECTION 2, by striking Section 35-1-800(2) and (3) and inserting:

/ (2) 'Eligible adult' means:

- (a) a person fifty-five years of age or older; or
- (b) a vulnerable adult subject to Section 43-35-10(11).

(3) 'Financial exploitation' means:

(a) the wrongful or unauthorized taking, withholding, appropriation, or use of the money, assets, or property of an eligible adult; or

(b) any act or omission taken by a person, including through the use of a power of attorney, guardianship, or conservatorship of an eligible adult, to:

(i) obtain the control, use, or benefit, through deception, intimidation, or undue influence, or by the use of any scheme, device, or artifice to defraud, of the eligible adult's money, assets, or property to deprive the eligible adult of the ownership, use, benefit, or possession of his money, assets, or property; or

(ii) convert the money, assets, or property of the eligible adult to deprive the eligible adult of the ownership, use, benefit, or possession of his money, assets, or property. /

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Amend the bill further, as and if amended, in SECTION 2, by adding Section 35-1-880 to read:

/ Section 35-1-880. Nothing in this article is intended to, nor does it limit or shield in any manner, a qualified individual from civil liability against any claim, including reasonable attorneys' fees, costs, and litigation expenses, for participating in or materially aiding the financial exploitation of an eligible adult. Any such claims shall be asserted by the eligible adult, or on his behalf by an appropriate guardian or representative who is not involved in or otherwise suspected of participating in the financial exploitation of the eligible adult, by filing a civil action in circuit court." /

Amend the bill further, as and if amended, by striking SECTION 3 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Recorded Vote

Senator CLIMER desired to be recorded as abstaining on the vote to adopt the amendment.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb

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Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

ABSTAIN

Climmer

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, CARRIED OVER**

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR

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ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (628R002.SP.DBV), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 18 through 27 and inserting:

/ Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and exercising reasonable care as a pharmacist may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing prescription drug order by a prescriber to a patient who is:

- (1) eighteen years of age or older; or
- (2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive.

(B) The provisions of this section do not require a pharmacist to dispense or administer a contraceptive pursuant to a standing prescription drug order. Additionally, nothing in this chapter shall be construed to amend a pharmacist's duties to dispense or otherwise provide contraception prescribed by another provider. /

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Amend the bill further, as and if amended, on page 4, by striking lines 26 through 27 and inserting:

/ (3) dispense, if clinically appropriate, a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive, or /

Amend the bill further, as and if amended, on page 4, by striking line 43 and inserting:

/have completed continuing education, as /

Amend the bill further, as and if amended, on page 6, by striking lines 19 through 21.

Amend the bill further, as and if amended, on page 6, by striking lines 26 through 40 and inserting:

/ "Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls. /

Amend the bill further, as and if amended, on page 7, by striking line 16 and inserting:

/SECTION 5. This act takes effect upon the issuance of a written joint protocol pursuant to SECTION 4 of this act. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator CROMER proposed the following amendment (628R005.SP.RWC), which was adopted:

Amend the bill, as and if amended, by striking Section 40-43-230(A) and inserting:

/ Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and

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exercising reasonable care as a pharmacist and who is employed by a hospital or a resident pharmacy that is permitted by this State may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing prescription drug order by a prescriber to a patient who is:

- (1) eighteen years of age or older; or
- (2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive. /

Amend the bill further, as and if amended, by adding an appropriately lettered new subsection to Section 40-43-240 to read:

/ () Health insurers and the State Health Plan must provide coverage for services provided under this chapter and reimburse providers on the same basis and at the same payment rate that would apply if the services had been rendered by a physician. /

Amend the bill further, as and if amended, by striking Section 40-43-250 and inserting:

/ Section 40-43-250. (A) Prior to dispensing self-administered hormonal contraceptives or administering injectable hormonal contraceptives pursuant to Section 40-43-240, a pharmacist must have completed a certificate program that has been developed by the deans of the pharmacy schools in this State, as specified in the joint protocol, that is program-specific to self-administered hormonal contraceptives or injectable hormonal contraceptives, that includes the application of the United States Medical Eligibility Criteria for Contraceptive Use, and that includes other Centers for Disease Control and Prevention guidance on contraception. To maintain eligibility, a pharmacist must complete at least three hours of continuing education per year that is offered by an entity approved by the Board of Medical Examiners and the Board of Pharmacy.

(B) An equivalent, curriculum-based training program completed on or after January 2021 in an accredited South Carolina pharmacy school satisfies the initial education requirement. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

Senator GUSTAFSON spoke on the Bill.

The amendment was adopted.

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The question being the second reading of the Bill.

On motion of Senator CASH, the Bill was carried over.

READ THE SECOND TIME

S. 296 -- Senators Climer, Fanning and M. Johnson: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY OF A CERTAIN SIZE AND POPULATION MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION DURING NON-DAYLIGHT HOURS OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

McElveen

Total--1

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey

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Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

On motion of Senator ALEXANDER, the Bill was carried over.

READ THE SECOND TIME

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO

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ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

AMENDMENT PROPOSED, OBJECTION

S. 499 -- Senators Campsen, Rice, Talley, Loftis, Climer and Kimbrell: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (JUD0499.007):

Amend the bill, as and if amended, page 2, by striking lines 35 through 40, in Section 7-3-10(a), as contained in SECTION 3.A., and inserting therein the following:

/ Commission composed of five members, at to be appointed by the Governor upon the advice and consent of the Senate, at least ~~one~~ two of whom shall be a member members of the majority political party represented in the General Assembly, and at least ~~one~~ two of whom shall be a member members of the largest minority political party represented in the General Assembly, to be appointed by the /

Re-number sections to conform.

Amend title to conform.

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Senator MASSEY explained the amendment.

Senator JACKSON objected to further consideration of the Bill.

OBJECTION

H. 3262 -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, McGarry, V.S. Moss, Haddon, Long, Pope, Forrest, Caskey, Hixon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Brittain and Crawford: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN GENERAL ELECTIONS, SO AS TO REQUIRE ALL CANDIDATES FROM EACH POLITICAL PARTY IN THIS STATE TO PAY A FILING FEE, INCLUDING CANDIDATES FROM PARTIES THAT ARE NOT REQUIRED TO CONDUCT A PRIMARY ELECTION, AND TO AUTHORIZE POLITICAL PARTIES TO CHARGE A CERTIFICATION FEE TO ALL CANDIDATES SEEKING NOMINATION BY POLITICAL PARTY PRIMARY OR POLITICAL PARTY CONVENTION; AND TO AMEND SECTION 7-11-210, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REQUIRE CANDIDATES TO AFFIRM THEIR PARTICIPATION IN AT LEAST THREE OF THE LAST FOUR STATEWIDE PARTY PRIMARIES, OR, IN THE ALTERNATIVE, IF PRECLUDED FROM PARTICIPATION DUE TO AGE, PERSONAL HEALTH, RESIDENCY, OR ACTIVE MILITARY SERVICE, CANDIDATES MAY PLEDGE THAT THEY ARE BONA FIDE MEMBERS OF THE POLITICAL PARTY WHOSE NOMINATION THEY ARE SEEKING, AND TO PROVIDE THAT THE STATE PARTY CHAIRMAN, IF PERMITTED BY PARTY RULE, MAY REQUIRE ADDITIONAL VERIFICATION WHEN A CANDIDATE'S AFFIRMATION OF BONA FIDE PARTY MEMBERSHIP IS DISPUTED, AND THAT THE STATE CHAIRMAN IS THE FINAL AUTHORITY TO RESOLVE QUESTIONS REGARDING BONA FIDE PARTY MEMBERSHIP.

Senator MARTIN objected to consideration of the Bill.

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CARRIED OVER

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, AND TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 351 -- Senators McLeod and Malloy: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST

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PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

The Senate proceeded to a consideration of the Bill.

The Committee on Corrections and Penology proposed the following amendment (CM351C001.GT.CM21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 24-3-180 of the 1976 Code is amended to read:

“Section 24-3-180. (A) Whenever an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) During the discharge of an inmate from a state prison, the Department of Corrections shall provide written notice to the inmate that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) upon the completion of his sentence, including probation or parole, together with instructions on how to register to vote.”

SECTION 2. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

“Section 24-13-190. If a person convicted of a felony or offenses against the election laws has completed his sentence, including probation or parole, then a detention facility, as defined by Section 24-13-180, must provide notice to the person that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote.”

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SECTION 3. Section 24-21-280 of the 1976 Code is amended by adding the following appropriately lettered subsection at the end:

“() If a person convicted of a felony or offenses against the election laws, by completing supervision, has completed all terms of his sentence, then the agent must provide notice to the person that he is no longer disqualified from registering to vote pursuant to Section 7-5-120(B)(3) and instructions on how to register to vote. An agent may fulfill this requirement by providing the information to the person during the intake process. If the person’s supervision is completed through the granting of a pardon pursuant to Section 24-21-950(A)(3), the agent may fulfill this requirement by including the information with the pardon certificate.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (351R001.SP.GH), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 24-3-180 of the 1976 Code is amended to read:

“Section 24-3-180. ~~(A) Whenever~~ When an inmate is discharged from a state prison, the Department of Corrections shall furnish the inmate with a suit of common clothes, if necessary, and transportation from the prison to his home or as near to it as can be done by public conveyances. The cost of transportation and clothes must be paid by the State Treasurer, on the draft of the department, countersigned by the Comptroller General.

(B) If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation, parole, and the payment of court-ordered restitution, then the Department of Corrections must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7-5-120.”

SECTION 2. Article 1, Chapter 13, Title 24 of the 1976 Code is amended by adding:

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“Section 24-13-190. If a person who has been convicted of a felony or offenses against the election laws has completed his sentence, including probation, parole, and the payment of court-ordered restitution, then a detention facility, as defined by Section 24-13-80, must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7-5-120.”

SECTION 3. Section 24-21-280 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“() If a person who has been convicted of a felony or offenses against the election laws, by completing supervision, has completed all terms of his sentence, including the payment of court-ordered restitution, then the probation agent must provide a written notice that contains the contact information of the voter registration board in his county of residence and a copy of South Carolina Code Section 7-5-120. If the person’s supervision is completed through the granting of a pardon pursuant to Section 24-21-950(A)(3), then the probation agent may fulfill this requirement by including the information with the pardon certificate.”

SECTION 4. Section 7-5-120 of the 1976 Code is amended to read:

“Section 7-5-120. (A) Every citizen of this State and the United States who applies for registration must be registered if he meets the following qualifications:

(1) meets the age qualification as provided in Section 4, Article II of the Constitution of this State;

(2) is not laboring under disabilities named in the Constitution of 1895 of this State; and

(3) is a resident in the county and in the polling precinct in which the elector offers to vote.

(B) A person is disqualified from being registered or voting if he:

(1) is mentally incompetent as adjudicated by a court of competent jurisdiction; or

(2) is serving a term of imprisonment resulting from a conviction of a crime; or

(3) is convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation, ~~and~~ parole time, and the payment of court-ordered restitution unless sooner pardoned.

(C) A person formerly disqualified from being registered to vote or from voting pursuant to subsection (B)(3) must provide verification at the time of registration that his disqualifying sentence has been fully completed.”

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SECTION 5. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator HARPOOTLIAN, the Bill was carried over.

CARRIED OVER

S. 705 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CROMER, the Resolution was carried over.

CARRIED OVER

S. 706 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR REINSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5029, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CROMER, the Resolution was carried over.

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**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 500 -- Senators Scott, Loftis, Kimbrell, Allen and Stephens: A BILL TO AMEND SECTION 40-3-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (500R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 40-3-290(C)(3) of the 1976 Code is amended to read:

“(3) ~~a detached single family or two family dwelling, as defined in Group R3 of the Standard Building Code, regardless of size, with each unit having a grade level exit and sheds, storage buildings, and garages incidental to the dwelling~~ one-family and two-family dwellings, including townhouses, in compliance with the prescriptive requirements of the South Carolina Residential Code. All other buildings and structures classified for residential occupancies or uses in the South Carolina Building Code that are beyond the scope of the South Carolina Residential Code are not exempt from the provisions of this chapter;”

SECTION 2. This act takes effect upon approval of the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator LEATHERMAN, the Bill was carried over.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING
BEEN COMPLETED, THE SENATE PROCEEDED TO THE
MOTION PERIOD.**

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MOTION ADOPTED

At 3:09 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE AND LOCAL CALENDAR.

CARRIED OVER

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

On motion of Senator MASSEY, the Bill was carried over.

CARRIED OVER

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

CARRIED OVER

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE

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SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

On motion of Senator MASSEY, the Bill was carried over.

AMENDED, READ THE SECOND TIME

S. 499 -- Senators Campsen, Rice, Talley, Loftis, Climer and Kimbrell: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

The Senate proceeded to a consideration of the Bill.

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The Committee on Judiciary proposed the following amendment (JUD0499.001), which was withdrawn:

Amend the bill, as and if amended, page 4, line 1, in Section 7-3-20, as contained in SECTION 4.A., by striking the word /practical/ and inserting therein / practicable /.

Renumber sections to conform.

Amend title to conform.

On motion of Senator CAMPSSEN, the committee amendment was withdrawn.

Senator HUTTO proposed the following amendment (JUD0499.007), which was tabled:

Amend the bill, as and if amended, page 2, by striking lines 35 through 40, in Section 7-3-10(a), as contained in SECTION 3.A., and inserting therein the following:

/ Commission composed of five members, at to be appointed by the Governor upon the advice and consent of the Senate, at least ~~one~~ two of whom shall be a member members of the majority political party represented in the General Assembly, and at least ~~one~~ two of whom shall be a member members of the largest minority political party represented in the General Assembly, to be appointed by the /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator CAMPSSEN moved to lay the amendment on the table.

The amendment was laid on the table.

Senators MASSEY and CAMPSSEN proposed the following amendment (499R001.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/SECTION 1. This act must be known and may be cited as the “South Carolina Election Commission Restructuring Act”.

SECTION 2. Chapter 1, Title 7 of the 1976 Code is amended by adding:

“Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of

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the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.”

SECTION 3. A. Section 7-3-10(a) of the 1976 Code is amended to read:

“Section 7-3-10. (a) There is hereby created the State Election Commission composed of five members, to be appointed by the Governor upon the advice and consent of the Senate, at least one of whom shall be a member of the majority political party represented in the General Assembly, and at least one of whom shall be a member of the largest minority political party represented in the General Assembly; ~~to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years. In considering appointments to the commission, race, gender, and other geographic and demographic factors must be considered to assure nondiscrimination,~~

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inclusion, and representation to the greatest extent possible of all segments of the population of the State. The terms of the members of the State Election Commission shall be for four years and until their successors are appointed and qualify, provided, however, that a member may not serve in holdover status for more than one year. If a member who has been reappointed and who is serving in holdover status is not confirmed by the Senate on or before the sine die adjournment of the General Assembly following the expiration of the member's term, then the member's seat is vacated, and he is ineligible to serve on the State Election Commission as a recess or interim appointee. If a person appointed to serve as a commissioner is rejected by a vote of the Senate, then, if the appointment was an initial appointment, the person cannot take office and is ineligible to serve as an interim appointee to the State Election Commission and, if the appointment was a reappointment, the person may serve the remainder of his term in office, if any, his seat is vacated upon the expiration of his term, and the person is ineligible to serve as a recess or interim appointee to the State Election Commission. Any vacancy on the ~~Commission~~ commission shall be filled for the unexpired portion of the term in the same manner as the original appointment."

B. On the effective date of this act, the terms of the members of the State Election Commission are expired, and a new State Election Commission must be established pursuant to Section 7-3-10(a), as amended by this act. In order to stagger the terms of the members of the State Election Commission, the initial terms are as follows, regardless of when a member is appointed and qualifies:

(1) the initial appointment of one member of the majority political party represented in the General Assembly and the initial appointment of one member of the largest minority political party represented in the General Assembly are for terms expiring on July 1, 2023; and

(2) the initial appointments of three members are for terms expiring on July 1, 2025.

C. A member whose term expires on the effective date of this act may continue to serve in the seat in holdover status until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 13, 2021, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2021, whichever is later, then the member's seat is vacated on the later of the two dates and is ineligible to serve as an interim appointment to the State Election Commission. If a member who is serving in holdover status is rejected by a vote of the Senate, then the member's seat is

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vacated on the date the member is rejected by a vote of the Senate and the member is ineligible to serve as an interim appointment to the State Election Commission.

SECTION 4. A. Section 7-3-20(A) of the 1976 Code is amended to read:

“Section 7-3-20. (A) The State Election Commission shall ~~elect~~ appoint an executive director, upon the advice and consent of the Senate, who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission. In the event of a vacancy in the position of executive director, an interim director must be appointed by the State Election Commission, and an appointment for a permanent executive director must be submitted to the Senate as soon as practicable. If a person is appointed by the State Election Commission to be executive director and is not confirmed by the Senate by the date for the sine die adjournment of the General Assembly following the appointment, then the person must not serve as an interim or permanent executive director.”

B. The provisions of this SECTION apply to all vacancies that occur in the position of executive director on or after the effective date of this act.

C. The commission appointed and confirmed under the provisions of SECTION 3 must submit an appointment for executive director to the Senate for advice and consent no later than sixty days after three members of the commission have been appointed, qualified, and confirmed as provided in SECTION 3. An executive director serving on the effective date of this act may continue to serve as executive director until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 13, 2021, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2021, whichever is later, then the executive director position is vacated on the later of the two dates and is ineligible to serve as an interim or permanent executive director. If an executive director who is serving in holdover status is rejected by a vote of the Senate, then the executive director position is vacated on the date the executive director is rejected by a vote of the Senate and the executive director is ineligible to serve as an interim or permanent executive director of the State Election Commission.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the

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constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator SCOTT proposed the following amendment (ZW\499C001.NBD.ZW21), which was ruled out of order:

Amend the bill, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7-13-25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections shall determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins ten days before an election and ends three days prior to the election.

(F) The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however:

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(1) for any election, the early voting centers shall not open on Sundays;

(2) for statewide primaries and general elections, the early voting centers must be open for two Saturdays within the early voting period; and

(3) for any election that is not a statewide primary or general election, the county board of registration and elections shall determine whether or not to open the early voting centers on Saturdays during the early voting period.

(G) In addition to the early voting centers established pursuant to this section, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.

(H) A sign must be posted prominently in the early voting center and shall have printed on it: 'VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS'.

(I) The provision of this section do not apply to presidential preference primaries held pursuant to Section 7-11-20."

SECTION 2. Section 7-3-20(C) of the 1976 Code is amended by adding an appropriately numbered item at the end to read:

"() enter into the master file a separate designation for each voter casting an absentee ballot or an early ballot in a general election."

SECTION 3. Section 7-15-320 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

"() A qualified elector may vote during the early voting period pursuant to Section 7-13-25." /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

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Point of Order

Senator CAMPSSEN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.
Senator SCOTT spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 7

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	Peeler
Rankin	Rice	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Hutto	Jackson	McElveen
McLeod	Sabb	Scott
Setzler		

Total--7

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

WEDNESDAY, MARCH 31, 2021

ADJOURNMENT

At 4:03 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 1, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Roy D. Taylor, of Taylors, S.C. Reverend Taylor served as pastor of five congregations over forty-five years before retiring from ministry in 2004. He was vice president of the Kiwanis Club, member of the Lions Club and Rotary Club, and was elected twice to the Presbyterian Church General Assembly. Roy was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:03 A.M., on motion of Senator CROMER, the Senate adjourned to meet Monday, April 5, 2021, at 11:00 A.M. under the provisions of Rule 1B for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Monday, April 5, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER.

ADJOURNMENT

At 11:03 A.M., on motion of Senator McLEOD, the Senate adjourned to meet tomorrow, Tuesday, April 6, 2021, at 12:00 Noon.

* * *

Tuesday, April 6, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 4:13

In Exodus Moses says to the Lord God, "O Lord, please send someone else to do it."

Let us pray: Holy God, we remember how even Your servant Moses demonstrated clear reluctance to follow Your call for him to carry out Your will. His story reminds all of us how challenging it is for us, also, to be the sorts of leaders You want us to be. After all, it is a difficult, time-consuming, and sometimes frustrating request You make of us: to be leaders who boldly do the often hard work You expect us to complete. Therefore, Lord, our plea today is straightforward and quite simple: that You grant to each of Your servants in this Senate the determination to do what is right and just, to go ahead with what they know to be necessary and not to wait for someone else to do the work for them. May each Senator and staff member honor You through their active service on behalf of all South Carolinians. In Your loving name we pray, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was present.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2019, and to expire April 1, 2023

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At-Large:

John P. Brogan, P. O. Box 3410, Bluffton, SC 29910-3410

Referred to the Committee on Medical Affairs.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

At-Large:

Thomas F. Dougall, 209 Redbay Road, Elgin, SC 29045-8651 *VICE*
Elizabeth Walker

Referred to the Committee on Medical Affairs.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Pee Dee District - represent organ and tissue recipients, families of recipients, and families of donors who are residents of South Carolina:

Alan Sipe, 128 Colonial Circle, Murrells Inlet, SC 29576-8514

Referred to the Committee on Medical Affairs.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

Chairman, 4th Congressional District:

Norman F. Pulliam, 812 East Main Street, Spartanburg, SC 29302-2000

Referred to the Committee on Fish, Game and Forestry.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

6th Congressional District:

Duane M. Swygert, P. O. Box 486, Hardeeville, SC 29927-0486

Referred to the Committee on Fish, Game and Forestry.

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Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Department of Transportation Commission, with the term to commence February 15, 2021, and to expire February 15, 2025

7th Congressional District:

Tony K. Cox, 817 St. Charles Road, North Myrtle Beach, SC 29582

Referred to the Committee on Transportation.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

5th Congressional District:

Crystal A. Maxwell, 2748 Dunlin Dr., Fort Mill, SC 29707-9118

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Edwin M. Estridge, 121 Pamela Court, Chapin, SC 29036-9481

Referred to the Committee on Labor, Commerce and Industry.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 19, 2019, and to expire March 19, 2023

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Road, Cassatt, SC 29032

Referred to the Committee on Labor, Commerce and Industry.

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Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Cooperative Credit Unions:

Jennifer Michaels, 13 Swan Lake Drive, Sumter, SC 29150-4740
VICE William S. Conley

Referred to the Committee on Banking and Insurance.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2020, and to expire April 6, 2026

4th Congressional District:

George Scott Bryant, 415 Grazing Ridge Lane, Moore, SC 29369-9042
VICE Katherine Ann George

Referred to the Committee on Agriculture and Natural Resources.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

5th Congressional District:

Christine E. White, 1520 Highcrest Way, Rock Hill, SC 29730-6668
VICE Dr. Gretchen Love

Referred to the Committee on Agriculture and Natural Resources.

Doctor of the Day

Senator RANKIN introduced Dr. Brandon Coakley of Myrtle Beach, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ALEXANDER, at 12:04 P.M., Senator LEATHERMAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator GROOMS, at 12:13 P.M., Senator CAMPSSEN was granted a leave of absence until 12:45 P.M.

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Leave of Absence

On motion of Senator YOUNG, at 12:13 P.M., Senator M. JOHNSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator FANNING, at 12:13 P.M., Senator McLEOD was granted a leave of absence until 12:45 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 12:13 P.M., Senator McELVEEN was granted a leave of absence until 2:30 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 17 Sen. Loftis
S. 425 Sen. Gustafson
S. 464 Sens. Adams, Talley, Matthews, Goldfinch, Gambrell,
 Garrett, Hutto, Harpootlian and Williams
S. 614 Sen. Cromer
S. 675 Sen. Garrett

RECALLED

H. 3436 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MARK ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH BLACK BRANCH ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 "REVEREND JOHN L. BRYANT, JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 724 -- Senator Kimpson: A SENATE RESOLUTION TO RECOGNIZE THE BOEING COMPANY AND ITS DREAMLIFTER OPERATIONS TEAM FOR DELIVERING LIFE-SAVING PERSONAL PROTECTIVE EQUIPMENT TO THE RESIDENTS OF SOUTH CAROLINA AND CITIZENS ACROSS THE COUNTRY DURING THE COVID-19 GLOBAL PANDEMIC.

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The Senate Resolution was adopted.

S. 725 -- Senators McElveen and K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND REMEMBER THE HEROISM OF SENIOR CORPORAL GARY BEAVER, STAFF SERGEANT SEPTEMBER CRAFT, AND THE LATE CORPORAL ANDREW GILLETTE OF THE SUMTER COUNTY SHERIFF'S OFFICE AND TO HONOR THEIR EXCEPTIONAL COURAGE IN THE LINE OF DUTY AS THEY RECEIVE THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 726 -- Senator Hutto: A BILL TO AMEND SECTION 12-36-2120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO INCLUDE AN AGRIBUSINESS PROCESSOR AS A MANUFACTURING FACILITY FOR PURPOSES OF THE EXEMPTION ON CONSTRUCTION MATERIALS.

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Read the first time and referred to the Committee on Finance.

S. 727 -- Senator Bennett: A BILL TO AMEND SECTIONS 56-3-253, 56-3-376, 56-3-377, AND 56-3-385, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF BIENNIAL VEHICLE REGISTRATION PERIODS, SO AS TO ESTABLISH ANNUAL VEHICLE REGISTRATION PERIODS; BY ADDING SECTION 56-3-600 SO AS TO PROVIDE FOR THE ANNUAL PAYMENT OF VEHICLE REGISTRATION AND LICENSE FEES; TO AMEND SECTIONS 56-3-610, 56-3-620, 56-3-640, 56-3-645, 56-3-660, 56-3-700, 56-3-710, 56-3-720, 56-3-740, 56-

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3-750, 56-3-760, 56-3-770, 56-3-840, 56-3-900, 56-3-1230, 56-3-1450, 56-3-1510, 56-3-1530, 56-3-1610, 56-3-1630, 56-3-1750, 56-3-1760, 56-3-1820, 56-3-2010, 56-3-2020, 56-3-2150, AS AMENDED, 56-3-2160, 56-3-2540, 56-3-2810, 56-3-2820, 56-3-3410, 56-3-3420, 56-3-3500, 56-3-3600, 56-3-3800, 56-3-3910, 56-3-3950, 56-3-4100, 56-3-4200, 56-3-4410, 56-3-4510, 56-3-4600, 56-3-4800, 56-3-5010, 56-3-5200, 56-3-5300, 56-3-5400, 56-3-6000, 56-3-6500, 56-3-7000, 56-3-7010, 56-3-7050, 56-3-7200, 56-3-7300, 56-3-7310, 56-3-7320, 56-3-7330, 56-3-7340, 56-3-7350, 56-3-7370, 56-3-7610, 56-3-7700, 56-3-7750, 56-3-7780, 56-3-7800, 56-3-7890, 56-3-7910, 56-3-7940, 56-3-7950, 56-3-8000, 56-3-8100, 56-3-8200, 56-3-8300, 56-3-8400, 56-3-8600, 56-3-8710, 56-3-8910, 56-3-9000, 56-3-9100, 56-3-9200, 56-3-9300, 56-3-9400, 56-3-9500, 56-3-9600, AS AMENDED, 56-3-9710, 56-3-9800, 56-3-10010, 56-3-10110, 56-3-10210, 56-3-10310, 56-3-10410, 56-3-10510, 56-3-10810, 56-3-10910, 56-3-11010, 56-3-11110, 56-3-11310, 56-3-11420, 56-3-11610, 56-3-11710, 56-3-11810, 56-3-12010, 56-3-12110, 56-3-12210, 56-3-12310, 56-3-12410, 56-3-12510, 56-3-12610, 56-3-12710, 56-3-12810, 56-3-13010, 56-3-13110, 56-3-13210, 56-3-13310, 56-3-13410, 56-3-13520, 56-3-13610, 56-3-13710, 56-3-13810, 56-3-13910, 56-3-14010, AS AMENDED, 56-3-14110, 56-3-14210, 56-3-14310, 56-3-14510, AND 56-3-14610, RELATING TO THE BIENNIAL PAYMENT OF REGISTRATION, LICENSE AND ROAD USE FEES FOR VARIOUS VEHICLES AND VARIOUS LICENSE PLATES, DELINQUENT REGISTRATION AND LICENSE PENALTIES, THE ISSUANCE OF REFUNDS OF REGISTRATION AND LICENSE FEES, LICENSE PLATE SPECIFICATIONS AND THE ISSUANCE OF LICENSE PLATES AND REVALIDATION STICKERS, THE ISSUANCE OF "YEAR OF MANUFACTURE" LICENSE PLATES, "AMATEUR RADIO OPERATORS" LICENSE PLATES, "EMERGENCY MEDICAL TECHNICIANS" LICENSE PLATES, "MEMBERS OF THE UNITED STATES MILITARY RESERVE" LICENSE PLATES, "MEMBERS OF THE NATIONAL GUARD" LICENSE PLATES, "SPECIAL PERSONALIZED" LICENSE PLATES, LICENSE PLATES FOR VARIOUS ACTIVE AND RETIRED ELECTED OFFICIALS AND RETIRED JUDICIAL OFFICERS, "CONSERVE SOUTH CAROLINA" LICENSE PLATES, "VOLUNTEER FIREMEN" LICENSE PLATES, "NATIONAL WILD TURKEY FEDERATION" LICENSE PLATES, "PENN CENTER" LICENSE PLATES, "SOUTH CAROLINA NURSES" LICENSE PLATES, "AMERICAN LEGION" LICENSE PLATES, "SHAG COMMEMORATIVE" LICENSE

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PLATES, "KEEP SOUTH CAROLINA BEAUTIFUL" LICENSE PLATES, "SOUTH CAROLINA ELK ASSOCIATION" LICENSE PLATES, "CAROLINA PANTHERS" LICENSE PLATES, "SHARE THE ROAD" LICENSE PLATES, "SOUTH CAROLINA WILDLIFE" LICENSE PLATES, "HOMEOWNERSHIP: THE AMERICAN DREAM" LICENSE PLATES, "SONS OF CONFEDERATE VETERANS" LICENSE PLATES, "PUBLIC EDUCATION: A GREAT INVESTMENT" LICENSE PLATES, "SOUTH CAROLINA: FIRST IN GOLF" LICENSE PLATES, "CHARTER LIMOUSINE" LICENSE PLATES, "FRATERNAL ORDER OF POLICE" LICENSE PLATES, "UNITED STATES ARMED SERVICES" LICENSE PLATES, "UNITED STATES NAVAL ACADEMY" LICENSE PLATES, "COUNTY VETERANS AFFAIRS OFFICERS" LICENSE PLATES, "UNITES STATES AIR FORCE ACADEMY" LICENSE PLATES, "ARTS AWARENESS" LICENSE PLATES, "SALTWATER FISHING" LICENSE PLATES, "SUPPORT OUR TROOPS" LICENSE PLATES, "EMERGENCY MEDICAL SERVICE" LICENSE PLATES, "BOY SCOUTS OF AMERICA" AND "EAGLE SCOUT" LICENSE PLATES, "NATIVE AMERICAN" LICENSE PLATES, "SOUTH CAROLINA PEACH COUNCIL" LICENSE PLATES, "CANCER RESEARCH CENTERS OF THE CAROLINAS" LICENSE PLATES, "SQUARE DANCE" LICENSE PLATES, "SPECIAL OLYMPICS" LICENSE PLATES, "FRATERNITY AND SORORITY" LICENSE PLATES, "VIETNAM WAR VETERANS" LICENSE PLATES, "SOUTH CAROLINA AQUARIUM" LICENSE PLATES, "OUR FARMS - OUR FUTURE" LICENSE PLATES, "H.L. HUNLEY SUBMARINE" LICENSE PLATES, "REDUCE, REUSE, RECYCLE" LICENSE PLATES, "HUNTING ISLAND STATE PARK" LICENSE PLATES, "NONPROFIT ORGANIZATION" LICENSE PLATES, SPECIAL LICENSE PLATES PRODUCTION AND DISTRIBUTION GUIDELINES, "ROTARY INTERNATIONAL" LICENSE PLATES, "MARINE CORPS LEAGUE" LICENSE PLATES, "LIONS CLUB" LICENSE PLATES, "DUCKS UNLIMITED" LICENSE PLATES, "NASCAR" LICENSE PLATES, "CHOOSE LIFE" LICENSE PLATES, "SERTOMA INTERNATIONAL" LICENSE PLATES, "SOUTH CAROLINA TECHNOLOGY ALLIANCE" LICENSE PLATES, "IN GOD WE TRUST" LICENSE PLATES, "UNITED WE STAND" LICENSE PLATES, "MORRIS ISLAND LIGHTHOUSE" LICENSE PLATES, "GOD BLESS AMERICA" LICENSE PLATES, "NO MORE HOMELESS PETS" LICENSE PLATES, "HERITAGE

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CLASSIC FOUNDATION" LICENSE PLATES, "BREAST CANCER AWARENESS" LICENSE PLATES, "PARROT HEAD" LICENSE PLATES, "OPERATION DESERT STORM - DESERT SHIELD VETERAN" LICENSE PLATES, "OPERATION ENDURING FREEDOM VETERAN" LICENSE PLATES, "OPERATION IRAQI FREEDOM VETERAN" LICENSE PLATES, "VETERAN" LICENSE PLATES, "I BELIEVE" LICENSE PLATES, "SOUTH CAROLINA TENNIS PATRONS FOUNDATION" LICENSE PLATES, "TREE MY DOG" LICENSE PLATES, "UNITED STATES NAVY CHIEF PETTY OFFICER" LICENSE PLATES, "UNITED STATES MARINE CORPS" LICENSE PLATES, "SECOND AMENDMENT" LICENSE PLATES, "DEPARTMENT OF THE NAVY" LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" LICENSE PLATES, "STATE FLAG" LICENSE PLATES, "I SUPPORT LIBRARIES" LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" LICENSE PLATES, "BEACH MUSIC" LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BIG RED' " LICENSE PLATES, "LARGEMOUTH BASS" LICENSE PLATES, "HIGH SCHOOL" LICENSE PLATES, "SOUTH CAROLINA WILDLIFE FEDERATION" LICENSE PLATES, "DR. MARY MCLEOD BETHUNE" LICENSE PLATES, "GADSDEN FLAG" LICENSE PLATES, "COMBAT-RELATED DISABLED VETERAN" LICENSE PLATES, "2010-11 BASEBALL NATIONAL CHAMPIONS" LICENSE PLATES, "COMBAT-RELATED DISABLED VETERAN" LICENSE PLATES, "RECIPIENTS OF THE DISTINGUISHED FLYING CROSS" LICENSE PLATES, "MOTORCYCLE AWARENESS" LICENSE PLATES, "SOUTH CAROLINA RIVERKEEPERS" LICENSE PLATES, "AUTISM AWARENESS" LICENSE PLATES, "SOUTH CAROLINA STANDS WITH ISRAEL" LICENSE PLATES, "AMERICAN RED CROSS" LICENSE PLATES, "CHASE AWAY CHILDHOOD CANCER" LICENSE PLATES, "SPECIAL PERSONALIZED MOTOR VEHICLE" LICENSE PLATES, "CLEMSON UNIVERSITY 2016 AND 2018 FOOTBALL NATIONAL CHAMPIONS" LICENSE PLATES, "2016 BASEBALL NATIONAL CHAMPIONS" LICENSE PLATES, "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" LICENSE PLATES, "PALMETTO CROSS" LICENSE PLATES, "VIRGINIA TECH" LICENSE PLATES, AND "POWERING THE PALMETTO STATE" LICENSE PLATES, SO AS TO PROVIDE FOR THE ANNUAL REGISTRATION AND LICENSING OF CERTAIN MOTOR

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VEHICLES, TO PROVIDE COUNTIES SHALL COLLECT CERTAIN FEES ASSESSED AGAINST VEHICLES POWERED BY ANY FUEL OTHER THAN MOTOR FUEL, TO PROVIDE A COUNTY MAY COLLECT CERTAIN DELINQUENCY FEES ON BEHALF OF THE DEPARTMENT; BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT MUST REFUSE TO RENEW THE MOTOR VEHICLE REGISTRATION OF A PERSON WHO HAS NOT PAID THE VEHICLE'S PERSONAL PROPERTY TAXES, PROVIDE A COUNTY OR MUNICIPALITY MUST NOTIFY THE DEPARTMENT OF PERSONS VIOLATING THIS CHAPTER; BY ADDING SECTION 56-3-205 SO AS TO PROVIDE THE DEPARTMENT MAY ISSUE REVALIDATION DECALS AND ENTER INTO AND SUPERVISE CONTRACTS WITH CERTAIN ENTITIES TO ISSUE LICENSE PLATES AND REVALIDATION DECALS, TO PROVIDE GOVERNMENTAL ENTITIES THAT ISSUE REVALIDATION DECALS MAY CHARGE A FEE TO DEFRAY THE COST OF ISSUING PLATES AND DECALS, AND PROVIDE A PLAN MUST BE DEVELOPED TO ALLOW EACH COUNTY TO ISSUE LICENSE PLATES AND REVALIDATION DECALS; AND TO REPEAL SECTIONS 56-3-905 AND 56-2-2740 RELATING TO THE DEPARTMENT REFUNDING A PORTION OF THE VEHICLE REGISTRATION FEE WHEN A LICENSE PLATE AND REGISTRATION IS SURRENDERED TO THE DEPARTMENT AND THE ISSUANCE OF BIENNIAL LICENSE PLATES AND REVALIDATION DECALS.

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Read the first time and referred to the Committee on Transportation.

S. 728 -- Senator Rice: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SC 135 (NORTH A STREET) FROM S-183 (NE MAIN STREET) TO ITS INTERSECTION WITH S-221 (FLEETWOOD DRIVE/OLIVE STREET) IN THE TOWN OF EASLEY AND PICKENS COUNTY "PROFESSOR JOHN T. SIMPSON MEMORIAL DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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Read the first time and referred to the Committee on Transportation.

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Recalled

S. 728 -- Senator Rice: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SC 135 (NORTH A STREET) FROM S-183 (NE MAIN STREET) TO ITS INTERSECTION WITH S-221 (FLEETWOOD DRIVE/OLIVE STREET) IN THE TOWN OF EASLEY AND PICKENS COUNTY "PROFESSOR JOHN T. SIMPSON MEMORIAL DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

S. 729 -- Senator Gustafson: A BILL TO AMEND SECTIONS 1 AND 2 OF ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD'S POWERS AND DUTIES; TO AMEND SECTION 3 OF ACT 868 OF 1954, RELATING TO THE BOARD'S POWERS AND DUTIES, TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 730 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-31-70 SO AS TO PROVIDE CERTAIN TERMS AND THEIR DEFINITION, AND TO PROVIDE AN AIRPORT MANAGEMENT ENTITY MAY REGULATE THE USE OF AIRPORT FACILITIES BY VEHICLE COMPANIES.

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Read the first time and referred to the Committee on Transportation.

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S. 731 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF THE HONORABLE PAUL SHORT, JR., OF CHESTER, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 732 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE CHIEF ROY MCCLURKIN OF THE CITY OF NEWBERRY POLICE DEPARTMENT UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY-SEVEN YEARS OF DEDICATED SERVICE IN LAW ENFORCEMENT WITH THE CITY OF NEWBERRY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 533 -- Senators Shealy, Gambrell and Allen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE

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DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 691 -- Senator Hutto: A BILL TO CONSOLIDATE BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY SCHOOL DISTRICT NO. 29 ON JULY 1, 2022; TO PROVIDE THAT THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BARNWELL COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH

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THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 29; TO PROVIDE THAT THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator HUTTO.

AMENDED, SECOND READING BILL

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (711R002.KMM.TDC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. There is established and recognized, within Greenville County, the Blue Ridge-Greenbelt Community, which is comprised of the parcel of real property located within the following

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boundaries: beginning at the boundary between South Carolina and North Carolina where the boundary intersects with Highway 25, traveling southward along Highway 25 to its intersection with Highway 290, eastward on Highway 290 to its intersection with Highway 253, northward on Highway 253 to its intersection with Fews Bridge Road, eastward on Fews Bridge Road to its intersection with Hall Road, northward on Hall Road to its intersection with Noe Road, northward on Noe Road to its intersection with Lindsey Bridge Road, westward on Lindsey Bridge Road to its intersection with Mountain View Road, northward on Mountain View Road to its intersection with Camp Creek Road, eastward on Camp Creek Road to its intersection with South Packs Road, southward on South Packs Road to its intersection with North Blue Ridge Road, southward on North Blue Ridge Road to its intersection with East Tyger Bridge Road, eastward on East Tyger Bridge Road to its intersection with Highway 101, southward on Highway 101 to its intersection with Edwards Lake Road, eastward on Edwards Lake Road to its intersection with Berry Mill Road, eastward on Berry Mill Road to its intersection with Mount Lebanon Church Road, southward then eastward on Mount Lebanon Church Road to its boundary with Spartanburg County, northward along the boundary with Spartanburg County to the boundary between South Carolina and North Carolina, and westward along the boundary between South Carolina and North Carolina to Highway 25 where Highway 25 crosses the boundary between South Carolina and North Carolina. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 527 -- Senator Alexander: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF

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PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR THE VARIOUS CLASSES OF PROPERTY FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO DEFINE “LEGALLY SEPARATED” FOR PURPOSES OF THE CERTIFICATE CONTAINED IN THE APPLICATION FOR THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND TO REQUIRE ANNUAL REAPPLICATION AND RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

The Senate proceeded to a consideration of the Bill.

Senators GARRETT and MALLOY proposed the following amendment (527R001.KMM.BG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. A. Section 12-43-220(c)(2)(iii) of the 1976 Code is amended to read:

“(iii) For purposes of subitem (ii) ~~(B) of this item, ‘a member of my household’;~~

(A) ‘Member of my household’ means:

~~(A)(a) the owner-occupant’s spouse, except when that spouse is legally separated from~~ has filed a complaint for separate support and maintenance with the appropriate family court, lives separate and apart in a different residence, and no longer cohabitates as husband and wife with the owner-occupant; and

~~(B)(b) any child under the age of eighteen years of the owner-occupant claimed or eligible to be claimed as a dependent on the owner-occupant’s federal income tax return.~~

(B) Regarding the circumstances in which a spouse has filed a complaint for separate support and maintenance with the appropriate family court, lives separate and apart in a different residence, and no longer cohabitates as husband and wife with the owner-occupant:

(a) if either party to a complaint for separate support and maintenance receives the special four-percent assessment ratio on a residence while the couple lives separate and apart in different residences and no longer cohabitates as husband and wife and the couple subsequently reconciles, then the spouse vacating a residence receiving the special four-percent assessment shall notify the county assessor in writing within six months of vacating that residence that the residence is no longer eligible for the special four-percent assessment ratio. A failure

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to provide timely notice to the assessor subjects the owner to the provisions of subitem (vii); and

(b) to prove that a person is divorced or has filed a complaint for separate support and maintenance with the appropriate family court and lives separate and apart in different residences and no longer cohabitates as husband and wife, the applicant shall provide a filed and stamped copy of the caption page of the action, a filed and stamped copy of the first page of the pleadings, or a filed and stamped copy of the order. The assessor may not require the submission of a financial declaration. Language in the order related to the disposition of the legal residence of the couple, or other owner-occupied real property owned by either party, whether independently or jointly, prior to any action must be provided to the assessor in order to claim the special assessment ratio allowed by subsection (c).”

B. Section 12-43-220(c)(2) of the 1976 Code is amended by adding at the end:

“(x) An applicant for the special four-percent assessment ratio allowed pursuant to item (c) who has filed a complaint for separate support and maintenance with the appropriate family court, who lives separate and apart in different residences, and no longer cohabitates as husband and wife with his spouse, and who is eligible pursuant to subitem (iii) must reapply and recertify annually to maintain the special four-percent assessment ratio on his independent, owner-occupied property until the applicant has been granted a divorce by a court of competent jurisdiction or the applicant has reconciled with his spouse, and the applicant can recover only one special four-percent ratio for his legal residence.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator GARRETT explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

OBJECTION

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens:
A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES

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OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE

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AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0028.002), which was withdrawn:

Amend the bill, as and if amended, page 10, lines by striking line 15 in Section 56-1-286, as contained in SECTION 1, and inserting therein the following:

/ suspended had an alcohol concentration that was less than ~~eight~~
six /

Amend the bill further, as and if amended, beginning on page 11, line 11, and ending on page 14, line 3, by striking SECTION 3 in its entirety and inserting therein the following:

/ SECTION 3. Section 56 1 400 of the 1976 Code is amended to read:

“Section 56-1-400. (A)(1) The Department of Motor Vehicles, upon suspending or revoking a license, shall require that the license be surrendered to the department. At the end of the suspension period, other than a suspension for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or pursuant to the point system, the department shall issue a new license to the person.

(2) If the person has not held a license within the previous nine months, the department shall not issue or restore a license which has been suspended for reckless driving, driving under the influence of intoxicants, driving with an unlawful alcohol concentration, felony driving under the influence of intoxicants, or for violations under the point system, until the person has filed an application for a new license, submitted to an examination as upon an original application, and satisfied the department, after an investigation of the person's driving ability, that it would be safe to grant the person the privilege of driving a motor vehicle on the public highways. The department, in the department's discretion, where the suspension is for a violation under the point system, may waive the examination, application, and investigation.

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A record of the suspension must be endorsed on the license issued to the person, showing the grounds of the suspension.

(B) If a person is permitted to operate a motor vehicle only with an ignition interlock device installed pursuant to Section 56-5-2941, the restriction on the license issued to the person must conspicuously identify the person as a person who only may drive a motor vehicle with an ignition interlock device installed, and the restriction must be maintained on the license for the duration of the period for which the ignition interlock device must be maintained pursuant to Sections 56-1-286; 56-1-1090; 56-5-2945; and 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2951; or 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.

(C) For purposes of Title 56, the license must be referred to as an ignition interlock restricted license. The fee for an ignition interlock restricted license is one hundred dollars, which shall be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.

~~(D) Unless the person establishes that the person is entitled to the exemption set forth in subsection (B),~~ No ignition interlock restricted license may be issued by the department without written notification from the authorized ignition interlock service provider that the ignition interlock device has been installed and confirmed to be in working order.

(E) If a person chooses to not have an ignition interlock device installed when required by law, the license will remain suspended indefinitely. If the person subsequently decides to have the ignition interlock device installed, the device must be installed for the length of time set forth in ~~Sections 56-1-286, 56-5-2945, and 56-5-2947 except if the conviction was for Section 56-5-750, 56-5-2951, or 56-5-2990~~ subsection (B).

(F) This provision does not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 23, Chapter 5 of this title.

~~(B)(1) A person who does not own a vehicle, as shown in the Department of Motor Vehicles' records, and who certifies that the person:~~

~~(a) cannot obtain a vehicle owner's permission to have an ignition interlock device installed on a vehicle;~~

~~(b) will not be driving a vehicle other than a vehicle owned by the person's employer; and~~

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~~(c) will not own a vehicle during the ignition interlock period, may petition the department, on a form provided by the department, for issuance of an ignition interlock restricted license that permits the person to operate a vehicle specified by the employee according to the employer's needs as contained in the employer's statement during the days and hours specified in the employer's statement without having to show that an ignition interlock device has been installed.~~

~~(2) The form must contain:~~

~~(a) identifying information about the employer's noncommercial vehicles that the person will be operating;~~

~~(b) a statement that explains the circumstances in which the person will be operating the employer's vehicles; and~~

~~(c) the notarized signature of the person's employer.~~

~~(3) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person.~~

~~(b) a person who is self-employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(4) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the form specified by this subsection.~~

~~(5) The determination of eligibility for the waiver is subject to periodic review at the discretion of the department. The department shall revoke a waiver issued pursuant to this exemption if the department determines that the person has been driving a vehicle other than the vehicle owned by the person's employer or has been operating the person's employer's vehicle outside the locations, days, or hours specified by the employer in the department's records. The person may seek relief from the department's determination by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings~~

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pursuant to the Administrative Procedures Act and the rules of procedure for the Office of Motor Vehicle Hearings.

~~—(C) A person whose license has been suspended or revoked for an offense within the jurisdiction of the court of general sessions shall provide the department with proof that the fine owed by the person has been paid before the department may issue the person a license. Proof that the fine has been paid may be a receipt from the clerk of court of the county in which the conviction occurred stating that the fine has been paid in full.” /~~

Amend the bill further, as and if amended, beginning on page 16, line 14, and ending on page 26, line 23, by striking SECTION 7 in its entirety and inserting therein the following:

/ SECTION 7. Section 56-5-2941 of the 1976 Code is amended to read:

“Section 56-5-2941. (A)(1) The Department of Motor Vehicles shall require a person who ~~is a resident of this State and who~~ is convicted of violating the provisions of Sections 56-5-2930, 56-5-2933, 56-5-2945, 56-5-2947 except if the conviction was for Section 56-5-750, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, or who is issued a temporary alcohol license pursuant to Section 56-1-286 or 56-5-2951, to have installed on any motor vehicle the person drives, except a moped or motorcycle, an ignition interlock device designed to prevent driving of the motor vehicle if the person has consumed alcoholic beverages. ~~This section does not apply to a person convicted of a first offense violation of Section 56-5-2930 or 56-5-2933, unless the person submitted to a breath test pursuant to Section 56-5-2950 and had an alcohol concentration of fifteen one hundredths of one percent or more.~~

(2) The department may waive the requirements of this section if the department determines that the person has a medical condition that makes the person incapable of properly operating the installed device. If the department grants a medical waiver, the department shall suspend the person’s driver’s license for the length of time that the person would have been required to hold an ignition interlock restricted license. The department may withdraw the waiver at any time that the department becomes aware that the person’s medical condition has improved to the extent that the person has become capable of properly operating an installed device.

(3) The department also shall require a person who has enrolled in the Ignition Interlock Device Program in lieu of the remainder of a driver’s license suspension, denial of license to operate a vehicle as an

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habitual offender pursuant to Section 56-1-1090, or denial of the issuance of a driver's license or permit to have an ignition interlock device installed on any motor vehicle the person drives, except a moped or motorcycle.

(4) The length of time that a device is required to be affixed to a motor vehicle as is set forth in Sections Section 56-1-286; 56-1-1090; 56-5-2945; 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2951, and; 56-5-2990; or 56-5-2947, except if the conviction was for Section 56-5-750.

(B) Notwithstanding the pleadings, for purposes of a second or a subsequent offense, the specified length of time that a device is required to be affixed to a motor vehicle is based on the Department of Motor Vehicle's records for offenses pursuant to Section 56-1-286; 56-1-1090; 56-5-2930; 56-5-2933; 56-5-2945; 56-5-2947 except if the conviction was for Sections 56-5-750, 56-5-2950; or 56-5-2951; or 56-5-2947, except if the conviction was for Section 56-5-750.

(C) If a resident of this State is convicted of violating a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, and, as a result of the conviction, the person is subject to an ignition interlock device requirement in the other state, the person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(D) If a person from another state becomes a resident of South Carolina while subject to an ignition interlock device requirement in another state, the person only may obtain a South Carolina driver's license if the person enrolls in the South Carolina Ignition Interlock Device Program pursuant to this section. The person is subject to the requirements of this section for the length of time that would have been required for an offense committed in South Carolina, or for the length of time that is required by the other state, whichever is longer.

(E) The person must be subject to an Ignition Interlock Device Point System managed by the Department of Probation, Parole and Pardon Services. A person accumulating a total of:

(1) two points or more, but less than three points, must have the length of time that the device is required extended by two months;

(2) three points or more, but less than four points, must have the length of time that the device is required extended by four months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and shall successfully complete the plan of education and treatment, or

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both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan, or not make progress toward completing the plan, the Department of Motor Vehicles shall suspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan;

(3) four points or more must have the person's ignition interlock restricted license suspended for a period of six months, shall submit to a substance abuse assessment pursuant to Section 56-5-2990, and successfully shall complete the plan of education and treatment, or both, as recommended by the certified substance abuse program. Should the person not complete the recommended plan or not make progress toward completing the plan, the Department of Motor Vehicles shall leave the person's ignition interlock restricted license in suspended status, or, if the license has already been reinstated following the six-month suspension, shall resuspend the person's ignition interlock restricted license until the plan is completed or progress is being made toward completing the plan. The Department of Alcohol and Other Drug Abuse Services is responsible for notifying the Department of Motor Vehicles of a person's completion and compliance with education and treatment programs. Upon reinstatement of driving privileges following the six-month suspension, the Department of Probation, Parole and Pardon Services shall reset the person's point total to zero points, and the person shall complete the remaining period of time on the ignition interlock device.

(F) The cost of the device must be borne by the person. However, unless a person is participating in the Interlock Ignition Device Program as an habitual offender pursuant to Section 56-1-1090(A), if the person is indigent and cannot afford the cost of the device, the person may submit an affidavit of indigency to the Department of Probation, Parole and Pardon Services for a determination of indigency as it pertains to the cost of the device. The affidavit of indigency form must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. If the Department of Probation, Parole and Pardon Services determines that the person is indigent as it pertains to the device, the Department of Probation, Parole and Pardon Services may authorize a device to be affixed to the motor vehicle and the cost of the initial installation and standard use of the device to be paid for by the Ignition Interlock Device Fund managed by the Department of Probation, Parole and Pardon Services. Funds remitted to the Department of Probation, Parole and Pardon Services for the Ignition Interlock Device Fund also may be used by the Department of Probation, Parole and Pardon Services

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to support the Ignition Interlock Device Program. For purposes of this section, a person is indigent if the person is financially unable to afford the cost of the ignition interlock device. In making a determination whether a person is indigent, all factors concerning the person's financial conditions should be considered including, but not limited to, income, debts, assets, number of dependents claimed for tax purposes, living expenses, and family situation. A presumption that the person is indigent is created if the person's net family income is less than or equal to the poverty guidelines established and revised annually by the United States Department of Health and Human Services published in the Federal Register. 'Net income' means gross income minus deductions required by law. The determination of indigency is subject to periodic review at the discretion of the Department of Probation, Parole and Pardon Services.

(G) The ignition interlock service provider shall collect and remit monthly to the Ignition Interlock Device Fund a fee as determined by the Department of Probation, Parole and Pardon Services not to exceed thirty dollars per month for each month the person is required to drive a vehicle with a device. A service provider who fails to properly remit funds to the Ignition Interlock Device Fund may be decertified as a service provider by the Department of Probation, Parole and Pardon Services. If a service provider is decertified for failing to remit funds to the Ignition Interlock Device Fund, the cost for removal and replacement of a device must be borne by the service provider.

(H)(1) The person shall have the device inspected every sixty days to verify that the device is affixed to the motor vehicle and properly operating, and to allow for the preparation of an ignition interlock device inspection report by the service provider indicating the person's alcohol content at each attempt to start and running retest during each sixty-day period. Failure of the person to have the interlock device inspected every sixty days must result in one ignition interlock device point.

(2) Only a service provider authorized by the Department of Probation, Parole and Pardon Services to perform inspections on ignition interlock devices may conduct inspections. The service provider immediately shall report devices that fail inspection to the Department of Probation, Parole and Pardon Services. The report must contain the person's name, identify the vehicle upon which the failed device is installed, and the reason for the failed inspection.

(3) If the inspection report reflects that the person has failed to complete a running retest, the person must be assessed one ignition interlock device point.

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(4) If any inspection report or any photographic images collected by the device shows that the person has violated subsection (M), (O), or (P), the person must be assessed one and one-half ignition interlock device points.

(5) The inspection report must indicate the person's alcohol content at each attempt to start and running retest during each sixty-day period. If the report reflects that the person violated a running retest by having an alcohol concentration of:

(a) two one-hundredths of one percent or more but less than four one-hundredths of one percent, the person must be assessed one-half ignition interlock device point;

(b) four one-hundredths of one percent or more but less than fifteen one-hundredths of one percent, the person must be assessed one ignition interlock device point; or

(c) fifteen one-hundredths of one percent or more, the person must be assessed two ignition interlock device points.

(6) A person may appeal less than four ignition interlock device points received to an administrative hearing officer with the Department of Probation, Parole and Pardon Services through a process established by the Department of Probation, Parole and Pardon Services. The administrative hearing officer's decision on appeal is final and no appeal from such decision is allowed.

(I)(1) If a person's license is suspended due to the accumulation of four or more ignition interlock device points, the Department of Probation, Parole and Pardon Services must provide a notice of assessment of ignition interlock points which must advise the person of his right to request a contested case hearing before the Office of Motor Vehicle Hearings. The notice of assessment of ignition interlock points also must advise the person that, if he does not request a contested case hearing within thirty days of the issuance of the notice of assessment of ignition interlock points, he waives his right to the administrative hearing and the person's driver's license is suspended pursuant to subsection (E).

(2) The person may seek relief from the Department of Probation, Parole and Pardon Services' determination that a person's license is suspended due to the accumulation of four or more ignition interlock device points by filing a request for a contested case hearing with the Office of Motor Vehicle Hearings pursuant to the Administrative Procedures Act. The filing of the request for a contested case hearing will stay the driver's license suspension pending the outcome of the hearing. However, the filing of the request for a contested case hearing

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will not stay the requirements of the person having the ignition interlock device.

(3) At the contested case hearing:

(a) the assessment of driver's license suspension can be upheld;
(b) the driver's license suspension can be overturned, or any or all of the contested ignition interlock points included in the device inspection report that results in the contested suspension can be overturned, and the penalties as specified pursuant to subsection (E) will then be imposed accordingly.

(4) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the ignition interlock device. However, if the ignition interlock device is found to not be in working order due to failure of regular maintenance and upkeep by the person challenging the accumulation of ignition interlock points pursuant to the requirement of the ignition interlock program, such allegation cannot serve as a basis to overturn point accumulations.

(5) A written order must be issued by the Office of Motor Vehicle Hearings to all parties either reversing or upholding the assessment of ignition interlock points.

(6) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with its appellate rules. The filing of an appeal does not stay the ignition interlock requirement.

(J) Five years from the date of the person's driver's license reinstatement and every five years thereafter, a fourth or subsequent offender whose license has been reinstated pursuant to Section 56-1-385, or a person with a lifetime ignition interlock requirement due to a conviction on or after October 1, 2014, may apply to the Department of Probation, Parole and Pardon Services for removal of the ignition interlock device and the removal of the restriction from the person's driver's license. The Department of Probation, Parole and Pardon Services may, for good cause shown, notify the Department of Motor Vehicles that the person is eligible to have the restriction removed from the person's license.

(K)(1) Except as otherwise provided in this section, it is unlawful for a person who is subject to the provisions of this section to drive a motor vehicle that is not equipped with a properly operating, certified ignition interlock device. A person who violates this subsection:

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(a) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year. The person must have the length of time that the ignition interlock device is required extended by six months;

(b) for a second offense, is guilty of a misdemeanor, and, upon conviction, must be fined not less than five thousand dollars or imprisoned not more than three years. The person must have the length of time that the ignition interlock device is required extended by one year; and

(c) for a third or subsequent offense, is guilty of a felony, and, upon conviction, must be fined not less than ten thousand dollars or imprisoned not more than ten years. The person must have the length of time that the ignition interlock device is required extended by three years.

(2) No portion of the minimum sentence imposed pursuant to this subsection may be suspended.

(3) Notwithstanding any other provision of law, a first or second offense punishable pursuant to this subsection may be tried in summary court.

(4) Nothing in this subsection shall be construed to prevent a person who is participating in the Ignition Interlock Device Program pursuant to Section 56-1-1090(A) and who drives a motor vehicle that is not equipped with a properly operating, certified ignition interlock device from being charged with a violation of Section 56-1-1100.

~~(L)(1) A person who is required in the course and scope of the person's employment to drive a motor vehicle owned by the person's employer may drive the employer's motor vehicle without installation of an ignition interlock device, provided that the person's use of the employer's motor vehicle is solely for the employer's business purposes.~~

~~(2) This subsection does not apply to:~~

~~(a) a person convicted of a second or subsequent violation of Section 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs, unless the person's driving privileges have been suspended for not less than one year or the person has had an ignition interlock device installed for not less than one year on each of the motor vehicles owned or operated, or both, by the person;:~~

~~(b) a person who is self employed or to a person who is employed by a business owned in whole or in part by the person or a member of the person's household or immediate family unless during~~

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~~the defense of a criminal charge, the court finds that the vehicle's ownership by the business serves a legitimate business purpose and that titling and registration of the vehicle by the business was not done to circumvent the intent of this section.~~

~~(3) Whenever the person operates the employer's vehicle pursuant to this subsection, the person shall have with the person a copy of the Department of Motor Vehicles' form specified by Section 56-1-400(B).~~

~~(4) This subsection will be construed in parallel with the requirements of Section 56-1-400(B). A waiver issued pursuant to this subsection will be subject to the same review and revocation as described in Section 56-1-400(B).~~

~~(M)~~(L) It is unlawful for a person to tamper with or disable, or attempt to tamper with or disable, an ignition interlock device installed on a motor vehicle pursuant to this section. Obstructing or obscuring the camera lens of an ignition interlock device constitutes tampering. A person who violates this subsection is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(N)~~(M) It is unlawful for a person to knowingly rent, lease, or otherwise provide a person who is subject to this section with a motor vehicle without a properly operating, certified ignition interlock device. This subsection does not apply if the person began the lease contract period for the motor vehicle prior to the person's arrest for a first offense violation of Section 56-5-2930 or 56-5-2933 or prior to a person who is participating in the Ignition Interlock Device Program as an habitual offender pursuant to Section 56-1-1090(A) receiving his license with an ignition interlock restriction. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(O)~~(N) It is unlawful for a person who is subject to the provisions of this section to solicit or request another person, or for a person to solicit or request another person on behalf of a person who is subject to the provisions of this section, to engage an ignition interlock device to start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while the vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(P)~~(O) It is unlawful for another person on behalf of a person subject to the provisions of this section to engage an ignition interlock device to

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start a motor vehicle with a device installed pursuant to this section or to conduct a running retest while that vehicle is in operation. A person who violates this subsection is guilty of a misdemeanor, and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both.

~~(Q)~~(P) Only ignition interlock devices certified by the Department of Probation, Parole and Pardon Services may be used to fulfill the requirements of this section.

(1) The Department of Probation, Parole and Pardon Services shall certify whether a device meets the accuracy requirements and specifications provided in guidelines or regulations adopted by the National Highway Traffic Safety Administration, as amended from time to time. Manufacturers of ignition interlock devices shall apply to the Department of Probation, Parole and Pardon Services for certification of devices provided to South Carolina drivers who are subject to the ignition interlock restriction. The Department of Probation, Parole and Pardon Services may charge an initial annual fee on the manufacturer's application for certification of each device, and a subsequent fee for every year the manufacturer continues to provide the certified device to South Carolina drivers. This fee shall be remitted to the Ignition Interlock Device Fund for use by the Department of Probation, Parole and Pardon Services in support of the Ignition Interlock Device Program.

(2) All devices certified to be used in South Carolina must be set to prohibit the starting of a motor vehicle when an alcohol concentration of two one-hundredths of one percent or more is measured and all running retests must record violations of an alcohol concentration of two one-hundredths of one percent or more, and must capture a photographic image of the driver as the driver is operating the ignition interlock device. The photographic images recorded by the ignition interlock device may be used by the Department of Probation, Parole and Pardon Services to aid in the Department of Probation, Parole and Pardon Services' management of the Ignition Interlock Device Program; however, neither the Department of Probation, Parole and Pardon Services, the Department of Probation, Parole and Pardon Services' employees, nor any other political subdivision of this State may be held liable for any injury caused by a driver or other person who operates a motor vehicle after the use or attempted use of an ignition interlock device.

(2)(3) The Department of Probation, Parole and Pardon Services shall maintain a current list of certified ignition interlock devices and manufacturers. The list must be updated at least quarterly. If a particular certified device fails to continue to meet federal requirements, the device

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must be decertified, may not be used until it is compliant with federal requirements, and must be replaced with a device that meets federal requirements. The cost for removal and replacement must be borne by the manufacturer of the noncertified device.

(3)(4) Only ignition interlock installers certified by the Department of Probation, Parole and Pardon Services may install and service ignition interlock devices required pursuant to this section. The Department of Probation, Parole and Pardon Services shall maintain a current list of vendors that are certified to install the devices.

~~(R)~~(Q) In addition to availability under the Freedom of Information Act, any Department of Probation, Parole and Pardon Services policy concerning ignition interlock devices must be made publicly accessible on the Department of Probation, Parole and Pardon Services' Internet website. The information regarding a person's participation in the Ignition Interlock Device Program recorded by the ignition interlock device is collected at the direction of the Department of Probation, Parole and Pardon Services and is a record of the department. Information obtained by the Department of Probation, Parole and Pardon Services and ignition interlock service providers regarding a person's participation in the Ignition Interlock Device Program is to be used for internal purposes only and is not subject to the Freedom of Information Act. A person participating in the Ignition Interlock Device Program or the person's family member may request that the Department of Probation, Parole and Pardon Services provide the person or family member with information obtained by the department and ignition interlock service providers. The Department of Probation, Parole and Pardon Services may release the information to the person or family member at the department's discretion. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all photographic images collected by the device no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program. The Department of Probation, Parole and Pardon Services may retain the images past twelve months if there are any pending appeals or contested case hearings involved with that person, and at their conclusion must purge the images. The Department of Probation, Parole and Pardon Services and ignition interlock service providers must purge all personal information regarding a person's participation in the Ignition Interlock Device Program no later than twelve months from the date of the person's completion of the Ignition Interlock Device Program except for that information which is relevant for pending legal matters.

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~~(S)~~(R) The Department of Probation, Parole and Pardon Services shall develop policies including, but not limited to, the certification, use, maintenance, and operation of ignition interlock devices and the Ignition Interlock Device Fund.

~~(F)~~(S) This section shall apply retroactively to any person currently serving a suspension or denial of the issuance of a license or permit due to a suspension listed in subsection (A).” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY proposed the following amendment (JUD0028.004), which was not adopted:

Amend the bill, as and if amended, beginning on page 26, line 25, and ending on page 33, line 14, by striking SECTION 8 in its entirety and inserting therein the following:

/ SECTION 8. Section 56-5-2951 of the 1976 Code is amended to read:

“Section 56-5-2951. (A) The Department of Motor Vehicles shall suspend the driver’s license, permit, or nonresident operating privilege of, or deny the issuance of a license or permit to, a person who drives a motor vehicle and refuses to submit to a test provided for in Section 56-5-2950 or has an alcohol concentration of fifteen one-hundredths of one percent or more. The arresting officer shall issue a notice of suspension which is effective beginning on the date of the alleged violation of Section 56-5-2930, 56-5-2933, or 56-5-2945.

(B)(1) Within thirty days of the issuance of the notice of suspension, the person may:

(a) request a contested case hearing before the Office of Motor Vehicle Hearings pursuant to its rules of procedure; and

~~(F)~~(b) obtain a temporary alcohol license from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license. Twenty-five dollars of the fee must be distributed ~~by the Department of Motor Vehicles~~ to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment. The remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive ~~without any restrictive conditions~~ pending the outcome of the contested case hearing provided for in ~~subsection (F)~~ this section or the final decision or disposition of the matter. If the suspension is upheld at the

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contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision ~~and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and.~~

~~(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure.~~

(2) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated.

(3) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945.

(C) The period of suspension provided for in subsection (I) begins on the day the notice of suspension is issued, or at the expiration of any other suspensions, and continues until the person applies for a temporary alcohol license and requests a contested case hearing.

(D) If a person does not request a contested case hearing, the person waives the person's right to the hearing, and the person's suspension must not be stayed but continues for the period provided for in subsection (I).

(E) The notice of suspension must advise the person:

(1) of the person's right to obtain a temporary alcohol driver's license and to request a contested case hearing before the Office of Motor Vehicle Hearings;

~~(2) the notice of suspension also must advise the person that, if the person does not request a contested case hearing within thirty days of the issuance of the notice of suspension, the person waives the person's right to the contested case hearing, and the suspension continues for the period provided for in subsection (I); and~~

~~(3) the notice of suspension also must advise the person that, if the suspension is upheld at the contested case hearing or the person does not~~

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request a contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program.

(F)(1) A contested case hearing must be held after the request for the hearing is received by the Office of Motor Vehicle Hearings. The scope of the hearing is limited to whether the person:

~~(1)~~(a) was lawfully arrested or detained;

~~(2)~~(b) was given a written copy of and verbally informed of the rights enumerated in Section 56-5-2950;

~~(3)~~(c) refused to submit to a test pursuant to Section 56-5-2950;

or

~~(4)~~(d) consented to taking a test pursuant to Section 56-5-2950,

and the:

~~(a)~~(i) reported alcohol concentration at the time of testing was fifteen one-hundredths of one percent or more;

~~(b)~~(ii) individual who administered the test or took samples was qualified pursuant to Section 56-5-2950;

~~(c)~~(iii) tests administered and samples obtained were conducted pursuant to Section 56-5-2950; and

~~(d)~~(iv) machine was working properly.

(2) Nothing in this section prohibits the introduction of evidence at the contested case hearing on the issue of the accuracy of the breath test result.

(3) A written order must be issued to all parties either reversing or upholding the suspension of the person's license, permit, or nonresident's operating privilege, or denying the issuance of a license or permit. If the suspension is upheld, the person must receive credit for the number of days the person's license was suspended before the person received a temporary alcohol license and requested the contested case hearing.

(4) The Department of Motor Vehicles and the arresting officer shall have the burden of proof in contested case hearings conducted pursuant to this section. If neither the Department of Motor Vehicles nor the arresting officer appears at the contested case hearing, the hearing officer shall rescind the suspension of the person's license, permit, or nonresident's operating privilege regardless of whether the person requesting the contested case hearing or the person's attorney appears at the contested case hearing.

(G) A contested case hearing is governed by the Administrative Procedures Act, and a person has a right to appeal the decision of the hearing officer pursuant to that act to the Administrative Law Court in accordance with the Administrative Law Court's appellate rules. The

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filing of an appeal stays the suspension until a final decision is issued on appeal.

~~(H)(4) If the person did not request a contested case hearing or the suspension is upheld at the contested case hearing, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990, and may apply for a restricted license if the person is employed or enrolled in a college or university. The restricted license permits the person to drive only to and from work and the person's place of education and in the course of the person's employment or education during the period of suspension. The restricted license also permits the person to drive to and from the Alcohol Drug Safety Action Program classes or to a court ordered drug program. The department may issue the restricted license only upon showing by the person that the person is employed or enrolled in a college or university, that the person lives further than one mile from the person's place of employment, place of education, or location of the person's Alcohol and Drug Safety Action Program classes, or the location of the person's court ordered drug program, and that there is no adequate public transportation between the person's residence and the person's place of employment, the person's place of education, the location of the person's Alcohol and Drug Safety Action Program classes, or the location of the person's court ordered drug program.~~

~~(2) If the department issues a restricted license pursuant to this subsection, the department shall designate reasonable restrictions on the times during which and routes on which the person may drive a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance of Alcohol and Drug Safety Action Program classes, status of attendance of the person's court ordered drug program, or residence must be reported immediately to the department by the person.~~

~~(3) The fee for a restricted license is one hundred dollars, but no additional fee may be charged because of changes in the place and hours of employment, education, or residence. Twenty dollars of this fee must be deposited in the state's general fund, and eighty dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167.~~

~~(4) Driving a motor vehicle outside the time limits and route imposed by a restricted license is a violation of Section 56-1-460.~~

(I)(1) Except as provided in item (3), the period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, an arrested person who has no previous

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convictions for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs within the ten years preceding a violation of this section, and who has had no previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) six months for a person who refuses to submit to a test pursuant to Section 56-5-2950; or

(b) one month for a person who takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(2) The period of a driver's license, permit, or nonresident operating privilege suspension for, or denial of issuance of a license or permit to, a person who has been convicted previously for violating Section 56-5-2930, 56-5-2933, or 56-5-2945, or another law of this State or another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or another drug within the ten years preceding a violation of this section, or who has had a previous suspension imposed pursuant to Section 56-1-286, 56-5-2951, or 56-5-2990, within the ten years preceding a violation of this section is:

(a) for a second offense, nine months if the person refuses to submit to a test pursuant to Section 56-5-2950, or two months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more;

(b) for a third offense, twelve months if the person refuses to submit to a test pursuant to Section 56-5-2950, or three months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more; and

(c) for a fourth or subsequent offense, fifteen months if the person refuses to submit to a test pursuant to Section 56-5-2950, or four months if the person takes a test pursuant to Section 56-5-2950 and has an alcohol concentration of fifteen one-hundredths of one percent or more.

(3) ~~In lieu of serving the remainder of a suspension or denial of the issuance of a license or permit, a person may enroll in the Ignition Interlock Device Program pursuant to Section 56-5-2941, end the suspension or denial of the issuance of a license or permit, and obtain an ignition interlock restricted license pursuant to Section 56-1-400. The ignition interlock device is required to be affixed to the motor vehicle equal to the length of time remaining on the person's suspension or denial of the issuance of a license or permit. If the length of time~~

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~~remaining is less than three months, the ignition interlock device is required to be affixed to the motor vehicle for three months.~~ Once a person has enrolled in the Ignition Interlock Device Program and obtained an ignition interlock restricted license, the person is subject to Section 56-5-2941 and cannot subsequently choose to serve the suspension.

(J) A person's driver's license, permit, or nonresident operating privilege must be restored when the person's period of suspension ~~or ignition interlock restricted license requirement~~ pursuant to subsection (I) has concluded, even if the person has not yet completed the Alcohol and Drug Safety Action Program. After the person's driving privilege is restored, the person shall continue the services of the Alcohol and Drug Safety Action Program. If the person withdraws from or in any way stops making satisfactory progress toward the completion of the Alcohol and Drug Safety Action Program, the person's license must be suspended until the completion of the Alcohol and Drug Safety Action Program. A person shall be attending or have completed an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990 before the person's driving privilege can be restored at the conclusion of the suspension period ~~or ignition interlock restricted license requirement~~.

(K) When a nonresident's privilege to drive a motor vehicle in this State has been suspended pursuant to the provisions of this section, the department shall give written notice of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which the person has a license or permit.

(L) The department shall not suspend the privilege to drive of a person under the age of twenty-one pursuant to Section 56-1-286, if the person's privilege to drive has been suspended pursuant to this section arising from the same incident.

(M) A person whose driver's license or permit is suspended pursuant to this section is not required to file proof of financial responsibility.

(N) An insurer shall not increase premiums on, add surcharges to, or cancel the automobile insurance of a person charged with a violation of Section 56-1-286, 56-5-2930, 56-5-2933, 56-5-2945, or a law of another state that prohibits a person from driving a motor vehicle while under the influence of alcohol or other drugs based solely on the violation unless the person is convicted of the violation.

(O) The department shall administer the provisions of this section.

~~(P) If a person does not request a contested case hearing within the thirty day period as authorized pursuant to this section, the person may file with the department a form after enrolling in a certified Alcohol and~~

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~~Drug Safety Action Program to apply for a restricted license. The restricted license permits him to drive only to and from work and his place of education and in the course of his employment or education during the period of suspension. The restricted license also permits him to drive to and from Alcohol and Drug Safety Action Program classes or a court-ordered drug program. The department may issue the restricted license at any time following the suspension upon a showing by the individual that he is employed or enrolled in a college or university, that he lives further than one mile from his place of employment, place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court-ordered drug program, and that there is no adequate public transportation between his residence and his place of employment, his place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court-ordered drug program. The department must designate reasonable restrictions on the times during which and routes on which the individual may drive a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance of Alcohol and Drug Safety Action Program classes, status of his court-ordered drug program, or residence must be reported immediately to the department by the licensee. The route restrictions, requirements, and fees imposed by the department for the issuance of the restricted license issued pursuant to this item are the same as those provided in this section had the person requested a contested case hearing. A restricted license is valid until the person successfully completes a certified Alcohol and Drug Safety Action Program, unless the person fails to complete or make satisfactory progress to complete the program.” /~~

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

Senator HUTTO spoke on the amendment.

Senator MALLOY spoke on the amendment.

The question being the adoption of the amendment.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 5; Nays 36

AYES

Allen	Fanning	Gustafson
Hembree	Malloy	

Total--5

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimbrell
Kimpson	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

The amendment failed.

PRESIDENT PRESIDES

At 12:56 P.M., the PRESIDENT assumed the Chair.

Senator MALLOY proposed the following amendment (JUD0028.005):

Amend the bill, as and if amended, page 27, by striking line 1 through line 40, in Section 56-5-2951(B), as contained in SECTION 8, and inserting therein the following:

/ ~~(1)~~(c) obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension

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provided for in this subsection be upheld during the contested case hearing. ~~Twenty-five~~ twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, ~~while~~ while ~~the~~ remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure. The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, the person can obtain a temporary alcohol license without an ignition interlock restriction.

(3) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c).

(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY objected to further consideration of the Bill.

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**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER**

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Transportation proposed the following amendment (354R001.KMM.LKG), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 56-2-105 of the 1976 Code is amended by adding:

“(H)A municipality may, by ordinance, allow the operation of a permitted golf cart within its jurisdiction on primary highways upon which the posted speed limit is thirty miles per hour or less, secondary highways upon which the posted speed limit is thirty-five miles per hour or less, streets, or roads.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senators HUTTO and CROMER proposed the following amendment (354R004.SP.CBH):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ “Section 56-2-105. (A) For the purposes of this section;

(1) ‘Daylight hours’ means the hours between nine o’clock in the morning until five o’clock in the evening.

(2) ‘~~gated~~ Gated community’ means any homeowners' community with at least one access controlled ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance; and.

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(B)(1) ~~An individual~~ A person or business owner of a vehicle commonly known as a golf cart ~~may~~ must obtain a permit decal and registration from the Department of Motor Vehicles upon presenting proof of ownership and liability insurance as provided in Section 38-77-140 for the golf cart and upon payment of a five dollar fee. A golf cart permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.

(2) A person operating a golf cart must be at least sixteen years of age and hold a valid driver's license. The operator of a golf cart being operated on a highway or street must have in his possession:

(a) the registration certificate issued by the department;

(b) proof of liability insurance as provided in Section 38-77-140 for the golf cart; and

(c) his driver's license.

(C)(1) During daylight hours only:

~~(1)(a)~~ A permitted golf cart may be operated within four miles of the address on the registration certificate and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

~~(2)(b)~~ A permitted golf cart may be operated within four miles of a point of ingress and egress to a gated community and only on a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less.

~~(3)(c)~~ Within four miles of the registration holder's address, and while traveling along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less, a permitted golf cart may cross a highway or street at an intersection where the highway has a posted speed limit of more than thirty-five miles an hour.

~~(4)(d)~~ A permitted golf cart may be operated along a secondary highway or street for which the posted speed limit is thirty-five miles an hour or less on an island not accessible by a bridge designed for use by automobiles.

(2) A golf cart is prohibited from operating on a four-lane highway.

(3) Restrictions on the use of a golf cart on certain streets, at certain hours, and within certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties.

(D) ~~A person operating a permitted golf cart must be at least sixteen years of age and hold a valid driver's license. The operator of a permitted~~

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~~golf cart being operated on a highway or street must have in his possession:~~

- ~~(1) the registration certificate issued by the department;~~
- ~~(2) proof of liability insurance for the golf cart; and~~
- ~~(3) his driver's license.~~

~~(E) A golf cart permit must be replaced with a new permit every five years, or at the time the permit holder changes his address.~~

(F)(1) A political subdivision may, on designated streets or roads within the political subdivision's jurisdiction, reduce the area in which a permitted golf cart may operate from four miles to no less than two miles.

(2) A political subdivision may, on primary highways, secondary highways, streets, or roads within the political subdivision's jurisdiction, create separate golf cart paths on the shoulder of its primary highways, secondary highways, streets and roads for the purpose of golf cart transportation, if:

(a) the political subdivision obtains the necessary approvals, if any, to create the golf cart paths; and

(b) the golf cart path is:

- (i) separated from the traffic lanes by a hard concrete curb;
- (ii) separated from the traffic lanes by parking spaces; or
- (iii) separated from the traffic lanes by a distance of four feet

or more.

(3) In a county with a population of no less than one hundred fifty thousand and no more than two hundred fifty thousand persons:

(a) if a municipality has jurisdiction over a barrier island, the municipality may enact an ordinance allowing for the operation of a golf cart at night on designated portions of the barrier island within the municipality, provided the golf cart is equipped with working headlights and rear lights; or

(b) if a barrier island is not within the jurisdiction of a municipality, the county in which the barrier island is located may enact an ordinance allowing for the operation of a golf cart at night on designated portions of the county, provided the golf cart is equipped with working headlights and rear lights.

If a municipality or county enacts an ordinance allowing golf carts to operate at night on a barrier island, the requirements of subsection (C), other than operation in daylight hours only, shall still apply to all permitted golf carts.

(4) A political subdivision may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.

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~~(G) The provisions of this section that restrict the use of a golf cart to certain streets, certain hours, and certain distances shall not apply to a golf cart used by a public safety agency in connection with the performance of its duties.~~

(E) A municipality may, by ordinance, allow the operation of a golf cart within its jurisdiction on primary highways upon which the posted speed limit is thirty miles per hour or less, secondary highways upon which the posted speed limit is thirty-five miles per hour or less, streets, or roads, provided, however, that golf carts shall not be permitted for use on a four-lane highway. A municipality may not reduce or otherwise amend the other restrictions placed on the operation of a permitted golf cart contained in this section.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

On motion of Senator HUTTO, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 40 -- Senator Grooms: A BILL TO AMEND SECTION 5-29-30 OF THE 1976 CODE, RELATING TO THE RIGHT OF MUNICIPALITIES TO ESTABLISH ON-STREET PARKING FACILITIES, TO PROVIDE THAT MUNICIPALITIES MAY NOT ESTABLISH OR ALTER PARKING FACILITIES ON ANY STATE HIGHWAY FACILITY WITHOUT THE PRIOR APPROVAL OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 57-5-840 OF THE 1976 CODE, RELATING TO ALTERATIONS BY A MUNICIPALITY OF STATE HIGHWAY FACILITIES, TO PROVIDE THAT RESTRICTIONS ON THE USE OF STATE HIGHWAY FACILITIES BY A MUNICIPALITY ARE SUBJECT TO PRIOR APPROVAL BY THE DEPARTMENT OF TRANSPORTATION; TO AMEND ARTICLE 5, CHAPTER 5, TITLE 57 OF THE 1976 CODE, RELATING TO CONSTRUCTION OF THE STATE HIGHWAY SYSTEM, BY ADDING SECTION 57-5-845, TO PROVIDE THAT PARKING ON STATE HIGHWAY FACILITIES LOCATED ON BARRIER ISLANDS IS FREE AND ANY RESTRICTIONS MAY ONLY BE MADE BY THE DEPARTMENT

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OF TRANSPORTATION; TO AMEND SECTION 57-7-210 OF THE 1976 CODE, RELATING TO OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT THE FINE FOR VIOLATIONS IS CALCULATED ON A PER-DAY BASIS; TO AMEND SECTION 57-7-220 OF THE 1976 CODE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN HIGHWAYS, TO PROVIDE THAT OBSTRUCTIONS ON ANY PORTION OF A PUBLIC HIGHWAY MUST BE REMOVED AS SOON AS POSSIBLE BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTAINING THE HIGHWAY; AND TO DEFINE NECESSARY TERMS.

CARRIED OVER

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 296 -- Senators Climer, Fanning and M. Johnson: A BILL TO AMEND SECTION 56-2-105 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES' ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, TO PROVIDE THAT A MUNICIPALITY OF A CERTAIN SIZE AND POPULATION MAY ADOPT AN ORDINANCE THAT ALLOWS FOR THE OPERATION DURING NON-DAYLIGHT HOURS OF GOLF CARTS THAT ARE EQUIPPED WITH WORKING HEADLIGHTS AND REAR LIGHTS.

The Senate proceeded to a consideration of the Bill.

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Senator CLIMER explained the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN

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SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

CARRIED OVER

S. 499 -- Senators Campsen, Rice, Talley, Loftis, Climer and Kimbrell: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY explained the Bill.

On motion of Senator KIMPSON, the Bill was carried over.

CARRIED OVER

S. 351 -- Senators McLeod and Malloy: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976

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CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

On motion of Senator MARTIN, the Bill was carried over.

CARRIED OVER

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED

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HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator CASH proposed the following amendment (628R006.SP.RJC), which was withdrawn:

Amend the bill, as and if amended, page 7, by striking line 16 and inserting:

/SECTION 5. This act takes effect upon approval by the Governor and is repealed June 30, 2024. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

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Senator CROMER proposed the following amendment (628R007.SP.RWC):

Amend the bill, as and if amended, on page 4, by striking lines 40 through 43 and inserting:

/ (E) If a participant's benefit plan includes contraception services, then health insurers and the State Health Plan must provide coverage for services provided under this chapter and reimburse providers at the same payment rate that would apply if the services had been rendered by a physician. /

Renumber sections to conform.

Amend title to conform.

On motion of Senator CROMER, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 401 -- Senators Gustafson, Hembree and Fanning: A BILL TO AMEND SECTION 6-1-320 OF THE 1976 CODE, RELATING TO THE LIMITATION ON MILLAGE INCREASES, TO ALLOW THE GOVERNING BODY OF A COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG401C003.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 6-1-320 of the 1976 Code is amended by adding an appropriately lettered new subsection at the end to read:

“() Notwithstanding the limitation upon millage rate increases contained in subsection (A), the governing body of a county, by a positive majority vote, may adopt an ordinance or resolution to suspend the millage rate limitation for the purpose of supporting a fire protection district created pursuant to Chapter 19, Title 4, or Chapter 11, Title 6. However, the positive majority vote must occur no later than the second anniversary of the effective date of this subsection.” /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

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Senator CAMPSSEN spoke on the Bill.

Senator GUSTAFSON spoke on the Bill.

Remarks by Senator GUSTAFSON

First of all, I just want to thank the people who are here, and in hindsight, Act 388 did create a lot of unintended consequences, but at the time I completely understand why and how it came to be. I get that, and the property owners were very thankful for Act 388 at that time. Fortunately for us today in our decision making, this Bill 401 does not change Act 388. It does not. What it does is target very specific fire districts, and believe me I wanted this to be a local Bill, but it was impossible to write as a local Bill because of the way our fire districts were set up. We tried that. So this is really in response to a fire crisis, and it's been labeled as such by our locals for years in Kershaw County because there's no way for them to fund the fire district. They have looked at referendums. They currently have a \$29 fee that they have already said they will remove immediately should they be able to do this. They had a two-year study to determine the needs and readiness of the volunteer system, and that's the problem. This Bill is going to help everyone in here who represents rural South Carolina. The people who elected me have been asking me for help for this since before I ran for office, because they knew I was a community advocate. I met with firefighters, I met with the police chief, I've talked to elected officials, and I've talked to individuals. The list is long and it has a broad scope of support. Act 388 had unintended consequences. That is a fact. So, S. 401 was written to provide the opportunity, not another mandate, but the opportunity for our local governments, our county councils, to finally be able to meet the needs of the people they serve. Because they know those needs best. County Council of Kershaw County knows the needs best of the people who live in Kershaw County. And what this Bill does is it releases the shackles of Act 388 to allow them to look at the funding for the fire department and do what they need to do to take care of the needs. We have population growth. We do not have the business growth that matches it. With the population growth, as you know it was already mentioned, you have increased road needs, increased school needs, et cetera, et cetera, et cetera. Everybody expects to have good first responder needs. Because we have been traditionally, for a very long time, a volunteer part-time fire response team for this county, we suffered because we are moving into full-time firefighters across the county, because it's needed, and it directly affects the response time.

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So I know we're talking about a lot of different things today. But today I'm talking about the needs of our people who live in rural areas, and being able to reach them within a certain amount of time. Now, if you or I had a house fire, and if you live in downtown Columbia or Charleston or another populated area, there's no problem. You know the firefighters, they're going to get there very quickly. If you were in Bishopville, South Carolina -- Bishopville has a great fire department, by the way -- if you're in certain areas of Kershaw County, your response times are not going to be as quick. There's a direct correlation between full-time firefighters and response time. It's a difference between your house burning maybe 30% rather than 70% down to the ground. On the back of the materials that were distributed to you is a real life situation I found out about a couple years ago. I wasn't in office. I wasn't in politics. But we're talking about real human fatalities here. A five-year-old little boy died in a car fire. He died, and the outline -- timeline of all the calls made I provided for you. That five-year-old boy did not have to die. And there's something we can do to help our rural districts today. It is an urgent need that was here way before I was. I was just willing to help move this along, and approach one tiny part that we need so desperately today. Now I'm going to show you something. It's pretty hard to believe it. It's a radio. The thing about funding fires is not just about hiring firefighters. It's about just maintaining. It's about keeping up with technology which is required. The technology used by firefighters, EMS and police, becomes obsolete after seven or eight years. Now, when was Act 388? In 2008? It's 2021. And they stretched it as far as they can. They've done everything they could do under restraints of Act 388. This radio costs almost \$5,000, and they can't just replace these. When they do it, they have to replace the whole system. That means the police, EMS, and the firefighters -- and they're 500 of these things in Kershaw County. It's a racket. It's a racket. I wish we can get them cheaper. We can't. This is what's required. And this will not be able to be used after 2021. That is why this is urgent and this is why we should vote for this Bill. Yes, 401 means a yes for public safety, we're listening to our constituents and understanding the needs. It is a fiscal issue. But it's a modernizing issue. It is an Act 388 issue, but it does not affect the law of Act 388. This isn't overturning it. It's giving it a small exception for a very small part of our State, that is, fire districts formulated, or organized after 1962 under Title 4 or Title 6. Kershaw County just did it very unusually, and we had all volunteers -- it was a volunteer service. So I have a lot more to say but I'm going to end with this. We spent the last year and a half, many years talking about the heroes of our communities and I think we can all agree

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it includes doctors and nurses, first responders, emergency medical units, coroners and firefighters. Those people are our heroes. Today, we as a Body have an opportunity to be their heroes and support them and support the funding of what is needed. It is not a mandate. It's simply allowing a municipality to adjust the millage one time in a two-year time period and that's it. It's not on unfettered taxation. It's solving an immediate problem. It's meeting a need that is desperate. We can't compare this to gocarts. They have used V-SAFE grants -- living on grants. You can't get enough grants to provide all the modernization and technical upgrades that are needed. They did a \$29 fee on land ownership. If you own 8,000 acres of land or a quarter of an acre it's still \$29. That's not right. So with that, ladies and gentlemen, I will entertain questions and I hope that this Body understands the need for S. 401 for our local rural communities. It's not for the whole State. It's not for -- you know, this isn't opening the door to other parts of Act 388. It's just looking at one tiny spot that will have an immediate, positive impact on this State, for the people I serve in District 27 which includes Chesterfield, which is rural, Kershaw County, which is rural, and being more urbanized every day -- and Lancaster County.

On motion of Senator HEMBREE, with unanimous consent, the remarks of Senator GUSTAFSON, were ordered printed in the Journal.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 22; Nays 20

AYES

Alexander	Allen	Davis
Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	Kimpson
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Shealy	Stephens
Williams		

Total--22

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NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Goldfinch	Grooms
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Rice	Talley	Turner
Verdin	Young	

Total--20

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:45 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 7, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 9:1

The Psalmist announces: "I will praise you, O Lord, with all my heart; I will tell of all your wonders."

Please, join me as we pray: Gracious and loving God, we find ourselves once again surrounded by the very beauty of Your creation here in South Carolina. The blossoming of azaleas and dogwoods and the new growth on our hardwoods is all simply impossible to miss. And once again we find that we are filled with such joy and pleasure, thanks to the beauty around us. But we are also reminded that all of these natural wonders must not be taken for granted by us in this Senate, much less by our fellow citizens. We all have an obligation to do what we personally can to cherish, protect, and even to preserve this incredible but increasingly fragile world around us.

So we pray, O God, that You will inspire each Senator and staff person to lead the way as we all care actively for the world You have given us. And to You, Lord, be the glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms

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Gustafson	Harpootlian	Hembree
Hutto	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

A quorum being present, the Senate resumed.

Leave of Absence

At 1:05 A.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for Wednesday, April 7, 2021, and Thursday, April 8, 2021.

Leave of Absence

At 1:33 P.M., Senator DAVIS requested a leave of absence until 2:20 P.M.

Leave of Absence

On motion of Senator FANNING, at 2:13 P.M., Senator M. JOHNSON was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 141	Sen. Kimbrell
S. 145	Sen. Kimbrell
S. 177	Sen. Gustafson
S. 351	Sen. Allen
S. 464	Sens. Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin and Alexander
S. 479	Sen. Climer
S. 533	Sens. Williams, Stephens, Jackson, Gustafson, Malloy and McElveen
S. 675	Sen. Cash
S. 677	Sens. Campsen, Sabb and Climer
S. 685	Sens. Matthews and Jackson

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S. 729 Sen. McElveen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 733 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE APRIL 2021 AS "CHILD ABUSE PREVENTION MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO DEDICATE THEMSELVES TO PROTECTING THE QUALITY OF LIFE FOR EVERY CHILD.

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The Senate Resolution was adopted.

S. 734 -- Senators Matthews, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF SERGEANT MAJOR ERNEST NICODEMUS COLDEN, SR., TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 735 -- Senators Malloy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF

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LORRAINE LINSENBARDT MOORE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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Senator MALLOY spoke on the Resolution.

The Senate Resolution was adopted.

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J. L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

Read the first time and referred to the Committee on Transportation.

H. 3144 -- Reps. White, Robinson, Thigpen, V. S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

Read the first time and referred to the Committee on Education.

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J. L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING

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RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3319 -- Reps. King, McDaniel, Henderson-Myers, S. Williams, Rivers and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE STUDENTS ELIGIBLE FOR FREE AND REDUCED-PRICE MEALS MUST BE OFFERED THE SAME FEDERALLY REIMBURSABLE MEAL AS INELIGIBLE STUDENTS, TO PROVIDE SUCH MEALS MUST BE OFFERED REGARDLESS OF WHETHER STUDENTS OWE MONEY FOR PREVIOUS MEALS, TO PROVIDE SCHOOLS THAT OFFER FOOD AND BEVERAGES SEPARATELY FROM FEDERALLY REIMBURSABLE MEALS MAY NOT ALLOW STUDENTS TO ACCRUE BALANCES WHEN PURCHASING SUCH ITEMS AND ONLY MAY ACCEPT CASH PAYMENT OR ALLOW FUNDS TO BE ELECTRONICALLY DRAWN FROM PREPAID BALANCES, TO PROVIDE SCHOOLS AND SCHOOL DISTRICTS MAY NOT PENALIZE STUDENTS FOR FAILING TO PAY FOR SCHOOL LUNCHES, AND TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP AND PROVIDE A MODEL POLICY AND TEMPLATE REGARDING THE COLLECTION OF SCHOOL MEAL DEBT TO EACH SCHOOL DISTRICT.

Read the first time and referred to the Committee on Education.

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

Read the first time and referred to the Committee on Finance.

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H. 3482 -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

Read the first time and referred to the Committee on Finance.

H. 3524 -- Reps. Hixon and Forrest: A BILL TO AMEND ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2022.

Read the first time and referred to the Committee on Judiciary.

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3546 -- Reps. W. Newton, Pope, Dillard, Bradley, Erickson, S. Williams, Rivers and Weeks: A BILL TO AMEND SECTION 1-30-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO ESTABLISH OBJECTIVES FOR THE SOUTH CAROLINA FILM COMMISSION.

Read the first time and referred to the Committee on Finance.

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H. 3547 -- Rep. W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 9 OF TITLE 51 RELATING TO THE FORT WATSON MEMORIAL; AND BY REPEALING SECTIONS 53-3-90 AND 53-3-100 BOTH RELATING TO "FAMILY WEEK IN SOUTH CAROLINA".

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3560 -- Reps. Bernstein, Herbkersman, Henegan, Pope, Rutherford, Finlay, Stavrinakis, Collins, W. Newton, Wheeler, Jordan, Ballentine, Garvin, J. E. Johnson, Brawley, Elliott, Rose, B. Newton, Robinson, Kirby, Haddon, V. S. Moss, Caskey, J. L. Johnson, Cobb-Hunter, Yow, Dillard, Willis, Weeks, Matthews, S. Williams, Rivers, Henderson-Myers, King and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO PROVIDE TWELVE WEEKS OF PAID FAMILY LEAVE FOR STATE EMPLOYEES DUE TO THE BIRTH OR ADOPTION OF A SON OR DAUGHTER.

Read the first time and referred to the Committee on Finance.

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

Read the first time and referred to the Committee on Education.

H. 3614 -- Reps. Lucas, Allison, Felder and McDaniel: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-39-105 SO AS TO PROVIDE HIGH SCHOOL SENIORS SHALL COMPLETE AND SUBMIT A FREE

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APPLICATION FOR FEDERAL STUDENT AID BEFORE GRADUATING FROM HIGH SCHOOL, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED REQUIREMENTS FOR THE IMPLEMENTATION OF THESE PROVISIONS, AND TO MAKE THESE PROVISIONS APPLICABLE BEGINNING WITH THE 2022-2023 SCHOOL YEAR.

Read the first time and referred to the Committee on Education.

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3883 -- Rep. Collins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED

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EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION.

Read the first time and referred to the Committee on Education.

H. 3941 -- Reps. Alexander, Allison, Kirby and Matthews: A JOINT RESOLUTION TO ENCOURAGE PUBLIC SCHOOL DISTRICTS TO DEVELOP AND IMPLEMENT EMERGENCY SICK LEAVE PLANS USING CERTAIN FEDERAL FUNDS INTENDED FOR COVID-19 RELIEF, TO PROVIDE REQUIREMENTS FOR SUCH PLANS, TO PROVIDE RELATED SUPPORT REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE PROTECTIONS FOR SCHOOL DISTRICT EMPLOYEES WHO USE SUCH EMERGENCY SICK LEAVE, AND TO PROVIDE RELATED REPORTING REQUIREMENTS OF LOCAL SCHOOL DISTRICTS AND THE STATE DEPARTMENT OF EDUCATION.

Read the first time and referred to the Committee on Education.

H. 3948 -- Reps. Stavrinakis, Murphy and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

Read the first time and referred to the Committee on Finance.

H. 4006 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

Read the first time and referred to the Committee on Judiciary.

H. 4011 -- Reps. Erickson, W. Newton, Herbkersman, Bradley and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE NEW HARBOR ISLAND BRIDGE IN BEAUFORT COUNTY THE "GEORGE J. 'GEORDIE' MADLINGER III BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 4018 -- Reps. Wheeler, Dabney, J. L. Johnson and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DEDICATE THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF STREET CONTAINING THIS DESIGNATION.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4025 -- Reps. Jefferson, Davis, Pendarvis, Tedder and Kimmons: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF RIDGE ROAD AND HIGHWAY S-18-78 IN DORCHESTER COUNTY "ANGIE LEE CRUM CROSSING" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4043 -- Reps. R. Williams and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY WEST OF THE DARLINGTON/FLORENCE COUNTY LINE TO A POINT WEST OF ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 340 "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4060 -- Reps. Sandifer and Thayer: A BILL TO AMEND SECTION 6-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDING CODE ADOPTION PROCEDURES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL ALSO IS AUTHORIZED TO DENY THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIME FRAME, TO PROVIDE THAT THE COUNCIL ALSO MAY DENY THE STUDY COMMITTEE'S REPORT OF RECOMMENDATIONS

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UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE COUNCIL MUST PROVIDE A PRELIMINARY FISCAL IMPACT STATEMENT.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

Read the first time and referred to the Committee on Judiciary.

H. 4064 -- Reps. G. M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

Read the first time and referred to the Committee on Finance.

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4132 -- Rep. G. R. Smith: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS STUDENT GOVERNMENT FALL CONFERENCE AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE, AND THE RESPECTIVE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Concurrent Resolution was introduced and referred to the Committee on Operations and Management.

H. 4136 -- Reps. Caskey, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY MICHAEL MEDLIN OF THE LEXINGTON COUNTY SHERIFF'S OFFICE, WHO DISPLAYED EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY, AND TO CONGRATULATE HIM UPON RECEIVING THE

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SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4137 -- Reps. Caskey, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY KEVIN O'DELL OF THE LEXINGTON COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4138 -- Reps. Caskey, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones,

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Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY GABRIEL MULKEY OF THE LEXINGTON COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AWARD.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs polled out S. 669 favorable:

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	Johnson	Corbin
Kimpson	Matthews	Gambrell
Cash	McLeod	Loftis
Garrett		

Total--16

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NAYS

Total--0

NOT VOTING

Senn

Total--1

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 670 favorable:

S. 670 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE APRIL 15, 2021, AS "OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE MILITARY, AND OUR COUNTRY AS A WHOLE.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	Johnson	Corbin
Kimpson	Matthews	Gambrell
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Total--0

NOT VOTING

Senn

WEDNESDAY, APRIL 7, 2021

Total--1

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs polled out S. 673 favorable:

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	Johnson	Corbin
Kimpson	Matthews	Gambrell
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Total--0

NOT VOTING

Senn

Total--1

Ordered for consideration tomorrow.

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Senator VERDIN from the Committee on Medical Affairs polled out S. 693 favorable:

S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	Johnson	Corbin
Kimpson	Matthews	Gambrell
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Total--0

NOT VOTING

Senn

Total--1

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 6, 2021

Mr. President and Senators:

WEDNESDAY, APRIL 7, 2021

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3071 -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 7, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3549 -- Reps. Ott, Kirby, Bryant and Pope: A BILL TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

WEDNESDAY, APRIL 7, 2021

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

asks for a Committee of Conference, and has appointed Reps. Allison, Felder and Alexander to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3589--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators SETZLER, HEMBREE and RICE were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., April 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden the veto by the Governor on R.8, H. 3584 by a vote of 95 to 5:

R8, H3584 -- Reps. Sandifer and Whitmire: AN ACT TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 671 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 7, 2021, AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA IN HONOR

WEDNESDAY, APRIL 7, 2021

OF THE IMPORTANT WORK DONE TO COMBAT THE
SIGNIFICANT PROBLEM OF CHILD MALTREATMENT.

Returned with concurrence.

Received as information.

S. 682 -- Senator McElveen: A CONCURRENT RESOLUTION TO
CONGRATULATE FREDDY MUBARAK UPON THE OCCASION
OF HIS RETIREMENT FROM ELGIN PHARMACY, TO
COMMEND HIM FOR HIS MANY YEARS OF DEDICATED
SERVICE TO THE ELGIN COMMUNITY, AND TO WISH HIM
MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 683 -- Senator McElveen: A CONCURRENT RESOLUTION TO
CONGRATULATE TONY CASEY UPON THE OCCASION OF HIS
RETIREMENT FROM ELGIN PHARMACY, TO COMMEND HIM
FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE
ELGIN COMMUNITY, AND TO WISH HIM MUCH HAPPINESS
AND FULFILLMENT IN THE YEARS AHEAD.

Returned with concurrence.

Received as information.

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A
CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5,
2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF
REPRESENTATIVES AND THE SENATE TO MEET IN JOINT
SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES
TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT
COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30,
2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF
COASTAL CAROLINA UNIVERSITY FROM THE SECOND
CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE
JUNE 30, 2025; A MEMBER FROM THE FOURTH
CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE
JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT,
SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND
MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15,
RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO
ELECT A MEMBER OF THE BOARD OF TRUSTEES OF
WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM

WEDNESDAY, APRIL 7, 2021

TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

Returned with concurrence.

Received as information.

S. 707 -- Senator Gustafson: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND CLAY CATOE OF LANCASTER COUNTY UPON BEING NAMED 2020 SOUTH CAROLINA EMS DIRECTOR OF THE YEAR AND TO THANK HIM FOR HIS OUTSTANDING SERVICE TO LANCASTER COUNTY AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 708 -- Senators Gustafson and M. Johnson: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND JOSH FAULKENBERRY OF LANCASTER COUNTY UPON BEING NAMED 2020 SOUTH CAROLINA PARAMEDIC OF THE YEAR AND TO THANK HIM FOR HIS OUTSTANDING SERVICE TO LANCASTER COUNTY AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 720 -- Senator Fanning: A CONCURRENT RESOLUTION TO CONGRATULATE DR. GREG F. RUTHERFORD UPON THE OCCASION OF HIS RETIREMENT AS PRESIDENT OF YORK TECHNICAL COLLEGE, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 725 -- Senators McElveen and K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND REMEMBER THE HEROISM OF SENIOR CORPORAL GARY BEAVER, STAFF SERGEANT SEPTEMBER CRAFT, AND THE LATE CORPORAL ANDREW

WEDNESDAY, APRIL 7, 2021

GILLETTE OF THE SUMTER COUNTY SHERIFF'S OFFICE AND TO HONOR THEIR EXCEPTIONAL COURAGE IN THE LINE OF DUTY AS THEY RECEIVE THE SOUTH CAROLINA SHERIFF'S ASSOCIATION MEDAL OF VALOR.

Returned with concurrence.

Received as information.

S. 731 -- Senator Fanning: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF THE HONORABLE PAUL SHORT, JR., OF CHESTER, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 691 -- Senator Hutto: A BILL TO CONSOLIDATE BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY SCHOOL DISTRICT NO. 29 ON JULY 1, 2022; TO PROVIDE THAT THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BARNWELL COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 29; TO PROVIDE THAT THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL

WEDNESDAY, APRIL 7, 2021

DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator HUTTO.

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

On motion of Senator CORBIN.

SECOND READING BILL

S. 729 -- Senators Gustafson and McElveen: A BILL TO AMEND SECTIONS 1 AND 2 OF ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD'S POWERS AND DUTIES; TO AMEND SECTION 3 OF ACT 868 OF 1954, RELATING TO THE BOARD'S POWERS AND DUTIES, TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.

On motion of Senator GUSTAFSON.

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OBJECTION

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens:
A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND

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FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

Senator MALLOY objected to further consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Senator YOUNG explained the Bill.

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S. 499 -- Senators Campsen, Rice, Talley, Loftis, Climer and Kimbrell: A BILL TO ENACT THE "SOUTH CAROLINA ELECTION COMMISSION RESTRUCTURING ACT"; TO AMEND CHAPTER 1, TITLE 7 OF THE 1976 CODE, RELATING TO ELECTIONS, BY ADDING SECTION 7-1-110, TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR RESPECTIVE BODIES IN ACTIONS THAT CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-10(a) OF THE 1976 CODE, RELATING TO THE STATE ELECTION COMMISSION, TO PROVIDE THAT THE MEMBERSHIP OF THE COMMISSION CONSISTS OF FIVE MEMBERS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; AND TO AMEND SECTION 7-3-20(A) OF THE 1976 CODE, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, TO REVISE HIS PROCEDURE OF APPOINTMENT.

Senator KIMPSON spoke on the Bill.

AMENDMENT PROPOSED, OBJECTION

S. 351 -- Senators McLeod, Malloy and Allen: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE;

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TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

The Senate proceeded to a consideration of the Bill.

Senators MARTIN and McLEOD proposed the following amendment (351MW1):

Amend the bill, as and if amended, page 2, by striking line 20 and inserting the following:

/ probation, parole, then /

Further amend the bill, as and if amended, page 2, by striking lines 31-32 and inserting the following:

/ sentence, including probation, parole, then a detention facility, as defined by Section /

Further amend the bill, as and if amended, page 2, by striking lines 42-43 and inserting the following:

/ all terms of his sentence, then the probation agent must provide a written notice /

Further amend the bill, as and if amended, page 3, by striking lines 27-32 and inserting the following:

/ sentence, including probation, ~~and~~ parole time unless sooner pardoned. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

Senator HEMBREE objected to further consideration of the Bill.

OBJECTION

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976

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CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Senator GROOMS objected to consideration of the Bill.

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CARRIED OVER

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

Senator BENNETT spoke on the Bill.

On motion of Senator BENNETT, the Bill was carried over.

READ THE SECOND TIME

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

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AYES

Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

The Senate proceeded to a consideration of the Bill.

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The Committee on Banking and Insurance proposed the following amendment (SA\623C001.BH.SA21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 9, Chapter 73, Title 38 of the 1976 Code is amended by adding:

“Section 38-73-905. (A) Overall average rate level increases or decreases, for all coverages combined, of seven percent above or below the insurer’s current rates in effect may take effect without prior approval on a file and use basis with respect to rates for automobile insurance policies as set forth in this section. The seven percent cap does not apply on an individual insured basis. Insurers are limited to two rate increases during any twelve-month period as set forth in subsections (B) and (C).

(B)(1) Notwithstanding any other provision of this chapter, for any policies governed by this section, filings that produce rate level changes based on the limitation specified in subsection (A) become effective without prior approval; provided, that no more than one rate increase of seven percent above or below the insurer’s current rates in effect may be implemented during any twelve-month period on a file and use basis. Any other increase request is subject to prior approval. A rate increase may not be implemented until the onset of the new policy period.

(2) A rate increase or decrease falling within the limitation in subsection (A) may become effective not less than thirty days after the date of the filing with the director. The filing is considered to meet the requirements of this chapter unless the director or his designee notifies the insurer that the filing does not comply with this chapter within that thirty-day time period. If, after the filing becomes effective, the director finds the filing does not comply with the requirements of this chapter, the director shall issue a written order specifying in detail the provisions with which the insurer has not complied and state a reasonable period thereafter in which the filing is considered no longer effective. Any order by the director pursuant to this section that is issued more than thirty days from the date on which the director received the rate filing must be on a prospective basis only and may not affect any contract issued or made before the effective date of the order.

(C) Rate filings for automobile insurance also may be made outside the limitation specified in subsection (A), however those filings are subject to the prior approval of the director. The director shall approve or disapprove these filings in accordance with the provisions of Sections 38-73-960 and 38-73-990. No more than two rate increases may be implemented during a twelve-month period. If the two rate increases fall

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above or below seven percent as specified in subsection (B), the second rate increase request within a twelve-month period is subject to prior approval. The limitation provided in Section 38-73-920 relating to the number of permissible filings within a twelve-month period does not apply to automobile filings made pursuant to the provisions of this section.

(D) Individual automobile insurance companies and member companies of an affiliated group of automobile insurers may utilize different filed rates for automobile insurance coverages in accordance with rating plans filed with and approved by the director. These rating plans may provide for different rates, rating tiers, and rating plans among affiliated companies. For the purposes of this subsection, an affiliated group of automobile insurers includes a group of automobile insurers under common ownership, management, or control.

(E) The Director of the Department of Insurance or his designee may promulgate regulations to implement the provisions of this section.

(F) This section does not apply to rate or rule filings of insurers who write only exempt commercial policies. Rate or rule filings for exempt commercial policies must comply with the requirements of S.C. Code Ann. Regs. Section 69-64, Section 38-73-920, and other applicable provisions of this title.”

SECTION 2. Section 38-73-910 of the 1976 Code is amended to read:

“Section 38-73-910. (A) This section applies to all types of property and casualty insurance coverage except as set forth in this section. Overall rate level increases or decreases for all property and casualty insurance coverages except for property insurance filings governed by Sections 38-73-220 and 38-73-260 and automobile insurance filings governed by Section 38-73-905 are subject to prior approval as set forth in this section. Every filing must state the proposed effective date and must indicate the type of coverage to which it applies. The director shall approve or disapprove these filings in accordance with the applicable provisions of this chapter.

(B) An increase in the premium rates may not be granted for workers’ compensation insurance, nor for any other line or type of insurance with respect to which the director or his designee has, by order, made a finding that (a) legal or other compulsion upon the part of the insured to purchase the insurance interferes with competition, or (b) under prevailing circumstances there does not exist substantial competition, unless notice is given in all newspapers of general, statewide circulation at least thirty days in advance of the insurer’s proposed effective date of the increase

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in premium rates. The notice must state the amount of increase, the type and line of coverage, and the proposed effective date and must allow any insured or affected party to request within fifteen days a public hearing upon the propriety of the rate increase request before the Administrative Law Court. A copy of the notice must be sent to the Consumer Advocate.

(C) However, the requirements of public notices and public hearings in this section do not apply to applications for rate increases when the applicant insurer had earned premiums in this State in the previous calendar year of less than two million dollars for the line or type of insurance for which the rate increase is sought or, if the rate increase is sought by a modeling organization, the earned premiums in this State for all members and subscribers of the organization for whom an increase is sought were less than two million dollars for the previous calendar year for the line or type of insurance for which the rate increase is sought. The two million dollars must be increased by a factor equal to the increase in the consumer price index, all items, every three years.

~~(B) Except as provided in subsection (C), overall average rate level increases or decreases, for all coverages combined, of seven percent above or below the insurer's rates then in effect may take effect without prior approval on a file and use basis with respect to rates for automobile insurance policies. The seven percent cap does not apply on an individual insured basis.~~

~~(C) Notwithstanding any other provisions of this chapter, for any policies governed by this section, filings that produce rate level changes within the limitation specified in subsection (B) become effective without prior approval; provided, that (1) no more than one rate increase within the limitation specified in subsection (B) may be implemented during any twelve month period, and (2) no rate increase within the limitation specified in subsection (B) may be implemented until the onset of the new policy period unless the insurer, at least thirty days in advance of the end of the policy period, mails or delivers to the named insured at the address shown in the policy a written notice of its intention to change the rate. The overall statewide rate change implemented under this section must be stated in the notice.~~

~~A rate increase or decrease falling within the limitation in subsection (B) may become effective not less than thirty days after the date of the filing with the director. The filing is deemed to meet the requirements of this chapter. The director may find that such a filing is not in compliance with this chapter. In the event of such a finding, the director shall issue a written order specifying in detail the provisions with which the insurer has not complied and state a reasonable period thereafter in which the~~

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filing shall be deemed no longer effective. Any order by the director pursuant to this section that is issued more than thirty days from the date on which the director received the rate filing shall be on a prospective basis only and shall not affect any contract issued or made prior to the effective date of the order.

Rate filings falling outside the limitation specified in subsection (B) are subject to the prior approval of the director. The director shall approve or disapprove these filings in accordance with the provisions of Sections 38-73-960 and 38-73-990.

(D) Individual automobile insurance companies and member companies of an affiliated group of automobile insurers may utilize different filed rates for automobile insurance coverages in accordance with rating plans filed with and approved by the director. These rating plans may provide for different rates, rating tiers, and rating plans among affiliated companies. For the purpose of this subsection, an affiliated group of automobile insurers includes a group of automobile insurers under common ownership, management, or control. If the director finds that a filing is not in compliance with this chapter, he shall issue a written notice of disapproval in accordance with the provisions of Section 38-73-990.

(E) The Director of the Department of Insurance or his designee shall may promulgate regulations to implement the provisions of this section.

(F) ~~On or before March 31, 2004, the Director of the Department of Insurance or his designee shall report to the General Assembly on the effectiveness of flexible rating for automobile insurance policies. The report may not include data regarding a specific insurer or insurer group, except data that is in the public record, and must analyze the impact of flexible rating on:~~

- ~~(1) the extent and nature of competition;~~
- ~~(2) size and significance of coverage;~~
- ~~(3) level and range of rates and rate changes among insurers;~~
- ~~(4) extent of consumer complaints to the Department of Insurance;~~
- ~~(5) volume of cancellations and nonrenewals;~~
- ~~(6) changes in the number of policies by territory and by class, including age and sex, in each territory; and~~
- ~~(7) the number of new insured, nonrenewed insured, and business written by each insurer.~~

~~(G) This section does not apply to rate or rule filings of insurers who write only exempt commercial policies. Exempt commercial policies are not subject to prior approval of the department. Rate or rule filings for exempt commercial policies must comply with the requirements of S.C.~~

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Code Ann. Regs. Section 69-64, Section 38-73-920, and other applicable provisions of this title."

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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RECOMMITTED

S. 705 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO TERM AND UNIVERSAL LIFE INSURANCE RESERVE FINANCING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5028, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CROMER, the Resolution was recommitted to Committee on Banking and Insurance.

RECOMMITTED

S. 706 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF INSURANCE, RELATING TO CREDIT FOR REINSURANCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5029, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CROMER, the Resolution was recommitted to Committee on Banking and Insurance.

READ THE SECOND TIME

S. 500 -- Senators Scott, Loftis, Kimbrell, Allen and Stephens: A BILL TO AMEND SECTION 40-3-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Garrett	Goldfinch

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Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

AMENDMENT PROPOSED, READ THE SECOND TIME

S. 29 -- Senators Hutto and McElveen: A BILL TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-107, TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN FIFTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (29R001..GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding two appropriately numbered new items to read:

“() ‘Personal watercraft’ means a vessel, usually less than sixteen feet in length, that uses an inboard, internal combustion engine powering

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a water jet pump as its primary source of propulsion and that is intended to be operated by a person sitting, standing, or kneeling on the vessel, rather than within the confines of the hull. 'Personal watercraft' includes a vessel commonly known as a 'jet ski'.

() 'Specialty propcraft' means a vessel that is similar in appearance and operation to a personal watercraft but is powered by an outboard or propeller-driven motor."

SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

"Section 50-21-107. (A) For the purposes of this section:

(1) 'Acceptable electronic format' means an electronic image produced on a person's cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) 'Proof of insurance' shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty propcraft that reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The presentment of proof of insurance in an acceptable electronic format does not:

(a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or

(b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, to allow the operation of the watercraft, personal watercraft, or specialty propcraft unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration and each applicant for a registration renewal of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy as required in subsection (B).

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(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

(E)(1) If a watercraft, personal watercraft, or specialty propcraft is involved in an accident, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an incident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft, personal watercraft, or specialty propcraft is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State.

(H) This section does not apply to a watercraft, personal watercraft, or specialty propcraft owned by the United States, a state government, or any political subdivision thereof."

SECTION 3. This act takes effect January 1, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

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Senator CAMPSSEN proposed the following amendment (29R002.GEC):

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

“Section 50-21-107. (A) For the purposes of this section:

(1) ‘Acceptable electronic format’ means an electronic image produced on a person’s cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) ‘Proof of insurance’ shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation, available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty propcraft that reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The presentment of proof of insurance in an acceptable electronic format does not:

(a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or

(b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy that meets the requirements of this section.

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(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

(E)(1) If a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State." /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the amendment.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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Motion Under Rule 26B

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

AMENDED, READ THE SECOND TIME

S. 153 -- Senator Martin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAME OF THE SPARTANBURG HIGH SCHOOL VOTING PRECINCT TO THE MCCRACKEN MIDDLE SCHOOL VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE SPARTANBURG COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (ZW\153C002.BH.ZW21), which was adopted:

/ SECTION 1. Section 7-7-490 of the 1976 Code, as last amended by Act 130 of 2020, is further amended to read:

“Section 7-7-490. (A) In Spartanburg County there are the following voting precincts:

Abner Creek Baptist
Anderson Mill Baptist
Anderson Mill Elementary
Apalache Baptist
Arcadia Elementary
Beaumont Methodist
Beech Springs Intermediate
Ben Avon Methodist
Bethany Baptist
Bethany Wesleyan
Boiling Springs Elementary
Boiling Springs High School
Boiling Springs Intermediate
Boiling Springs Jr. High
Boiling Springs 9th Grade
Broome High School
Canaan

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Cannons Elementary
Carlisle Fosters Grove
Carlisle Wesleyan
Cavins Hobbysville
C.C. Woodson Recreation
Cedar Grove Baptist
Chapman Elementary
Chapman High School
~~Cherokee Springs Fire Station~~
Cherokee Springs Precinct
Chesnee Elementary
Cleveland Elementary
Converse Fire Station
Cooley Springs Baptist
Cornerstone Baptist
Cowpens Depot Museum
Cowpens Fire Station
Croft Baptist
Cross Anchor Fire Station
Cudd Memorial
D. R. Hill Middle School
Daniel Morgan Technology Center
Drayton Fire Station
Duncan United Methodist
Eastside Baptist
Ebenezer Baptist
Enoree First Baptist
E.P. Todd Elementary
Fairforest Elementary
Fairforest Middle School
Gable Middle School
Glendale Fire Station
Gramling Methodist
Greater St. James
Hayne Baptist
Hendrix Elementary
Holly Springs Baptist
Hope
Jesse Bobo Elementary
Jesse Boyd Elementary
Lake Bowen Baptist

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Landrum High School
Landrum United Methodist
Lyman Elementary
Lyman Town Hall
Mayo Elementary
McCracken Middle School
Morningside Baptist
Motlow Creek Baptist
Mt. Calvary Presbyterian
Mt. Moriah Baptist
Mt. Zion Full Gospel Baptist
Oakland Elementary
Pacolet Elementary School
~~Park Hills Elementary~~
Pauline Glenn Springs Elementary
Pelham Fire Station
Poplar Springs Fire Station
Powell Saxon Una
R.D. Anderson Vocational
Reidville Elementary
Reidville Fire Station
River Ridge Elementary
Roebuck Bethlehem
Roebuck Elementary
Silverhill Memorial UMC
Southside Baptist
~~Spartanburg High School~~
Startex Fire Station
St. John's Lutheran
Swofford Career Center
Travelers Rest Baptist
Trinity Methodist
Trinity Presbyterian
Victor Mill Methodist
Wellford Fire Station
Holy Communion
West View Elementary
White Stone Methodist
Whitlock Jr. High
Woodland Heights Recreation Center
Woodruff Elementary

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Woodruff Fire Station

Woodruff Leisure Center

(B) Precinct lines defining the precincts in subsection (A) are as shown on the official map on file with the Revenue and Fiscal Affairs Office, and as shown on copies provided to the Board of Voter Registration and Elections of Spartanburg County by the Revenue and Fiscal Affairs Office designated as document ~~P-83-20A~~ P-83-21.

(C) Polling places for the precincts listed in subsection (A) must be determined by the Board of Voter Registration and Elections of Spartanburg County with the approval of a majority of the Spartanburg County Legislative Delegation.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 177 -- Senators Corbin, Rice, Loftis, Verdin, Martin, Garrett and Gustafson: A JOINT RESOLUTION TO PROVIDE THAT COVID-19 VACCINATIONS ARE PURELY VOLUNTARY, TO PROVIDE THAT AN EMPLOYER CANNOT TAKE AN ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CANNOT REQUIRE ISOLATION OR QUARANTINE FOR A PERSON WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION.

The Senate proceeded to a consideration of the Resolution.

The Committee on Medical Affairs proposed the following amendment (177R002.KMM.DBV), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. No person in this State may be compelled to undergo vaccination to prevent coronavirus disease 2019, commonly referred to as COVID-19. If a person chooses not to undergo vaccination, then the person's employer may not subject the person to an adverse employment action, including, but not limited to, a termination, suspension, involuntary reassignment, or demotion.

SECTION 2. Notwithstanding the provisions contained in SECTION 1, an employee who is treating or caring solely for vulnerable populations may be required by his employer to undergo vaccination to prevent COVID-19. For the purposes of this SECTION, "vulnerable

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populations” includes a person over the age of sixty or a person with an underlying medical condition identified by the Centers for Disease Control and Prevention as having a higher risk of complications related to COVID-19.

SECTION 3. Nothing contained in this joint resolution shall prevent an employer from encouraging, promoting, or administering vaccinations, and nothing in this joint resolution shall prevent an employer from offering incentives to employees who elect to be vaccinated.

SECTION 4. The provisions contained in Section 44-4-520(A)(3), related to the Department of Health and Environmental Control’s authority to require isolation or quarantine for people who do not undergo vaccinations during a public health emergency, do not apply to a person who chooses not to undergo vaccination for COVID-19. Nothing in this SECTION limits an employer’s authority to mandate quarantines for employees who have been diagnosed with COVID-19, have symptoms associated with COVID-19, or have been in close contact with a person diagnosed with COVID-19, provided that the employer’s quarantine procedures comply with applicable state and federal guidance.

SECTION 5. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

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Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 379 -- Senators Cash and Kimbrell: A BILL TO AMEND CHAPTER 89, TITLE 44 OF THE 1976 CODE, RELATING TO THE BIRTHING CENTER LICENSURE ACT, BY ADDING ARTICLE 3, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROMULGATE REGULATIONS TO INTEGRATE BIRTHING CENTERS AND LICENSED MIDWIVES INTO PERINATAL CARE SERVICES, AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (379R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting:

/Whereas, collaboration among health professionals can improve safety and quality, particularly when care is transferred from low-resource to high-resource settings; and

Whereas, poor coordination of care across providers and birth settings has been associated with adverse maternal-newborn outcomes; and

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Whereas, South Carolina has a Midwifery Integration Score of thirty-four out of one hundred according to a 2018 study “Mapping integration of midwives across the United States: Impact on access, equity, and outcomes” by Vedam S, Stoll K, MacDorman M, Declercq E, Cramer R, Cheyney M, et al. In this study, lower scores were correlated with lower rates of physiologic birth, more obstetric interventions, and more adverse neonatal outcomes; and

Whereas, midwives in a community setting should be afforded access to the initiation of smooth transitions for mothers who encounter complications during childbirth; and

Whereas, the ability of midwives to function autonomously to their full scope of practice in community settings, in collaboration with other members of the health system, can enhance the cost-effectiveness and accessibility of maternity care, particularly in rural or impoverished communities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be known and cited as the “Perinatal Integration Act of 2021”.

SECTION 2. Chapter 89, Title 44 of the 1976 Code is amended by adding:

“Section 44-89-110. (A) For the purposes of this section:

(1) ‘Integrate’ means to facilitate the full exercise of a scope of practice, autonomy, self-regulation, collaboration, and a smooth transition between midwives and hospitals that provide perinatal services. ‘Integrate’ does not mean to supervise midwives.

(2) ‘Perinatal levels of care’ means the regulatory implementation of perinatal services.

(B) The department shall promulgate regulations that recognize midwives within the definition of facilities and integrate midwives into the organization of perinatal levels of care. These regulations must include, but are not limited to:

(1) access to physician-to-provider consultation available twenty-four hours a day;

(2) transfer methods and protocols from a midwife to a hospital within a fifty-mile radius that provides level one or higher perinatal services;

(3) access to professional continuing education relating to safe transfers and the escalation of care; and

(4) the collection of data on transfer outcomes to evaluate the effectiveness and safety of the transfer of care from a midwife to a hospital.

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(C) Nothing in this section may be construed to:

(1) allow or require the department or hospitals to promulgate regulations or requirements that restrict the scope of practice, change existing licensure requirements, or impose any other regulation or requirement on midwives, other than methods and protocols for the transfer of a patient to a hospital; or

(2) require hospitals to give midwives hospital-admitting privileges.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator CASH proposed the following amendment (379R002.SP.RJC), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting:

/Whereas, collaboration among health professionals can improve safety and quality, particularly when care is transferred from low-resource to high-resource settings; and

Whereas, poor coordination of care across providers and birth settings has been associated with adverse maternal-newborn outcomes; and

Whereas, South Carolina has a Midwifery Integration Score of thirty-four out of one hundred according to a 2018 study “Mapping integration of midwives across the United States: Impact on access, equity, and outcomes” by Vedam S, Stoll K, MacDorman M, Declercq E, Cramer R, Cheyney M, et al. In this study, lower scores were correlated with lower rates of physiologic birth, more obstetric interventions, and more adverse neonatal outcomes; and

Whereas, midwives and birthing centers in a community setting should be afforded access to the initiation of smooth transitions for mothers who encounter complications during childbirth; and

Whereas, the ability of midwives and birthing centers to function autonomously to their full scope of practice in community settings, in collaboration with other members of the health system, can enhance the cost-effectiveness and accessibility of maternity care, particularly in rural or impoverished communities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

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SECTION 1. This act may be known and cited as the “Perinatal Integration Act of 2021”.

SECTION 2. Chapter 89, Title 44 of the 1976 Code is amended by adding:

“Section 44-89-110. (A) For the purposes of this section:

(1) ‘Integrate’ means to facilitate the full exercise of a scope of practice, autonomy, self-regulation, collaboration, and a smooth transition between midwives, birthing centers, and hospitals that provide perinatal services. ‘Integrate’ does not mean to supervise midwives or birthing centers.

(2) ‘Perinatal levels of care’ means the regulatory implementation of perinatal services.

(B) The department shall promulgate regulations that recognize midwives within the definition of facilities and integrate midwives and birthing centers into the organization of perinatal levels of care. These regulations must include, but are not limited to:

(1) access to physician-to-provider consultation available twenty-four hours a day;

(2) transfer methods and protocols from a midwife or birthing center to a hospital within a fifty-mile radius that provides level one or higher perinatal services;

(3) access to professional continuing education relating to safe transfers and the escalation of care; and

(4) the collection of data on transfer outcomes to evaluate the effectiveness and safety of the transfer of care from a midwife or birthing center to a hospital.

(C) Nothing in this section may be construed to:

(1) allow or require the department or hospitals to promulgate regulations or requirements that restrict the scope of practice, change existing licensure requirements, or impose any other regulation or requirement on midwives or birthing centers, other than methods and protocols for the transfer of a patient to a hospital; or

(2) require hospitals to give midwives hospital-admitting privileges.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (SA\436C002.BH.SA21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 12-6-3530(B) of the 1976 Code, as last amended by Act 77 of 2019, is further amended by adding an appropriately numbered item to read:

“() Notwithstanding items (1) and (2), the aggregate limit for all taxpayers in all tax years set forth in items (1) and (2) is increased by three million dollars. Of this additional three million dollars, only one million dollars may be used for credits earned and certificates issued in tax year 2021, and the remaining two million dollars only may be used for credits earned and certificates issued for tax years beginning after 2021.” /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice

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Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Shealy, Gustafson, Verdin and Alexander: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE

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AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator RANKIN explained the Bill.

On motion of Senator MASSEY, the Bill was carried over.

READ THE SECOND TIME

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

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Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms

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Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 644 -- Senator Scott: A BILL TO AMEND SECTION 11-35-5270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF SMALL AND MINORITY BUSINESS CONTRACTING AND CERTIFICATION IN THE DEPARTMENT OF ADMINISTRATION, SO AS TO TRANSFER THE DIVISION TO THE COMMISSION FOR MINORITY AFFAIRS; TO AMEND SECTION 1-11-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE A CONFORMING CHANGE; TO PROVIDE VARIOUS NECESSARY PROVISIONS TO EFFECT THE TRANSFER; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

The Senate proceeded to a consideration of the Bill.

Senator SCOTT explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

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Motion Under Rule 26B

Senator SCOTT asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT

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NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander, Bennett, Garrett and Cash: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (SA\675C001.BH.SA21), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 55-5-280(B)(1) and inserting:

/ (B)(1) In Fiscal Year 2021-2022, the first one million two hundred fifty thousand dollars in revenue from the tax levied by the State pursuant to Section 12-37-2410, et seq., must be directed to the General Fund of the State. In ~~any fiscal year in which~~ Fiscal Year 2021-2022, if the revenues from the tax levied by the State pursuant to Section 12-37-2410, et seq., exceeds ~~two and one half one million two hundred fifty thousand~~ dollars, the revenues in excess of ~~two and one half one million two hundred fifty thousand~~ dollars must be directed to the State Aviation Fund; however, any revenue in excess of five million dollars must be credited in equal amounts to the general fund and the State Aviation Fund. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley

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Turner
Young

Verdin

Williams

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\677C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking SECTION 12-2-100(B) and inserting:

/ (B) A tax credit earned by a partnership or limited liability company taxed as a partnership pursuant to Section 12-6-3795, including any unused credit amount carried forward, may be passed through to the partners or members and may be allocated among any of its partners or members on an annual basis, including, without limitation, an allocation of the entire credit to any partner or member who was a partner or member at any time in the year in which the credit or unused carryforward was allocated. The allocation must be allowed without regard to any provision of the Internal Revenue Code, or regulation promulgated pursuant to it, that may be interpreted as contrary to the allocation, including, without limitation, the treatment of the allocation as a disguised sale." /

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Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

Senator DAVIS spoke on the Bill.

The amendment was adopted.

The question being the second reading of the Bill.

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator TALLEY asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy Matthews and Jackson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

Senator CAMPSSEN spoke on the amendment.

Senator CASH spoke on the amendment.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator HUTTO asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

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READ THE SECOND TIME

S. 716 -- Senator Climer: A BILL TO AMEND SECTION 7-7-530 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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READ THE SECOND TIME

H. 3726 -- Reps. West, G.M. Smith, W. Cox, M.M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkersman, White, Wheeler, Rutherford, Ballentine and Ott: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

On motion of Senator HUTTO, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Stephens, Jackson, Gustafson, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

The Senate proceeded to a consideration of the Resolution.

The Committee on Labor, Commerce and Industry proposed the following amendment (533R001.KMM.TD), which was adopted:

Amend the joint resolution, as and if amended, on page 1, line 42, by inserting an appropriately numbered new SECTION:

/SECTION __. (A) Beginning on January 1, 2022, and annually thereafter, the Department of Disabilities and Special Needs shall submit a report to the General Assembly concerning the payment of subminimum wage in South Carolina. The report shall identify all providers in this State that maintain a Section 14(c) certificate, identify which of those providers pay subminimum wage, identify which of those providers used to pay subminimum wage but have stopped that practice, and identify which of those providers that stopped paying subminimum wage did so due to an increase in the federal minimum wage. /

Renumber sections to conform.

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Amend title to conform.

Senator DAVIS explained the amendment.

Senator GUSTAFSON spoke on the Resolution.

The amendment was adopted.

Senator DAVIS proposed the following amendment (533R003.SP.TD), which was adopted:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. (A) For the purposes of this SECTION:

(1) “Competitive employment” means employment in a competitive labor market that is performed on a full or part-time basis in an integrated setting and for which an individual is compensated at or above the minimum wage but not less than the customary wage and level of benefits paid by the employer for comparable work performed by an individual without a disability.

(2) “Disability” means a physical or mental impairment that substantially limits one or more of an individual’s major life activities, or a record of a physical or mental impairment, of being regarded as impaired, or of any condition that would be considered a disability under the Americans with Disabilities Act.

(3) “Integrated setting” means an employment setting in which individuals with disabilities interact with individuals without disabilities, with the exception of those who are providing services to employees with disabilities, to the same extent that individuals without disabilities in comparable positions interact with other persons.

(4) “Task force” means the South Carolina Task Force on Eliminating the Subminimum Wage.

(B) The South Carolina Task Force on Eliminating the Subminimum Wage shall be comprised of the following:

(1) one member from Disability Rights South Carolina;

(2) one member from the South Carolina Developmental Disabilities Council;

(3) one member from Able SC;

(4) one member from the South Carolina University Center for Excellence in Developmental Disabilities;

(5) two members who are currently authorized to pay a subminimum wage;

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(6) two members who are current or former employees with a disability who are or were paid a subminimum wage;

(7) the Director of the South Carolina Department of Employment and Workforce, or his designee;

(8) the Director of the South Carolina Department of Health and Human Services, or his designee;

(9) the Director of the South Carolina Department of Disabilities and Special Needs, or his designee;

(10) the Director of the South Carolina Vocational Rehabilitation Department, or his designee; and

(11) the Director of the South Carolina Commission for the Blind, or his designee.

(C) The task force shall be responsible for the following duties:

(1) developing a plan to phase out the use of the subminimum wage by August 1, 2024;

(2) identifying and developing protections for disabled subminimum wage employees to maintain competitive employment while phasing out the use of the subminimum wage;

(3) identifying and collaborating with employees, employers, organizations, agencies, and stakeholders impacted by the phase out of the subminimum wage on how to implement the plan and create sustainable, competitive work opportunities for employees with disabilities;

(4) proposing a plan to establish and evaluate benchmarks for measuring progress for each year of the phase out;

(5) proposing a plan to monitor and track the outcomes of employees with disabilities;

(6) identifying initiatives, investment, training, and services designed to improve wages, reduce unemployment rates, and provide support and sustainable work opportunities for persons with disabilities;

(7) identifying and making recommendations for sustainable support, funding, and resources for eliminating the subminimum wage, including the cost of implementing and providing ongoing employment services, training, and support for employees with disabilities and the cost of paying a minimum wage or more to employees with disabilities in integrated settings;

(8) ensuring that the plan protects the rights of persons with disabilities and follows Americans with Disabilities Act protections for employees and prospective employees with disabilities; and

(9) reporting on or before August first of each year until the subminimum wage has been phased out to the Governor and the General

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Assembly on the benchmarks and results of the outcomes described in the above duties.

(D) The task force may utilize the staff of the South Carolina Senate and House of Representatives for clerical or related assistance, as approved and designated by the President of the Senate and the Speaker of the House of Representatives, as appropriate. The task force members may not receive compensation and are not entitled to receive mileage, subsistence, or per diem as provided by law for members of boards and commissions. /

Amend the bill further, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. This joint resolution takes effect on August 1, 2024./

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

There being no further amendments, the Resolution, as amended, was read the second time, passed and ordered to a third reading.

Motion Under Rule 26B

Senator YOUNG asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

POINT OF ORDER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING

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ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 728 -- Senator Rice: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SC 135 (NORTH A STREET) FROM S-183 (NE MAIN STREET) TO ITS INTERSECTION WITH S-221 (FLEETWOOD DRIVE/OLIVE STREET) IN THE TOWN OF EASLEY AND

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PICKENS COUNTY "PROFESSOR JOHN T. SIMPSON MEMORIAL DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

H. 3436 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF MARK ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH BLACK BRANCH ROAD TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 "REVEREND JOHN L. BRYANT, JR. HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Motion to Ratify Adopted

At 5:28 P.M., Senator ALEXANDER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

2nd Congressional District:

Tracie Quick, 1125 Sam Bradshaw Road, Irmo, SC 29063-9057 *VICE*
Ginger Macaulay

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On motion of Senator CLIMER, the question was confirmation of Tracie Quick.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Tracie Quick was confirmed.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

County Council:

Deloris Mungo, 379 Hollywood Rd., Columbia, SC 29212-8400 *VICE*
Rebecca L. Shealy

On motion of Senator CLIMER, the question was confirmation of Deloris Mungo.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Deloris Mungo was confirmed.

Reappointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

Veterinarian - At Large:

Elizabeth M. Fuller, 1236 Sunset Dr., Charleston, SC 29407

On motion of Senator CLIMER, the question was confirmation of Elizabeth M. Fuller.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Elizabeth M. Fuller was confirmed.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2021, and to expire April 6, 2027

1st Congressional District:

LaDon S. Wallis, 886 Hunt Club Run, Charleston, SC 29414-9111
VICE vacant

On motion of Senator CLIMER, the question was confirmation of LaDon S. Wallis.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of LaDon S. Wallis was confirmed.

Initial Appointment, Chief Resilience Officer, with term coterminous with Governor

Benjamin I Duncan II, 205 Running Fox Rd., Columbia, SC 29223-3022

On motion of Senator CLIMER, the question was confirmation of Benjamin I Duncan II.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen

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McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Benjamin I Duncan II was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Cosmetology, with the term to commence March 20, 2021, and to expire March 20, 2025

Cosmetologist:

Ashley Tucker-Johnson, 208 Alice Farr Drive, Greenville, SC 29617-1506 *VICE* Vacant

On motion of Senator ALEXANDER, the question was confirmation of Ashley Tucker-Johnson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen

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McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Ashley Tucker-Johnson was confirmed.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2021, and to expire June 30, 2025

2nd Congressional District:

Earl McLeod, 317 Country Lake Court, Lexington, SC 29072 *VICE*
Walter D. Spruill

On motion of Senator ALEXANDER, the question was confirmation of Earl McLeod.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens

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Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Earl McLeod was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2017, and to expire March 21, 2022

4th Congressional District:

Bobby H. Mann, 140 Hammond Dr., Taylors, SC 29687-6923 *VICE*
Sharon L. Wilson

On motion of Senator VERDIN, the question was confirmation of Bobby H. Mann.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--40

NAYS

Total--0

ABSTAIN

Garrett

Total--1

The appointment of Bobby H. Mann was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Educator on the faculty of a college or university, specializing in the field of dietetics:

Elizabeth Weikle, 2138 Cavendale Drive, Rock Hill, SC 29732-8303
VICE vacant

On motion of Senator VERDIN, the question was confirmation of Elizabeth Weikle.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams
Bennett
Climer
Davis
Garrett
Harpootlian
Johnson, Kevin
Loftis
Massey
McLeod

Alexander
Campsen
Corbin
Fanning
Goldfinch
Hembree
Kimbrell
Malloy
Matthews
Peeler

Allen
Cash
Cromer
Gambrell
Gustafson
Jackson
Kimpson
Martin
McElveen
Rankin

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Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The appointment of Elizabeth Weikle was confirmed.

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2019, and to expire June 30, 2023

6th Congressional District:

Morris E. Brown III, 300 Charles Street, Lake City, SC 29560-2138
VICE Alex Albert Singleton

On motion of Senator VERDIN, the question was confirmation of Morris E. Brown III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 0; Abstain 7

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Gambrell
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--34

2056

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NAYS

Total--0

ABSTAIN

Allen	Campsen	Davis
Garrett	Goldfinch	Setzler
Young		

Total--7

The appointment of Morris E. Brown III was confirmed.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2019, and to expire March 21, 2024

1st Congressional District:

Elliott E. Levy, 846 Seafarer Way, Charleston, SC 29412-4918 *VICE*
vacant

On motion of Senator VERDIN, the question was confirmation of Elliott E. Levy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

2057

WEDNESDAY, APRIL 7, 2021

NAYS

Total--0

ABSTAIN

Garrett

Total--1

The appointment of Elliott E. Levy was confirmed.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Dietician, Nutritional Services Management:

Valerie L. Meador, 6 South Hillcrest St., Liberty, SC 29657-1016
VICE Ann F. Childers

On motion of Senator VERDIN, the question was confirmation of Valerie L. Meador.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
Johnson, Kevin	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

WEDNESDAY, APRIL 7, 2021

NAYS

Total--0

The appointment of Valerie L. Meador was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Tom Farrell of Richmond, VA. Tom was the CEO who led Dominion Energy for over a decade. He graduated from the University of Virginia. He spent 15 years practicing law before joining Dominion. Tom served on the board of the Virginia Museum of Fine Arts, Altria Group, Inc. and served as a rector and board member of the University of Virginia. He was known for his philanthropy, civic and corporate leadership. Tom was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ADAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Douglas A. Burbage of Summerville, S.C. Doug was a graduate of James Island High School and attended the College of Charleston. He was an accomplished historic military drummer and re-enactor with the Palmetto Battalion and the 10th South Carolina infantry. Doug loved NASCAR, history and country music. Doug was a loving father who will be dearly missed.

ADJOURNMENT

At 5:57 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 8, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

II Chronicles 9:22

In the Old Testament we read: "Thus King Solomon excelled all the kings of the earth in riches and in wisdom."

Bow in prayer with me, please: At every turn, dear God, it is apparent that not a single one of us has all the answers. And we might indeed want to think that we really are the very brightest person on planet Earth, that our wisdom exceeds that of anyone around us, as was the case allegedly with King Solomon. Yet reality reminds us of the truth: that our knowledge, our insights, our understanding is frequently limited, and likely only partial at best. So it is, Lord, that here in this Senate we know that it is always helpful to learn from one another, to labor openly in concert with others who also seek the common good, and thereby to accomplish what really is best for the people of our State. May this always be the goal and practice for everyone here in this Senate, O Lord. So we pray in Your loving name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:05 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Fanning
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	<i>Johnson, Michael</i>

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Martin	Massey	McElveen
Peeler	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

Initial Appointment, South Carolina State Board of Barber Examiners, with the term to commence June 30, 2019, and to expire June 30, 2023
Master Hair Care Specialist:
Melissa Jones-Horton, 338 Clearwater Drive, Lancaster, SC 29720-7524

Referred to the Committee on Labor, Commerce and Industry.

Doctor of the Day

Senator DAVIS introduced Dr. James Gigante of Hilton Head, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SABB, at 12:05 P.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator SABB, at 3:10 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CORBIN, at 3:51 P.M., Senator LOFTIS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CAMPSSEN, at 4:56 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

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Leave of Absence

On motion of Senator TALLEY, at 4:56 P.M., Senator MARTIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator WILLIAMS, at 4:56 P.M., Senator STEPHENS was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator CLIMER rose for an Expression of Personal Interest.

Remarks by Senator CLIMER

Five lives were cut short yesterday in a tragic shooting incident. A man took the lives of Robert and Barbara Lesslie, who were long-time family friends of mine, and the lives of two of their grandchildren, Noah and Adah, who were five and nine -- a fifth gentleman from Gastonia, James Lewis, and the sixth is hanging on to life by a thread. The Lesslies are an incredible family. Robert was an emergency room doctor at Riverview. It is one of the first urgent care facilities in our part of the State. I have been stitched up there a lot of times. He was an incredibly gracious, fun -- a renaissance man. He was teaching young Noah to play the bagpipes. Barbara has been in the church choir in Rock Hill forever -- a beautiful voice, a lovely entertainer. She and another group of ladies for years have entertained their friends and family at various gatherings in an impromptu show; they call themselves the Schizophrenics. They were delightful people. They were cut down yesterday by an obviously troubled man and our community is grieving. Friends and family are grieving. I would ask that we rise for a moment of silence in honor of the Lesslies and that great loss, and that we adjourn at the next available day in their memory.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator CLIMER were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 141 Sen. Cash
S. 379 Sens. Campsen and Fanning
S. 464 Sens. Davis, K. Johnson, Cromer and Turner
S. 614 Sen. Martin
S. 730 Sen. Kimbrell

THURSDAY, APRIL 8, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

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S. 743 -- Senators Alexander, Shealy, Peeler, Hutto, Verdin, Massey and Scott: A BILL TO AMEND SECTION 1-30-35 OF THE 1976 CODE, RELATING TO THE COMPOSITION AND GOVERNANCE OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY A DIRECTOR WHO IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 44-3-210 OF THE 1976 CODE, RELATING TO THE CREATION OF THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS, TO ELIMINATE THE COMMISSION AS THE GOVERNING BODY OF THE DEPARTMENT AND TO REENACT THE ESTABLISHMENT OF THE DEPARTMENT AND ITS POWERS AND DUTIES; TO AMEND SECTION 44-3-220 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE COMMISSION, TO ELIMINATE THE POWERS AND DUTIES OF THE COMMISSION, TO PROVIDE THAT THE DEPARTMENT FALLS WITHIN THE GOVERNOR'S CABINET, AND TO PROVIDE THAT THE DEPARTMENT'S ADMINISTRATIVE HEAD IS A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO AMEND SECTION 44-3-230 OF THE 1976 CODE, RELATING TO THE POWERS AND DUTIES OF THE DIRECTOR, TO TRANSFER POWERS AND DUTIES VESTED IN THE COMMISSION TO THE DIRECTOR; TO AMEND SECTION 44-3-240 OF THE 1976 CODE, RELATING TO THE CREATION OF THE DEPARTMENT, TO TRANSFER FROM THE COMMISSION TO THE DEPARTMENT THE AUTHORITY TO PROMULGATE REGULATIONS; TO AMEND SECTION 44-20-320 OF THE 1976 CODE, RELATING TO POLICIES AND REGULATIONS RELATING TO THE ACCEPTANCE OF GIFTS BY THE DEPARTMENT, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 44-20-350 OF THE 1976 CODE, RELATING TO REIMBURSEMENT TO THE STATE FOR ITS FISCAL OUTLAY ON BEHALF OF THE DEPARTMENT, TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 744 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND

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SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 745 -- Senator Gustafson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3096 -- Reps. B. Cox, Magnuson, Burns, Forrest, Morgan, Haddon, Jones, McCabe, McCravy, Elliott, G. R. Smith, Taylor, Oremus, Trantham, May, Kimmons, Chumley, Long, Stringer, Wooten, McGarry, Fry, V. S. Moss, Hill, Thayer, Caskey, Nutt, T. Moore, Ligon, Hardee, Yow, Hixon, Huggins, Crawford, Willis, Hiott, White, M. M. Smith, Hyde, Martin, Dabney, Gagnon, D. C. Moss, Bailey and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CONSTITUTIONAL CARRY ACT OF 2021"; TO AMEND SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING OF A FIREARM, SO AS TO DELETE THE TERM "CONCEALABLE WEAPONS PERMIT" AND REPLACE IT WITH THE TERM "FIREARM"; TO AMEND SECTION 16-23-20, RELATING TO THE UNLAWFUL CARRYING OF A HANDGUN, SO AS TO REVISE THE LOCATIONS AND CIRCUMSTANCES WHERE CARRYING A HANDGUN IS LEGAL; TO AMEND SECTION 16-23-50, RELATING TO PENALTIES ASSOCIATED WITH VIOLATING CERTAIN HANDGUN LAWS, SO AS TO PROVIDE THAT THE PENALTIES DO NOT APPLY TO A PERSON CARRYING A CONCEALABLE WEAPON ONTO A PREMISE THAT DISPLAYS A SIGN THAT PROHIBITS THE CARRYING OF A CONCEALABLE WEAPON; TO AMEND SECTIONS 16-23-420

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AND 16-23-430, BOTH RELATING TO THE POSSESSION OF A FIREARM ON SCHOOL PROPERTY, SO AS TO DELETE REFERENCES TO CONCEALED WEAPON PERMITS, TO DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM", AND TO PROVIDE THAT BOTH SECTIONS DO NOT APPLY TO A PERSON WHO LAWFULLY IS CARRYING A WEAPON SECURED IN A MOTOR VEHICLE; TO AMEND SECTION 16-23-465, RELATING TO PENALTIES FOR CARRYING A FIREARM INTO A BUSINESS THAT SELLS ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO A PERSON WHO VIOLATES CERTAIN OFFENSES, AND TO PROVIDE ADDITIONAL CIRCUMSTANCES WHEN IT DOES APPLY TO CERTAIN OFFENSES; TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF A CONCEALED WEAPON PERMIT, SO AS TO DELETE THE PROVISION THAT REQUIRES A PERMIT HOLDER TO POSSESS HIS PERMIT IDENTIFICATION WHEN CARRYING A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT LISTS THE PLACES UPON WHICH A PERSON MAY NOT CARRY A CONCEALABLE WEAPON, TO REVISE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO CARRY A CONCEALABLE WEAPON WITHOUT A PERMIT, AND REVISE THE PENALTIES THAT MAY BE IMPOSED PURSUANT TO THIS SECTION; TO AMEND SECTION 23-31-220, RELATING TO A PROPERTY OWNER'S RIGHT TO ALLOW A HOLDER OF A CONCEALED WEAPONS PERMIT TO CARRY A WEAPON ONTO HIS PROPERTY, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THIS PROVISION REGULATES BOTH PERSONS WHO POSSESS AND DO NOT POSSESS A CONCEALABLE WEAPONS PERMIT, AND TO PROVIDE THIS PROVISION APPLIES TO A PERSON WHO KNOWINGLY BRINGS A CONCEALABLE WEAPON ONTO A PREMISE OR WORKPLACE; TO AMEND SECTION 23-31-235, RELATING TO THE POSTING OF SIGNS THAT PROHIBIT THE CARRYING OF CONCEALABLE WEAPONS ONTO A PREMISE, SO AS TO PROVIDE THE SIGNAGE PROHIBITS BOTH PERMIT HOLDERS AND NON-PERMIT HOLDERS FROM CARRYING A WEAPON ONTO THE PREMISE; AND TO REPEAL SECTIONS 16-23-460, 23-31-225, AND 23-31-230 RELATING TO UNLAWFULLY CARRYING A CONCEALED DEADLY WEAPON, AND

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CARRYING A CONCEALABLE WEAPON FROM A MOTOR VEHICLE TO CERTAIN RENTAL DWELLINGS.

Read the first time and referred to the Committee on Judiciary.

H. 3164 -- Reps. McCravy, V. S. Moss, Haddon, Long, McCabe, Trantham, Oremus, McGarry, Burns and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-105 SO AS TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR, PUBLIC SCHOOL DISTRICTS SHALL MAKE ADVANCED PLACEMENT TESTING AND CERTAIN OTHER TESTING AVAILABLE TO HOME SCHOOL STUDENTS RESIDING IN THE DISTRICT IF THE TESTS ARE MADE AVAILABLE TO STUDENTS ATTENDING PUBLIC SCHOOLS IN THE DISTRICTS, AND TO PROVIDE RELATED DUTIES OF SCHOOL BOARDS AND THE STATE DEPARTMENT OF EDUCATION.

Read the first time and referred to the Committee on Education.

H. 3465 -- Reps. Gilliam, B. Newton, Atkinson, Long, McCravy, Forrest, Caskey, Felder, Matthews and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-42 SO AS TO PROVIDE A PERSON WHO HOLDS A PROFESSIONAL CERTIFICATE ISSUED BY THE SOUTH CAROLINA DEPARTMENT OF EDUCATION FOR TWENTY OR MORE YEARS AND WHO TEACHES IN THIS STATE FOR TWENTY OR MORE YEARS MAY RENEW ANNUALLY THE CERTIFICATE BY PARTICIPATING IN REQUIRED DISTRICT PROFESSIONAL DEVELOPMENT WITHOUT HAVING TO SATISFY ANY ADDITIONAL RENEWAL REQUIREMENTS, AND TO PROVIDE THESE PROVISIONS APPLY NOTWITHSTANDING THE PROVISIONS OF THE CERTIFICATE RENEWAL PLAN DEVELOPED BY THE OFFICE OF TEACHER CERTIFICATION OR ANOTHER PROVISION OF LAW.

Read the first time and referred to the Committee on Education.

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE

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DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3620 -- Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill, Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope, Stavrinakis, Thigpen, Wheeler, Bradley, Alexander, Kirby, Henegan, Pendarvis, Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter, R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter, Rose, Tedder, J. L. Johnson, Wetmore, Weeks, Matthews, Rivers, Anderson, Jefferson, Garvin, Hosey and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Read the first time and referred to the Committee on Judiciary.

H. 3681 -- Reps. Simrill, Rutherford, Bannister, West and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Read the first time and referred to the Committee on Medical Affairs.

H. 3786 -- Reps. G. M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO

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PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

Read the first time and referred to the Committee on Finance.

H. 3899 -- Reps. Elliott, G. R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

Read the first time and referred to the Committee on Finance.

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE

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EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

Read the first time and referred to the Committee on Finance.

H. 4168 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 12 THROUGH 16, 2021, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK."

The Concurrent Resolution was introduced and referred to the Committee on Education.

H. 4183 -- Reps. McCravy, W. Newton, Allison, Bailey, Ballentine, Bannister, Bennett, Bradley, Bryant, Burns, Caskey, Finlay, Gilliam, Haddon, Herbkersman, Hiott, Hyde, J. E. Johnson, Jones, Jordan, Kirby, Long, Magnuson, Martin, May, T. Moore, D. C. Moss, V. S. Moss, Nutt, G. M. Smith, G. R. Smith, Stringer, Trantham, West, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE THE LAST WEEK IN AUGUST 2021 AS "FAMILY WEEK" IN THE STATE OF SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO CELEBRATE FAMILY DURING "FAMILY WEEK."

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 41 -- Senator Grooms: A BILL TO AMEND SECTION 31-12-70(A)(16) OF THE 1976 CODE, RELATING TO THE POWERS OF REDEVELOPMENT AUTHORITIES, TO PROVIDE THAT CERTAIN REDEVELOPMENT FEES MAY BE USED FOR FINANCING, ACQUIRING, DEVELOPING, SUPPORTING, AND OPERATING CERTAIN MUSEUM PROJECTS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 635 -- Senator Setzler: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

Ordered for consideration tomorrow.

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Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST

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REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND

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IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

Ordered for consideration tomorrow.

Appointment Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointment

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2018, and to expire June 30, 2023

5th Congressional District:

Christy B. Rhyne, 2170 Westbrook Road, Edgemoor, SC 29712-6736

Received as information.

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3770 -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS FROM THE EMERGENCY RENTAL ASSISTANCE PROGRAM, AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, APRIL 8, 2021

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3925 -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO WAIVE CERTAIN PROVISIONS OF SECTION 59-63-100 OF THE 1976 CODE RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES FOR THE 2021-2022 AND 2022-2023 SCHOOL YEARS.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 8, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, APRIL 8, 2021

Message from the House

Columbia, S.C., April 7, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Very respectfully,

Speaker of the House

Received as information.

SENATE INSISTS ON THEIR AMENDMENTS

On motion of Senator GROOMS, the Senate insisted upon its amendments to H. 3011 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators BENNETT, McELVEEN and TURNER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 729 -- Senators Gustafson and McElveen: A BILL TO AMEND SECTIONS 1 AND 2 OF ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE

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MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD'S POWERS AND DUTIES; TO AMEND SECTION 3 OF ACT 868 OF 1954, RELATING TO THE BOARD'S POWERS AND DUTIES, TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.

On motion of Senator McELVEEN.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 28 -- Senators Hutto, K. Johnson, Climer, McLeod and Stephens:
A BILL TO AMEND SECTION 56-1-286 OF THE 1976 CODE, RELATING TO THE SUSPENSION OF A LICENSE OR PERMIT OR DENIAL OF ISSUANCE OF A LICENSE OR PERMIT TO PERSONS UNDER THE AGE OF TWENTY-ONE WHO DRIVE MOTOR VEHICLES AND HAVE A CERTAIN AMOUNT OF ALCOHOL CONCENTRATION, TO ALLOW A PERSON UNDER THE AGE OF TWENTY-ONE WHO IS SERVING A SUSPENSION OR DENIAL OF A LICENSE OR PERMIT TO ENROLL IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-385(A) OF THE 1976 CODE, RELATING TO THE REINSTATEMENT OF A PERMANENTLY REVOKED DRIVER'S LICENSE, TO LIMIT ITS APPLICATION TO OFFENSES OCCURRING PRIOR TO OCTOBER 1, 2014; TO AMEND SECTION 56-1-400 OF THE 1976 CODE, RELATING TO THE SURRENDER OF A LICENSE AND ENDORSING SUSPENSION AND IGNITION INTERLOCK DEVICE ON A LICENSE, TO REMOVE THE REQUIREMENT THAT A PERSON SEEKING TO HAVE A LICENSE ISSUED MUST FIRST PROVIDE PROOF THAT ANY FINE OWED HAS BEEN PAID, AND TO INCLUDE A REFERENCE

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TO THE HABITUAL OFFENDER STATUTE; TO AMEND SECTION 56-1-1090(A) OF THE 1976 CODE, RELATING TO REQUESTS FOR RESTORATION OF THE PRIVILEGE TO OPERATE A MOTOR VEHICLE, TO ALLOW A PERSON CLASSIFIED AS A HABITUAL OFFENDER TO OBTAIN A DRIVER'S LICENSE WITH AN INTERLOCK RESTRICTION IF HE PARTICIPATES IN THE IGNITION INTERLOCK DEVICE PROGRAM; TO AMEND SECTION 56-1-1320(A) OF THE 1976 CODE, RELATING TO PROVISIONAL DRIVERS' LICENSES, TO ELIMINATE PROVISIONAL LICENSES FOR FIRST OFFENSE DRIVING UNDER THE INFLUENCE UNLESS THE OFFENSE OCCURRED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 56-1-1340 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF LICENSES AND CONVICTIONS TO BE RECORDED, TO CONFORM INTERNAL STATUTORY REFERENCES; TO AMEND SECTION 56-5-2941 OF THE 1976 CODE, RELATING TO IGNITION INTERLOCK DEVICES, TO INCLUDE A REFERENCE TO THE HABITUAL OFFENDER STATUTE, REMOVE EXCEPTIONS TO IGNITION INTERLOCK DEVICES FOR OFFENDERS WHO ARE NONRESIDENTS AND FIRST-TIME OFFENDERS OF DRIVING UNDER THE INFLUENCE WHO DID NOT REFUSE TO SUBMIT TO CHEMICAL TESTS AND HAD AN ALCOHOL CONCENTRATION OF FIFTEEN ONE-HUNDREDTHS OF ONE PERCENT OR MORE, REQUIRE DEVICE MANUFACTURERS PAY CERTIFICATION FEES ASSOCIATED WITH IGNITION INTERLOCK DEVICES, PERMIT THOSE DRIVERS WITH PERMANENTLY REVOKED LICENSES AFTER OCTOBER 2014 TO SEEK RELIEF AFTER FIVE YEARS, AND MAKE THE RECORDS OF THE IGNITION INTERLOCK DEVICES THE RECORDS OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES; TO AMEND SECTION 56-5-2951 OF THE 1976 CODE, RELATING TO TEMPORARY ALCOHOL LICENSES, TO REQUIRE AN IGNITION INTERLOCK DEVICE RESTRICTION ON A TEMPORARY ALCOHOL LICENSE AND TO DELETE PROVISIONS RELATING TO ROUTE-RESTRICTED LICENSES; AND TO AMEND SECTION 56-5-2990 OF THE 1976 CODE, RELATING TO SUSPENSION OF A CONVICTED PERSON'S DRIVER'S LICENSE AND THE PERIOD OF SUSPENSION, TO REQUIRE AN IGNITION INTERLOCK

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DEVICE IF A FIRST-TIME OFFENDER OF DRIVING UNDER THE INFLUENCE SEEKS TO END A SUSPENSION.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (JUD0028.005), which was adopted:

Amend the bill, as and if amended, page 27, by striking line 1 through line 40, in Section 56-5-2951(B), as contained in SECTION 8, and inserting therein the following:

/ ~~(H)~~(c) obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, ~~Twenty-five~~ dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while ~~the~~ remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure. The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, the person can obtain a temporary alcohol license without an ignition interlock restriction.

(3) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the

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remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c).

(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

Senator MALLOY proposed the following amendment (JUD0028.006), which was tabled:

Amend the bill, as and if amended, page 27, by striking line 1 through line 40, in Section 56-5-2951(B), as contained in SECTION 8, and inserting therein the following:

/ ~~(1)(c)~~ obtain a temporary alcohol license with an ignition interlock device restriction pursuant to Section 56-1-400 from the Department of Motor Vehicles. A one hundred dollar fee must be assessed for obtaining a temporary alcohol license and such fee must be held in trust by the Department of Motor Vehicles until final disposition of any contested case hearing. Should the temporary suspension provided for in this subsection be upheld during the contested case hearing, ~~Twenty-five~~ twenty-five dollars of the fee must be distributed by the Department of Motor Vehicles to the Department of Public Safety for supplying and maintaining all necessary vehicle videotaping equipment, while ~~The~~ remaining seventy-five dollars must be placed by the Comptroller General into the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167. The temporary alcohol license allows the person to drive without any restrictive conditions pending the outcome of the contested case hearing provided for in subsection (F), this section or the final decision or disposition of the matter. If the suspension is upheld at the contested case hearing, the temporary alcohol license remains in effect until the Office

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of Motor Vehicle Hearings issues the hearing officer's decision and the Department of Motor Vehicles sends notice to the person that the person is eligible to receive a restricted license pursuant to subsection (H); and

(2) request a contested case hearing before the Office of Motor Vehicle Hearings in accordance with the Office of Motor Vehicle Hearings' rules of procedure. The ignition interlock restriction must be maintained on the temporary alcohol license for three months. If the contested case hearing has not reached a final disposition by the time the ignition interlock restriction has been removed, the person can obtain a temporary alcohol license without an ignition interlock restriction.

(3) At the contested case hearing, if:

(a) the suspension is upheld, the person's driver's license, permit, or nonresident operating privilege must be suspended or the person must be denied the issuance of a license or permit for the remainder of the suspension period provided for in subsection (I). Within thirty days of the issuance of the notice that the suspension has been upheld, the person shall enroll in an Alcohol and Drug Safety Action Program pursuant to Section 56-5-2990;

(b) the suspension is overturned, the person must have the person's driver's license, permit, or nonresident operating privilege reinstated and the person must be reimbursed by the Department of Motor Vehicles in the amount of the fees provided for in subsection (B)(1)(c). Should the suspension be overturned against a person whose fees have been paid from the Ignition Interlock Device Fund after a determination of indigency, as provided for in Section 56-5-2941(F), then such funds shall be returned to the Ignition Interlock Device Fund upon said disposition.

(4) The provisions of this subsection do not affect the trial for a violation of Section 56-5-2930, 56-5-2933, or 56-5-2945. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HUTTO spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 14

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Gambrell	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Massey	McLeod
Peeler	Rankin	Rice
Sabb	Setzler	Shealy
Stephens	Young	

Total--29

NAYS

Allen	Campsen	Davis
Fanning	Garrett	Gustafson
Malloy	Martin	McElveen
Scott	Talley	Turner
Verdin	Williams	

Total--14

The amendment was laid on the table.

Senators MALLOY proposed the following amendment (JUD0028.007), which was withdrawn:

Amend the bill, as and if amended, page 27, line 20, by inserting an appropriately-numbered subsection in Section 56-5-2951(B)(1), as contained in SECTION 8, to read:

/ (d) All fees collected pursuant to Section 56-1-400(C) and Section 56-5-2941(G) must be held in trust by the appropriate collecting department until the final disposition of any contested case hearing pursuant to this section. Should the temporary suspension provided for in this subsection be upheld, then the fees held in trust must be disbursed according to the provisions of Section 56-1-400(C) and Section 56-5-2941(G). Should the temporary suspension provided for in this

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subsection be overturned, then the fees held in trust must be returned to the individual from whom they were collected. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senators MALLOY proposed the following amendment (JUD0028.008), which was adopted:

Amend the bill, as and if amended, beginning on page 32, by striking lines 26 through 43 on page 32 and by striking lines 1 through 14 on page 33, in Section 56-5-2951, as contained in SECTION 8, and inserting therein the following:

/ (P) ~~If a person does not request a contested case hearing within the thirty day period as authorized pursuant to this section, the person may file with the department a form after enrolling in a certified Alcohol and Drug Safety Action Program to apply for a restricted license. The restricted license permits him to drive only to and from work and his place of education and in the course of his employment or education during the period of suspension. The restricted license also permits him to drive to and from Alcohol and Drug Safety Action Program classes or a court ordered drug program. The department may issue the restricted license at any time following the suspension upon a showing by the individual that he is employed or enrolled in a college or university, that he lives further than one mile from his place of employment, place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court ordered drug program, and that there is no adequate public transportation between his residence and his place of employment, his place of education, the location of his Alcohol and Drug Safety Action Program classes, or the location of his court ordered drug program. The department must designate reasonable restrictions on the times during which and routes on which the individual may drive a motor vehicle. A change in the employment hours, place of employment, status as a student, status of attendance of Alcohol and Drug Safety Action Program classes, status of his court ordered drug program, or residence must be reported immediately to the department by the licensee. The route restrictions, requirements, and fees imposed by the department for the issuance of the restricted license issued pursuant to this item are the same as those provided in this section had the person requested a contested case hearing. A restricted license is valid until the person successfully~~

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~~completes a certified Alcohol and Drug Safety Action Program, unless the person fails to complete or make satisfactory progress to complete the program. Nothing in this section shall prevent the prosecuting authority from waiving or dismissing the charge."~~ /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Malloy

Total--1

There being no further amendments, the Bill, as amended, was read the third time, passed and sent to the House.

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**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 351 -- Senators McLeod and Malloy: A BILL TO AMEND SECTION 24-3-180 OF THE 1976 CODE, RELATING TO PROVIDING TRANSPORTATION AND CLOTHES TO A DISCHARGED INMATE, TO PROVIDE THAT THE INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT THE INMATE IS ELIGIBLE TO REGISTER TO VOTE AND INSTRUCTIONS CONCERNING HOW TO REGISTER TO VOTE; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 24 OF THE 1976 CODE, RELATING TO PRISONERS GENERALLY, BY ADDING SECTION 24-13-190, TO PROVIDE THAT AN INMATE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PROBATION, BY ADDING SECTION 24-21-495, TO PROVIDE THAT A PERSON'S PROBATION AGENT MUST PROVIDE HIM WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 24 OF THE 1976 CODE, RELATING TO PAROLE, BY ADDING SECTION 24-21-720, TO PROVIDE THAT A PAROLEE MUST BE PROVIDED WITH WRITTEN NOTICE THAT HE MAY REGISTER TO VOTE AND INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE AT THE COMPLETION OF HIS SENTENCE; TO AMEND SECTION 24-21-930 OF THE 1976 CODE, RELATING TO THE RESTORATION OF CIVIL RIGHTS UPON RECEIVING A PARDON, TO REQUIRE THAT A PARDON ORDER SHALL EXPLICITLY STATE THAT THE RESTORATION OF CIVIL RIGHTS INCLUDES THE RIGHT TO VOTE AND THAT THE PARDONED PERSON IS PROVIDED WITH INSTRUCTIONS ABOUT HOW TO REGISTER TO VOTE.

The Senate proceeded to a consideration of the Bill.

Senators HUTTO and HEMBREE proposed the following amendment (351R004.KMM.CBH), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 20 and inserting:

/probation and parole, then /

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Amend the bill further, as and if amended, on page 2, by striking lines 31-32 and inserting:

/sentence, including probation and parole, then a detention facility, as defined by Section /

Amend the bill further, as and if amended, on page 2, by striking lines 42-43 and inserting:

/all terms of his sentence, then the probation agent must provide a written notice /

Amend the bill further, as and if amended, on page 3, by striking lines 27-32 and inserting:

/sentence, including probation and parole time unless sooner pardoned.

(C) A person formerly disqualified from being registered to vote or from voting pursuant to subsection (B)(3) must provide verification at the time of registration that he has served his disqualifying sentence, including probation and parole time.” /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 232 -- Senator Turner: A BILL TO AMEND ARTICLE 11, CHAPTER 31, TITLE 33 OF THE 1976 CODE, RELATING TO MERGERS UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, BY ADDING SUBARTICLE B, TO PROVIDE FOR THE CONVERSION OF A NONPROFIT CORPORATION TO A LIMITED LIABILITY COMPANY, REQUIREMENTS FOR A PLAN OF CONVERSION, AND THE EFFECT OF CONVERSION; AND TO AMEND SECTION 33-31-1101 OF THE 1976 CODE, RELATING TO THE APPROVAL OF A PLAN OF MERGER UNDER THE SOUTH CAROLINA NONPROFIT CORPORATION ACT, SECTION 33-31-1102 OF THE 1976 CODE, RELATING TO LIMITATIONS ON MERGERS BY PUBLIC BENEFIT OR RELIGIOUS CORPORATIONS, AND SECTION 33-11-101 OF THE 1976 CODE, RELATING TO MERGERS FOR CORPORATIONS, PARTNERSHIPS, AND ASSOCIATIONS, AND TO MAKE CONFORMING CHANGES.

S. 623 -- Senator Gambrell: A BILL TO AMEND SECTION 38-73-910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PREMIUM RATE INCREASE REQUIREMENTS FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO PROVIDE THAT A RATE INCREASE MAY NOT BE IMPLEMENTED UNTIL THE ONSET OF A NEW POLICY PERIOD, TO REQUIRE APPROVAL BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE FOR CERTAIN RATE INCREASES, AND TO

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REMOVE LANGUAGE REQUIRING THE SUBMISSION OF A REPORT BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE.

S. 500 -- Senators Scott, Loftis, Kimbrell, Allen and Stephens: A BILL TO AMEND SECTION 40-3-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS AND ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO REVISE AN EXEMPTION FOR PLANS AND SPECIFICATIONS FOR CERTAIN DWELLINGS.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 29 -- Senators Hutto and McElveen: A BILL TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-107, TO PROVIDE THAT OWNERS OF WATERCRAFT OF MORE THAN FIFTY HORSEPOWER MUST CARRY LIABILITY INSURANCE OF AT LEAST FIFTY THOUSAND DOLLARS OF COVERAGE PER OCCURRENCE, TO PROVIDE PENALTIES, AND TO PROVIDE FOR THE COLLECTION OF FINES.

The Senate proceeded to a consideration of the Bill.

Senators CAMPSER and GOLDFINCH proposed the following amendment (29R003..GEC), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

“Section 50-21-107. (A) For the purposes of this section:

(1) ‘Acceptable electronic format’ means an electronic image produced on a person’s cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) ‘Proof of insurance’ shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation, available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty procraft that

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reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The presentment of proof of insurance in an acceptable electronic format does not:

- (a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or
- (b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy that meets the requirements of this section.

(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

(E)(1) If a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State and the watercraft, personal

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watercraft, or specialty propcraft is not insured as required by this section, then the owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senator CAMPSSEN proposed the following amendment (29R002..GEC), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

“Section 50-21-107. (A) For the purposes of this section:

(1) ‘Acceptable electronic format’ means an electronic image produced on a person’s cellular phone or other portable electronic device that displays all of the information in a policy declaration or other documentation as clearly as a paper policy declaration or other documentation.

(2) ‘Proof of insurance’ shall consist of a policy declaration page or other documentation, or a copy of a policy declaration page or other documentation, available in an acceptable electronic format that can be carried on a watercraft, personal watercraft, or specialty propcraft that reflects the watercraft, personal watercraft, or specialty propcraft coverage furnished to an insured by an insurance company. The

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presentment of proof of insurance in an acceptable electronic format does not:

(a) authorize a search of any other content of an electronic device without a search warrant or probable cause; or

(b) expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

(B) It shall be unlawful for the owner of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, that is titled in this State or is documented by the United States Coast Guard with a hailing port located in this State to allow the operation of the watercraft, personal watercraft, or specialty propcraft on the waters of this State unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration, and each applicant for a registration renewal, of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy that meets the requirements of this section.

(D) Insurance companies shall not be required to provide proof of insurance that may be conveniently carried if the insurance coverage is provided as part of a homeowner's insurance policy. Insurance companies are not required to notify the department of any lapse or cancellation in insurance coverage.

(E)(1) If a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State, then failure to present proof of insurance coverage that meets the requirements of this section creates a rebuttable presumption that the watercraft, personal watercraft, or specialty propcraft is uninsured.

(2) Upon a showing that liability coverage required by this section was in effect at the time of an accident, a judge may dismiss a charge imposed under this section, and the penalties may not be imposed. However, if the operator of a watercraft of more than fifty horsepower, or a personal watercraft or specialty propcraft, is involved in an accident on the waters of this State and the watercraft, personal watercraft, or specialty propcraft is not insured as required by this section, then the

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owner of the watercraft, personal watercraft, or specialty propcraft shall be deemed guilty of a misdemeanor.

(F) A person who violates the provisions of this section:

(1) for a first offense, must be fined not less than fifty dollars and not more than two hundred fifty dollars;

(2) for a second offense, must be fined not less than two hundred fifty dollars and not more than five hundred dollars; and

(3) for a third or subsequent offense, must be fined not less than five hundred dollars and not more than one thousand dollars, imprisoned for up to one year, or both.

(G) All fines collected pursuant to this section shall be deposited into the general fund and credited to the department for the purpose of establishing, maintaining, and operating a program for boater training and boater safety throughout the State.” /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator KIMBRELL proposed the following amendment (29R002.SP.JK), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 50-23-20 of the 1976 Code is amended to read:

“Section 50-23-20. Any watercraft ~~or~~ and outboard motor, ~~or both,~~ held or principally used in this State must be dually titled by the department. An owner of a watercraft ~~or~~ and outboard motor titled in this State must notify the department within thirty days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.”

SECTION __. Section 50-23-35 of the 1976 Code is amended to read:

“Section 50-23-35. (A) No dual title for a watercraft ~~or~~ and outboard motor may be issued by the department if currently titled in this State or titled or registered in another state unless it is accompanied by a receipt from the applicant's appropriate county official stating payment of ad valorem taxes due for the tax year in which the ownership was initiated has been paid. Applications submitted more than one year after ownership was initiated must be accompanied by paid tax receipts for all

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subsequent years up to the date the application was accepted by the department.

(B) A dual title for a watercraft ~~or~~ and outboard motor sold by a permitted marine dealer is exempt from the requirement for a paid tax receipt and may be titled by the department without the receipt indicating ad valorem taxes have been paid. The department must transmit daily a list of the titles and certificates of registration issued under this exemption to the respective county official for collection of ad valorem taxes.

(C) No receipt is required for a watercraft ~~or~~ and outboard motor designated as exempt from ad valorem taxes by the appropriate county official, provided that each county makes such a determination when a watercraft ~~or~~ and outboard motor is dually titled in their respective county.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator GOLDFINCH proposed the following amendment (29R001.SP.SLG), which was withdrawn:

Amend the bill, as and if amended, in SECTION 2, by striking Section 50-21-107(B) and (C) and inserting:

/ (B) It shall be unlawful for the owner of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, to allow the operation of the watercraft, personal watercraft, or specialty propcraft unless it is covered by a liability insurance policy that has been issued by an insurance company. The insurance policy must provide at least fifty thousand dollars of combined liability coverage for bodily injury to others, or the destruction of the property of others, resulting from any one occurrence.

(C) Each applicant for a watercraft title and registration and each applicant for a registration renewal of a watercraft of more than seventy horsepower, or a personal watercraft or specialty propcraft, shall certify to the department that the watercraft, personal watercraft, or specialty propcraft is covered by an insurance policy as required in subsection (B)./

Renumber sections to conform.

Amend title to conform.

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The amendment was withdrawn.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Malloy	Massey
McElveen	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Corbin	Grooms	Martin
Peeler		

Total--4

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 153 -- Senator Martin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CHANGE THE NAME OF

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THE SPARTANBURG HIGH SCHOOL VOTING PRECINCT TO THE MCCracken MIDDLE SCHOOL VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE SPARTANBURG COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 177 -- Senators Corbin, Rice, Loftis, Verdin, Martin, Garrett and Gustafson: A JOINT RESOLUTION TO PROVIDE THAT COVID-19 VACCINATIONS ARE PURELY VOLUNTARY, TO PROVIDE THAT AN EMPLOYER CANNOT TAKE AN ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION, AND TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CANNOT REQUIRE ISOLATION OR QUARANTINE FOR A PERSON WHO CHOOSES NOT TO UNDERGO A COVID-19 VACCINATION.

The Senate proceeded to a consideration of the Resolution.

Senator HUTTO proposed the following amendment (177R003.SP.CBH), which was adopted:

Amend the joint resolution, as and if amended, on page 1, by striking lines 32 through 39 and inserting:

/SECTION 2. Notwithstanding the provisions contained in SECTION 1, an employee or contractor working for an entity who is treating or caring for vulnerable populations may be required by that entity to undergo vaccination to prevent COVID-19. For the purposes of this SECTION, "vulnerable populations" includes a person over the age of sixty, or a person with an underlying medical condition identified by the Centers for Disease Control and Prevention as having a higher risk of complications related to COVID-19. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

Senator KIMPSON spoke on the Resolution.

The amendment was adopted.

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The question being third reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Rice
Shealy	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Allen	<i>Johnson, Kevin</i>	Kimpson
McLeod	Sabb	Scott
Stephens		

Total--7

There being no further amendments, the Resolution was read the third time, passed and ordered sent to the House.

Statement by Senator KIMPSON

I inadvertently voted for second reading of S. 177. Upon further consideration and review, I would have voted against giving S. 177 a second reading.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 379 -- Senators Cash, Kimbrell, Campsen and Fanning: A BILL TO AMEND CHAPTER 89, TITLE 44 OF THE 1976 CODE,

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RELATING TO THE BIRTHING CENTER LICENSURE ACT, BY ADDING ARTICLE 3, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL PROMULGATE REGULATIONS TO INTEGRATE BIRTHING CENTERS AND LICENSED MIDWIVES INTO PERINATAL CARE SERVICES, AND TO DEFINE NECESSARY TERMS.

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

S. 587 -- Senator Turner: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

S. 609 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

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**COMMITTEE AMENDMENT ADOPTED
READ THE THIRD TIME**

S. 644 -- Senator Scott: A BILL TO AMEND SECTION 11-35-5270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF SMALL AND MINORITY BUSINESS CONTRACTING AND CERTIFICATION IN THE DEPARTMENT OF ADMINISTRATION, SO AS TO TRANSFER THE DIVISION TO THE COMMISSION FOR MINORITY AFFAIRS; TO AMEND SECTION 1-11-10, AS AMENDED, RELATING TO THE COMPOSITION OF THE DEPARTMENT OF ADMINISTRATION, SO AS TO MAKE A CONFORMING CHANGE; TO PROVIDE VARIOUS NECESSARY PROVISIONS TO EFFECT THE TRANSFER; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (SA\644C001.BH.SA21), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, by striking line 30 through line 36 and inserting:

/ “Section 11-35-5270. The Division of Small and Minority Business Contracting and Certification must be established within the ~~Department of Administration~~ State Fiscal Accountability Authority to assist the ~~Department of Administration~~ State Fiscal Accountability Authority and the Department of Revenue in carrying out the intent of this article. The responsibilities of the division include, but are not limited to, the following: /

Amend further, by striking SECTION 3 and inserting:

/ SECTION 3. A. Where the provisions of this act transfer duties, programs, or services of the Department of Administration to the State Fiscal Accountability Authority, the employees, authorized appropriations, and assets and liabilities of these divisions, services, and programs also are transferred to and become part of the State Fiscal Accountability Authority. All classified or unclassified personnel employed by the divisions, programs, services, or initiatives transferred from the Department of Administration, either by contract or by employment at will, become on July 1, 2021, employees of the State Fiscal Accountability Authority with the same compensation, classification, and grade level, as applicable. Before the transfer of the applicable divisions, programs, services, or initiatives of the Department of Administration pursuant to this act, these agencies and organizations

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shall cause all necessary actions to be taken to accomplish this transfer in accordance with state and federal laws and regulations.

B. Applicable regulations promulgated by the Department of Administration are continued and are considered to be promulgated by the State Fiscal Accountability Authority. Applicable contracts entered into by the Department of Administration are continued and are considered to be devolved upon the State Fiscal Accountability Authority at the time of the transfer. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the Bill.

Senator SCOTT explained the amendment.

The amendment was adopted.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 19

AYES

Alexander	Allen	Cromer
Davis	Fanning	Gambrell
Garrett	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	McElveen
McLeod	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Williams	

Total--23

NAYS

Adams	Bennett	Campsen
Climer	Corbin	Goldfinch
Grooms	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Talley	Turner	Verdin
Young		

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Total--19

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 658 -- Senator Bennett: A BILL TO AMEND SECTION 1-11-710 OF THE 1976 CODE, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650 OF THE 1976 CODE, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS

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ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100(1) OF THE 1976 CODE, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110(3) OF THE 1976 CODE, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 OF THE 1976 CODE, RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

S. 675 -- Senators Kimbrell, Rice, Talley, Peeler, Gambrell, Turner, Alexander, Bennett, Garrett and Cash: A BILL TO AMEND SECTION 12-37-2460 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF TAX PROCEEDS, TO CREDIT THE PROCEEDS OF TAXES TO THE STATE AVIATION FUND; TO AMEND SECTION 55-5-280(B) OF THE 1976 CODE, RELATING TO THE STATE AVIATION FUND, TO PHASE IN THE CREDITING OF THE

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PROCEEDS; AND TO PROVIDE THAT A PORTION OF THE REVENUES COLLECTED MUST BE USED TO OBTAIN OR DEVELOP THROUGH THE SOUTH CAROLINA AERONAUTICS COMMISSION AN AIRPORT FACILITY IN A COUNTY WITHOUT AN AIRPORT FACILITY.

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE THIRD TIME**

S. 685 -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy Matthews and Jackson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 158, TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF AN ATHLETE'S NAME, IMAGE, OR LIKENESS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (685R001.KMM.GH), which was adopted:

Amend the bill, as and if amended, on page 3, by striking lines 9 through 11 and inserting:

/performance. Compensation may only be provided by a third party./

Amend the bill further, as and if amended, on page 3, by striking lines 33 through 39 and inserting:

/ (E) An intercollegiate athlete at an institution of higher learning may not use the institution of higher learning's facilities, uniforms provided by the institution of higher learning, or the institution of higher learning's intellectual property, including, but not limited to, the unauthorized use of a registered trademark or product protected by copyright, in connection with the use of the intercollegiate athlete's name, image, or likeness activities. /

Amend the bill further, as and if amended, on page 5, by striking line 7 and inserting:

/ tobacco, alcohol, illegal substances or activities, banned athletic substances, /

Amend the bill further, as and if amended, on page 5, line 37, by adding:

/ (D) An institution of higher learning may fund, through its athletic department, an independent, third-party administrator to support

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education, monitoring, disclosures, and reporting concerning name, image, or likeness activities authorized pursuant to this chapter. A third-party administrator can not be a registered athlete agent. An athlete agent is prohibited from having any affiliation with a third-party administrator. /

Amend the bill further, as and if amended, on page 6, by striking line 38 and inserting:

/SECTION 3. Section 59-102-70 of the 1976 Code is amended by adding:

“(C) The department may suspend, refuse to renew, or revoke a person’s registration if that person fails to complete at least twenty hours of continuing athlete agent education coursework biennially. The department may promulgate regulations necessary for the approval of credit hours.”

SECTION 4. Chapter 102, Title 59 of the 1976 Code is amended by adding:

“Section 59-102-85. The Department of Consumer Affairs shall maintain an online, public directory of all registered athlete agents in good standing. The directory shall include each athlete agent’s registration application information that is required pursuant to this chapter.”

SECTION 5. Section 59-102-90 of the 1976 Code is amended to read:

“Section 59-102-90. An application for registration or renewal of registration must be accompanied by a fee of:

(1) one thousand five hundred dollars for an initial application for registration;

(2) two thousand five hundred dollars for registration based on a certificate of registration issued by another state;

(3) ~~three~~ seven hundred dollars for an application for renewal of registration; or

(4) ~~three hundred~~ one thousand dollars for renewal of registration based on a renewal of registration in another state.”

SECTION 6. Section 59-102-100 of the 1976 Code is amended by adding:

“(H) An agency contract for name, image, or likeness activities, as defined in Chapter 158, Title 59, may not provide for athlete agent compensation that exceeds ten percent of the name, image, or likeness contract.”

SECTION 7. This act takes effect for each institution of higher learning in this State upon the earlier of July 1, 2022, or certification by

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the Attorney General to the Governor of the enactment of rules consistent with the provisions contained in this act by the institution of higher learning's collegiate governing body. Upon certification by the Attorney General, the provisions of this act are suspended until the General Assembly takes further action. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator ADAMS proposed the following amendment (685R006.SP.BA), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by striking Section 59-158-50 and inserting:

/ Section 59-158-50. An intercollegiate athlete participating in name, image, or likeness activities must abide by his institution of higher learning and its athletics department's policies with respect to missed class time and good academic standing. Good academic standing includes meeting both grade point average and course hour requirements. An intercollegiate athlete must also meet all academic requirements of the athletic association and conference that his institution of higher learning is a member of in order to participate in name, image, or likeness activities. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator ADAMS proposed the following amendment (685R005.SP.BA), which was withdrawn:

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to Section 59-158-20 to read:

/ () An intercollegiate athlete who transfers from an institution of higher learning that is located outside of the State is prohibited from entering into any name, image, or likeness contracts for one academic year. /

Renumber sections to conform.

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Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was withdrawn.

Senator ADAMS proposed the following amendment (685R008.SP.BA), which was adopted:

Amend the bill, as and if amended, in SECTION 1, by adding an appropriately lettered new subsection to Section 59-158-70 to read:

/ () A name, image, or likeness contract shall be void if an intercollegiate athlete is convicted of a felony pursuant to Section 16-1-90. /

Renumber sections to conform.

Amend title to conform.

Senator ADAMS explained the amendment.

The amendment was adopted.

Senator CAMPSER proposed the following amendment (685R003.SP.GEC), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 158

Intercollegiate Athletes’ Compensation

Section 59-158-10. For the purposes of this chapter:

(1) ‘Compensation’ means any remuneration, in cash or in kind, whether provided at the time or at any subsequent date, to a student athlete that is equal to no less than part-time minimum wage employment, but no more than one and a half times this amount. ‘Compensation’ does not mean any grant, scholarship, fellowship, tuition assistance, stipend, cost of attendance, or other form of financial aid provided to a student for pursuing a post-secondary education.

(2) ‘Institution of higher learning’ means any post-secondary educational institution, including a technical or comprehensive educational institution.

(3) ‘Intercollegiate athlete’ means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in an intercollegiate sport. If an individual is permanently ineligible to

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participate in a particular intercollegiate sport, then the individual is not an intercollegiate athlete for the purposes of that sport.

(4) ‘Intercollegiate sport’ means a sport played at the collegiate level for which eligibility requirements for participation by an intercollegiate athlete are established by a national association that promotes or regulates collegiate athletics.

(5) ‘Part-time employment’ means no more than thirty-five hours per week.

Section 59-158-20. (A) An intercollegiate athlete at an institution of higher learning may be paid by the institution of higher learning compensation for participating in an intercollegiate sport if the intercollegiate athlete is unable to be employed otherwise because of scheduling restrictions resulting from participation in the intercollegiate sport.

(B) An institution of higher learning or its athletic conference cannot directly or indirectly create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(C) An institution of higher learning may not use or allow boosters directly or indirectly to create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(D) A grant in aid, including the cost of attendance, awarded to an intercollegiate athlete by an institution of higher learning is not compensation for the purposes of this chapter and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation under this chapter.

Section 59-158-30. Earning compensation in compliance with the provisions of this chapter does not affect an intercollegiate athlete’s grant in aid or athletic eligibility.”

SECTION 2. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

Senator KIMPSON spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 13

AYES

Alexander	Allen	Bennett
Garrett	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--28

NAYS

Adams	Campsen	Climer
Corbin	Cromer	Davis
Gambrell	Goldfinch	Grooms
Gustafson	Loftis	Martin
Verdin		

Total--13

The amendment was laid on the table.

Senator CAMPSSEN proposed the following amendment (685R007.SP.GEC), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Title 59 of the 1976 Code is amended by adding:

“CHAPTER 158

Intercollegiate Athletes’ Compensation

Section 59-158-10. For the purposes of this chapter:

(1) ‘Compensation’ means any remuneration, in cash or in kind, whether provided at the time or at any subsequent date, to a student athlete that is equal to part-time minimum wage employment. ‘Compensation’ does not mean any grant, scholarship, fellowship,

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tuition assistance, stipend, cost of attendance, or other form of financial aid provided to a student for pursuing a post-secondary education.

(2) ‘Institution of higher learning’ means any post-secondary educational institution, including a technical or comprehensive educational institution.

(3) ‘Intercollegiate athlete’ means an individual who engages in, is eligible to engage in, or may be eligible in the future to engage in an intercollegiate sport. If an individual is permanently ineligible to participate in a particular intercollegiate sport, then the individual is not an intercollegiate athlete for the purposes of that sport.

(4) ‘Intercollegiate sport’ means a sport played at the collegiate level for which eligibility requirements for participation by an intercollegiate athlete are established by a national association that promotes or regulates collegiate athletics.

(5) ‘Part-time employment’ means no more than thirty-five hours per week.

Section 59-158-20. (A) An intercollegiate athlete at an institution of higher learning may be paid by the institution of higher learning compensation for participating in an intercollegiate sport if the intercollegiate athlete is unable to be employed otherwise because of scheduling restrictions resulting from participation in the intercollegiate sport.

(B) An institution of higher learning or its athletic conference cannot directly or indirectly create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(C) An institution of higher learning may not use or allow boosters directly or indirectly to create or facilitate compensation opportunities to avoid compensating an intercollegiate athlete pursuant to this chapter.

(D) A grant in aid, including the cost of attendance, awarded to an intercollegiate athlete by an institution of higher learning is not compensation for the purposes of this chapter and may not be revoked or reduced as a result of an intercollegiate athlete earning compensation under this chapter.

Section 59-158-30. Earning compensation in compliance with the provisions of this chapter does not affect an intercollegiate athlete’s grant in aid or athletic eligibility.”

SECTION 2. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

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The amendment was withdrawn.

The question being the third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 22; Nays 21

AYES

Alexander	Allen	Cromer
Fanning	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Malloy
McElveen	McLeod	Rankin
Sabb	Scott	Setzler
Stephens	Talley	Turner
Young		

Total--22

NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Davis	Gambrell	Garrett
Goldfinch	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Shealy	Verdin	Williams

Total--21

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 716 -- Senator Climer: A BILL TO AMEND SECTION 7-7-530 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO

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UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE
PRECINCTS MAY BE FOUND.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3726 -- Reps. West, G.M. Smith, W. Cox, M.M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkersman, White, Wheeler, Rutherford, Ballentine and Ott: A BILL TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

**AMENDED, READ THE THIRD TIME
SENT TO THE HOUSE**

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG proposed the following amendment (533R005.SP.TRY), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 1 through 10 and inserting:

/SECTION 2. Beginning on January 1, 2022, and annually thereafter, the Department of Disabilities and Special Needs shall submit a report to the General Assembly concerning the payment of a subminimum wage in South Carolina. The report shall:

- (1) identify all providers in this State that maintain a Section 14(c) certificate;
- (2) identify which of those providers pay a subminimum wage;
- (3) identify which of those providers used to pay a subminimum wage but have stopped that practice;
- (4) identify which of those providers that stopped paying a subminimum wage did so due to an increase in the federal minimum wage; and

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(5) provide data regarding the success in obtaining minimum wage employment of individuals with severe intellectual disabilities as compared to individuals with mild or moderate intellectual disabilities. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (533R006.SP.TD), which was adopted:

Amend the joint resolution, as and if amended, on page 2, by striking lines 41 and 42, and on page 3, by striking lines 1 and 2 and inserting:

/ (5) two members who are currently authorized to pay a subminimum wage appointed by the Director of the South Carolina Department of Disabilities and Special Needs;

(6) two members who are current or former employees with a disability who are or were paid a subminimum wage appointed by the Director of the South Carolina Department of Disabilities and Special Needs; /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question then being third reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Resolution was read the third time, passed and ordered sent to the House.

AMENDED, READ THE SECOND TIME

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A

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PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (628R008.SP.RWC), which was adopted:

Amend the bill, as and if amended, on page 4, by striking lines 40 through 43 and inserting:

/ (E) A pharmacy may collect an administration fee from a patient for services rendered pursuant to Section 40-43-230, or if a participant's health benefit plan includes contraception services, then health insurers or the State Health Plan must provide coverage for services provided pursuant to Section 40-43-230 and reimburse at a rate that is consistent with the Medicare fee schedule for the pharmacy administration of vaccinations and immunizations. Nothing in this section shall prohibit a health insurer or the State Health Plan from pursuing value-based reimbursement arrangements with pharmacies for these services or from applying any cost-sharing requirements or other terms or provisions of a health benefit plan. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Present 1

AYES

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

PRESENT

Cash

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Statement by Senator CASH

I decline to vote for S. 628 because I do not wish to put a pharmacist in the place of a family physician.

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CARRIED OVER

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY spoke on the Bill.

Senator SETZLER spoke on the Bill.

Senator SCOTT spoke on the Bill.

On motion of Senator MASSEY, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer: A BILL A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF

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WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0619.009), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 61-4-720 of the 1976 Code is amended to read:

“Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and one-half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises and contains an alcoholic content of sixteen percent or less.

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(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary American source of supply under subsection (A)(1), the winery may not sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident's personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers."

SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

"Section 61-4-748. (A) Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer's satellite certificate to establish up to three wholly-owned satellite locations for tasting and sale of wine produced or imported as the primary American source of supply, provided that:

(1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;

(2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;

(3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;

(4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;

(5) the winery submits, and the department approves, separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);

(6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;

(7) no more than one tasting-room premises shall be permitted in any one county of this State;

(8) the winery may conduct tastings of or sell only wine that is (a) produced or bottled by the winery within or outside of this State, (b)

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produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c) wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;

(9) the winery must sell wine for off-premises consumption at a tasting-room premises at a price approximating retail prices generally charged for identical wine in the county where the tasting-room premises is located;

(10) the winery must charge a consumer a tasting fee to participate in a tasting or the consumer may not purchase any wine for off-premises consumption;

(11) the winery shall remit applicable sales, use, and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;

(12) all wine to be handled, tasted, or sold at a tasting-room premises must be purchased from licensed wholesalers and transported and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(13) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

(14) tastings and sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide or sell to an individual consumer at a tasting-room premises:

(1) more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed; or

(2) more than the equivalent of six seven hundred fifty milliliter bottles of wine each calendar month to an individual consumer for off-premises consumption and not for resale.

(C) Tasting rooms authorized in this section must close to the public at 5:30 PM and may not open to the public until 8:00 AM.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or

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permit that is available to other licensed breweries, micro-distilleries, or liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of sales and tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers.”

SECTION 3. Section 61-4-770 of the 1976 Code is amended to read:

“Section 61-4-770. Wines containing more than sixteen and one-half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink.”

SECTION 4. Section 61-6-1035 of the 1976 Code is amended to read:

“Section 61-6-1035. Notwithstanding the provisions of Section 61-6-1500, the sampling of wines containing over sixteen and one-half percent by volume of alcohol, cordials, and other distilled spirits sold in a retail alcoholic liquor store is authorized if the sampling is conducted as follows:

(1) No sample may be offered from more than four products at one time.

(2) The sample is limited to products from no more than one wholesaler at one time.

(3) No more than one bottle of each of the four products to be sampled may be opened.

(4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.

(5) Samples must be less than one-half ounce for each product sampled.

(6) No person may be served more than one sample of each product.

(7) No sampling may be offered for longer than four hours.

(8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.

(9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years. This person must not be allowed to loiter on the store premises.

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(10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, an employee of a wholesaler, or an agent of a wholesaler.

(11) No retail alcoholic liquor store may offer more than one sampling per day.

(12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by Section 61-6-100(3).

(13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.

(14) Mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, may be provided in conjunction with the tasting, but the mixers must be provided free of charge.

(15) Store mixers used, but not sold, in conjunction with tastings.”

SECTION 5. Section 61-6-1640 of the 1976 Code is amended to read:

“Section 61-6-1640. Notwithstanding the provisions of this subarticle or any other provision of law, an establishment licensed pursuant to Article 5 of this chapter is authorized to conduct samplings of wines in excess of sixteen and one-half percent alcohol, cordials, and distilled spirits, if the sampling is conducted as follows:

(1) the establishment must have a permanent seating capacity of fifty or more persons;

(2) samples may not be offered from more than four products at any one time;

(3) the sampling must be held in the bar area of a licensed establishment and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting;

(4) samples must be less than one-half ounce for each product sampled;

(5) a person may not be served more than one sample of each product;

(6) sampling may not be offered for more than four hours;

(7) at least five days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division;

(8) a sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years;

(9) a licensed establishment may not offer more than one sampling each day; and

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(10) the sampling must be conducted by the manufacturer or wholesaler or an agent of the manufacturer or wholesaler.”

SECTION 6. Section 61-6-1650 of the 1976 Code is amended to read:

“Section 61-6-1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen and one-half percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen and one-half percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer's customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 7. Section 61-6-1540 of the 1976 Code is amended to read:

“Section 61-6-1540. (A) Except as provided in subsection (B), no other goods, wares, or merchandise may be kept or stored in or sold in or from a retail alcoholic liquor store or place of business, and no place of amusement may be maintained in or in connection with the store. However, retail dealers may sell:

(1) drinking glassware packaged together with alcoholic liquors if the glassware and alcoholic liquors are packaged together by the wholesaler or producer in packaging provided by the producer;

(2) nonalcoholic items, other than beer or wine, packaged together with alcoholic liquors if the nonalcoholic items and alcoholic liquors are in sealed packages and are packaged together by the alcoholic liquor producer at its place of business; and

(3) lottery tickets under the provisions of Chapter 150 of Title 59.

(B) Retail dealers licensed pursuant to the provisions of this article may sell all wines in the stores or places of business covered by their respective licenses, whether declared alcoholic or nonalcoholic or nonintoxicating by the laws of this State.

Wines containing more than sixteen and one-half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in

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establishments licensed to sell and permit consumption of alcoholic liquors by the drink. The provisions of this section do not amend, alter, or modify the taxes imposed on wines or the collection and enforcement of these taxes.”

SECTION 8. A state agency with regulations specifying alcohol content percentages different from the percentages passed in this act must promulgate revised regulations to conform to the changes in this act. Until such time as the regulations are conformed, the percentages in the statutory provisions passed in this act supersede any differing percentages in the regulations.

SECTION 9 This act takes effect upon approval of the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

PRESIDENT PRESIDES

At 4:13 P.M., the PRESIDENT assumed the Chair.

Senators CASH, MASSEY, and CAMPSSEN proposed the following amendment (JUD0619.014), which was tabled:

Amend the bill, as and if amended, page 2, lines 1 through 14, by striking SECTION 1 in its entirety and inserting therein the following:

/ SECTION 1. Section 61-4-720 of the 1976 Code is amended to read:

“Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and one-half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises and contains an alcoholic content of sixteen percent or less.

(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary

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American source of supply under subsection (A)(1), the winery may not sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident's personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.” /

Amend the bill further, as and if amended, beginning on page 2, line 16, and ending on page 3, line 34, by striking SECTION 2 in its entirety and inserting therein the following:

/ SECTION 2. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-748. (A). Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer's satellite certificate to establish up to three wholly-owned satellite locations for tasting of wine produced or imported as the primary American source of supply, provided that:

(1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;

(2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;

(3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;

(4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;

(5) the winery submits, and the department approves separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);

(6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;

(7) no more than one tasting-room premises shall be permitted in any one county of this State;

(8) the winery may conduct tastings of only wine that is (a) produced or bottled by the winery within or outside of this State, (b)

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produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c) wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;

(9) the winery must charge a consumer a tasting fee to participate in a tasting;

(10) the winery shall remit applicable use and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;

(11) all wine to be handled or tasted at a tasting-room premises must be purchased from licensed wholesalers and transported and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(12) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

(13) tastings shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide to an individual consumer at a tasting-room premises more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed;

(C) Tasting rooms authorized in this section must close to the public at 5:30 PM and may not open to the public until 8:00 AM.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or permit that is available to other licensed breweries, micro-distilleries, or liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers.” /

Renumber sections to conform.

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Amend title to conform.

Senator CASH explained the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 12

AYES

Adams	Alexander	Bennett
Climer	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	McElveen
Rankin	Sabb	Shealy
Talley	Turner	Williams
Young		

Total--25

NAYS

Allen	Campsen	Cash
Corbin	Davis	Malloy
Massey	McLeod	Peeler
Rice	Scott	Verdin

Total--12

The amendment was laid on the table.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett

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Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Shealy	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Senators BENNETT, McELVEEN, TURNER, CLIMER, FANNING, HARPOOTLIAN, M. JOHNSON, GAMBRELL and KIMBRELL proposed the following amendment (JUD0619.015), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. The General Assembly finds and declares that:

(A) The State has a substantial interest in regulating alcoholic liquors and other beverages containing alcohol; the activities of manufacturers, importers, wholesalers, and retailers; and the influences that affect the consumption levels of alcoholic liquors and other beverages containing alcohol by the people of the State.

(B) The State has a substantial interest in exercising its police power to promote the public health, safety, and welfare of the State by regulating the business of manufacturing, distributing, and retail sales of alcoholic liquors and other beverages containing alcohol in the manner and to the extent allowed by law to promote and preserve public health and safety through legitimate, nonprotectionist measures, which include regulating and controlling alcoholic beverage transactions in this State and the means and manner in which licensed micro-distilleries and alcoholic liquor manufacturers may sell alcoholic beverages to the state's qualifying consumers.

(C) Selling alcoholic liquors from manufacturers outside the state directly to residents of this State poses a serious threat to the State's efforts to prevent underage drinking, to state revenue collections, and to the public health and safety of the state's residents.

(D) By this act, the General Assembly intends to promote the public health, safety, and welfare of residents of this State with laws intended to strictly regulate alcoholic liquors and other beverages containing alcohol by preserving and promoting a robust, stable system of

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distribution of beverages containing alcohol to the public that does not provide for economic protectionism. Excessive use of alcoholic liquors and other beverages containing alcohol has wide-ranging deleterious health effects, including death. The General Assembly acknowledges that, according to the United States Centers for Disease Control, during the period from 2011 to 2015, an average of one thousand six hundred seventy-nine of this state's residents suffered alcohol attributed deaths due to excessive alcohol use and the rate of binge drinking in this State is ranked among the highest in the Nation. The General Assembly acknowledges that, according to the National Highway Traffic Safety Administration, this State had two hundred eighty-five alcohol-impaired driving fatalities in 2019, which accounted for twenty-eight percent of the total traffic fatalities in the State. Attributed deaths due to alcohol-impaired driving in this State is ranked among the highest in the Nation.

(E) This act has been enacted pursuant to the authority granted to the State by the Twenty-first Amendment to the Constitution of the United States, the powers reserved to the states under the Tenth Amendment to the United States Constitution, and the inherent powers of the State under the Constitution of the State of South Carolina, 1895, and the statutes promulgated thereunder. It is the intent of the General Assembly that this act do all of the following:

(1) further regulate and control transactions in this State as to beverages containing alcohol under the control and supervision of the Department of Revenue;

(2) strictly regulate alcoholic beverage transactions by fostering moderation and responsibility in the use and consumption of beverages containing alcohol;

(3) promote and assure the public's interest in fair and efficient distribution and quality control of alcoholic beverages in this State;

(4) promote orderly marketing of alcoholic beverages;

(5) prevent unfair business practices, discrimination, and undue control of one segment of the alcoholic beverage industry by any other segment;

(6) foster vigorous and healthy competition in the alcoholic beverage industry and protect the interests of consumers against fraud and misleading practices in the sale of alcoholic beverages, and avoid problems associated with indiscriminate price cutting and excessive advertising of alcoholic beverages;

(7) provide for an orderly system of public revenues by facilitating the collection and accountability of this State and local excise taxes;

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(8) facilitate the collection of state and local revenue;

(9) maintain trade stability and provide for the continuation of control and orderly processing by the State over the regulation of alcoholic beverage manufacturing locations and the process of selling alcoholic beverages to the state's consumers;

(10) ensure that the Department of Revenue and State Law Enforcement Division are able to monitor licensed operations through on-site inspections to confirm compliance with state law and that any alcoholic beverages shipped into, distributed, and sold throughout this State:

(a) have been registered for sale in this State with the Department of Revenue, as prescribed by law;

(b) are not subject to a government-mandated or supplier-initiated recall;

(c) are not counterfeit;

(d) are labeled in conformance with applicable laws, rules, and regulations;

(e) can be inspected and tested by the Department of Revenue or the State Law Enforcement Division; and

(f) are not prohibited by this State;

(11) promote and maintain a sound, stable, and viable three-tier system of distribution of beverages containing alcohol to the public; and

(12) ensure that statutes and regulations relating to alcoholic beverages exist to serve the interests of the State of South Carolina and its citizens rather than to serve or protect the interests of market participants by adopting protectionist measures with no demonstrable connection to the state's legitimate interests in regulating alcoholic beverages.

SECTION 2. Section 61-4-720 of the 1976 Code is amended to read:

"Section 61-4-720. (A) Notwithstanding another provision of law, a licensed winery located in this State is authorized to sell wine with an alcohol content of sixteen and one-half percent, or less, on the winery premises and deliver or ship this wine to consumer homes in or outside the State so long as:

(1) the licensed winery is the primary American source of supply for the wine sold; or

(2) the wine is produced on its the licensed premises and contains an alcoholic content of sixteen percent or less.

(B) For wine that is not produced on its licensed premises in the State pursuant to subsection (A)(2), but for which the winery is the primary American source of supply under subsection (A)(1), the winery may not

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sell more than twenty-four bottles of wine each month directly to a resident of this State for such resident's personal use and not for resale.

(C) These wineries are authorized to provide, with or without cost, wine tasting samples to prospective customers.”

SECTION 3. Chapter 4, Title 61 of the 1976 Code is amended by adding:

“Section 61-4-748. (A) Notwithstanding any other provision of law, rule, or regulation to the contrary, the holder of a valid winery license that, on or after January 1, 2021, invests four hundred million dollars in this State in a Tier III or Tier IV county, as designated by the Department of Revenue pursuant to Section 12-36-3360(B), at the time of the public announcement of the project or upon reaching such investment and job requirement thresholds, and creates at least three hundred new jobs in this State, is eligible for a manufacturer's satellite certificate to establish up to three wholly-owned satellite locations for tasting and sale of wine produced or imported as the primary American source of supply, provided that:

(1) before commencing operations at any wholly-owned satellite location, the holder of a valid winery license must first have satisfied all applicable investment and job requirement thresholds;

(2) a winery producing or bottling at least ten million gallons of wine and alcoholic beverages per calendar year in this State may operate one tasting-room premises;

(3) a winery producing or bottling at least twenty million gallons of wine and alcoholic beverages per calendar year in this State may operate two tasting-room premises;

(4) a winery producing or bottling at least thirty million gallons of wine and alcoholic beverages per calendar year in this State may operate three tasting-room premises;

(5) the winery submits, and the department approves, separate applications for each tasting-room premises to be issued a permit, as provided by Sections 61-2-90 and 61-2-140(C);

(6) the winery must pay a biennial tasting-room permit fee of five thousand dollars per tasting-room premises;

(7) no more than one tasting-room premises shall be permitted in any one county of this State;

(8) the winery may conduct tastings of or sell only wine that is (a) produced or bottled by the winery within or outside of this State, (b) produced for or produced and packaged for the winery within or outside of this State and sold under a brand name owned by the winery, or (c)

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wine for which the winery is the exclusive agent in the United States of an out-of-state vintner;

(9) the winery must sell wine for off-premises consumption at a tasting-room premises at a price approximating retail prices generally charged for identical wine in the county where the tasting-room premises is located;

(10) the winery must charge a consumer a tasting fee to participate in a tasting or the consumer may not purchase any wine for off-premises consumption;

(11) the winery shall remit applicable sales, use, and other state taxes and local taxes for each tasting-room premises. The winery shall maintain adequate records for each tasting-room premises to ensure the collection of these taxes;

(12) all wine to be handled, tasted, or sold at a tasting-room premises must be purchased from licensed wholesalers and transported and delivered to the licensed tasting-room premises only by licensed South Carolina wholesalers;

(13) the winery must maintain all liability insurance required pursuant to Section 61-2-145; and

(14) tastings and sales shall not be offered or made to, or allowed to be offered, made to, or consumed by an intoxicated person or a person who is under the age of twenty-one.

(B) In addition to the provisions set forth in subsection (A), a winery holding one or more tasting-room permits must not provide or sell to an individual consumer at a tasting-room premises:

(1) more than ten ounces of wine in one day for on-premises consumption, including any samples offered and consumed; or

(2) more than the equivalent of six seven hundred fifty milliliter bottles of wine each calendar month to an individual consumer for off-premises consumption and not for resale.

(C) Tasting rooms authorized in this section must close to the public at 5:30 p.m. and may not open to the public until 8:00 a.m.

(D) Each tasting-room permit application is subject to protest, as provided for in Section 61-4-525 for beer and wine permit applications.

(E) The holder of a tasting-room permit who violates a provision of this section is subject to the penalties specified in Section 61-4-250.

(F) Nothing in this section shall be construed so as to prohibit or restrict a winery that also holds a brewery, micro-distillery, or liquor manufacturer's license from applying for or holding any license or permit that is available to other licensed breweries, micro-distilleries, or

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liquor manufacturers in this State and that allows the tasting or sales of beer or alcoholic liquors.

(G) Authorization by this section of sales and tastings at a tasting-room premises is expressly intended for the promotion of education regarding production of wine in the State and not to create competition between producers and retailers.”

SECTION 4. Section 61-4-770 of the 1976 Code is amended to read:

“Section 61-4-770. Wines containing more than sixteen and one-half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in establishments licensed to sell and permit consumption of alcoholic liquors by the drink.”

SECTION 5. Section 61-6-1035 of the 1976 Code is amended to read:

“Section 61-6-1035. Notwithstanding the provisions of Section 61-6-1500, the sampling of wines containing over sixteen and one-half percent by volume of alcohol, cordials, and other distilled spirits sold in a retail alcoholic liquor store is authorized if the sampling is conducted as follows:

(1) No sample may be offered from more than four products at one time.

(2) The sample is limited to products from no more than one wholesaler at one time.

(3) No more than one bottle of each of the four products to be sampled may be opened.

(4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.

(5) Samples must be less than one-half ounce for each product sampled.

(6) No person may be served more than one sample of each product.

(7) No sampling may be offered for longer than four hours.

(8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.

(9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years. This person must not be allowed to loiter on the store premises.

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(10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, an employee of a wholesaler, or an agent of a wholesaler.

(11) No retail alcoholic liquor store may offer more than one sampling per day.

(12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by Section 61-6-100(3).

(13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.

(14) Mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, may be provided in conjunction with the tasting, but the mixers must be provided free of charge.

(15) Store mixers used, but not sold, in conjunction with tastings.”

SECTION 6. Section 61-6-1640 of the 1976 Code is amended to read:

“Section 61-6-1640. Notwithstanding the provisions of this subarticle or any other provision of law, an establishment licensed pursuant to Article 5 of this chapter is authorized to conduct samplings of wines in excess of sixteen and one-half percent alcohol, cordials, and distilled spirits, if the sampling is conducted as follows:

(1) the establishment must have a permanent seating capacity of fifty or more persons;

(2) samples may not be offered from more than four products at any one time;

(3) the sampling must be held in the bar area of a licensed establishment and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting;

(4) samples must be less than one-half ounce for each product sampled;

(5) a person may not be served more than one sample of each product;

(6) sampling may not be offered for more than four hours;

(7) at least five days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division;

(8) a sample may not be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty-one years;

(9) a licensed establishment may not offer more than one sampling each day; and

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(10) the sampling must be conducted by the manufacturer or wholesaler or an agent of the manufacturer or wholesaler.”

SECTION 7. Section 61-6-1650 of the 1976 Code is amended to read:

“Section 61-6-1650. Notwithstanding any other provision of law, a producer or wholesaler may furnish or give a sample of wine in excess of sixteen and one-half percent alcohol, cordial, or distilled spirit to a retailer who has not purchased the brand from a producer or wholesaler in the past three hundred sixty-five days. For each retail establishment, a producer or wholesaler may not give more than three liters of any brand of wine in excess of sixteen and one-half percent alcohol, cordial, or distilled spirit annually. If a particular product is not available in a size within the quantity limitations of this section, a producer or wholesaler may furnish to a retailer the next larger size. Samples of each bottle or other container must be clearly marked ‘Sample—Not for resale’. Nothing in this section allows for any sample to be sold or provided to any employees under the age of twenty-one or to a retailer's customers. The producer or wholesaler shall remove all bottles at the conclusion of the sampling. For purposes of this section, the term ‘brand’ is defined as provided under 27 C.F.R. Section 6.11.”

SECTION 8. Section 61-6-1540 of the 1976 Code is amended to read:

“Section 61-6-1540. (A) Except as provided in subsection (B), no other goods, wares, or merchandise may be kept or stored in or sold in or from a retail alcoholic liquor store or place of business, and no place of amusement may be maintained in or in connection with the store. However, retail dealers may sell:

(1) drinking glassware packaged together with alcoholic liquors if the glassware and alcoholic liquors are packaged together by the wholesaler or producer in packaging provided by the producer;

(2) nonalcoholic items, other than beer or wine, packaged together with alcoholic liquors if the nonalcoholic items and alcoholic liquors are in sealed packages and are packaged together by the alcoholic liquor producer at its place of business; and

(3) lottery tickets under the provisions of Chapter 150 of Title 59.

(B) Retail dealers licensed pursuant to the provisions of this article may sell all wines in the stores or places of business covered by their respective licenses, whether declared alcoholic or nonalcoholic or nonintoxicating by the laws of this State.

Wines containing more than sixteen and one-half percent of alcohol by volume may be sold only in licensed alcoholic liquor stores or in

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establishments licensed to sell and permit consumption of alcoholic liquors by the drink. The provisions of this section do not amend, alter, or modify the taxes imposed on wines or the collection and enforcement of these taxes.”

SECTION 9. Subarticle 11, Article 3, Chapter 6, Title 61 of the 1976 Code is amended by adding:

“Section 61-6-1155. (A)(1) In addition to alcoholic liquor production or manufacturing and sales authorized by this subarticle, a holder of a valid micro-distillery or manufacturer license issued by the State is authorized to sell the alcoholic liquors distilled at the licensed premises to consumers for on-premises consumption within an area of its licensed premises physically partitioned from the distilling and manufacturing operation and bona fide engaged primarily and substantially in the preparation and serving of meals, as required by Section 61-6-1610.

(2) These establishments also may apply for separate beer and wine licenses for on-premises consumption and alcoholic liquor by the drink, and local option permits authorizing the purchase for resale of beer, wine, and alcoholic liquors from wholesalers through the three-tier distribution chain and as required by Section 61-6-1636.

(3) The micro-distillery or manufacturer must:

(a) not sell or allow the consumption of alcoholic liquor by the drink on that part of the micro-distillery or manufacturer’s premises designated and permitted for the distilling and manufacturing operations;

(b) maintain the books, records, and bank accounts of the restaurant operation separately from the books, records, and bank accounts of the distilling and manufacturing operations, and allocate expenses common to both operations in a manner the micro-distillery or manufacturer considers reasonable, when applicable; and

(c) maintain a physical partition between the distilling and manufacturing operations and the food establishment operations. The physical partition may be a permanent wall or a divider permanently affixed to the premises in a manner that the general public may not freely enter the distilling and manufacturing operations area, and may contain a door or doors which remain locked during hours when the micro-distillery or manufacturer is not in operation.

(B) The department shall terminate and a micro-distillery or manufacturer shall surrender each permit and license issued to the micro-distillery or manufacturer pursuant to subsection (A) immediately following inspection, determination, and report by the division to the department that distilling and manufacturing operations have ceased on

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the micro-distillery or manufacturer's permitted premises. This includes liquor by the drink authorization and licenses. Following reinstitution of distilling and manufacturing operations on the formerly permitted premises, a micro-distillery or manufacturer may re-apply for the applicable permits and licenses authorized by subsection (A).

(C) A micro-distillery or manufacturer selling beer, wine, or liquor at its licensed premises pursuant to authorization set forth in subsection (A) must:

(1) establish appropriate protocols to ensure that a consumer sold or served alcoholic liquors pursuant to this section is not intoxicated and is not under twenty-one years of age;

(2) sell the alcoholic liquors distilled on the licensed premises at a price approximating retail prices generally charged for identical beverages in the county where the permitted premises are located;

(3) remit appropriate taxes to the department for alcoholic liquor distilled and sold at retail on the licensed premises in an amount equal to and in a manner required for excise taxes assessed by the department. The micro-distillery or manufacturer also must remit appropriate sales, use, and other state and local taxes applicable to retail sale of beer, wine, and liquor;

(4) post information that states the alcoholic content by volume of the various types of alcoholic liquors available in the micro-distillery or manufacturer and the penalties for convictions for:

- (a) driving under the influence;
- (b) unlawful transport of an alcoholic container; and
- (c) unlawful transfer of alcohol to minors.

And, the information shall be in signage that must be posted at each entrance, each exit, and in places in a micro-distillery or manufacturer seen during a tour;

(5) provide department- or DAODAS-approved alcohol enforcement training for the employees who serve alcoholic liquors on the permitted premises to consumers for on-premises consumption, so as to prevent and prohibit unlawful sales, transfer, transport, or consumption of alcoholic liquors by persons who are under the age of twenty-one or who are intoxicated;

(6) maintain all liability insurance required pursuant to Section 61-2-145;

(7) comply with all state and local laws concerning the hours of operation applicable to eating and drinking establishments and other food service establishments holding permits to sell alcoholic liquors by the drink; and

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(8) comply with the discount pricing provisions of Sections 61-4-160 and 61-6-4550, as applicable.

(D) The establishment licensed pursuant to subsection (A) may sell the bottles of alcoholic liquor produced on its licensed premises as provided in and subject to the restrictions set forth in Sections 61-6-1140 and 61-6-1150. These bottles may not be considered in determining whether the establishment is bona fide engaged primarily and substantially in the preparation and serving of meals, as required by Section 61-6-1610.”

SECTION 10. Sections 61-6-1140 and 61-6-1150 of the 1976 Code are amended to read:

“Section 61-6-1140. A holder of a valid micro-distillery or manufacturer license issued by the State may permit tastings and retail sales of the alcoholic liquors produced at the licensed premises subject to the following limitations and any other limitations provided in this subarticle:

(1) tastings by and sales to consumers must be held in conjunction with a tour by the consumer of the on-site licensed premises and the micro-distillery or manufacturer may charge an amount in its discretion for the tour. The amount consumers are charged must be on a scale that accords with the amount of alcoholic liquors for on-premises consumption that is dispensed to consumers;

(2) the micro-distillery or manufacturer shall establish appropriate protocols to ensure that a consumer sold or served alcoholic liquors pursuant to this section is not under twenty-one years of age and that a consumer shall not attend more than one tasting in a day;

(3) the amount charged by micro-distilleries and manufacturers for tours must increase incrementally and accord with the amount of alcoholic liquors provided for on-premises consumption by one-half ounce, beginning with a base tour price corresponding with the provision of one ounce of alcoholic liquor;

(3)(4) the micro-distillery or manufacturer may not dispense more than ~~three~~ four and one-half ounces to an individual consumer in one day;

(4)(5) tastings and sales may occur only between the hours of nine a.m. and seven p.m., Monday through Saturday;

(5)(6) the micro-distillery or manufacturer may not charge for alcoholic liquors consumed at a tasting, ~~but must collect and remit the liquor by the drink excise tax pursuant to the provisions of Chapter 33, Title 12;~~

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(6)(7) the micro-distillery or manufacturer may provide mixers, which must be nonalcoholic and carry zero percent of alcohol by weight, in conjunction with the tasting, but the micro-distillery or manufacturer may not charge for the mixers;

~~(7) tastings may not occur in conjunction with the service of food in a restaurant setting; and~~

(8) only brands of alcoholic liquors actually manufactured, distilled, or fermented at and distributed to wholesalers from the licensed premises may be sold or offered for tasting; and

(9) a micro-distillery or a manufacturer licensed pursuant to Section 61-6-1155 must comply with the discount pricing provisions of Section 61-6-4550, as applicable, and may not dispense alcoholic liquors for free at a tasting in subsection (6) of this section.

“Section 61-6-1150. Authorization by this section of sales and tastings at licensed premises of a micro-distillery or manufacturer is expressly intended for the promotion of education regarding production of alcoholic liquors in the State and not to create competition between producers and retailers. A holder of a valid micro-distillery or manufacturer license issued by the State may:

(1) sell in any quantities the alcoholic liquors produced at the licensed premises to a wholesaler licensed by the State;

(2) transport in any quantities the alcoholic liquors produced at the licensed premises out of state for sale outside of the State;

(3) sell at retail at the licensed premises the alcoholic liquors produced at the licensed premises, but only if the labels for the bottles are marked 'not for resale';

(4) sell at retail no more than the equivalent of ~~three~~ six 750-milliliter bottles of alcoholic liquors to a consumer in one business day;

(5) not allow consumption on the licensed premises of alcoholic liquors sold by the bottle at the licensed premises;

(6) maintain pricing of the alcoholic liquors sold at the licensed premises at a price approximating retail prices generally charged for identical alcoholic liquors in the county where the on-site premises is located;

(7) in addition to the sale of alcoholic liquors as authorized by this section, sell items promoting the brand or brands of alcoholic liquors produced at that location in a room on the licensed premises separate from the locations of the tastings;

(8) not sell or store goods, wares, or merchandise in or from the room in which alcoholic liquors are sold or tasted;

(9) store mixers used, but not sold, in conjunction with tastings; and

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(10) not allow minors into the portion of the facility where tastings are occurring, unless accompanied by an adult.

A micro-distillery or a manufacturer licensed pursuant to Section 61-6-1155 is not subject to subsections (7) through (10) of this section."

SECTION 11. A state agency with regulations specifying alcohol content percentages different from the percentages passed in this act must promulgate revised regulations to conform to the changes in this act. Until such time as the regulations are conformed, the percentages in the statutory provisions passed in this act supersede any differing percentages in the regulations.

SECTION 12. If any provision of this act, or its application to any person or circumstance, is determined by a court or other authority of competent jurisdiction to be invalid or unconstitutional, that provision must be stricken and the remaining provisions must be construed in accordance with the intent of the General Assembly to further limit rather than expand commerce in beverages containing alcohol, and with respect to such beverages, the remaining provisions must be construed to enhance strict regulatory control over the taxation, importation, production, distribution, sale, and delivery of beverages containing alcohol through the three-tier regulatory system and the licensing laws imposed by this act.

SECTION 13. This act takes effect upon approval by the Governor./
Renumber sections to conform.
Amend title to conform.

Senator TALLEY explained the amendment.
Senator MALLOY spoke on the Bill.

The amendment was adopted.

Recorded Vote

Senator ALEXANDER desired to be recorded as voting against the adoption of the amendment.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 6

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AYES

Adams	Alexander	Allen
Bennett	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Shealy
Talley	Turner	Williams
Young		

Total--31

NAYS

Campsen	Cash	Corbin
Massey	Rice	Verdin

Total--6

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

S. 619--Ordered to a Third Reading

On motion of Senator TALLEY, S. 619 was ordered to receive a third reading on Friday, April 9, 2021.

CARRIED OVER

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED

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CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

On motion of Senator MALLOY, the Bill was carried over.

THURSDAY, APRIL 8, 2021

ADOPTED

S. 670 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE APRIL 15, 2021, AS “OSTEOPATHIC MEDICINE DAY” IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT ROLE THAT DOCTORS OF OSTEOPATHIC MEDICINE PLAY IN MEETING THE HEALTHCARE NEEDS OF THE CITIZENS OF SOUTH CAROLINA, THE MILITARY, AND OUR COUNTRY AS A WHOLE.

The Resolution was adopted.

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS “MENTAL HEALTH MONTH” IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

The Resolution was adopted, ordered sent to the House.

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021, AS “MYALGIC ENCEPHALOMYELITIS AWARENESS DAY” AND THE MONTH OF MAY AS “MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH” IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

The Resolution was adopted, ordered sent to the House.

S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS “DONOR DAY” IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA’S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA’S WEBSITE.

The Resolution was adopted, ordered sent to the House.

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THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 6:25 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 8, 2021, at 11:45 A.M. and the following Acts and Joint Resolutions were ratified:

(R13, S. 648) -- Senator K. Johnson: AN ACT TO CONSOLIDATE CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE CLARENDON COUNTY SCHOOL DISTRICT; TO ABOLISH CLARENDON COUNTY SCHOOL DISTRICT NO. 2 AND CLARENDON COUNTY SCHOOL DISTRICT NO. 4 ON JULY 1, 2022; TO PROVIDE THAT THE CLARENDON COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE CLARENDON COUNTY LEGISLATIVE DELEGATION, AND TO PROVIDE THAT, BEGINNING IN 2024, EACH OF THE NINE MEMBERS OF THE BOARD OF TRUSTEES MUST BE ELECTED FROM A SEPARATE SINGLE-MEMBER ELECTION DISTRICT; TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT, IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT, AND IS SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023; AND TO PROVIDE THAT,

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BEGINNING IN 2024, THE CLARENDON COUNTY SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.
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(R14, H. 3059) -- Reps. Hixon, Forrest and W. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ARTICLE 3 OF CHAPTER 17, TITLE 51 RELATING TO THE HERITAGE TRUST REVENUE BONDS.
L:\COUNCIL\ACTS\3059CZ21.DOCX

(R15, H. 3071) -- Reps. Ott, Ligon, Taylor, Bryant, Cobb-Hunter, Haddon, Forrest and Thayer: A JOINT RESOLUTION TO CREATE THE "EQUINE INDUSTRY SUPPORT MEASURES STUDY COMMITTEE" TO EXAMINE THE POTENTIAL FOR FURTHER GROWTH OF THE EQUINE INDUSTRY IN THIS STATE AND THE RESULTING ECONOMIC IMPACT.
L:\COUNCIL\ACTS\3071CZ21.DOCX

(R16, H. 3264) -- Reps. Fry, Huggins, Davis, B. Newton, G.R. Smith, Morgan, Burns, Erickson, Bennett, Thayer, Taylor, Bryant, Elliott, Willis, Felder, Long, McGarry, Haddon, Hewitt, Bailey, M.M. Smith, J.E. Johnson, Bradley, Crawford and King: AN ACT TO AMEND SECTION 7-9-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIRED NOTICES OF COUNTY CONVENTIONS, SO AS TO ELIMINATE THE REQUIREMENT THAT A COUNTY COMMITTEE PUBLISH CERTAIN NOTICES REGARDING COUNTY CONVENTIONS IN A NEWSPAPER HAVING GENERAL CIRCULATION IN THE COUNTY.
L:\COUNCIL\ACTS\3264ZW21.DOCX

(R17, H. 3501) -- Reps. Collins, V.S. Moss and Jones: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 148 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE TWO HUNDRED FIFTY YEAR ANNIVERSARY REVOLUTIONARY WAR COMMEMORATIVE SPECIAL LICENSE PLATES.
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(R18, H. 3549) -- Reps. Ott, Kirby, Bryant and Pope: AN ACT TO AMEND SECTION 50-9-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO OFFER A LICENSE, PERMIT, OR TAG MADE OF A DURABLE MATERIAL AND TO ESTABLISH A FEE; AND TO AMEND SECTION 50-9-50, RELATING TO THE POSSESSION OF A HUNTING OR FISHING LICENSE, PERMIT, OR STAMP, SO AS TO ALLOW FOR A PERSON HUNTING OR FISHING TO DISPLAY THEIR LICENSE, PERMIT, OR STAMP ELECTRONICALLY.

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(R19, H. 3585) -- Reps. Sandifer and Hardee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-80 SO AS TO PROVIDE THE PROCEDURE FOR AN INSURER TO CANCEL, NONRENEW, OR TERMINATE ALL OR SUBSTANTIALLY ALL OF AN ENTIRE LINE OR CLASS OF BUSINESS; BY ADDING SECTION 38-77-400 SO AS TO REQUIRE AN INSURER TO PROVIDE A LISTING OF UNDERWRITING RESTRICTIONS UPON THE REQUEST OF THE DIRECTOR; TO AMEND SECTION 38-13-30, RELATING TO ORDERS RESULTING FROM EXAMINATIONS, SO AS TO ALLOW THE DIRECTOR OR HIS DESIGNEE TO SERVE AN ORDER UPON THE INSURER BY ELECTRONIC MAIL; TO AMEND SECTION 38-53-110, RELATING TO FINANCIAL STATEMENT REQUIREMENTS, SO AS TO PROVIDE A DEADLINE FOR SUBMISSION; TO AMEND SECTION 38-71-340, RELATING TO REQUIRED POLICY PROVISIONS, SO AS TO ADD A TIME OF PAYMENT OF CLAIMS REQUIREMENT FOR HEALTH INSURANCE COVERAGE; TO AMEND SECTION 38-75-730, AS AMENDED, RELATING TO RESTRICTIONS ON THE CANCELLATION OF POLICIES, SO AS TO DISTINGUISH THE CANCELLATION PROVISIONS FOR WORKERS' COMPENSATION INSURANCE POLICIES; TO AMEND SECTION 38-75-740, RELATING TO RESTRICTIONS ON THE NONRENEWAL OF POLICIES, SO AS TO REMOVE SPECIFIC DEADLINES; TO AMEND SECTION 38-75-1160, RELATING TO THE NOTICE REQUIREMENT PRIOR TO CANCELLATION OR REFUSAL TO RENEW, SO AS TO REMOVE SPECIFIC DEADLINES; AND TO AMEND SECTION 38-75-1240, RELATING TO THE PROVISIONS TO THE DIRECTOR OF

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UNDERWRITING RESTRICTIONS BASED UPON GEOGRAPHY,
SO AS TO REQUIRE AN INSURER TO PROVIDE A LIST OF
UNDERWRITING RESTRICTIONS ONLY UPON THE REQUEST
OF THE DIRECTOR REGARDLESS OF GEOGRAPHY.
L:\COUNCIL\ACTS\3585PH21.DOCX

(R20, H. 3587) -- Reps. Sandifer and Hardee: AN ACT TO AMEND
SECTION 38-77-30, AS AMENDED, CODE OF LAWS OF SOUTH
CAROLINA, 1976, RELATING TO THE DEFINITION OF
"REDUCTION IN COVERAGE", SO AS TO PROHIBIT AN
INSURER FROM TREATING A CORRECTION OF A
TYPOGRAPHICAL OR SCRIVENER'S ERROR AS A REDUCTION
IN COVERAGE; AND TO AMEND SECTION 38-77-120,
RELATING TO NOTICE REQUIREMENTS FOR CANCELLATION
OR THE REFUSAL TO REVIEW A POLICY, SO AS TO MAKE
CONFORMING CHANGES.
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(R21, H. 3684) -- Reps. Herbkersman, Erickson, Bradley and
W. Newton: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH
CAROLINA, 1976, BY ADDING SECTION 50-5-1713 SO AS TO
PROVIDE LIMITS FOR COBIA CAUGHT IN THE WATERS OF
THIS STATE AND PROHIBIT THE TAKING OR POSSESSION OF
COBIA WHEN FEDERAL REGULATIONS PROVIDE FOR THE
CLOSURE OF A RECREATIONAL OR COMMERCIAL COBIA
FISHERY IN THE WATERS OF THE SOUTH ATLANTIC OCEAN;
AND TO AMEND SECTION 50-5-2730, AS AMENDED, RELATING
TO THE APPLICATION OF FEDERAL FISHING REGULATIONS
IN THE WATERS OF THIS STATE, SO AS TO REMOVE THE
EXCEPTION FOR COBIA.
L:\COUNCIL\ACTS\3684CZ21.DOCX

(R22, H. 3900) -- Reps. G.M. Smith, Herbkersman, Howard and
Weeks: A JOINT RESOLUTION TO AUTHORIZE CERTAIN
PODIATRISTS TO ADMINISTER PREMEASURED DOSES OF THE
COVID-19 VACCINE.
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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Mary Ann Elvington of Nichols, S.C. Mary Ann graduated from Floyd High School and attended Winthrop University and later graduated from Coker College. She received her masters in education from the University of South Carolina. Mary Ann taught in the public school system for thirty years. She loved to travel and attended Mt. Olive Baptist Church where she was very active. Mary Ann was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators MALLOY, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LEATHERMAN, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Lorraine L. Moore of Lake City, S.C. Ms. Moore was the beloved mother of Darla Moore, of the University of South Carolina's School of Business. Lorraine was an active member of the Lake City area. She was a member of the Junior Sorosia Club, Friends of the Lake City Library, Lake City United Methodist Women and Circle #5. Lorraine was a dedicated volunteer with the community hospital, Meals on Wheels, Moore Farms Botanical Garden and ArtFields. She was a member of Lake City United Methodist Church where she sang in the choir and served as office administrator for twenty-five years. Lorraine was a loving mother and devoted grandmother who will be dearly missed.

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ADJOURNMENT

At 6:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 9, 2021
(Local Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McLEOD.

READ THE THIRD TIME
SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 619 -- Senators Rankin, Leatherman, Hutto, Fanning and Climer:
A BILL TO AMEND SECTION 61-4-720 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO SALE OF WINE BY WINERIES LOCATED IN THE STATE AND WINE TASTE SAMPLES, TO PROVIDE FOR SALES OF WINE ON WINERY PREMISES IF THE WINERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE WINE SOLD; TO AMEND SECTIONS 61-4-1515 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE SALE OF BEER WITH AN ALCOHOL CONTENT OF TWELVE PERCENT OR LESS ON THE BREWERY PREMISES AND THE SALE OF SEALED BEER WITH AN ALCOHOL CONTENT OF FOURTEEN PERCENT OR LESS ON BREWERY PREMISES IF THE BREWERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY FOR THE BEER SOLD; TO AMEND SECTION 61-6-1140 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE FOR THE RETAIL SALES AND TASTINGS OF ALCOHOLIC LIQUORS AT MICRO-DISTILLERIES IF THE MICRO-DISTILLERY IS THE PRIMARY AMERICAN SOURCE OF SUPPLY OR THE ALCOHOLIC LIQUORS PRODUCED AT THE LICENSED PREMISES ARE SUBJECT TO OTHER LIMITATIONS; AND TO AMEND CHAPTER 2, TITLE 61 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, BY ADDING SECTION 61-2-177, TO PROVIDE FOR THE CREATION OF A MANUFACTURER'S SATELLITE CERTIFICATE FOR BREWERIES, WINERIES, AND MICRO-DISTILLERIES TO ESTABLISH SATELLITE LOCATIONS FOR SALE OF THEIR PRODUCTS, SUBJECT TO CERTAIN CONDITIONS.

FRIDAY, APRIL 9, 2021

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sergeant Major Ernest N. Colden, Sr. of Ridgeland, S.C. Sergeant Major Colden had an illustrious thirty year military career in various parts of the country. He founded one of the first black chapels on a military base and authored his autobiography. Earnest was a member of many groups including the Martin L. King, Jr. Garden of Light, the NAACP of the 100 Majors of Color and the Jasper County chapter of 100 Black Men. Earnest was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator CLIMER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. and Mrs. Robert Lesslie of Rock Hill, S.C. Robert was an emergency room doctor and the founder of Riverview House Calls and Riverview Hospice and Palliative Care. Robert enjoyed writing, hunting, golfing and playing the bagpipes. Barbara enjoyed singing and entertaining. They were married for 40 years and were well liked and respected in their community. Robert and Barbara were loving parents and devoted grandparents who will be dearly missed.

ADJOURNMENT

At 11:05 A.M., on motion of Senator SETZLER, the Senate adjourned to meet next Tuesday, April 13, 2021, at 12:00 Noon.

* * *

Tuesday, April 13, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 64:8

In Isaiah we read:

“O Lord, you are our Father; we are the clay, and you are our potter; we are all the work of your hand.”

Bow with me, if you will: Truly, O Lord, at this point of this Senate’s 124th Regular Session, challenges indeed continue for this Body. And so many of the tasks which remain to be settled are formidable; they are likely not going to be resolved in the blink of an eye, much less overnight. All of this, dear God, means that there is a great deal of molding and shaping yet to be done by You upon these leaders as they strive to determine the best courses of action and the final and proper resolution of major issues. So guide these Senators and their staff members. Allow them to lean on You for added wisdom, energy, and resolve, so that they ultimately do what is best for all of our citizens. And as always, to You be the glory, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpootlian	Hembree

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Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Director of Department of Health and Human Services, with term coterminous with Governor

Robert M. Kerr, 3117 Monroe Street, Columbia, SC 29295-2636

Referred to the Committee on Medical Affairs.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Low Country - Recipient/Donor/Family:

Michael F. Cuenin, 1513 Appling Drive, Mount Pleasant, SC 29464-4689 *VICE* Debra Yasenka

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Suzanne S. Prosser, 697 Wedgewood Dr., Murrells Inlet, SC 29576

Referred to the Committee on Corrections and Penology.

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Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Cindy Risher, 1061 Blue Bird Court, Summerton, SC 29148-7276
VICE Barbara W. Mishoe - resigned

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Paul H. Kennemore III, 200 Regents Gate Court, Simpsonville, SC 29681-3612

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Banker:

Tommy Bouchette, 3370 Johnsonville Highway, Lake City, SC 29560-6468 *VICE* F. Justin Strickland

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Mark W. Buyck, Jr., 1439 Cherokee Road, Florence, SC 29501

Referred to the Committee on Transportation.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2021, and to expire February 13, 2026

At-Large:

William A. Coates, 177 Marshall Bridge Dr., Greenville, SC 29605-1256 *VICE* Kenneth R. Jackson

Referred to the Committee on Transportation.

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Reappointment, South Carolina State Ports Authority, with the term to commence June 4, 2018, and to expire June 4, 2023

At-Large:

Kurt D. Grindstaff, 20 Manor Court Lane, Hilton Head Island, SC 29926

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Willie E. Jeffries, 85 Nance Drive, Elloree, SC 29047

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence March 19, 2019, and to expire March 19, 2024

At-Large:

Whitemarsh Seabrook Smith III, 6 Concord Street, Charleston, SC 29401

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

William H. Stern, 2134 Bermuda Hills, Columbia, SC 29223

Referred to the Committee on Transportation.

REGULATION WITHDRAWN

The following was received:

Document No. 4974

Agency: Department of Health and Environmental Control

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Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140 et seq.

SUBJECT: Licensed Midwives

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 12, 2021

Doctor of the Day

Senator K. JOHNSON introduced Dr. Robert L. Ridgeway III of Manning, S.C., Doctor of the Day.

Leave of Absence

At 12:05 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 12:32 P.M., Senator KIMPSON requested a leave of absence for Senator MATTHEWS for the day.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Remarks by Senator MALLOY

The first comment I would like to make is here we go again. Look at what is going on around our country. Look at what is happening in Minnesota. We have had another young man of color struck down by a bullet, which was supposedly a taser. We will not know until the facts play out as we watch another case that is being tried. We keep talking about the priorities of this Senate and of the General Assembly. Last year in June, certain members of the majority caucus stood up outside and talked about police reform. Now we are going through a whole session, and there are four Bills that people say do not go far enough, Senator MASSEY, but we have a start.

We have to make certain that we address the issues that are prominent among us before it is too late. What cannot happen is to have situations like what is happening around the country when a town, a city, a state erupts. We always say that we want to get in front of the issues. Here we are at the end of another session with legislation introduced by many members which it relates to police reform. Folks, it is time for us to end up doing police reform.

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The next issue is juvenile justice. There is an old African story about babies drowning in a river. Groups of people came in and tried to pull the babies from the river and save them -- pulling them out one at a time. But the babies kept going in the river and drowning one by one by one. Someone who was watching started upstream and was asked, "Where are you going?" He replied, "I am going to save these children. I am going to see where the problem starts, and why they are drowning. "

Folks, read the Legislative Audit Council report on the Department of Juvenile Justice. It is terrible. I will tell you that it is problematic. We have to do something for the children because we cannot try to create jobs at Gallo and other places while we are losing our children. Somebody needs to start running upstream.

Read the report and pay attention. We continue to talk about creating jobs but we have buildings burning down with children in them. We have children drowning in the waters. We have a juvenile justice reform package that has been over here for a long period. Hundreds of hours of work have gone into it. Yet we continue setting the priorities -- many people in here place their fingers and hands on their bills, Senator HUTTO. It has to be done, Senator SENN.

We need to do something to save them, to stop having these children behind the fence. We are in a pandemic and we are already losing some children because of that. While we are watching it happen, the children are going down the river and they are drowning. It is time for the South Carolina Senate and the South Carolina House to start walking upstream to find out what is going on so that we can save them. Senate Bill 18 from last year -- with many hours of work -- and we need to address it, Senator MASSEY. Senator SHEALY put her hands on it and she has agreed with all but one or two issues in this very comprehensive 100 page Bill.

We have the issue that is prevalent in our country regarding police reform. Mr. PRESIDENT, I ask you to make certain that we can push this along -- establish a committee, so that we can start addressing these issues that relate to our children. Thank you.

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

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Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 635 Sen. Scott

S. 730 Sen. Turner

RECALLED

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN asked unanimous consent to make a motion to recall the Resolution from the Committee on Fish, Game and Forestry.

The Resolution was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 746 -- Senator Shealy: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CLABIE CECIL EDMOND AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 747 -- Senators Kimbrell and Talley: A SENATE RESOLUTION TO CONGRATULATE THE SPARTANBURG CHRISTIAN ACADEMY ATHLETIC TEAMS, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING 2020-2021 SEASON AND TO HONOR THEM FOR WINNING MULTIPLE STATE CHAMPIONSHIPS.

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The Senate Resolution was adopted.

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S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS,

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PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

OBJECTION

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED

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HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Senator KIMBRELL objected to consideration of the Bill.

OBJECTION

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC

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SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

Senator MASSEY objected to consideration of the Bill.

OBJECTION

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Senator MATTHEWS objected to consideration of the Bill.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19,

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TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

On motion of Senator CAMPSSEN, the Bill was carried over.

READ THE SECOND TIME

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

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Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 41 -- Senator Grooms: A BILL TO AMEND SECTION 13-12-70(A)(16) OF THE 1976 CODE, RELATING TO THE POWERS OF REDEVELOPMENT AUTHORITIES, TO PROVIDE THAT CERTAIN REDEVELOPMENT FEES MAY BE USED FOR FINANCING, ACQUIRING, DEVELOPING, SUPPORTING, AND OPERATING CERTAIN MUSEUM PROJECTS.

Senator PEELER objected to consideration of the Bill.

CARRIED OVER

S. 635 -- Senators Setzler and Scott: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE

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TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

On motion of Senator SETZLER, the Bill was carried over.

POINT OF ORDER

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT

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NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 12:37 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

VETO OVERRIDDEN

(R8, H3584) -- Reps. Sandifer and Whitmire: AN ACT TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

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The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CONCURRENCE

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned Wednesday, April 14, 2021, that it will adjourn to meet Thursday, April 15, 2021, at 11:00 A.M., under the provisions of Rule 1B.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator GOLDFINCH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bill Chandler of Murrells Inlet, S.C. Bill graduated from the University of South Carolina with a degree in mechanical engineering. He worked for NASA and helped develop systems used on the Apollo XI lunar module. Bill received the Golden Oyster Award for his environmental stewardship and he created Preserve Murrells Inlet. He was active in the community representing property owners, restaurants and preservationists. Bill was a champion shooter and enjoyed playing golf. Bill cherished his family and will be dearly missed.

and

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Virginia Lee Cole Skelton of Clemson, S.C. Virginia was a graduate of Clemson University and earned her master's degree in math education from the University of Georgia. She taught chemistry and math in Easley. Virginia later started a real estate company where she worked for over 20 years. She was an accomplished pianist who enjoyed playing golf, bridge and growing orchids. She served on the YMCA Board and raised money for the American Heart Association. Virginia was an active member of Clemson First Baptist Church for over 62 years. Virginia was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 12:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 14, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 46:2-3

Friends, hear the Word of the Lord: “Therefore we will not fear, though the earth give way and the mountains fall into the heart of the sea, though the waters roar and foam and the mountains quake with their surging.”

Let us pray: Holy God, it really does feel as if the earth has crumbled around us as we view and read the news these days. Our hearts still ache from all of the horrific images from January 6th at our nation’s Capitol, as well as the terrible reports of the violent shootings in Rock Hill just last Wednesday. Tragic actions seem to go on and on and on. We pray, O Lord, that you will lead us here in our Nation and in our State to move beyond such senselessness, to become finally the people You truly call us to be: those who are rational, thoughtful, caring, and loving. Continue guiding these Senators and their staff members as they wrestle with matters great and small. And grant to all of us Your gifts of hope and of peace. We pray all this in Your wondrous name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:04 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett

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Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Peeler	Rice	Sabb
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5002

Agency: Department of Motor Vehicles

Chapter: 90

Statutory Authority: 1976 Code Section 56-23-100

SUBJECT: Truck Driver Schools; and Driver Training Schools

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Transportation

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 13, 2021

Motion to Ratify Adopted

At 1:11 P.M., Senator ALEXANDER made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

Doctor of the Day

Senator SHEALY introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.

Leave of Absence

At 1:05 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 1:22 P.M., Senator SABB requested a leave of absence for Senator MATTHEWS for the day.

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Leave of Absence

At 1:22 P.M., Senator SABB requested a leave of absence for Senator KIMPSON for the day.

Leave of Absence

At 1:22 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 1:15 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 145 Sen. Rice
S. 534 Sen. Rice
S. 536 Sen. Cash
S. 700 Sen. Climer

RECALLED AND ADOPTED

H. 4168 -- Rep. Simrill: A CONCURRENT RESOLUTION TO RECOGNIZE APRIL 12 THROUGH 16, 2021, AS "INDEPENDENT COLLEGES AND UNIVERSITIES WEEK."

Senator HEMBREE asked unanimous consent to make a motion to recall the Resolution from the Committee on Education.

The Resolution was recalled from the Committee on Education.

Senator HEMBREE asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator HEMBREE, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 3438 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY IN THE CITY OF UNION FROM THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 49 WEST AND INDUSTRIAL PARK ROAD AND CONTINUING ON SOUTH CAROLINA HIGHWAY 496 ALONG UNION BOULEVARD TO ITS INTERSECTION WITH SOUTH CAROLINA

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HIGHWAY 49 EAST "REVEREND MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY" IN HONOR OF DR. MARTIN LUTHER KING, JR., AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator MARTIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 749 -- Senators Sabb and Gustafson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE STEPHAN P. MICKLE, SR., OF GAINESVILLE, FLORIDA, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 750 -- Senator Fanning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 80 TO TITLE 2 SO AS TO ESTABLISH THE "SOUTH CAROLINA FAIRNESS, ACCOUNTABILITY, AND INTEGRITY IN REDISTRICTING ACT" TO ESTABLISH THE CRITERIA AND PROCESS FOR APPORTIONMENT PLANS CREATED BY THE GENERAL ASSEMBLY.

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Read the first time and referred to the Committee on Judiciary.

S. 751 -- Senator Harpootlian: A BILL TO AMEND SECTION 58-40-20 OF THE 1976 CODE, RELATING TO NET ENERGY METERING, TO PROVIDE THAT SOLAR CHOICE METERING REQUIREMENTS SHALL REDUCE ANY COST SHIFT OR SUBSIDIZATION ASSOCIATED WITH NET METERING WHILE AVOIDING ANY DISRUPTION TO THE MARKET FOR CUSTOMER-SCALE DISTRIBUTED ENERGY RESOURCES, AND TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON COST

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RECOVERY FOR LOST REVENUES ASSOCIATED WITH CUSTOMER-GENERATORS.

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Read the first time and referred to the Committee on Judiciary.

S. 752 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE THE WEEK OF APRIL 11 THROUGH APRIL 17, 2021, AS "BLACK MATERNAL HEALTH WEEK" IN SOUTH CAROLINA IN ORDER TO BRING STATEWIDE ATTENTION TO THE MATERNAL HEALTH CRISIS IN THE BLACK COMMUNITY AND TO THE IMPORTANCE OF REDUCING MATERNAL MORTALITY AND MORBIDITY AMONG BLACK BIRTHING PEOPLE.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 753 -- Senator Gambrell: A SENATE RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA SENATE BELIEVES IT IS IN THE BEST INTERESTS OF THE STATE IF UPON CONSIDERATION OF CERTAIN BIDS AND PROPOSALS TO REMEDIATE AND PREVENT CYANOBACTERIAL HARMFUL ALGAL BLOOMS, PREFERENCE IS GIVEN TO VENDORS WHO COMPLY WITH CERTAIN SPECIFICATIONS.

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The Senate Resolution was introduced and referred to the Committee on Agriculture and Natural Resources.

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Read the first time and referred to the Committee on Education.

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H. 4190 -- Reps. Rutherford, Rose, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE UNIVERSITY OF SOUTH CAROLINA'S FABULOUS DANCE TEAM, THE CAROLINA GIRLS, ON CAPTURING FIRST PLACE IN DIVISION I-A DANCE TEAM PERFORMANCE AT THE 2021 NATIONAL DANCE ALLIANCE CHAMPIONSHIPS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4195 -- Reps. Henegan, Hayes, Hosey and Wheeler: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS(r) FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2021 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs polled out S. 717 favorable:

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE

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STATE CERTIFICATION OF NEED AND HEALTH FACILITY
LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	K. Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Total--0

NOT VOTING

Matthews

Total--1

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

Ordered for consideration tomorrow.

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Senator VERDIN from the Committee on Medical Affairs polled out H. 3179 favorable:

H. 3179 -- Reps. G.M. Smith, McCabe, Caskey, Yow and Brawley: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.

**Poll of the Medical Affairs Committee
Polled 16; Ayes 16; Nays 0; Not Voting 1**

AYES

Verdin	Peeler	Hutto
Martin	Scott	Alexander
Davis	K. Johnson	Corbin
Kimpson	Gambrell	Senn
Cash	McLeod	Loftis
Garrett		

Total--16

NAYS

Total--0

NOT VOTING

Matthews

Total--1

Ordered for consideration tomorrow.

Senator SHEALY from the Committee on Family and Veterans' Services polled out H. 3567 favorable:

H. 3567 -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: A BILL TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND

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SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

Poll of the Family and Veterans' Services Committee
Polled 17; Ayes 17; Nays 0

AYES

Shealy	Young	<i>K. Johnson</i>
McElveen	Climer	Fanning
McLeod	Talley	Gambrell
Cash	Harpootlian	Cromer
Adams	Gustafson	<i>M. Johnson</i>
Kimbrell	Stephens	

Total--17

NAYS

Total--0

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4064 -- Reps. G.M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

Ordered for consideration tomorrow.

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Appointments Reported

Senator HEMBREE from the Committee on Education submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2025

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

Received as information.

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754

Received as information.

HOUSE CONCURRENCES

S. 669 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF MAY 2021 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE AWARENESS AND UNDERSTANDING ABOUT MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL INDIVIDUALS WITH MENTAL ILLNESS.

Returned with concurrence.

Received as information.

S. 673 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE MAY 12, 2021, AS "MYALGIC ENCEPHALOMYELITIS AWARENESS DAY" AND THE MONTH OF MAY AS "MYALGIC ENCEPHALOMYELITIS AWARENESS MONTH" IN SOUTH CAROLINA IN ORDER TO HELP SPREAD AWARENESS OF THE DISEASE AND THE NEED FOR INCREASED RESEARCH FUNDING AND TO SUPPORT INDIVIDUALS LIVING WITH CHRONIC POST-VIRAL NEUROIMMUNE DISEASES, SPECIFICALLY MYALGIC ENCEPHALOMYELITIS.

Returned with concurrence.

Received as information.

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S. 693 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE FRIDAY, APRIL 16, 2021, AS "DONOR DAY" IN SOUTH CAROLINA; TO HONOR ALL THOSE WHO HAVE MADE THE DECISION TO GIVE THE GIFT OF LIFE; TO FOCUS ATTENTION ON THE EXTREME NEED FOR ORGAN, EYE, AND TISSUE DONATION; AND TO ENCOURAGE ALL RESIDENTS TO TAKE ACTION AND SIGN UP ON SOUTH CAROLINA'S ORGAN AND TISSUE DONOR REGISTRY AT THEIR LOCAL SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES OFFICE OR AT DONATE LIFE SOUTH CAROLINA'S WEBSITE.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

CARRIED OVER

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

On motion of Senator CLIMER, the Bill was carried over.

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OBJECTION

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY

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ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

On motion of Senator MALLOY, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 635 -- Senators Setzler and Scott: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY

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PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (635R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 4 through 12 and inserting:

/ “(1)(a) The President of Clemson University or his designee, the President of the Medical University of South Carolina or his designee, the President of the University of South Carolina at Columbia or his designee, the President of South Carolina State University or his designee, the Governor or his designee, the Chairman of the House Ways and Means Committee or his designee, the Chairman of the Senate Finance Committee or his designee, and the ~~Chairman~~ chairman of the ~~Board~~ board of ~~Trustees~~ trustees shall serve on the executive committee of the ~~board of trustees~~ SCRA.

(b) A designee of one of the four university presidents /

Amend the bill further, as and if amended, on page 4, by striking line 36 and inserting:

/a maximum credit of ~~two~~ five hundred ~~thirty~~ thousand dollars for a/
Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senators SETZLER and SCOTT proposed the following amendment (635R002.KMM.NGS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 23 through 43, and on page 3, by striking lines 1 through 14 and inserting:

/ (c) The executive committee shall elect two additional members of the executive committee, who shall be trustees at the time of their election, and one additional member, who is not required to be a trustee at the time of his election, by the affirmative vote of a majority of the ~~members of the~~ executive committee then serving. ~~Each of the three university presidents, with respect to no more than two executive~~

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~~committee meetings each calendar year, may designate in his place that university's chief research officer, as determined in the sole discretion of the designating president, to participate in and vote at executive committee meetings specified in the designation.~~

(d) The executive committee has all powers and authority of the board of trustees. The board shall have an advisory role only and shall advise the executive committee of the actions recommended by the board.

(2) Terms of elected executive committee members are for four years, and ~~half the term of at least one executive committee member shall~~ expire every two years. An elected executive committee member may not serve more than two consecutive four-year elected terms. A vacancy must be filled for the unexpired term in the manner of original election, and occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of an elected executive committee member. An elected executive committee member ~~need not continue to~~ who must be a trustee at the time of his election need not continue to be a trustee in order to complete his term as an executive committee member. An elected executive committee member may be removed from office by the affirmative vote of two-thirds of the executive committee members serving.”

B. The initial term of the member of the executive committee of the South Carolina Research Authority Board of Trustees who is not required to be a trustee at the time of his election, pursuant to Section 13-17-40(B)(1), as amended by this act, begins on July 1, 2021, and ends on July 1, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams
Bennett

Alexander
Campsen

Allen
Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

CARRIED OVER

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

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CARRIED OVER

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

CARRIED OVER

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

CARRIED OVER

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was carried over.

RECOMMITTED

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSSEN asked unanimous consent to recommit the Resolution to the Committee on Fish, Game and Forestry.

There was no objection.

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The Resolution was recommitted to the Committee on Fish, Game and Forestry.

CARRIED OVER

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSER, the Resolution was carried over.

OBJECTION

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND

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SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

Senator SCOTT objected to further consideration of the Bill.

CARRIED OVER

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

On motion of Senator MARTIN, the Bill was carried over.

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READ THE SECOND TIME

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

Senator DAVIS explained the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	McElveen
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

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The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

The Senate proceeded to a consideration of the Bill.

The Transportation Committee proposed the following amendment (SA\3689C001.BH.SA21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 56-3-376(A)(1) of the 1976 Code is amended to read:

“(1) Classification (1). Vehicles for which the biennial registration fee is one hundred sixty dollars or more. The Department of Motor Vehicles may register and license a vehicle for which the biennial registration fee is one hundred sixty dollars or more or for a semiannual or one-half year upon application to the department by the owner and the payment of one-fourth of the specified biennial fee. Biennial registrations and licenses expire at midnight on the last day of the twenty-fourth month for the period for which they were issued. Semiannual or half-year registrations and licenses expire at midnight of the sixth month for the period for which they were issued and no person shall drive, move, or operate a vehicle upon a highway after the expiration of the registration and license until the vehicle is registered and licensed for the then current period. Trucks, truck tractors, or road tractors with an empty or unloaded weight of ~~over~~ five thousand pounds or less, or gross vehicle weight of

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eight thousand pounds or less also must be placed in this classification but may not be registered for less than a full biennial period.”

SECTION 2. Section 56-3-660 (C) and (E) of the 1976 Code is amended to read:

“(C) Notwithstanding other provisions of this chapter, the department may enter into agreement with other states in a registration and license reciprocal agreement known as the international registration plan and the registration and license required in this section may be apportioned for vehicles which qualify and are licensed in accordance with the provisions of the plan. For the purpose of registering a vehicle under the international registration plan, a motor carrier selecting South Carolina as its base jurisdiction must own or lease real property used directly in the transportation of freight or persons within the State.

(E) The department may register a large commercial motor vehicle, as defined in Section 12-37-2810, ~~for the payment of one half of this state’s portion of the license and road fee for a vehicle whose portion of the license and road fee owed to this State exceeds four hundred dollars pursuant to the payments provisions outlined in Section 12-37-2840.~~ The department may require any information necessary to complete the transaction. A large commercial motor vehicle shall register annually rather than biennially.”

SECTION 3. Section 56-3-190 of the 1976 Code is amended to read:

“Section 56-3-190. (A) The Department of Motor Vehicles may register and license vehicles as required by this chapter upon application being made therefor by the owner and the required fees paid as provided in this chapter.

(B) If a commercial motor vehicle is registered through the International Registration Plan and is operated under a United States Department of Transportation (USDOT) number assigned to a person other than the vehicle’s owner, then the person to whom the USDOT number is assigned may register the commercial motor vehicle by submitting the appropriate application and fees to the Department of Motor Vehicles.”

SECTION 4.A. Section 56-3-195(A) of the 1976 Code is amended to read:

“Section 56-3-195. (A) ~~Beginning on July 1, 1994, each~~ Each county shall mail motor vehicle registration and licensing renewal notices to the owners of vehicles in the county as determined by the Department of Motor Vehicles no later than forty-five days before expiration of the registration. The renewal notices, including the fees upon completion, may be returned to that county which shall transmit the renewal notices

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to the department for processing and which shall transmit the fees to the appropriate state fund as provided by law within seven days of receipt. The owner of a large commercial motor vehicle, as defined in Section 12-37-2810(C), must establish an account with the Department of Motor Vehicles and must remit payment for all fees associated with registration and licensing renewal directly to the Department of Motor Vehicles.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 5.A. Section 12-37-2650 of the 1976 Code is amended to read:

“Section 12-37-2650. (A) Each county ~~The auditor~~ shall prepare a tax notice of all vehicles, except for vehicles described in Article 23, Chapter 37, Title 12, owned by the same person and licensed at the same time for each tax year within the two-year licensing period. A notice must describe the motor vehicle by name, model, and identification number. The notice must set forth the assessed value of the vehicle, the millage, the taxes due on each vehicle, and the license period or tax year. The notice must be delivered to the county treasurer who must collect or receive payment of the taxes. One copy of the notice must be in the form of a bill or statement for the taxes due on the motor vehicle and, when practical, the treasurer shall mail that copy to the owner or person having control of the vehicle. When the tax and all other charges included on the tax bill have been paid, the treasurer shall issue the taxpayer a paid receipt. The receipt or a copy may be delivered by the taxpayer to the Department of Motor Vehicles with the application for the motor vehicle registration. A record of the payment of the tax must be retained by the treasurer. The auditor shall maintain a separate duplicate for motor vehicles. A registration may not be issued by the Department of Motor Vehicles unless the application is accompanied by the receipt, a copy of the notification required by Section 12-37-2610 or notice from the county treasurer, by other means satisfactory to the Department of Motor Vehicles, of payment of the tax. Large commercial motor vehicles and buses, as defined in Section 12-37-2810, must pay road use fees pursuant to Article 23, Chapter 37, Title 12 in lieu of ad valorem property taxes. The treasurer, tax collector, or other official charged with the collection of ad valorem property taxes in each county may delegate the collection of motor vehicle taxes to banks or banking institutions, if each institution assigns, hypothecates, or pledges to the county, as security for the collection, federal funds or federal, state, or municipal securities in an amount adequate to prevent any loss to the county from any cause. Each institution shall remit the taxes collected daily to the county official

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charged with the collections. The receipt given to the taxpayer, in addition to the information required in this section and by Section 12-45-70, must contain the name and office of the treasurer or tax collector of the county and must also show the name of the banking institution to which payment was made.

(B) The county official charged with the collection of taxes shall send a list of the institutions collecting the taxes to the Department of Motor Vehicles. Each institution shall certify to the Department of Motor Vehicles that the taxes have been paid, and the Department of Motor Vehicles is authorized to accept certification in lieu of the tax receipt given to the taxpayer if certification contains information required by this section.

(C) Tax bills (notices) for county assessed personal property valued in accordance with applicable Department of Revenue regulations must include notification of the taxpayer's appeal rights, to include a minimum amount of information of how the taxpayer should file his appeal, to whom, and within what time period.

(D) The Department of Motor Vehicles shall mail a notice to registrants of large commercial motor vehicles who no longer receive bills from counties that their road use fee will be due to the department at their next renewal cycle instead of paying taxes or fees to the county in which the vehicle is registered.

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 6. Section 12-37-2810(A) of the 1976 Code is amended to read:

"Section 12-37-2810. (A) 'Motor carrier' means a person or legal entity who owns, controls, operates, manages, or leases a commercial motor vehicle, or bus for the transportation of property or persons in intrastate or interstate commerce except for scheduled intercity bus service and farm vehicles using FM tags as allowed by the Department of Motor Vehicles. ~~A motor carrier is defined further as being a South Carolina-based International Registration Plan registrant or owning or leasing real property within this State used directly in the transportation of freight or persons.~~"

SECTION 7.A. Sections 12-37-2840 and 12-37-2850 of the 1976 Code are amended to read:

"Section 12-37-2840. A Notwithstanding another provision of law, a motor carrier registering a large commercial motor vehicle or bus must pay to the Department of Motor Vehicles the road use fee due on the vehicle at the time and in the manner the person pays the registration fees

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on the vehicle pursuant to Section 56-3-660. A person choosing to pay South Carolina registration fees on a large commercial motor vehicle or bus in quarterly installments pursuant to Section 56-3-660 also must pay the road use fee on the vehicle in the same quarterly installments. The Department of Motor Vehicles must make quarterly installment payments available to a customer upon the customer's request provided that each installment payment is made online.

Section 12-37-2850. ~~Beginning on January 1, 2019, the~~ The Department of Motor Vehicles shall assess annually the road use fee due on large commercial motor vehicles and buses based on the value determined in Section 12-37-2820 and an average millage for all purposes statewide for the preceding calendar year and shall publish the average millage for the preceding year by July first of each year. The Department of Revenue, in consultation with the Revenue and Fiscal Affairs Office, shall calculate the millage to be used to calculate the road use fee by June first of each year for the following calendar year. The road use fee assessed must be paid to the Department of Motor Vehicles, in addition to the registration fees required pursuant to Sections 56-3-660 and 56-3-670, at the time and in the manner that the registration fees on the vehicle are paid pursuant to Sections 56-3-660 and 56-3-670. Distribution of the fees paid must be made by the Office of the State Treasurer based on the distribution formula provided in Sections 12-37-2865 and 12-37-2870.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

SECTION 8.A. Section 12-37-2860(F) of the 1976 Code is amended to read:

“(F) If the ~~apportioned~~ South Carolina registration fees of a large commercial motor vehicle or bus and the road use fees for large commercial motor vehicles required under this chapter are ~~equal to or exceed four hundred dollars assessed~~, the fees may be remitted to the Department of Motor Vehicles quarterly in installments, provided that each installment is made online. A motor carrier who fails to make a quarterly installment payment on a timely basis may no longer make installment payments and must remit to the department the balance of the fees owed for any previous calendar year before the Department of Motor Vehicles will renew registration for the current calendar year. A motor carrier that opts out of installment payments must make full payment of fees at the time of registration.”

B. This SECTION takes effect on the first day of the fiscal year that begins twenty-four months after the program is fully funded.

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SECTION 9.A. Section 12-37-2880 of the 1976 Code is amended to read:

“Section 12-37-2880. (A) In addition to the property tax exemptions allowed pursuant to Section 12-37-220, one hundred percent of the fair market value of all large commercial motor vehicles and buses registered for use in this State ~~under the International Registration Plan or otherwise pursuant to Section 56-3-190~~, is exempt from property tax and is instead subject to the road use fee imposed pursuant to this article.

(B) The road use fee imposed by this article is in lieu of all ad valorem taxes upon large commercial motor vehicles or buses, and any road use or other vehicle-related fees imposed by a political subdivision of this State ~~if registered for use in this State under the International Registration Plan~~.

(C) Counties shall mail bills for road use fees and registration to large commercial motor vehicles operating intrastate until the effective date of Section 12-37-2860(F).”

B. This SECTION is effective the first day of the new fiscal year after approval by the Governor.

SECTION 10. Section 56-3-240(5) of the 1976 Code is amended to read:

“(5) In addition to other registration requirements the department shall collect a federal employer identification number or social security number when a vehicle is registered with a gross vehicle weight of more than twenty six thousand pounds or as a bus common carrier.

Additionally, for a commercial motor vehicle with a gross weight of more than twenty six thousand pounds that operates with an apportioned license plate, the department may determine the manner, including the standard for measuring distance, such as miles or kilometers, application process, and filing deadlines for applications under the International Registration Plan, and must be provided:

(a) ~~the United States Department of Transportation Number of the registrant and motor carrier responsible for safety, as defined by the Federal Motor Carrier Safety Administration; and~~

(b) a completed current MCS 150 form from the registrant for the motor carrier responsible for safety, as defined by the Federal Motor Carrier Safety Administration. This form also must be on file with the Federal Motor Carrier Safety Administration. Except where the International Registration Plan permits an applicant to use average per-vehicle distance, an application may contain the actual distance that the fleet being registered was operated during the report period. In accordance with the International Registration Plan, if the fleet did not

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accrue any actual distance during the reporting period, an applicant may use average per-vehicle distance. The expiration date of apportioned registration for all apportioned vehicles in a fleet must be the same date.”

SECTION 11.A. Section 56-3-355 of the 1976 Code is amended to read:

“Section 56-3-355. (A) The Department of Motor Vehicles must suspend, revoke, or not issue a registration card and license plate to a person for a commercial motor vehicle greater than twenty-six thousand pounds which operates with an apportioned license plate if the commercial motor carrier who is responsible for the safety of the vehicle has been prohibited from operating by a federal agency or if it is determined that the registrant has:

(1) made a material misrepresentation or false statement on the application or fails to disclose material information required pursuant to Section 56-3-240 or the International Registration Plan, if applicable;

(2) used or permitted the use of plates contrary to law;

(3) been found guilty of fraud, fraudulent practices, or subterfuge for the real party in interest who has been issued a federal out-of-service order;

(4) operated or owned a business managed, or otherwise controlled or affiliated, with a person who is ineligible for registration, including the registrant entity, a relative, family member, corporate officer, or shareholder; or

(5) failed to comply with any of the regulations of the department for the enforcement of this article.

(B) The registrant must promptly surrender to the department any item suspended or revoked under this section. If the registrant unlawfully refuses to surrender the suspended or revoked items as required under this section, the department, through its designated agents or by request to a county or municipal law enforcement agency, shall take possession of the suspended or revoked license plate and registration card. A registration card or license plate may not be reissued for that vehicle until the motor carrier has been allowed to operate by a federal agency or the vehicle is properly transferred to a motor carrier that is not prohibited from operating by a federal agency. Before a suspended vehicle registration card can be reinstated, the department shall receive a signed copy of any inspection report for each suspended registration card and a fee of fifty dollars for each registration card suspension which must be paid to the department. The fifty dollar fee must be placed in the State Highway Fund as established by Section 57-11-20, to be distributed as provided in Section 11-43-167 by the Comptroller General.”

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B.This SECTION takes effect at the start of the fiscal year immediately following approval by the Governor.

SECTION 12. This act takes effect upon approval by the Governor unless otherwise indicated. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

On motion of Senator GROOMS, the Bill was carried over.

RECOMMITTED

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator MASSEY asked unanimous consent to recommit the Resolution to the Committee on Labor, Commerce and Industry.

There was no objection.

The Resolution was recommitted to the Committee on Labor, Commerce and Industry.

POINT OF ORDER

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

READ THE SECOND TIME

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The question being the second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

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NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

H. 4099--Ordered to a Third Reading

On motion of Senator CAMPSSEN, with unanimous consent, H. 4099 was ordered to receive a third reading on Thursday, April 15, 2021.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:47 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator McLEOD rose for an Expression of Personal Interest.

Remarks by Senator McLEOD

I could not adjourn today's session without coming to the Well to speak of the backlash my constituency has experienced because of an incident that happened in a community in my district. Some of you may have seen the video that went viral of a confrontation between a young African-American man and an older white man. The young African-American man was walking down the street when an angry white man accosted him. Without a justified motive, the angry white man pushed, demeaned, and publicly humiliated the young African-American male. This young man could have been killed. For what? For walking down the street while black? Do you not believe that race-based hate is real? You do not have to visit my district to believe it. All you have to do is turn on the news every single day. We have the audacity here in these Chambers to entertain Bills like unorganized militias, open carry and constitutional carry. Just yesterday, I was entering the State House when I was given a flier by those who believe that an unborn embryo or fetus

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has a right to live. My young black sons have a right to live. It is so frustrating and angering every time I hear that another young black man does not live to see a new day because his tags were expired, had a busted tail light, or he was playing his music too loud. Such as yesterday, when an unarmed black man could have died because he was just walking in a neighborhood which I am told is adjacent to his residence. That is what the videotape noticeably shows.

So I am coming to the Well today, which I do not do very often. But when it matters, I have to speak up. I am speaking up not just for my sons, but for my community, my constituents and for those of you who have asked what I can do. For those who remember, we have lost a colleague in this Body because of race. Now is the time to think about what you can do. Stop being silent. That is what you can do. Do that for my boys. Do it for your children because even though a few are targeted, this affects all of us. This man, as we saw in the video, hovered over this young black man and refused to let him walk down the street -- shoved him, cursed him and broke his cell phone. I am sure that broke that innocent young man's spirit. Thankfully, that was all that occurred. Dante Wright is not here because a law enforcement mistook her Taser as a handgun. Botham Jean is not here because he was shot by a law enforcement officer while eating ice cream in his apartment. What else has to happen? It is a ticking time bomb. We have to decide. We have to decide, today, right now, whether we are moving forward in 2021 or we are rewinding to 1921. It really is that simple. I am begging you to stop being silent when you see these injustices happening. It is not just affecting people who look like me. It is affecting people who look like you too.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senators PEELER, CLIMER, M. JOHNSON and FANNING, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William M. Faulkner IV of Smyrna, S.C. William was an amazing young man who brought joy to those around him. He who was a member of Smyrna ARP Church. William was a loving son, brother and grandson who will be dearly missed.

and

MOTION ADOPTED

On motion of Senators PEELER, CLIMER, M. JOHNSON and FANNING, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Martha Bratton of Clover, S.C. Martha was a member of the Clover Town Council. She graduated from Clover High School in 1989 and was a prominent leader in business and local government. Martha was a loving sister and mother who will be dearly missed.

ADJOURNMENT

At 2:02 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, April 15, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator McELVEEN. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 528 Sen. Shealy

REPORT OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 596 -- Senators Senn, Campsen, McElveen and Leatherman: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE FOR THE REGULATION OF PRE-PRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Initial Appointment, Director of Department of Health and Human Services, with term coterminous with Governor

Robert M. Kerr, 3117 Monroe Street, Columbia, SC 29295-2636

Received as information.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2021, and to expire June 9, 2024

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

THURSDAY, APRIL 15, 2021

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2018, and to expire December 31, 2022

At-Large, Licensed Practical Nurse:

Tamara Day, 3439 Calks Ferry Road, Pelion, SC 29123-9389

Received as information.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2019, and to expire December 31, 2023

3rd Congressional District:

Wilma Kay Swisher, 110 Cedar Court, Laurens, SC 29360

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2018, and to expire September 30, 2021

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

Received as information.

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539
VICE C. David Baxter

Received as information.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

5th Congressional District:

Henry S. Eldridge, 2040 Manila Bay Lane, Tega Cay, SC 29708-8524

THURSDAY, APRIL 15, 2021

Received as information.

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

3rd Congressional District:

Frank Daniel Wideman, 126 Stratford Road, Greenwood, SC 29649-9110 *VICE* Rev. Dan Lindsay Batson

Received as information.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSER.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 15, 2021, at 10:30 A.M. and the following Acts and Joint Resolutions were ratified:

(R23, S. 515) -- Senators Stephens and Hutto: AN ACT TO AMEND ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT, SO AS TO ELIMINATE THE PROHIBITION AGAINST HOLDING CERTAIN SCHOOL CLOSURE REFERENDUMS AT THE SAME TIME AS A SCHOOL BOND REFERENDUM, TO PROVIDE THAT CERTAIN PROCEDURES REGARDING THE CLOSURE OF AN ORANGEBURG COUNTY ELEMENTARY, MIDDLE, OR HIGH SCHOOL DO NOT APPLY IF THE BOARD OF TRUSTEES DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH OR SAFETY OF STUDENTS OR STAFF, OR THAT THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR

THURSDAY, APRIL 15, 2021

STRUCTURE ARE ECONOMICALLY UNFEASIBLE; AND TO REVISE THE ORANGEBURG COUNTY SCHOOL DISTRICT'S MILLAGE LEVY FOR FISCAL YEARS 2021-2022 AND 2022-2023.
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(R24, S. 698) -- Senators Peeler, Climer, Hutto, Williams, Talley, Leatherman, K. Johnson, Sabb, McElveen, Setzler, Alexander, Goldfinch, Gambrell, Grooms, Cromer, Shealy, Davis, Young, Rice, Stephens and Campsen: A JOINT RESOLUTION TO AUTHORIZE THE USE OF CERTAIN FUNDS FROM THE WAREHOUSE RECEIPTS GUARANTY FUND TO PAY CERTAIN COTTON PRODUCER CLAIMS, TO PROVIDE THAT THE COTTON PRODUCER SHALL SUBROGATE HIS INTEREST IN A CAUSE OF ACTION, AND TO PROVIDE FOR THE RETURN OF CERTAIN FUNDS TO THE WAREHOUSE RECEIPTS GUARANTY FUND.
L:\COUNCIL\ACTS\698CZ21.DOCX

(R25, H. 3548) -- Reps. Ott, Forrest, Jefferson and R. Williams: AN ACT TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.
L:\COUNCIL\ACTS\3548CZ21.DOCX

(R26, H. 3770) -- Reps. G.M. Smith, Stavrinakis, Wetmore, Weeks, Hewitt, Wheeler, Erickson, Bradley, W. Newton and Dillard: A JOINT RESOLUTION TO AUTHORIZE THE USE OF FEDERAL FUNDS DISBURSED TO THE STATE PURSUANT TO THE FEDERAL "CONSOLIDATED APPROPRIATIONS ACT, 2021" FOR THE EMERGENCY RENTAL ASSISTANCE PROGRAM; TO CREATE THE SOUTH CAROLINA EMERGENCY RENTAL ASSISTANCE PROGRAM AND TO PROVIDE THE MANNER IN WHICH THE FUNDS MUST BE DISTRIBUTED; TO PROVIDE THAT CERTAIN COLLEGES AND UNIVERSITIES MAY CONTRACT WITH PRIVATE PARTIES TO PROVIDE SERVICES RELATED TO CERTAIN FEDERAL EMPLOYMENT TAX CREDITS; AND TO PROVIDE THAT THE SOUTH CAROLINA STATE HOUSING FINANCING AND DEVELOPMENT AUTHORITY SHALL TAKE CERTAIN ACTIONS TO ENSURE THAT ELIGIBLE

THURSDAY, APRIL 15, 2021

HOUSEHOLDS AND LANDLORDS ARE AWARE OF THE PROGRAM.

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(R27, H. 3726) -- Reps. West, G.M. Smith, W. Cox, M.M. Smith, Pope, Simrill, Elliott, B. Cox, W. Newton, Thayer, Gagnon, Herbkersman, White, Wheeler, Rutherford, Ballentine and Ott: AN ACT TO AMEND SECTION 12-36-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "GROSS PROCEEDS OF SALES", SO AS TO EXCLUDE AMOUNTS RECEIVED FROM A BUYDOWN.

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(R28, H. 3925) -- Reps. Allison, Trantham, Felder, Simrill, Ligon, Collins, Calhoon, Huggins, McCabe and Pope: A JOINT RESOLUTION TO PROVIDE CERTAIN PROVISIONS OF SECTION 59-63-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON HOMESCHOOL STUDENT ELIGIBILITY TO PARTICIPATE IN PUBLIC SCHOOL INTERSCHOLASTIC ACTIVITIES, ARE WAIVED FOR THE 2020-2021 AND 2021-2022 SCHOOL YEARS; AND TO PROVIDE THE FOUR ACADEMIC COURSE REQUIREMENT OF SECTION 59-39-160, AND AS ALSO MAY BE PROVIDED BY REGULATION, FOR STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, INCLUDING SPORTS-RELATED ACTIVITIES, IS WAIVED FOR THE 2020-2021 SCHOOL YEAR DUE TO THE COVID-19 PANDEMIC, AND TO PROVIDE STUDENTS MUST ACHIEVE AN OVERALL PASSING AVERAGE IN AT LEAST THREE ACADEMIC COURSES AND BE ON TRACK FOR GRADUATION TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, INCLUDING ALL SPORTS-RELATED ACTIVITIES, FOR THE 2020-2021 SCHOOL YEAR.

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(R29, H. 4099) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED

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AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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ADJOURNMENT

At 11:06 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 16, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SETZLER.

ADJOURNMENT

At 11:03 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, April 20, 2021, at 12:00 Noon.

* * *

Tuesday, April 20, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Ezekiel 37:2b, 3

We remember Ezekiel the prophet telling us: “. . . I saw a great many bones on the floor of the valley, bones that were very dry. He asked me, ‘. . . can these bones live?’ ”

Join your heart with mine as we pray, please: Truly, O God, “dry bones” are all around us here in this Chamber: those tasks still not completed, the questions which remain unanswered, the lingering debates. We pray today, O Father, that You will inspire each one of Your servants here to do his and her best, to be filled with new energy, to bring “life” to matters that really need to be completed, and to move forward with determination, wisdom, and clarity. Also, Lord, we ask for Your gracious blessing upon all of our other leaders here in this State, as well those who serve our Nation in Washington and elsewhere, plus all of our women and men in uniform who wrestle against darkness in places far around the globe as well as here at home. May we all find strength in You, Lord, to let “these bones live” -- to Your glory. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett

TUESDAY, APRIL 20, 2021

Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Martin	Massey	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 4979

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140(11), 44-1-150, 44-55-825, 44-55-827, and 48-1-10 et seq.

SUBJECT: Septic Tank Site Evaluation Fees; Onsite Wastewater Systems; License to Construct or Clean Onsite Sewage Treatment and Disposal Systems and Self-Contained Toilets; and Licensing of Onsite Wastewater Systems Master Contractors

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 16, 2021

Document No. 5003

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-96-10 et seq.

SUBJECT: Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 16, 2021

Doctor of the Day

Senator WILLIAMS introduced Dr. Valarian Bruce of Florence, S.C., Doctor of the Day.

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Leave of Absence

At 12:04 P.M., Senator VERDIN requested a leave of absence for Senator LOFTIS for the day.

Leave of Absence

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator MATTHEWS until 2:00 P.M.

Leave of Absence

At 12:22 P.M., Senator FANNING requested a leave of absence for Senator McLEOD until 12:40 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 730 Sen. Alexander

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 123 Sen. Gustafson

RECALLED AND ADOPTED

H. 4195 -- Reps. Henegan, Hayes, Hosey and Wheeler: A CONCURRENT RESOLUTION TO RECOGNIZE THE SOUTH CAROLINA ASSOCIATION OF REALTORS® FOR ITS STRONG SUPPORT OF FAIR HOUSING IN THE PALMETTO STATE AND TO DECLARE APRIL 2021 AS "FAIR HOUSING MONTH" IN SOUTH CAROLINA.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator ALEXANDER asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

TUESDAY, APRIL 20, 2021

On motion of Senator ALEXANDER, the Resolution was adopted and ordered sent to the House.

RECALLED

H. 4025 -- Reps. Jefferson, Davis, Pendarvis, Tedder and Kimmons: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF RIDGE ROAD AND HIGHWAY S-18-78 IN DORCHESTER COUNTY "ANGIE LEE CRUM CROSSING" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3662 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN CALHOUN COUNTY FROM ITS INTERSECTION WITH INABINET ROAD TO ITS INTERSECTION WITH THE ST. MATTHEWS TOWN LIMIT "OTHNIEL WIENGES, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4018 -- Reps. Wheeler, Dabney, J.L. Johnson and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DEDICATE THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" AND ERECT

TUESDAY, APRIL 20, 2021

APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF STREET CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

OBJECTION

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler and Turner: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

Senator CLIMER asked unanimous consent to make a motion to recall the Bill from the Committee on Medical Affairs.

Senator SETZLER objected.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 754 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO CONGRATULATE DEPUTY DREW WINANS, DEPUTY JEROME MAYBANK, AND DEPUTY BRANDON MCWETHY OF THE GEORGETOWN COUNTY SHERIFF'S OFFICE FOR RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

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The Concurrent Resolution was adopted, ordered sent to the House.

TUESDAY, APRIL 20, 2021

S. 755 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE APRIL 20, 2021, AS "4-H DAY" AT THE STATE CAPITOL.

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The Senate Resolution was adopted.

S. 756 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. JAMES C. "JIM" MEZICK, FORMER SENIOR PASTOR OF LAKESIDE BAPTIST CHURCH, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTY-TWO YEARS OF EXEMPLARY SERVICE IN THE NORTH MYRTLE BEACH COMMUNITY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 757 -- Senators Harpootlian, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARK BERSON, HEAD COACH OF THE UNIVERSITY OF SOUTH CAROLINA MEN'S SOCCER TEAM, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-THREE YEARS OF OUTSTANDING SERVICE TO THE UNIVERSITY AND TO HIS PLAYERS, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

H. 4216 -- Reps. Taylor, Blackwell, Clyburn, Hixon and Oremus: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KENNY THOMAS, COACH OF THE UNIVERSITY OF SOUTH CAROLINA AIKEN BASEBALL TEAM, UPON THE OCCASION

TUESDAY, APRIL 20, 2021

OF HIS RETIREMENT AFTER THIRTY-THREE YEARS OF OUTSTANDING COACHING.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4217 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2021, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

REPORTS OF STANDING COMMITTEES

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 231 -- Senators Shealy, McLeod and Matthews: A BILL TO ENACT THE "STUDENT IDENTIFICATION CARD SUICIDE PREVENTION ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS PROVISIONS FOR EDUCATION, BY ADDING SECTION 59-1-375, TO PROVIDE THAT PUBLIC SCHOOLS AND PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING SHALL ADD THE TELEPHONE NUMBER FOR THE NATIONAL SUICIDE

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PREVENTION LIFELINE TO STUDENT IDENTIFICATION CARDS AND MAY ADD TELEPHONE AND TEXT NUMBERS FOR CERTAIN OTHER HOTLINES TO STUDENT IDENTIFICATION CARDS, AND TO PROVIDE FOR THE USE OF STUDENT IDENTIFICATION CARDS IN EXISTENCE BEFORE THE IMPLEMENTATION OF THIS REQUIREMENT.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary polled out H. 3194 favorable with amendment:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Poll of the Judiciary Committee

Polled 21; Ayes 21; Nays 0; Not Voting 2

AYES

Rankin	Hutto	Malloy
Campsen	Massey	Young

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Sabb	Climer	McLeod
Rice	Senn	Talley
Cash	Harpootlian	Loftis
Adams	Garrett	Gustafson
Kimbrell	<i>Michael Johnson</i>	Stephens

Total--21

NAYS

Total--0

NOT VOTING

Kimpson	Matthews
---------	----------

Total--2

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 20, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED

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STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., April 20, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Resolution to the Senate with amendments:

S. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

TUESDAY, APRIL 20, 2021

**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senators MASSEY, HEMBREE and MALLOY proposed the following amendment (704R003.SP.GH), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. For the 2020-2021 School Year, every school district in the State must offer five-day, in-person classroom instruction to students no later than April 26, 2021. For the 2021-2022 School Year, every school district in the State must offer five-day, in-person classroom instruction to students.

SECTION 2. (A) Due to the significant health threat and risks associated with the 2019 novel coronavirus, also referred to as COVID-19, the earnings limitation imposed pursuant to Section 9-1-1790 does not apply to a retired member of the South Carolina Retirement System to the extent provided in subsection (B) if the member:

- (1) retired on or before April 1, 2019; and
- (2) returns to otherwise covered employment in the K-12 public education system.

(B) A retired member who meets the qualifications of subsection (A) may be hired and return to employment covered by the system and earn up to fifty thousand dollars annually without affecting the monthly retirement allowance that the member is receiving from the system. No retired member participating under this section may be compensated for an employment period exceeding thirty-six consecutive months. An employer shall notify the system of the engagement of a retirement member to perform services, and if an employer fails to notify the system of the engagement of a retired member to perform services, then the employer shall reimburse the system for all benefits wrongly paid to the retired member. Nothing in this joint resolution may be construed to require an employer to hire a person after that person has retired.

SECTION 3. (A) Due to the need for ongoing, high-quality instruction to address learning disruptions associated with COVID-19

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for the 2021-2022 School Year, school districts are prohibited from assigning a teacher to deliver instruction to students simultaneously in-person and virtually, an approach often referred to as “dual-modality instruction,” unless it is reasonable and necessary due to extreme and unavoidable circumstances in order to ensure that all students have access to highly qualified instructors.

(B) In the event that a school district determines it is necessary for a teacher to deliver dual-modality instruction, the school district must provide additional compensation to the teacher.

(C) For any teacher assigned by a school district to dual-modality instruction, the school district must provide the State Department of Education with the name of the teacher, school where the teacher is employed, and subject area in which the teacher was hired to teach. The State Department of Education shall report the information to the General Assembly at the completion of the school year.

SECTION 4. This joint resolution takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens
Verdin

Talley
Williams

Turner
Young

Total--42

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 635 -- Senators Setzler and Scott: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE

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FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

AMENDMENT PROPOSED, CARRIED OVER

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

The Senate proceeded to a consideration of the Bill.

Senator McELVEEN proposed the following amendment (3539R001.SP.JTM):

Amend the bill, as and if amended, page 3, line 9, by inserting:

/ (C) The department may seize and destroy any pig obtained pursuant to this section. /

Renumber sections to conform.

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Amend title to conform.

Senator McELVEEN explained the amendment.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER

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ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

Senator MARTIN objected to consideration of the Bill.

READ THE SECOND TIME

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

The question being the second reading of the Bill.

Senator GROOMS explained the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator ALEXANDER, the Resolution was carried over.

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**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

The Senate proceeded to a consideration of the Bill.

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The Committee on Transportation proposed the following amendment (3805R002.KMM.LKG), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 41-43, and on page 6, by striking line 1 and inserting:

/issued to the award recipient. License plates for medals specified in subsection (A), except for Korean War license plates pursuant to subsection (A)(4), are subject to the regular motor vehicle registration fee contained in Article 5, Chapter 3, Title 56. License plates for medals specified in subsection (A) are not subject to an additional specialty plate fee. These special license plates must be issued or /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (3805R003.KMM.SRM), which was adopted:

Amend the bill, as and if amended, on page 6, by striking lines 36-37 and inserting:

/ (1) Veteran or veteran wheelchair if the registrant qualifies for handicapped parking pursuant to Section 56-3-1910(H);

(2) Female veteran or female veteran wheelchair if the registrant qualifies for handicapped parking pursuant to Section 56-3-1910(H); /

Amend the bill further, as and if amended, on page 5, line 10, by inserting:

/ (3) Disabled Female Veteran - the applicant must be considered totally and permanently disabled due to a service-connected disability as evidenced by official military documentation.

(4) Disabled Female Veteran (Wheelchair) - the applicant must be considered totally and permanently disabled due to a service-connected disability as evidenced by official military documentation. The applicant also must qualify for handicapped parking privileges as specified in Section 56-3-1910 and follow the application process prescribed by Section 56-3-1910. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

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The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

The question being the second reading of the Bill.

Senator CLIMER explained the Bill.

On motion of Senator HUTTO, the Bill was carried over.

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AMENDED, READ THE SECOND TIME

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

The Senate proceeded to a consideration of the Bill.

Senator MARTIN proposed the following amendment (WAB\3017C001.RT.WAB21), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 59-149-60 of the 1976 Code is amended to read:

“Section 59-149-60. The student may receive a LIFE Scholarship for not more than ten semesters for a five-year degree program, eight semesters for a four-year degree program, ~~or~~ four semesters for a two-year degree program, or six semesters for a three-year degree program.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator MASSEY spoke on the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3179 -- Reps. G.M. Smith, McCabe, Caskey, Yow and Brawley: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.

The Senate proceeded to a consideration of the Bill.

Senator VERDIN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3567 -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: A BILL TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 4064 -- Reps. G.M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

The Senate proceeded to a consideration of the Bill.

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The Committee on Finance proposed the following amendment (4064R001.KMM.HKL), which was adopted:

Amend the bill, as and if amended, on page 1, after line 42, by adding an appropriately numbered new SECTION to read:

/SECTION __. There is appropriated sixty-seven million fifty-five thousand dollars from the Fiscal Year 2019-20 Contingency Reserve Fund to the Trust Fund for Tax Relief. The Board of Economic Advisors is directed to make any necessary adjustments among its forecasts for recurring and non-recurring revenue resulting from the appropriation contained herein. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

CARRIED OVER

S. 596 -- Senators Senn, Campsen, McElveen and Leatherman: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE FOR THE REGULATION OF PRE-PRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (596R001.SP.DBV), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/SECTION 1. Chapter 1, Title 48 of the 1976 Code is amended by adding:

“Section 48-1-92. (A) The department is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. Pursuant to the program:

(1) pre-production plastics are those products, to include pellets, powders, and flakes, that are utilized in the production of plastic products;

(2) post-production plastics are those products created by activities including the melting, shaping, and molding of pre-production plastics;

(3) the department shall promulgate regulations to add an additional category of industrial activity so that the operators of facilities that are primarily engaged in the transportation, transloading, packaging, wholesale, or storing of pre-production plastics are subject to regulation by the program. The operators of facilities that transport, transload, package, wholesale, or store post-production plastics shall not be included; and

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(4) pre-production plastic shall be classified as ‘other refuse’ for the purposes of the Water Classifications and Standards.

(B) The department shall promulgate regulations to implement best practice requirements for facilities that are brought under regulation pursuant to this section, including:

(1) the installation of containment systems at all storm drain discharge locations at a facility that are down-gradient of an area where pre-production plastic is handled;

(2) measures to contain pre-production plastic during the storage, handling, or transfer of the pre-production plastic, including the use of:

(a) sealed containers that will not rupture under typical loading or unloading activities;

(b) capture devices under all transfer valves and devices used in loading, unloading, or otherwise transferring pre-production plastic; and

(c) vacuums or vacuum-type systems for the quick cleanup of fugitive pre-production plastic; and

(3) new best management practices reflecting updates in science and technology, or advances in detection and treatment technologies, as appropriate.

(C) The department may promulgate regulations necessary to implement the program and to provide additional requirements regarding the regulation of releases of pre-production plastic from facilities into the waters or onto the land of this State.

(D) A facility that violates a provision of this section shall:

(1) for a first violation during a five-year period, be subject to the department’s enforcement procedures outlined in its Uniform Enforcement Policy;

(2) for a second violation during a five-year period, be assessed at least fifty percent of the maximum allowable penalty pursuant to Section 48-1-330; and

(3) for a third violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years.”/

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The amendment was adopted.

On motion of Senator MASSEY, the Bill was carried over.

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ADOPTED

H. 3438 -- Rep. Gilliam: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY IN THE CITY OF UNION FROM THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 49 WEST AND INDUSTRIAL PARK ROAD AND CONTINUING ON SOUTH CAROLINA HIGHWAY 496 ALONG UNION BOULEVARD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 49 EAST "REVEREND MARTIN LUTHER KING, JR. MEMORIAL HIGHWAY" IN HONOR OF DR. MARTIN LUTHER KING, JR., AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

COMMITTEE AMENDMENT ADOPTED

AMENDED, DEBATE INTERRUPTED

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree and Gustafson: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND

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FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0464.003), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 58-31-20 of the 1976 Code of Laws is amended to read:

“Section 58-31-20 (A) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an ex-officio capacity, a ~~A~~ director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ six years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ six years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and

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consent of the Senate, and the successor-director shall hold office for the unexpired term. A director shall not be appointed for more than two consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The authority may provide, at its expense, health insurance benefits to members of the board, through the State insurance plan or otherwise. Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time.

(B) Candidates for appointment to the board must be screened by the State Regulation of Public Utilities Review Committee and, prior to confirmation by the Senate, must be found qualified by meeting the minimum requirements contained in subsection (C). The review committee must submit a written report to the Clerk of the Senate setting forth its findings as to the qualifications of each candidate. A candidate must not serve on the board, even in an interim capacity, until he is screened and found qualified by the State Regulation of Public Utilities Review Committee.

(C)(1) Each member must possess abilities and experience that are generally found among directors of energy utilities serving this State and that allow him to make valuable contributions to the conduct of the authority's business. These abilities include substantial business skills and experience, but are not limited to:

~~(1)~~(a) general knowledge of the history, purpose, and operations of the Public Service Authority and the responsibilities of being a director of the authority;

~~(2)~~(b) the ability to interpret legal and financial documents and information so as to further the activities and affairs of the Public Service Authority;

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~~(3)~~(c) with the assistance of counsel, the ability to understand and apply federal and state laws, rules, and regulations including, but not limited to, Chapter 4 of Title 30 as they relate to the activities and affairs of the Public Service Authority; and

~~(4)~~(d) with the assistance of counsel, the ability to understand and apply judicial decisions as they relate to the activities and affairs of the Public Service Authority.

(2) Each member must also have:

(a) a baccalaureate or more advanced degree from:

(i) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(ii) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(iii) an institution of higher learning chartered before 1962;
and

(b) a background of substantial duration and an expertise in at least one of the following:

(i) energy issues;

(ii) consumer protection and advocacy issues;

(iii) water and wastewater issues;

(iv) finance, economics, and statistics;

(v) accounting;

(vi) engineering; or

(vii) law.

(D) For the assistance of the board of directors of the Public Service Authority, there is hereby established an advisory board to be known as the advisory board of the South Carolina Public Service Authority, to be composed of the Governor of the State, the Attorney General, the State Treasurer, the Comptroller General, and the Secretary of State, as ex officio members, who must serve without compensation other than necessary traveling expenses. The advisory board must perform any duties imposed on it pursuant to this chapter, and must consult and advise with the board of directors on any and all matters which by the board of directors may be referred to the advisory board. The board of directors must make annual reports to the advisory board, which reports must be submitted to the General Assembly by the Governor, in which full information as to all of the acts of said board of directors shall be given, together with financial statement and full information as to the work of the authority. On July first of each year, the advisory board must designate a certified public accountant or accountants, ~~resident in the~~

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State, for the purpose of making a complete audit of the affairs of the authority, which must be filed with the annual report of the board of directors. The Public Service Authority must submit the audit to the General Assembly. The board of directors must submit annual reports required by Section 58-3-530(17) to the advisory board.

(E)(1) The following shall be nonvoting ex officio members of the board of directors entitled to attend all meetings of the authority board, including any executive sessions, except as set forth below:

The Chairman of Central Electric Power Cooperative, or his designee, and one member of the Board of Central Electric Power Cooperative chosen by that board who is not the chairman or his designee. The ex officio members shall have the same obligations and duties as other members of the board, except the obligation to vote, and are subject to removal in the same manner as other board members. An ex officio member that has otherwise satisfied all obligations and duties owed to the Public Service Authority shall not be liable for matters directly related to either the process of voting nor a decision determined by a vote of the board of directors.

(2) The ex officio members may be excluded from executive session where the following matters are being discussed: (1) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative Inc. or one of its members; and (2) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the authority and Central Electric Power Cooperative or receiving legal advice in relation thereto. Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (1) and (2) above, the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist. The reason for the conflict must be stated before the vote is taken and should be recorded in official minutes or other records of the meeting. The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. The decision of the Board of Directors to exclude an ex officio member due to a conflict is not

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appealable to any court. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions.

(3) Ex officio members will serve immediately but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. They will not be entitled to receive compensation from the Public Service Authority for their service as an ex officio member and will not be counted for purposes of determining a quorum.

(F) In making appointments to the Board of Directors, the Governor, in making appointments and the Senate, in its advice and consent capacity, must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this State.

SECTION 2. Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-225. The Office of Regulatory Staff, under the provisions of this section, is hereby vested with the authority and jurisdiction to make inspections, audits, and examinations of the Public Service Authority pursuant to the provisions of Chapter 4, Title 58, relating to the electric and water rates established by the Public Service Authority. Upon completion of an authorized inspection, audit, or examination, the Office of Regulatory Staff must report its findings to the management and board of the Public Service Authority and attempt to resolve with the management and board any issues that are identified. The Public Service Authority must post information regarding its electric and water rates on its website.”

SECTION 3. Chapter 31, Title 58 is amended by adding:

“Article 7 - NEW STATUTORY PROVISIONS
Retail Rates Process

Section 58-31-710. The Public Service Authority, through its board of directors, shall adopt and publish pricing principles that respect and balance factors including, but not limited to, adherence to the authority’s mission to be a low-cost provider, reliability, transparency, preservation of the authority’s financial integrity, equity among customer classes, gradualism in adjustments to its pricing and rate schedule type, encouragement of efficiency and demand response, adequate notice to customers, and relief mechanisms for financially distressed customers. The authority shall also maintain and continue to offer rate schedules and options that provide demand-side management flexibility, including, but

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not limited to, non-firm sales and interruptible power rates, and conservation opportunities to its customers.

Section 58-31-720. For purposes of this article 'customer' shall include the authority's residential, commercial and industrial retail customers, and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State.

Section 58-31-730. Prior to creating or revising any of its board-approved retail rate schedules, the Public Service Authority, through resolution of its board of directors or otherwise, shall adopt a process that shall include the following:

(A) The authority shall provide notice to all customers at least one hundred and eighty days before the board of directors' vote on a proposed rate adjustment.

(1) The one hundred and eighty days' notice required under this section is established to allow customers to provide comments to the authority as follows:

(a) written comments to the authority for ninety days from the date of notice; and

(b) oral comments to the authority for one hundred twenty days from the date of notice.

(2) The notice required by this subsection must be given in the following forms:

(a) by first-class United States mail addressed to the customer's billing address in the authority's records at the time of the notice, or for customers who have elected paperless billing, by the same means of communication used for providing these customers paperless billing;

(b) by advertisements to be published in newspapers of general circulation within the service territory of the authority;

(c) by way of the authority's regularly maintained website, including a conspicuous portal or link accessible from the website's landing page; and

(d) by issuance of a news release to local news outlets.

(3) The notice of proposed rate adjustments required by this subsection shall contain the following information:

(a) the date, time, and location of all public meetings;

(b) the date, time, and location of the meeting at which a proposed rate adjustment is expected to be submitted to the board of directors for its consideration;

(c) the date, time, and location of the meeting at which the board of directors is expected to vote on the proposed rate adjustment;

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(d) a notification to customers of their right to:

- (i) review the proposed rate schedules;
- (ii) appear and speak in person concerning the proposed rates at public meetings or the specified meetings of the board of directors; and

(iii) submit written comments;

(e) the means by which customers can submit written comments, including the email and physical addresses to which written comments may be submitted, and the deadline for submitting such comments; and

(f) the means by which customers can access and review the authority's written report containing the proposed rate adjustments, the non-proprietary and non-confidential portions of any rate study or other documentation developed by the authority in support of the rate adjustment which shall be available at the time the notice is issued.

(4) Contemporaneously with notice to customers, the authority shall provide notice of proposed rate adjustments to the Office of Regulatory Staff.

(B) In addition to the requirements of notice set forth above, the authority shall provide for the following in its retail rate adjustment process:

(1) the Office of Regulatory Staff must review any rate adjustments proposed to the authority's board of directors under this article. In accomplishing its responsibilities under this article, the Office of Regulatory Staff must use the authority granted to it pursuant to Section 58-31-225. The Office of Regulatory Staff must treat as confidential or proprietary the information provided by the authority pursuant to this subsection that is identified by the authority as such unless or until the authority agrees that such information is no longer confidential or proprietary. Any disputes concerning whether such information is subject to protection must be resolved by the board of directors.

(2) a comprehensive review of the authority's rate structure and rates, consistent with the provisions of Chapter 31, Title 58, and the Public Service Authority's bond covenants concerning the Public Service Authority's revenue requirements, provided that:

(a) management may engage consultants as necessary to assist the authority in completing this review; and

(b) this review should include such subjects as the authority's revenue requirements, rate/tariff design recognizing the provisions of any wholesale power supply agreement, and a comprehensive cost of

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service analysis that includes an allocation of costs, between wholesale and retail customers, and among all classes of retail customers, including residential, commercial and industrial classes;

(3) a written report of management's recommendations concerning proposed rate adjustments;

(4) beginning no later than the date that notice of the proposed rate adjustment is issued by the authority, an opportunity for customers and the Office of Regulatory Staff, in advance of the board of directors' consideration and determination of rates, to review the proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, provided that:

(a) the authority also shall provide customers and the Office of Regulatory Staff access to proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, such materials to be made available at a physical location, at public meetings, and posted on the authority's website; and

(b) the authority shall not be required to provide to customers analyses which disclose the commercially sensitive information of individual customers or which is otherwise proprietary or confidential;

(5) public meetings, to be held at locations convenient for customers and within the authority's service territory, provided that:

(a) the authority shall convene at least two public meetings at a minimum of two locations within its service territory for the purpose of presenting the proposed rate adjustment and relevant information regarding the same to customers for their information and comment;

(b) customers may appear and speak in person at public meetings and direct comments and inquiries about the rate adjustment to representatives of the authority;

(c) at least one representative of the authority's staff or management and at least one member of the board of directors shall attend each public meeting;

(d) the authority shall cause a transcript of all such meetings to be prepared and maintained as a public record and for consideration by the board of directors prior to its consideration and vote on a proposed rate adjustment; and

(e) the contents of this item must not be construed in such a manner as to prevent the authority from extending the prescribed timelines, holding additional public meetings, holding additional meetings with customers as may be scheduled from time to time at the

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convenience of the authority and the customers, or having additional representatives of staff, management, or the board of directors in attendance at such meetings;

(6) the authority's management shall respond to reasonable questions and requests for information from customers and the Office of Regulatory Staff during the comment period regarding the rate proposal, subject to the appropriate protection of confidential information. All information provided to the Office of Regulatory Staff upon request that is not confidential or proprietary shall be made publicly available immediately following disclosure to the requesting party;

(7) submission by the Office of Regulatory Staff of written comments and supporting documentation in the same manner as customers and an opportunity for the Office of Regulatory Staff to provide comments to, and answer questions from, the board of directors;

(8) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred twenty days from the date of notice required pursuant to Section 58-31-730(A), at which the board of directors shall receive written comments received in accordance with Section 58-31-730(A)(1), and transcripts of the public meetings, provided that:

(a) at this meeting customers who will be affected by a rate adjustment shall be entitled to appear and speak in person for a reasonable amount of time to offer their comments directly to the board of directors;

(b) customer comments received by the authority prior to this meeting and transcripts of the public meetings shall be submitted to the board of directors for their consideration in the determination of rates;

(c) submissions from the Office of Regulatory Staff shall be provided to the board of directors for their consideration in the determination of rates; and

(d) the authority shall cause a transcript of this meeting to be prepared and maintained as a public record;

(9) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred fifty days from the date of notice required pursuant to Section 58-31-730(A), at which it shall receive the authority management's recommendation, which shall be made publicly available, concerning proposed rate adjustments, the proposed rate schedules, and documentation supporting the same; and

(10) a meeting at which the board of directors votes on the proposed rate adjustment, following notice as set forth in subsection (A) and

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completion of the process implemented by the board of directors pursuant to subsection (B).

(C) Rates shall become effective no earlier than sixty days following board approval of proposed rate adjustments.

(D) Nothing contained in this section may be construed to limit or derogate from the state's covenants as provided in Sections 58-31-30 and 58-31-360, and those covenants are hereby reaffirmed.

(E) The board of directors shall utilize consultants independent from the authority's management and is authorized to hire independent outside experts and consultants as necessary to fulfill the board of directors' obligations and duties pursuant to this section.

(F) Notwithstanding the provisions of this section, the authority may place such adjusted rates and charges into effect on an interim basis under emergency circumstances such as the avoidance of default of its obligations and to ensure proper maintenance of its system. Said adjusted rates and charges shall be subject to prospective rate adjustment in accordance with the terms of this section, provided further, that the authority may implement experimental rates on an interim basis for the purpose of developing improved rate offerings for customers. These experimental rates will be enacted for no longer than four years and (a) for large industrial customers, no more than twelve percent of the large industrial customer class except large industrial customers with one hundred megawatts or greater load shall be excluded from any class size limit, and (b) for all other customers no more than five percent of the customers in the class. All experimental rates must be disclosed in public session of the board prior to being enacted and are subject to approval by the board only to the extent that they meet the requirements of 58-31-55.

(G) Judicial review of decisions by the board of directors under this article shall be by direct appeal to the South Carolina Supreme Court. The service of a notice of appeal from a decision of the board of directors pursuant to this article does not act to automatically stay the matters decided in the decision, in the same manner as provided by Rule 241(b)(11) of the South Carolina Appellate Court Rules. Rate adjustments approved by the board of directors pursuant to this article have been authorized by law.

(1) The Office of Regulatory Staff, or any customer who has submitted written or oral comments as permitted under this article is considered a 'party in interest' entitled to obtain judicial review of any final decision of the board under this article by appealing in the manner provided by Rule 203(b)(6) of the South Carolina Appellate Court Rules

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as applicable to appeals from administrative tribunals. No right to appeal accrues unless a request for reconsideration is submitted to the board and refused as set out in S.C. Code Ann. Section 58-31-730(G)(2).

(2) Any party in interest seeking to appeal must first submit, within ten days after the decision of the board, a request for reconsideration. The board of directors shall either grant or refuse such request within twenty days of receipt. If the board grants the request for reconsideration, it must meet to consider the request within thirty days.

(3) On appeal, the South Carolina Supreme Court may not substitute its judgment for the judgment of the board of directors as to the weight of the evidence on questions of fact. The court may affirm the decision of the board of directors or remand the case to the board of directors for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the board's findings, inferences, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the authority;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(H) The procedure provided in this article is the exclusive process for challenging any rate adjustments approved by the board of directors. If a party in interest successfully challenges a rate approval decision on appeal, the exclusive remedy is a prospective adjustment of a new rate by the board of directors. The board of directors possesses authority only to adjust rates prospectively and has no authority to refund amounts collected pursuant to a rate adjustment approved pursuant to this article. The filed rate doctrine protects any such rate adjustment decisions from any collateral attack, which includes, but is not limited to, any claim that a rate adjustment decision by the board of directors violates S.C. Code Ann. Sections 58-31-55, 58-31-56, or 58-31-57.

Section 58-31-740. The authority shall submit to the Office of Regulatory Staff a pricing report each year, and its report must include an analysis of the adherence to the pricing principles required in Section 58-31-710, the current and projected electric customer pricing, a comparison of pricing to other utilities, and an analysis of the rates of return by customer class. After its review, the ORS shall issue comments

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on the authority's annual pricing report to the authority's board of directors and the Public Utility Review Committee."

SECTION 4. Section 58-33-20 of the 1976 Code of Laws is amended to read:

"Section 58-33-20. (1) The term 'commission' means Public Service Commission.

(2) The term 'major utility facility' means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

(b) an electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more; provided, however, that the words 'major utility facility' shall not include electric distribution lines and associated facilities, ~~nor shall the words 'major utility facility' include electric transmission lines and associated facilities leased to and operated by (or which upon completion of construction are to be leased to and operated by) the South Carolina Public Service Authority.~~

(3) The term 'commence to construct' means any clearing of land, excavation, or other action that would adversely affect the natural environment of the site or route of a major utility facility, but does not include surveying or changes needed for temporary use of sites or routes for nonutility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions.

(4) The term 'municipality' means any county or municipality within this State.

(5) The term 'person' includes any individual, group, firm, partnership, corporation, cooperative, association, government subdivision, government agency, local government, municipality, any other organization, or any combination of any of the foregoing, and ~~but~~ shall ~~not~~ include the South Carolina Public Service Authority.

(6) The term 'public utility' or 'utility' means any person engaged in the generating, distributing, sale, delivery, or furnishing of electricity for public use.

(7) The term 'land' means any real estate or any estate or interest therein, including water and riparian rights, regardless of the use to which it is devoted.

(8) The term 'certificate' means a certificate of environmental compatibility and public convenience and necessity.

(9) The term 'regulatory staff' means the executive director or the executive director and the employees of the Office of Regulatory Staff."

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SECTION 5. Section 58-33-110(4) of the 1976 Code of Laws is amended to read:

“(4) This chapter shall not apply to any major utility facility:

(a) The construction of which is commenced within one year after January 1, 1972; or

(b) For which, prior to January 1, 1972, an application for the approval has been made to any Federal, State, regional or local governmental agency which possesses the jurisdiction to consider the matters prescribed for finding and determination in subsection (1) of Section 58-33-160.

(c) For which, prior to January 1, 1972, a governmental agency has approved the construction of the facility and indebtedness has been incurred to finance all or part of the cost of such construction; ~~or~~

(d) Which is a hydroelectric generating facility over which the Federal Power Commission has licensing jurisdiction; ~~or~~

(e) Which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority, for which construction either is commenced within one year after January 1, 2022, or is necessary to maintain system reliability in connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter.”

SECTION 6. Section 58-37-40 of the 1976 Code of Laws is amended to read:

“Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office’s website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility

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has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsections (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation services, then plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

~~(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the State Energy Office. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the State Energy Office's website and on the Public Service Authority's website.~~

(3) The South Carolina Public Service Authority shall adopt and publish resource planning principles that respect and balance factors including, but not limited to, customer focus, cost management, system reliability, risk and financial integrity to be used in development of its

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integrated resource plan, and shall submit an integrated resource plan to the Public Service Commission, the State Energy Office, and the Public Utilities Review Committee.

(a) The integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers; and shall include the effect of demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electricity service while meeting a net zero carbon emission goal by the year 2050.

(b) The commission shall not have the authority to approve or disapprove of the integrated resource plan but must have a public hearing for interested parties to comment on the integrated resource plan. Prior to the public hearing, the commission shall have a proceeding to review the Public Service Authority's integrated resource plan which allows intervention by interested parties. The commission shall establish a procedural schedule establishing the date for the public hearing and to permit testimony and reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. The Office of Regulatory Staff shall also provide comments regarding the integrated resource plan, including, but not limited to, any material differences between it and the integrated resource plan submitted to the Energy Office by the electric cooperatives. No later than three hundred days after the Public Service Authority files an integrated resource plan the commission shall issue a plan assessment applying the standards and factors set forth in Section 58-37-40(C)(2) as applied to electrical utilities and deliver it to the Public Service Authority's board of directors and the Public Utilities Review Commission. The parties to the proceeding will have an opportunity to file a proposed plan assessment for consideration by the commission prior to the commission issuing its final plan assessment.

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(c) Within sixty days after the issuance of the commission's plan assessment, the Board of the Public Service Authority shall meet to consider the comments received from the public hearing and the Office of Regulatory Staff, and the commission's plan assessment. The integrated resource plan must be finalized within the following sixty days and submitted to the commission, the Office of Regulatory Staff and the Public Utilities Review Committee, and posted on the Public Service Authority's website.

(d) Nothing in this Chapter of Title 58 gives the Public Service Commission or the Public Service Authority the power to amend or alter in any way any wholesale power supply agreement between the Public Service Authority and Central Electric Power Cooperative.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

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(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) For each electrical utility subject to subsection (A)(1), the~~The~~ commission shall have a proceeding to review each electrical utility's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility.

(2) The commission shall approve an electrical utility's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;

(b) consumer affordability and least cost;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply; and

(g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's integrated resource plan, the electrical utility, within sixty days after the

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date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's revised filing, the Office of Regulatory Staff shall review the electrical utility's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. The electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) ~~An~~ Each electrical utility subject to subsection (A)(1) shall submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each electric utility's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

SECTION 7. Section 58-3-530 of the 1976 Code of Laws is amended by adding the following numbered subsections to read:

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“(16) to conduct an annual performance review of each member of the South Carolina Public Service Authority Board of Directors, which must be submitted to the General Assembly. Directors shall be entitled to submit documentation in advance of the annual review regarding actions taken and expert opinions received. A draft of each director’s performance review must be submitted to the director, and the director must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly. The final performance review must be made a part of the director’s record for consideration if the member is reappointed to the Board.

As part of the performance review, the review committee will provide a mechanism by which parties, including the Office of Regulatory Staff, who have an interest in the oversight of the South Carolina Public Service Authority by its board may submit a confidential survey evaluating the directors. At a minimum, the survey must include the following:

- (a) knowledge and application of substantive utility issues;
- (b) ability to perceive relevant issues;
- (c) absence of influence by political considerations;
- (d) temperament and demeanor in general, preparation for and attentiveness during meetings;

(17) to evaluate the actions of the South Carolina Public Service Authority Board, to the end that the members of the General Assembly may better judge whether these actions serve the best interests of the customers of the Public Service Authority, both retail and wholesale.

The Public Service Authority shall submit an annual report in which full information as to all of the acts of the board of directors shall be given, together with financial statements and full information as to the work of the Public Service Authority. The report shall include, but is not limited to, (i) a report from an independent consulting engineer every two years, (ii) an annual report demonstrating adherence to the resource planning principles established pursuant to Section 58-37-40 and the pricing principles established pursuant to Section 58-31-710, and (iii) the annual report of its external auditor; and

(18) to submit to the General Assembly, on an annual basis, the review committee’s evaluation of the performance of the South Carolina Public Service Authority Board. A proposed draft of the evaluation must be submitted to the board prior to submission to the General Assembly, and the board must be given an opportunity to be heard before the review

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committee prior to the completion of the evaluation and its submission to the General Assembly.”

SECTION 8. Section 58-31-55 of the 1976 Code of Laws is amended to read:

“Section 58-31-55. (A) A director shall discharge his duties as a director, including his duties as a member of a committee:

(1) in good faith;
(2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and

(3) in a manner he reasonably believes to be in the best interests of the Public Service Authority. As used in this chapter, ‘best interests’ means a balancing of the following:

(a) preservation of the financial integrity of the Public Service Authority and its ongoing operations ~~of generating, transmitting, and distributing electricity to wholesale and retail customers on a reliable, adequate, efficient, and safe basis, at just and reasonable rates, regardless of the class of customer;~~

(b) the interest of the Public Service Authority’s residential, commercial and industrial retail customers and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State, in reliable, adequate, efficient, and safe service, at just and reasonable rates, regardless of customer class;

(c) maintenance, preservation and keeping of the Public Service Authority’s properties and all additions and betterments thereto and extension thereof and every part and parcel in thereof, in good repair, working order and condition; ~~(b)(d)~~ the support of, economic development and job attraction and retention within the Public Service Authority’s present service area or areas within the State authorized to be served by an electric cooperative or municipally owned electric utility that is a direct or indirect wholesale customer of the authority, provided the remaining items of this subsection have been met; and

~~(e)(e)~~ subject to the limitations of Section 58-31-30(B) and item (A)(3)(a) of this section, exercise of the powers of the authority set forth in Section 58-31-30 in accordance with good business practices and the requirements of applicable licenses, laws, and regulations.

(B) In discharging his duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

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(1) one or more officers or employees of the Public Service Authority whom the director reasonably believes to be reliable and competent in the matters presented;

(2) legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or

(3) a committee of the board of directors of which he is not a member if the director reasonably believes the committee merits confidence.

(C) A director is not acting in good faith if he has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (B) unwarranted.

(D) A director is not liable for any action taken as a director, or any failure to take any action, if he performed the duties of his office in compliance with this section.

(E) An action against a director for failure to perform the duties imposed by this section must be commenced within three years after the cause of action has occurred, or within two years after the time when the cause of action is discovered or should reasonably have been discovered, whichever occurs sooner. This limitations period does not apply to breaches of duty which have been concealed fraudulently."

SECTION 9. Section 1-3-240(C)(1)(m) of the 1976 Code of Laws is amended to read:

"(m)Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20. A director of the South Carolina Public Service Authority also may be removed for his breach of any duty arising under Section 58-31-55 or 58-31-56. The Governor is also allowed, but not required, to remove a director upon the recommendation of the State Regulation of Public Utilities Review Committee by an affirmative vote of eight of its members upon good cause shown.

The Governor must not request a director of the South Carolina Public Service Authority to resign unless cause for removal, as established by this subsection, exists. Removal of a director of the South Carolina Public Service Authority, except as is provided by this section or by Section 58-31-20(A), must be considered to be an irreparable injury for which no adequate remedy at law exists;"

SECTION 10. Chapter 31, Title 58 of the 1976 Code is amended by adding:

"Section 58-31-227. (A) The Public Service Authority shall procure renewable energy resources subject to the following requirements:

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(1) Renewable energy resources procured by the Public Service Authority shall be procured via a competitive solicitation process open to all independent market participants that meet minimum eligibility requirements.

(2) The Public Service Authority shall issue public notification of its intention to issue a competitive renewable solicitation at least ninety days prior to the release of each solicitation, including the proposed procurement volume, process, and timeline.

(3) Renewable energy facilities eligible to participate in a competitive procurement are those that have a valid interconnection request on file and that use renewable energy resources identified in Section 58-39-120(F) and may include battery storage devices charged exclusively by renewable energy.

(B) The Public Service Authority shall make publicly available at least forty-five days prior to each competitive solicitation:

(1) A pro forma contract to inform market participants of the procurement terms and conditions. The pro forma contract will (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; (ii) define limits and compensation for resource dispatch and curtailments that limit uncompensated curtailment to a specified portion of estimated annual output.

(2) A bid evaluation methodology that ensures all bids are treated equitably, including price and non-price evaluation criteria. Non-price criteria will include, at minimum, consideration of diversity in resource size and geographic location.

(3) Interconnection requirements and study methodology, including how bids without existing interconnection studies will be treated for purposes of evaluation.

(C) After bids are submitted and evaluated, winning bids will be selected based upon the published evaluation methodology.

The Public Service Authority shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report will include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range.

SECTION 11. Section 58-31-430 of the 1976 Codes of Laws is amended to read:

“Section 58-31-430. The Public Service Commission may not assign any portion of the present service area of the Public Service Authority to

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any electrical utility or electric cooperative and this service area must be exclusively served by the Public Service Authority unless otherwise agreed to by the Public Service Authority as described in this section. Santee Electric Cooperative, Inc., Berkeley Electric Cooperative, Inc., Horry Electric Cooperative, Inc. may serve those areas reserved to them as provided in Section 58-31-330. The Public Service Commission is directed to conform the present assignment under Section 58-27-620 to the mandates of this article. Nothing contained in this article may be construed as preventing the Public Service Commission from exercising its jurisdiction over electric cooperative service areas in the manner provided by law. Upon customer choice either the Public Service Authority, ~~or an electric cooperative mentioned above,~~ or Edisto Electric Cooperative, Inc. may furnish electric service to any new premises which the other supplier has the right to serve, upon agreement of the affected suppliers.

Notwithstanding the foregoing, the Public Service Authority shall have the right to enter into agreements with other electric suppliers, as defined by Section 58-27-610, concerning service areas, as contemplated by Section 58-27-640, and corridor rights, as defined by Section 58-27-610. In that event, the Public Service Commission shall have the authority to approve said agreements and to reassign said service area or corridor rights. This authority shall only apply in situations where all affected electric suppliers have reached an agreement concerning service areas or corridor rights. With respect to the agreements, the commission shall approve the agreements and reassign said service area or corridor rights if, after giving notice and an opportunity for hearing to interested parties, it finds the agreements to be fair and reasonable, but the commission shall not have the authority to alter or amend any such agreement unless all affected electric suppliers agree to the alteration or amendment. For purposes of this article, the term 'all affected electric suppliers' shall include, but not be limited to, the nearest electric cooperative or cooperatives to the proposed service area changes within a five mile radius of the affected service area or corridor. This section shall not confer service territory rights to the Public Service Authority beyond those provided in Section 58-31-330 and Section 58-31-320(2)."

SECTION 12. As part of the process of retiring its coal units, the Public Service Authority shall develop and implement a plan, with community engagement and participation, that: (a) allows employees in good standing who would be directly affected by the closure of the unit to be retained by the Public Service Authority, or provides training opportunities for related employment to affected employees in good

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standing who cannot be retained; and (b) provides an opportunity for economic development and job attraction in the communities where the retired coal stations are located. Annual written status reports shall be provided to the SC Public Utilities Review Committee.

SECTION 13. (A) To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the members representing the 1st, 2nd and 7th congressional districts, and the at-large seat designated as the chair shall expire on January 1, 2022;

(2) The terms for the members representing the 3rd, 4th and 6th congressional districts and Berkeley County shall expire on January 1, 2024; and

(3) The terms for members representing the 5th congressional district Horry County, Georgetown County and the other at-large seat shall expire on January 1, 2026.

If any vacancy occurs prior to respective date established in this SECTION, except for the chairman position, the Governor may appoint a successor pursuant to Section 58-31-20. However, the acting board chair as of the effective date of this act shall serve as Chair for the duration of his term as set forth herein. Thereafter, the Governor shall name the chair from among the board members, and that member shall serve as chair for the duration of their then-current term.

(B)(1) The provisions in SECTION 1 regarding board member term limits shall apply to appointments made on or after the effective date of this act.

(2) Each board member serving a full term as of this act's effective date is eligible for reappointment for one additional full term once his or her current term expires.

SECTION 14. Section 11 in Act 135 of 2020 is repealed on the effective date of this act.

SECTION 15. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs,

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sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 16. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

Senators KIMBRELL and M. JOHNSON proposed the following amendment (464R001.SP.JK), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 58-31-30(A)(21) of the 1976 Code is amended to read:

“(21) to investigate, study, and consider all undeveloped power sites, ~~and~~ navigation projects, or other projects in the State and to acquire or develop the same as need may arise in the same manner as herein provided. Provided, always, nevertheless, that said investigations, studies, and considerations of said South Carolina Public Service Authority herein created shall be limited to the Congaree River and its tributaries below the confluence of the Broad and Saluda Rivers and the Wateree tributary of the Santee River at and near a point at or near Camden, South Carolina. Provided, however, that the Public Service Authority shall have no power at any time or in any manner to pledge the credit and the taxing power of the State or any of its political subdivisions, nor shall any of its obligations or securities be deemed to be obligations of the State or of any of its political subdivisions; nor shall the State be legally, equitably, or morally liable for the payment of principal of and interest on such obligations or securities. The State of South Carolina does hereby pledge to and agree with any person, firm, or corporation, the government of the United States and any corporation or agency created, designated, or established by the United States, subscribing to or acquiring the notes, bonds, evidences of indebtedness, or other obligations to be issued by the Public Service Authority for the construction of any project, that the State will not alter or limit the rights hereby vested in the Public Service Authority until the said notes, bonds, evidences of indebtedness, or other obligations, together with the interest thereon, are fully met and discharged; provided, that nothing herein contained shall preclude such limitation or alteration if and when and after adequate provisions shall be made by law for the protection of those

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subscribing to or acquiring such notes, bonds, evidences of indebtedness, or other obligations of the Public Service Authority. The State of South Carolina or any political subdivision shall in no way be responsible for any debts or obligations contracted by or for the authority, and the board of directors of the authority, the advisory board, and the officers shall make no debt whatsoever for the payment of which the State or any political subdivision shall in any way be bound. It is intended that the project to be developed hereunder and any and all projects undertaken by the provisions of this chapter shall be financed as self-liquidating projects and that the credit and taxing powers of the State, or its political subdivisions, shall never be pledged to pay said debts and obligations;”/

Amend the bill further, as and if amended, in SECTION 1, by striking Section 58-31-20(E)(2) and inserting:

/ (2) The ex officio members may be excluded from executive session where the following matters are being discussed: (1) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative Inc., or one of its members; and (2) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the authority and Central Electric Power Cooperative or receiving legal advice in relation thereto. Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (1) and (2) above, the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist. The reason for the conflict must be stated before the vote is taken and shall be recorded in official minutes or other records of the meeting. The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. The decision of the board of directors to exclude an ex officio member due to a conflict is not appealable to any court. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

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The amendment was adopted.

Senator HUTTO proposed the following amendment (JUD0464.004), which was adopted:

Amend the bill, as and if amended, by striking Section 58-31-20(E)(3) and inserting:

/ (3) Ex officio members will begin serving immediately upon a letter indicating their appointments is delivered to the board and to the Public Utilities Review Committee but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. Ex officio members will be appointed for two year terms but may be removed either by the Governor pursuant to Section 1-3-240(C)(1)(m) or the board of Central Electric Power Cooperative. In the event that the board of Central Electric Power Cooperative removes the ex officio member, the Public Service Authority board of directors must receive notice at least sixty days before the ex officio member's successor begins service on the Public Service Authority board of directors. An ex officio member will not be entitled to receive compensation from the Public Service Authority for his or her service as an ex officio member and will not be counted for purposes of determining a quorum. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator MASSEY proposed the following amendment (JUD0464.007), which was carried over:

Amend the bill, as and if amended, by striking subsection 58-31-20(A), as contained in SECTION 1, and inserting: /

“Section 58-31-20 (A) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of

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the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an ex-officio capacity, a ~~A~~ director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ four years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ four years or until his successor has been appointed and qualified; provided, however, that no director may serve in holdover status for more than one calendar year. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director's successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. A director shall not be appointed for more than two consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The authority may provide, at its expense, health insurance benefits to members of the board, through the State insurance plan or otherwise. Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time. /

Renumber sections to conform.

Amend title to conform.

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Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Senator MASSEY proposed the following amendment (JUD 0464.008), which was carried over:

Amend the bill, as and if amended, by striking SECTION 13 and inserting:

/ SECTION 13. To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the directors representing the 1st, 2nd and 7th congressional districts and the at-large seat designated as the chair shall expire on January 1, 2022;

(2) The terms for the directors representing the 3rd, 4th and 6th congressional districts and Berkeley County shall expire on January 1, 2023; and

(3) The terms for the directors representing the 5th congressional district Horry County, Georgetown County and the other at-large seat shall expire on January 1, 2024.

If any vacancy occurs prior to respective dates established in this SECTION, the Governor may appoint a successor pursuant to Section 58-31-20.

(B) The terms for new directors shall begin on the expiration dates for the previous terms as provided in subsection (A).

(C) Notwithstanding the term limit provisions in subsection 58-31-20(A), a director serving as of the effective date of this act is ineligible for reappointment unless that director was first appointed after January 1, 2018. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator RANKIN, the amendment was carried over.

Debate was interrupted by adjournment.

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Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following name was reported to the Senate in open session:

STATEWIDE APPOINTMENT

Confirmation

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, Director of Department of Health and Human Services, with term coterminous with Governor

Robert M. Kerr, 3117 Monroe Street, Columbia, SC 29295-2636

On motion of Senator VERDIN, the question was confirmation of Robert M. Kerr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Robert M. Kerr was confirmed.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 3:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

Wednesday, April 21, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Corinthians 13:1

Paul tells us: "If I speak in the tongues of mortals and of angels, but do not have love, I am a noisy gong or a clanging cymbal."

Bow in prayer with me, if you will: Holy God, we ask this afternoon that You will never allow any one of us to become so blasé that we fail to care about -- and to care lovingly about -- the people of this State we serve. Other matters are, of course, significant -- special projects, budgets, Santee Cooper -- such clearly high-priority concerns will never stop being important. And the leadership of this Senate knows that full well. But, Lord, these Senators and their staff members also know about the needs of the people -- all of the people -- here in South Carolina whom they are called to represent. Guide each one who serves You in this place to keep his or her basic focus where it always needs to be, dear Lord: to act in ways that show clearly this Senate's love for the people of this State. We humbly pray this in Your name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 1:03 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	Peeler
Rice	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator MARTIN introduced Dr. Jerome Aya-ay of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

At 1:03 P.M., Senator ALEXANDER requested a leave of absence for Senator VERDIN until 5:20 P.M.

Leave of Absence

At 1:06 P.M., Senator TALLEY requested a leave of absence for Senator SENN for the day.

Leave of Absence

At 3:51 P.M., Senator CROMER requested a leave of absence until 11:00 A.M. tomorrow.

Leave of Absence

At 4:50 P.M., Senator BENNETT requested a leave of absence until 6:30 P.M.

Leave of Absence

At 5:20 P.M., Senator SHEALY requested a leave of absence for Senator MARTIN for the balance of the day.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 730 Sen. Grooms

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Motion to Ratify Adopted

At 1:08 P.M., Senator HEMBREE made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 758 -- Senators Stephens and McElveen: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF BENNY L. WEBB AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 759 -- Senators Talley, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SOUTH CAROLINA HOSPITAL ASSOCIATION FOR ONE HUNDRED YEARS OF SERVICE TO THE STATE'S HOSPITALS AND HEALTH SYSTEMS, AND THE PATIENTS AND COMMUNITIES REPRESENTED BY THOSE INSTITUTIONS.

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The Senate Resolution was adopted.

S. 760 -- Senators Matthews, Stephens, Campsen and Hutto: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF LYNETTE BRYANT FRYAR OF COLLETON COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

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The Senate Resolution was adopted.

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H. 3169 -- Reps. Pope, Bryant, Felder and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-145 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ISSUE UPON RECEIPT OF CERTAIN DOCUMENTATION A CERTIFICATE OF FOREIGN BIRTH FOR A CHILD WITH UNITED STATES CITIZENSHIP WHO IS BORN IN A FOREIGN COUNTRY TO A PARENT WHO IS A RESIDENT OF SOUTH CAROLINA; AND TO AMEND SECTION 44-63-140, AS AMENDED, RELATING TO SUPPLEMENTARY OR AMENDED BIRTH CERTIFICATES, SO AS TO MAKE A TECHNICAL CORRECTION.

Read the first time and referred to the Committee on Medical Affairs.

H. 3231 -- Reps. Henegan, Robinson, Thigpen, Hosey, Brawley, King, McDaniel, Jefferson, Anderson, Rivers and S. Williams: A BILL TO AMEND SECTION 44-63-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE REGISTRAR'S AUTHORITY TO ISSUE A DELAYED BIRTH CERTIFICATE FOR A PERSON BORN IN THE STATE WHOSE BIRTH IS UNREGISTERED, SO AS TO ALLOW FOR THE USE OF AN INSCRIBED FAMILY BIBLE OR GENEALOGICAL RECORDS AS DOCUMENTATION OF DATE OF BIRTH IN CERTAIN CIRCUMSTANCES.

Read the first time and referred to the Committee on Medical Affairs.

H. 3336 -- Reps. G. M. Smith, Atkinson, Forrest, Caskey, Erickson, Anderson, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-33-45 SO AS TO ALLOW VOLUNTEER SCHOOL PERSONNEL WHO HAVE BEEN TRAINED BY A REGISTERED NURSE TO ADMINISTER GLUCAGON, INSULIN, OR BOTH TO CERTAIN STUDENTS.

Read the first time and referred to the Committee on Medical Affairs.

H. 3773 -- Reps. West, G. M. Smith, Weeks, White, Hill, Jefferson and Anderson: A BILL TO AMEND SECTION 44-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO BOTH MENTALLY ILL PERSONS AND PERSONS WITH INTELLECTUAL DISABILITY, SO AS TO ADD A DEFINITION FOR "RESTORATION TREATMENT"; AND TO AMEND SECTION 44-23-430, RELATING

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TO HEARINGS ON A PERSON'S FITNESS TO STAND TRIAL, SO AS TO EXTEND THE LENGTH OF TIME CERTAIN PERSONS UNFIT TO STAND TRIAL MAY BE HOSPITALIZED FOR RESTORATION TO ONE HUNDRED EIGHTY DAYS, TO ALLOW THE DEPARTMENT OF MENTAL HEALTH TO PROVIDE RESTORATION TREATMENT IN DETENTION CENTERS AND ON AN OUTPATIENT BASIS IN CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

H. 4233 -- Reps. Elliott, Allison, Bannister, Burns, Chumley, B. Cox, Crawford, Dillard, Haddon, Morgan, Robinson, G. R. Smith, Stringer, Trantham and Willis: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. DAN NELSON FOR HIS TEN YEARS OF DEDICATED SERVICE AS THE ADMINISTRATOR OF BOB JONES ACADEMY AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4236 -- Reps. Gagnon, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR STAN KEATON FOR HIS NINETEEN YEARS OF DISTINGUISHED SERVICE AS A MEMBER OF THE WEST CAROLINA RURAL TELEPHONE COOPERATIVE BOARD OF

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DIRECTORS, TO CONGRATULATE HIM ON THE OCCASION OF HIS RECENT RETIREMENT, AND TO WISH HIM MUCH HAPPINESS IN THE DAYS AHEAD.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

Ordered for consideration tomorrow.

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Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Senate - Majority:

Scott E. Frick, 33 Sunset Drive, Greenville, SC 29605 *VICE* Samuel L. Erwin (resigned)

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, South Carolina Workers' Compensation Commission with the term to commence June 30, 2020, and to expire June 30, 2022

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Aisha K. Taylor, 156 Seaton Ridge Drive, Blythewood, SC 29016

Received as information.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Avery B. Wilkerson, 329 Tamwood Circle, Cayce, SC 29033-1907

Received as information.

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Message from the House

Columbia, S.C., April 21, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 704 -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEAR, AND TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM. and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 21, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 754 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO CONGRATULATE DEPUTY DREW WINANS, DEPUTY JEROME MAYBANK, AND DEPUTY BRANDON MCWETHY OF THE

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GEORGETOWN COUNTY SHERIFF'S OFFICE FOR RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR AND TO COMMEND THEM FOR THEIR HEROIC ACTIONS IN THE LINE OF DUTY.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR

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MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3179 -- Reps. G.M. Smith, McCabe, Caskey, Yow and Brawley: A BILL TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO

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PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE DAY SUPPLY LIMITATION.

H. 3567 -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: A BILL TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4064 -- Reps. G.M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

AMENDED, READ THE SECOND TIME

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

The Senate proceeded to a consideration of the Bill.

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Senator CORBIN proposed the following amendment (4027R001.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 2, at line 14, by adding an appropriately numbered new SECTION to read:

/SECTION __. A.Act 745 of 1967, as last amended by Act 284 of 2018, is amended by adding a new section to read:

“Section 2.9. (A) Notwithstanding another provision of law, Renewable Water Resources (ReWa), formerly the Western Carolina Regional Sewer Authority, shall place all real property acquired south of Highway 414 near the North Greenville University Campus in a conservation easement that shall be managed by Upstate Forever or a similar independent entity capable of managing and preserving the property. ReWa shall annually donate to the entity managing the property seventy-five thousand dollars for a period of five years to cover administrative costs and to fund programs dedicated to preserving the rural nature, environmental integrity, and sustainability of the Tigerville community. Any documents related to the conservation easement shall be publicly recorded and considered public documents for the purposes of complying with the Freedom of Information Act.

(B) ReWa is permitted to reserve no more than a fifty foot easement and eight or fewer acres from the same property identified in subsection (A) for the installation of a new treatment facility to service the Cherokee Valley neighborhood and North Greenville University, provided that the treatment facility shall not be larger than a three hundred thousand gallon per day capacity facility. This treatment facility shall be designed and operated by utilizing the latest technology and best wastewater treatment practices and shall comply with all applicable state and federal regulations. ReWa shall be responsible for all costs related to the design, construction, operation, and maintenance of the water treatment facility.

(C) With the exception of North Greenville University and the Cherokee Valley neighborhood, ReWa is prohibited from serving the Tigerville area.”

B.Act 745 of 1967, as last amended by Act 284 of 2018, is amended by adding an appropriately numbered new section to read:

“Section __. The operational records of all ReWa facilities shall be available through a Freedom of Information request to ReWa or the South Carolina Department of Health and Environmental Control.” /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

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The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--40

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE

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MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD;
AND TO REPEAL SECTION 50-9-655 RELATING TO PIG
TRANSPORT AND RELEASE PERMITS.

Senator VERDIN objected to the consideration of the Bill.

**COMMITTEE AMENDMENT WITHDRAWN
AMENDED, READ THE SECOND TIME**

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3991.004), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Sections 16-17-680(G), (I), and (J) of the 1976 Code are amended to read:

“(G)(1) It is unlawful to transport nonferrous metals in a vehicle or have nonferrous metals in a person's possession ~~in a vehicle on the highways of this State.~~

(2) Subsection (G)(1) does not apply if:

(a) the person can present a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C); or

(b) the person can present a valid bill of sale for the nonferrous metals.

(3) If a law enforcement officer determines that one or more of the exceptions listed in subsection (G)(2) applies, or the law enforcement officer determines that the nonferrous metals are not stolen goods and are in the rightful possession of the person, the law enforcement officer shall not issue a citation for a violation of this subsection.

(4) A person who violates a provision of subsection (G)(1):

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(a) for a first offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year, or both; and

(c) for a third or subsequent offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. For an offense to be considered a third or subsequent offense, only those offenses that occurred within a period of ten years, including and immediately preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

(5) If a person transports nonferrous metals that the person knows are stolen in a vehicle or has in the person's possession ~~in a vehicle on the highways of this State~~ nonferrous metals that the person knows are stolen, is operating a vehicle used in the ordinary course of business to transport nonferrous metals that the person knows are stolen, presents a valid or falsified permit to transport and sell nonferrous metals that the person knows are stolen, or presents a valid or falsified bill of sale for nonferrous metals that the person knows to be stolen, the person is guilty of a felony; and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. If the person obtained a permit to transport and sell nonferrous metals pursuant to subsection (C), the permit must be revoked."

"(I)(1) A secondary metals recycler shall not purchase or otherwise acquire:

(1)(a) an iron or steel manhole cover;

(2)(b) an iron or steel drainage grate; or

(3)(c) a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more three years, or both.

(2)(a) It is unlawful for any individual or entity other than a permitted secondary metals recycler to purchase, obtain, otherwise acquire or to attempt to purchase, obtain, or otherwise acquire a used,

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detached catalytic converter or any nonferrous part of a catalytic converter.

(b) It is unlawful for any individual or entity to possess, transport, or sell a used, detached catalytic converter or any nonferrous part of a catalytic converter without a permit and without providing the following documentation to law enforcement and/or a permitted secondary metals recycler:

(i) the name of the person or company that removed the catalytic converter;

(ii) the name of the person for whom the work was completed;

(iii) the make and model of the vehicle from which the catalytic converter was removed;

(iv) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(v) the part number or other identifying number of the catalytic converter that was removed; and

(vi) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(c) It is unlawful for a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter to provide any false, fraudulent, altered or counterfeit information or documentation as required by this subsection.

(d) An individual or entity who violates any provision of subsection (I)(2), for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both; or for a second offense, is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

(e) Each unlawfully obtained, possessed, or transported used, detached catalytic converter is a separate violation that subjects the individual or entity to a separate charge. Upon conviction, the court may order the individual or entity to pay restitution for the value of the repair and replacement of the catalytic converter or the individual or entity may be held liable as otherwise provided by law. A person in possession of a used, detached catalytic converter without identifying documentation is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law.

(f) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified, and labeled for reuse in accordance with applicable U.S.

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Environmental Protection Agency Clean Air Act regulations, as may from time to time be amended.

(3)(a) It is unlawful for a secondary metals recycler to obtain, purchase, or otherwise acquire a used, detached catalytic converter or any nonferrous part of a used catalytic converter unless the business has a permit from the local sheriff's office, the sale occurs at the purchaser's fixed site, and:

(i) the catalytic converter or nonferrous part was purchased as part of a vehicle; or

(ii) the catalytic converter or nonferrous part was purchased from a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters and a copy of the seller's valid business license is received and maintained by the purchaser at the time of the transaction; or

(iii) the business selling the catalytic converter or nonferrous part provides a record or receipt showing:

(aa) the repair order number, when applicable;

(bb) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(cc) the vehicle identification number of the vehicle from which the catalytic converter was removed; or

(iv) the individual selling the catalytic converter or nonferrous part provides the secondary metals recycler with the following information for the motor vehicle that the catalytic converter was taken from to include all of the following:

(aa) the name of the person or company that removed the catalytic converter;

(bb) the name of the person for whom the work was completed;

(cc) the make and model of the vehicle from which the catalytic converter was removed;

(dd) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) the part number or other identifying number of the catalytic converter that was removed; and

(ff) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

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(b) Before each purchase or acquisition of a used, detached catalytic converter, the secondary metals recycler, including an agent, employee, or representative of the secondary metals recycler, must:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2) and note in their records any obvious marking on the used, detached catalytic converter such as paint, labels, or engravings that would aid in the identification of the catalytic converter.

(c) A seller of used, detached catalytic converters or any nonferrous metal part of such is subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals except for an automotive repair service who, in lieu of a permit, may produce a record or receipt showing:

(i) the repair order number, when applicable;

(ii) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(iii) the vehicle identification number of the vehicle from which the catalytic converter was removed.

(d) It is unlawful for a secondary metals recycler to fail to collect or retain all required documentation from a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this subsection. A secondary metals recycler who obtains all documentation as required by this subsection is exempt from prosecution under this subsection unless they knew or had reason to believe that the documentation provided was false, fraudulent, altered or counterfeit, or knew or had reason to believe that the used, detached catalytic converter or any nonferrous part of a catalytic converter was stolen.

(e) A licensed secondary metals recycler, who is exempt from the provisions of subsection (I)(2), but who violates a provision of subsection (I)(3):

(i) for a first offense, is guilty of a misdemeanor, and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days;

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(ii) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year, or both; and

(iii) for a third or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both.

(iv) Each illegally obtained or possessed used, detached catalytic converter or part of a used catalytic converter is a separate violation and subjects the individual or entity to a separate charge for each. Any unlawfully possessed used, detached catalytic converter is subject to forfeiture as otherwise provided for by law. Upon conviction, the court may order the individual or entity to pay restitution for the value of the repair and replacement of the catalytic converter or the individual or entity may be held liable as otherwise provided for by law.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

- (a) the purchase or sale of aluminum cans;
- (b) a transaction between a secondary metals recycler and another secondary metals recycler;
- (c) a governmental entity;
- (d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;
- (e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, ~~core recycling service~~, appliance repair service, automotive repair service, or electronics repair service; or
- (f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), ~~and~~ subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D) and is subject to the penalty provisions of subsection (D)(6). Any item

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of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was withdrawn.

Senator HUTTO proposed the following amendment (JUD3991.006), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Sections 16-17-680(G), (I), and (J) of the 1976 Code are amended to read:

“(G)(1) It is unlawful to transport nonferrous metals in a vehicle or have nonferrous metals in a person's possession ~~in a vehicle on the highways of this State.~~

(2) Subsection (G)(1) does not apply if:

(a) the person can present a valid permit to transport and sell nonferrous metals issued pursuant to subsection (C); or

(b) the person can present a valid bill of sale for the nonferrous metals.

(3) If a law enforcement officer determines that one or more of the exceptions listed in subsection (G)(2) applies, or the law enforcement officer determines that the nonferrous metals are not stolen goods and are in the rightful possession of the person, the law enforcement officer shall not issue a citation for a violation of this subsection.

(4) A person who violates a provision of subsection (G)(1):

(a) for a first offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days;

(b) for a second offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year, or both; and

(c) for a third or subsequent offense, is guilty of a misdemeanor; and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both. For an offense to be considered a third or subsequent offense, only those offenses that occurred within a period of ten years, including and immediately

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preceding the date of the last offense, shall constitute a prior offense within the meaning of this subsection.

(5) If a person transports nonferrous metals that the person knows are stolen in a vehicle or has in the person's possession ~~in a vehicle on the highways of this State~~ nonferrous metals that the person knows are stolen, is operating a vehicle used in the ordinary course of business to transport nonferrous metals that the person knows are stolen, presents a valid or falsified permit to transport and sell nonferrous metals that the person knows are stolen, or presents a valid or falsified bill of sale for nonferrous metals that the person knows to be stolen, the person is guilty of a felony; and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both. If the person obtained a permit to transport and sell nonferrous metals pursuant to subsection (C), the permit must be revoked."

"(I)(1) A secondary metals recycler shall not purchase or otherwise acquire:

~~(1)(a)~~ an iron or steel manhole cover;

~~(2)(b)~~ an iron or steel drainage grate; or

~~(3)(c)~~ a coil, unless the seller is an exempted entity pursuant to subsection (J)(1)(e) or the seller presents a bill of sale from a company licensed pursuant to Chapter 11, Title 40 indicating that the seller acquired the coil as the result of a unit replacement or repair. The bill of sale is sufficient proof of ownership and serves the same purpose as a permit to transport and sell nonferrous metals. A person who presents a falsified bill of sale is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both.

(2)(a) It is unlawful for any individual or entity other than a permitted secondary metals recycler to purchase, obtain, otherwise acquire or to attempt to purchase, obtain, or otherwise acquire a used, detached catalytic converter or any nonferrous part of a catalytic converter.

(b) It is unlawful for any individual or entity to possess, transport, or sell a used, detached catalytic converter or any nonferrous part of a catalytic converter without a permit and without providing the following documentation to law enforcement and/or a permitted secondary metals recycler:

(i) the name of the person or company that removed the catalytic converter;

(ii) the name of the person for whom the work was completed;

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(iii) the make and model of the vehicle from which the catalytic converter was removed;

(iv) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(v) the part number or other identifying number of the catalytic converter that was removed; and

(vi) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(c) It is unlawful for a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter to provide any false, fraudulent, altered or counterfeit information or documentation as required by this subsection.

(d) An individual or entity who violates any provision of subsection (I)(2), for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined in the discretion of the court or imprisoned not more than three years, or both; or for a second offense, is guilty of a felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both.

(e) Each unlawfully obtained, possessed, or transported used, detached catalytic converter is a separate violation that subjects the individual or entity to a separate charge. Upon conviction, the court may order the individual or entity to pay restitution for the value of the repair and replacement of the catalytic converter or the individual or entity may be held liable as otherwise provided by law. A person in possession of a used, detached catalytic converter without identifying documentation is presumed to be in possession of contraband subject to forfeiture as otherwise provided by law.

(f) For purposes of this section, a used, detached catalytic converter does not include a catalytic converter that has been tested, certified, and labeled for reuse in accordance with applicable U.S. Environmental Protection Agency Clean Air Act regulations, as may from time to time be amended.

(3)(a) It is unlawful for a secondary metals recycler to obtain, purchase, or otherwise acquire a used, detached catalytic converter or any nonferrous part of a used catalytic converter unless the business has a permit from the local sheriff's office, the sale occurs at the purchaser's fixed site or the sale occurs at the seller's fixed site but only if the seller is a licensed automotive repair service, a licensed demolisher, as defined in Section 56-5-5810, a licensed secondary metals recycler, or a licensed motor vehicle dealer and the purchase is made by a permitted secondary

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metals recycler who maintains a fixed site within the state, and the following requirements are followed:

(i) the catalytic converter or nonferrous part was purchased as part of a vehicle; or

(ii) the catalytic converter or nonferrous part was purchased from a secondary metals recycler, new or used motor vehicle dealer, automotive repair service, motor vehicle manufacturer, vehicle demolisher, or distributor of catalytic converters and a copy of the seller's valid business license is received and maintained by the purchaser at the time of the transaction; or

(iii) the business selling the catalytic converter or nonferrous part provides a record or receipt showing:

(aa) the repair order number, when applicable;

(bb) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(cc) the vehicle identification number of the vehicle from which the catalytic converter was removed; or

(iv) the individual selling the catalytic converter or nonferrous part provides the secondary metals recycler with the following information for the motor vehicle that the catalytic converter was taken from to include all of the following:

(aa) the name of the person or company that removed the catalytic converter;

(bb) the name of the person for whom the work was completed;

(cc) the make and model of the vehicle from which the catalytic converter was removed;

(dd) the vehicle identification number of the vehicle from which the catalytic converter was removed;

(ee) the part number or other identifying number of the catalytic converter that was removed; and

(ff) the certificate of title or certificate of registration showing the seller's ownership interest in the vehicle.

(b) Before each purchase or acquisition of a used, detached catalytic converter, the secondary metals recycler, including an agent, employee, or representative of the secondary metals recycler, must:

(i) verify, with the applicable documentation that the person transferring or selling the used, detached catalytic converter acquired it legally and has the right to transfer or sell it; and

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(ii) retain a record of the applicable verification and other information required pursuant to subsection (D)(2) and note in their records any obvious marking on the used, detached catalytic converter such as paint, labels, or engravings that would aid in the identification of the catalytic converter.

(c) A seller of used, detached catalytic converters or any nonferrous metal part of such is subject to the provisions of subsection (C) regarding the permitting of a person or entity to transport and sell nonferrous metals except for an automotive repair service who, in lieu of a permit, may produce a record or receipt showing:

(i) the repair order number, when applicable;

(ii) the date of repair or the date on which the catalytic converter was removed from a vehicle, including the identity of the individual or entity that removed the catalytic converter, when applicable; and

(iii) the vehicle identification number of the vehicle from which the catalytic converter was removed.

(d) It is unlawful for a secondary metals recycler to fail to collect or retain all required documentation from a seller of a used, detached catalytic converter or any nonferrous part of a catalytic converter as required by this subsection. A secondary metals recycler who obtains all documentation as required by this subsection is exempt from prosecution under this subsection unless they knew or had reason to believe that the documentation provided was false, fraudulent, altered or counterfeit, or knew or had reason to believe that the used, detached catalytic converter or any nonferrous part of a catalytic converter was stolen.

(e) A licensed secondary metals recycler, who is exempt from the provisions of subsection (I)(2), but who violates a provision of subsection (I)(3):

(i) for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days;

(ii) for a second offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than one year, or both; and

(iii) for a third or subsequent offense, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than three years, or both.

(iv) Each illegally obtained or possessed used, detached catalytic converter or part of a used catalytic converter is a separate

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violation and subjects the individual or entity to a separate charge for each. Any unlawfully possessed used, detached catalytic converter is subject to forfeiture as otherwise provided for by law. Upon conviction, the court may order the individual or entity to pay restitution for the value of the repair and replacement of the catalytic converter or the individual or entity may be held liable as otherwise provided for by law.

(J)(1) Except as provided in item (2), the provisions of this section do not apply to:

- (a) the purchase or sale of aluminum cans;
- (b) a transaction between a secondary metals recycler and another secondary metals recycler;
- (c) a governmental entity;
- (d) a manufacturing or industrial vendor that generates or sells regulated metals in the ordinary course of its business;
- (e) a seller who is a holder of a retail license, an authorized wholesaler, an automobile demolisher as defined in Section 56-5-5810(d), a contractor licensed pursuant to Chapter 11, Title 40, a real estate broker or property manager licensed pursuant to Chapter 57, Title 40, a residential home builder licensed pursuant to Chapter 59, Title 40, a demolition contractor, a provider of gas service, electric service, communications service, water service, plumbing service, electrical service, climate conditioning service, ~~core recycling service~~, appliance repair service, automotive repair service, or electronics repair service; or
- (f) a seller that is an organization, a corporation, or an association registered with the State as a charitable organization or a nonprofit corporation.

(2) An exempted entity listed in item (1) is subject to the provisions of subsection (C)(10), ~~and~~ subsection (G)(5), and subsection (I).

A secondary metals recycler shall maintain a record of transactions involving exempted entities listed in item (1) pursuant to subsection (D) and is subject to the penalty provisions of subsection (D)(6). Any item of nonferrous metals acquired from an exempted entity listed in item (1) is subject to a hold notice pursuant to subsection (F).”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY

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ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Senator MALLOY objected to the consideration of the Bill.

READ THE SECOND TIME

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO

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SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

The Senate proceeded to a consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

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CARRIED OVER

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CROMER, the Resolution was carried over.

AMENDMENT PROPOSED, OBJECTION

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER proposed the following amendment (717R001.SP.WC):

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. A.Article 3, Chapter 7, Title 44 of the 1976 Code is renamed the "State Health Facility Licensure Act".

B.Section 44-7-110 of the 1976 Code is amended to read:

"Section 44-7-110. This article may be cited as the 'State ~~Certification of Need and~~ Health Facility Licensure Act'."

SECTION __. Section 44-7-120 of the 1976 Code is amended to read:

"Section 44-7-120. The purpose of this article is to ~~promote cost containment, prevent unnecessary duplication of health care facilities and services, guide the establishment of health facilities and services which will best serve public needs,~~ and ensure that high quality services are provided in health facilities in this State. To achieve these purposes, this article requires:

(1) ~~the issuance of a Certificate of Need before undertaking a project prescribed by this article;~~

(2) ~~adoption of procedures and criteria for submittal of an application and appropriate review before issuance of a Certificate of Need;~~

(3) ~~preparation and publication of a State Health Plan;~~

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(4) the licensure of facilities rendering medical, nursing, and other health care.”

SECTION __. Section 44-7-130 of the 1976 Code is amended to read:

“Section 44-7-130. As used in this article:

(1) ~~‘Affected person’ means the applicant, a person residing within the geographic area served or to be served by the applicant, persons located in the health service area in which the project is to be located and who provide similar services to the proposed project, persons who before receipt by the department of the proposal being reviewed have formally indicated an intention to provide similar services in the future, persons who pay for health services in the health service area in which the project is to be located and who have notified the department of their interest in Certificate of Need applications, the State Consumer Advocate, and the State Ombudsman. Persons from another state who would otherwise be considered ‘affected persons’ are not included unless that state provides for similar involvement of persons from South Carolina in its certificate of need process.~~

(2) ‘Ambulatory surgical facility’ means a facility organized and administered for the purpose of performing surgical procedures for which patients are scheduled to arrive, receive surgery, and be discharged on the same day. The owner or operator makes the facility available to other providers who comprise an organized professional staff.

(2) ‘Birthing center’ means a facility or other place where human births are planned to occur. This does not include the usual residence of a mother, any facility that is licensed as a hospital, or the private practice of a physician who attends a birth.

(3) ‘Board’ means the State Board of Health and Environmental Control.

(4) ~~Reserved.~~ ‘Children, adolescents, or young adults in need of mental health treatment’ in a residential treatment facility means a child, adolescent, or young adult under the age of twenty-one who manifests a substantial disorder of cognitive or emotional process that lessens or impairs to a marked degree that child’s, adolescent’s, or young adult’s capacity either to develop or to exercise age-appropriate or age-adequate behavior, including, but not limited to, marked disorders of mood or thought processes; severe difficulties with self-control or judgment, including behavior dangerous to himself or others; and serious disturbances in a child’s, adolescent’s, or young adult’s ability to care for or relate to others.

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(5) ~~‘Competing applicants’ means two or more persons or health care facilities as defined in this article who apply for Certificates of Need to provide similar services or facilities in the same service area within a time frame as established by departmental regulations and whose applications, if approved, would exceed the need for services or facilities.~~

(6) ‘Community residential care facility’ means a facility which offers room and board and provides a degree of personal assistance for two or more persons eighteen years old or older.

(7)(6) ~~‘Day care~~ Daycare facility for adults’ means a facility for adults eighteen years or older ~~which~~ that:

(a) offers in a group setting a program of individual and group activities and therapies;~~The program~~

(b) is directed toward providing community-based care for those in need of a supportive setting for less than twenty-four hours a day, ~~thereby preventing in order to prevent unnecessary institutionalization;~~ and

(c) ~~shall provide~~ provides a minimum of four and a maximum of fourteen hours of operation a day.

(8)(7) ‘Department’ means the Department of Health and Environmental Control.

(9)(8) ~~‘The federal act’ means Title VI of the United States Public Health Service Act (the Hill Burton Construction Program); Title XVI of the United States Public Health Service Act (National Health Planning and Resources Development Act of 1974 — Public Law 93-641); grants for all center and facility construction under Public Law 91-211 (community mental health centers’ amendments to Title II, Public Law 88-164, Community Mental Health Centers Act); grants for all facility construction under Public Law 91-517 (developmental disabilities services and facilities construction amendments of 1970 to Part C, Title I, grants for construction of facilities for persons with intellectual disability — Public Law 88-164); and other federal programs as may exist or be enacted which provide for the construction of hospitals or related health facilities.~~ ‘Facility for chemically dependent or addicted persons’ means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.

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(9) 'Facility wherein abortions are performed' means a facility, other than a hospital, in which any second-trimester or any five or more first-trimester abortions are performed in a month.

(10) 'Freestanding emergency service' or 'off-campus emergency service' means an extension of an existing hospital emergency department that is intended to provide comprehensive emergency service but does not include a service that does not provide twenty-four hour, seven day per week operations or that is not capable of providing basic services as defined for hospital emergency departments. A service that does not qualify as a freestanding emergency service must not be classified as a freestanding emergency service and must not advertise, or display or exhibit any signs or symbols, that would identify the service as a freestanding emergency service.

~~(10)~~(11) 'Health care facility' means, at a minimum, acute care hospitals, psychiatric hospitals, alcohol and substance abuse hospitals, nursing homes, ambulatory surgical facilities, hospice facilities, radiation therapy facilities, rehabilitation facilities, residential treatment facilities for children and adolescents, intermediate care facilities for persons with intellectual disability, or narcotic treatment programs, and any other facility for which Certificate of Need review is required by federal law.

~~(11)~~(12) 'Health service' means clinically related, diagnostic, treatment, or rehabilitative services and includes alcohol, drug abuse, and mental health services for which specific standards or criteria are prescribed in the State Health Plan.

~~(12)~~(13) 'Hospital' means a facility that is organized and administered to provide overnight medical or surgical care or nursing care of for an illness, injury, or infirmity; that and may provide obstetrical care; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy. Hospital 'Hospital' may include a residential treatment facilities facility for children, and adolescents, or young adults in need of mental health treatment which are that is physically a part of a licensed psychiatric hospital. This definition does not include facilities which that are licensed by the Department of Social Services.

(14) 'Intermediate care facility for persons with an intellectual disability' means a facility that serves four or more persons with an intellectual disability or persons with related conditions and that provides health or rehabilitative services on a regular basis to individuals whose

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mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.

~~(13)~~(15) 'Nursing home' means a facility with an organized nursing staff to maintain and operate organized facilities and services to accommodate two or more unrelated persons over a period exceeding twenty-four hours which is operated either in connection with a hospital or as a freestanding facility for the express or implied purpose of providing intermediate or skilled nursing care for persons who are not in need of hospital care.

~~(14)~~ 'Facility for chemically dependent or addicted persons' means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.

~~(15)~~(16) 'Person' means an individual, a trust or estate, a partnership, a corporation including an association, joint stock company, insurance company, and a health maintenance organization, a health care facility, a state, a political subdivision, or an instrumentality including a municipal corporation of a state, or any legal entity recognized by the State.

(17) 'Radiation therapy facility' means a person or a health care facility that provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.

~~(16)~~(18) 'Residential treatment facility for children and adolescents' means a facility operated for the assessment, diagnosis, treatment, and care of two or more 'children and adolescents in need of mental health treatment' which provides:

(a) a special education program with a minimum program defined by the South Carolina Department of Education;

(b) recreational facilities with an organized youth development program; and

(c) residential treatment for a child or adolescent in need of mental health treatment.

~~(17)~~ 'Solely for research' means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project 'solely for research'.

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~~(18) ‘Children, adolescents, and young adults in need of mental health treatment’ in a residential treatment facility means a child, adolescent, or young adult under age twenty one who manifests a substantial disorder of cognitive or emotional process, which lessens or impairs to a marked degree that child’s, adolescent’s, or young adult’s capacity either to develop or to exercise age appropriate or age adequate behavior. The behavior includes, but is not limited to, marked disorders of mood or thought processes, severe difficulties with self control and judgment including behavior dangerous to self or others, and serious disturbances in the ability to care for and relate to others.~~

~~(19) ‘Intermediate care facility for persons with intellectual disability’ means a facility that serves four or more persons with intellectual disability or persons with related conditions and provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.~~

~~(20) ‘Freestanding or mobile technology’ means medical equipment owned or operated by a person other than a health care facility for which the total cost is in excess of that prescribed by regulation and for which specific standards or criteria are prescribed in the State Health Plan.~~

~~(21) ‘Like equipment with similar capabilities’ means medical equipment in which functional and technological capabilities are identical to the equipment to be replaced; and the replacement equipment is to be used for the same or similar diagnostic, therapeutic, or treatment purposes as currently in use; and does not constitute a material change in service or a new service.~~

~~(22) ‘Facilities wherein abortions are performed’ means a facility, other than a hospital, in which any second trimester or five or more first trimester abortions are performed in a month.~~

~~(23) ‘Radiation therapy facility’ means a person or a health care facility which provides or seeks to provide mega voltage therapeutic services to patients through the use of high energy radiation.~~

~~(24) ‘Birthing center’ means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother or any facility that is licensed as a hospital or the private practice of a physician who attends the birth.~~

~~(25) ‘Freestanding emergency service’ also referred to as an off-campus emergency service, means an extension of an existing hospital emergency department that is an off-campus emergency service and that is intended to provide comprehensive emergency service. The~~

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~~hospital shall have a valid license and be in operation to support the off-campus emergency service. A service that does not provide twenty-four hour, seven-day per week operation or that is not capable of providing basic services as defined for hospital emergency departments must not be classified as a freestanding emergency service and must not advertise or display or exhibit any signs or symbols that would identify the service as a freestanding emergency service.~~

~~(26) ‘Crisis stabilization unit facility’ means a facility, other than a health care facility, operated by the Department of Mental Health or operated in partnership with the Department of Mental Health that provides a short-term residential program, offering psychiatric stabilization services and brief, intensive crisis services to individuals eighteen and older, twenty-four hours a day, seven days a week.”~~

SECTION __. Section 44-7-140 of the 1976 Code is amended to read:

“Section 44-7-140. The department is designated the sole state agency for control and administration of the ~~granting of Certificates of Need and~~ licensure of health facilities and other activities necessary to be carried out under this article.”

SECTION __. A. Section 44-7-150 of the 1976 Code is amended to read:

“Section 44-7-150. In carrying out the purposes of this article, the department shall:

(1) require reports and make inspections and investigations as considered necessary;

(2) to the extent that is necessary to effectuate the purposes of this article, enter into agreements with other departments, commissions, agencies, and institutions, public or private;

(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department and approved by the board to carry out the department’s licensure ~~and Certificate of Need~~ duties under this article; ~~including regulations to deal with competing applications;~~

(4) accept on behalf of the State and deposit with the State Treasurer, any grant, gift, or contribution made to assist in meeting the cost of carrying out the purpose of this article and expend it for that purpose; and

(5) ~~The department may charge and collect fees to cover the cost of operating the Certificate of Need program, including application fees, filing fees, issuance fees, and nonapplicability/exemption determination fees. The department shall develop regulations which set fees as~~

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~~authorized by this article. The level of these fees must be determined after careful consideration of the direct and indirect costs incurred by the department in performing its various functions and services in the Certificate of Need program. All fees and procedures for collecting fees must be adopted pursuant to procedures set forth in the Administrative Procedures Act. Any fee collected pursuant to this section in excess of seven hundred fifty thousand dollars must be retained by the department and designated for the administrative costs of the Certificate of Need program. The first seven hundred fifty thousand dollars collected pursuant to this section must be deposited into the general fund of the State. Until fees are promulgated through regulation, all fees established as of January 1, 2009, remain in effect promulgate regulations, in accordance with the Administrative Procedures Act, that establish fees as authorized by this article.~~

B. Fees authorized by Article 3, Chapter 7, Title 44 that are promulgated as of January 1, 2009 shall remain in effect until further regulations are promulgated pursuant to Section 44-7-150(5), as amended by this act.

SECTION __. Section 44-7-320 of the 1976 Code is amended to read:

“Section 44-7-320. (A)(1) The department may deny, suspend, or revoke licenses or assess a monetary penalty, or both, against a person or facility for:

(a) violating a provision of this article or departmental regulations;

~~(b) permitting, aiding, or abetting the commission of an unlawful act relating to the securing of a Certificate of Need or the establishment, maintenance, or operation of a facility requiring certification of need or licensure under this article;~~

~~(e)~~ engaging in conduct or practices detrimental to the health or safety of patients, residents, clients, or employees of a facility or service. This provision does not refer to health practices authorized by law;

~~(d)(c)~~ refusing to admit and treat alcoholic and substance abusers, the mentally ill, or persons with intellectual disability, whose admission or treatment has been prescribed by a physician who is a member of the facility's medical staff; or discriminating against alcoholics, the mentally ill, or persons with intellectual disability solely because of the alcoholism, mental illness, or intellectual disability; or

~~(e)(d)~~ failing to allow a team advocacy inspection of a community residential care facility by the South Carolina Protection and Advocacy System for the Handicapped, Inc., as allowed by law.

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(2) Consideration to deny, suspend, or revoke licenses or assess monetary penalties, or both, is not limited to information relating to the current licensing period but includes consideration of all pertinent information regarding the facility and the applicant.

(3) If in the department's judgment conditions or practices exist in a facility that pose an immediate threat to the health, safety, and welfare of the residents, the department immediately may suspend the facility's license and shall contact the appropriate agencies for placement of the residents. Within five calendar days of the suspension a preliminary hearing must be held to determine if the immediate threatening conditions or practices continue to exist. If they do not, the license must be immediately reinstated. Whether the license is reinstated or suspension remains due to the immediate threatening conditions or practices, the department may proceed with the process for permanent revocation pursuant to this section.

(B) Should the department determine to assess a penalty, deny, suspend, or revoke a license, it shall send to the appropriate person or facility, by certified mail, a notice setting forth the particular reasons for the determination. The determination becomes final thirty days after the mailing of the notice, unless the person or facility, within such thirty-day period, requests in writing a contested case hearing before the board, or its designee, pursuant to the Administrative Procedures Act. On the basis of the contested case hearing, the determination involved must be affirmed, modified, or set aside. Judicial review may be sought in accordance with the Administrative Procedures Act.

(C) The penalty imposed by the department for violation of this article or its regulations must be not less than one hundred nor more than five thousand dollars for each violation of any of the provisions of this article. Each day's violation is considered a subsequent offense.

(D) Failure to pay a penalty within thirty days is grounds for suspension, revocation, or denial of a renewal of a license. ~~No~~ A license ~~may~~ must not be issued, reissued, or renewed until all penalties finally assessed against a person or facility have been paid.

~~(E) No Certificate of Need may be issued to any person or facility until a final penalty assessed against a person or a facility has been paid.~~

~~(F)~~ All penalties collected pursuant to this article must be deposited in the state treasury and credited to the general fund of the State."

SECTION __. A. Sections 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, and 44-7-240 of the 1976 Code are repealed.

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B.(A) Beginning on the effective date of this act, there is no requirement for the issuance of a Certificate of Need for any project or operation of a facility in this State. The Department of Health and Environmental Control shall not take any action on any pending applications for a Certificate of Need, shall notify a facility that has a pending application that there is no requirement for the issuance of a Certificate of Need, and shall identify any licensing requirements that are applicable to the facility's proposed project or operation.

(B) For a facility with an existing Certificate of Need, the Department of Health and Environmental Control shall notify the facility that it is no longer required to submit periodic reports or to submit architectural or engineering drawings and specifications and that the Department of Health and Environmental Control shall not make further inspections to determine compliance with the Certificate of Need, as there is no such requirement in the State, and shall identify any licensing requirements that are applicable to the facility's proposed project or operation.

(C) Beginning on the effective date of this act, the Department of Health and Environmental Control shall not accept new applications for a Certificate of Need, shall review its relevant regulations for the purposes of submitting revised regulations that implement the provisions of this act to the General Assembly for approval, and shall update its website and other publicly available information to reflect that there is no requirement under the laws of this State for the issuance of a Certificate of Need for any project or operation of a facility and to summarize the licensing requirements and associated application process applicable to a facility for any projects or operations.

(D) A court with jurisdiction over a case resulting from an appeal of a denial of a Certificate of Need application that is pending on the effective date of this act shall issue an appropriate order of dismissal that includes in its findings that there is no requirement for a Certificate of Need for any project or operation of a facility in this State.

SECTION __. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for

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the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator HUTTO objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

S. 596 -- Senators Senn, Campsen, McElveen and Leatherman: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE FOR THE REGULATION OF PRE-PRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (596R002.KMM.SS), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 26-35 and inserting:

/ (D) A facility that violates a provision of this section shall be subject to the department's enforcement procedures, and such a facility shall further:

(1) for a first violation during a five-year period, be fined up to twenty-five thousand dollars;

(2) for a second violation during a five-year period, be fined up to fifty thousand dollars; and

(3) for a third or subsequent violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years." /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

NAYS

Climer

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 231 -- Senators Shealy, McLeod and Matthews: A BILL TO ENACT THE "STUDENT IDENTIFICATION CARD SUICIDE PREVENTION ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS PROVISIONS FOR EDUCATION, BY ADDING SECTION 59-1-375, TO PROVIDE THAT PUBLIC SCHOOLS AND PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING SHALL ADD THE TELEPHONE NUMBER FOR THE NATIONAL SUICIDE PREVENTION LIFELINE TO STUDENT IDENTIFICATION CARDS AND MAY ADD TELEPHONE AND TEXT NUMBERS FOR

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CERTAIN OTHER HOTLINES TO STUDENT IDENTIFICATION CARDS, AND TO PROVIDE FOR THE USE OF STUDENT IDENTIFICATION CARDS IN EXISTENCE BEFORE THE IMPLEMENTATION OF THIS REQUIREMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (231R001.SP.GH), which was adopted:

Amend the bill, as and if amended, on page 1, by striking lines 39 and 40 and inserting:

/Prevention Lifeline. The school must also print on either side of the cards the social media platform, telephone number, or text number for at least one additional crisis resource selected by the school district or charter school sponsor pursuant to the available data regarding local school or community needs, including, but not limited to: /

Amend the bill further, as and if amended, on page 2, by striking lines 5 and 6 and inserting:

/public or private institution of higher learning must also print on either side of the cards the social media platform, telephone number, or text number for at least one additional crisis resource selected by the public or private institution of higher learning pursuant to the available data regarding local school or community needs, including, but not limited to: /

Amend the bill further, as and if amended, on page 2, at line 16, by inserting:

/ (D) Public schools, charter schools, and institutions of higher learning issuing student identification cards pursuant to this section shall annually and prior to the start of each school year certify to their respective governing bodies that the contact information being printed on student identification cards is up to date and reflects the current contact information for crisis resources posted on the South Carolina Department of Mental Health's website." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING

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THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

On motion of Senator MASSEY, the Bill was carried over.

ADOPTED

H. 3662 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN CALHOUN COUNTY FROM ITS INTERSECTION WITH INABINET ROAD TO ITS INTERSECTION WITH THE ST. MATTHEWS TOWN LIMIT "OTHNIEL WIENGES, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4018 -- Reps. Wheeler, Dabney, J.L. Johnson and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION DEDICATE THE PORTION OF BULL STREET IN THE CITY OF CAMDEN FROM ITS INTERSECTION WITH BROAD STREET TO ITS INTERSECTION WITH MARKET STREET "VONNIE HOLLIDAY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF STREET CONTAINING THIS DESIGNATION.

The Resolution was adopted, ordered returned to the House.

H. 4025 -- Reps. Jefferson, Davis, Pendarvis, Tedder and Kimmons: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF RIDGE ROAD AND HIGHWAY S-18-78 IN DORCHESTER COUNTY "ANGIE LEE CRUM CROSSING" AND

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ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:43 P.M., on motion of Senator HEMBREE, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

**H. 3589 -- REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

On motion of Senator SETZLER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator SETZLER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--42

NAYS

Kimpson

Total--1

The Committee of Conference Committee was adopted as follows:

H. 3589 -- Conference Report

The General Assembly, Columbia, S.C., April 13, 2021

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3589 -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: A BILL TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND

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TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59-19-350(A) of the 1976 Code is amended to read:

“(A)(1) A local school district board of trustees of this State desirous of creating an avenue for new, innovative, and more flexible ways of educating children within their district, may create ~~a school of choice~~ one or more schools of innovation within the district that ~~is~~ are exempt from ~~applicable~~ applicable state statutes ~~and regulations~~ and regulations which govern other schools in the district ~~and regulations promulgated by the State Board of Education~~. To achieve the status of a school of innovation and have exemption from specific statutes and regulations, the local board of trustees, at a public meeting, shall identify specific statutes and regulations which will be considered for exemption and shall disclose the financial model to be used. The exemption may be granted by the governing board of the district only if there is a two-thirds affirmative vote of the board for each exemption and the proposed exemption is approved by the State Board of Education, provided a district may not designate all schools in the district as schools of innovation.

(2) To achieve the status of exemption:

(a) A school district must identify each state statute, regulation and local district policy from which the school is requesting exemption and specify how this flexibility will support academic achievement for students and the Profile of the Graduate. No district is permitted to request flexibility from all state regulations and statutes for any school or schools.

(b) The district superintendent must submit a request containing the information in subitem (a) to the local board of trustees for approval, which must be considered in a public meeting and requires a two-thirds vote of the board for approval. Any change in the request must be approved by the local board by a two-thirds vote.

(c) Once approved by a local school board, the district superintendent must submit the request to the State Board of Education for approval, which requires a two-thirds vote of the State Board. Any change in a request that is pending approval by, or has been approved

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by, the State Board of Education must be made in the same manner as provided in subitem (b) and this subitem for initial requests.

(3) Each school of innovation annually before July first shall:

(a) demonstrate compliance with the financial model identified in item (1);

(b) provide full financial statements detailing how it receives and expends funds; and

(c) report the academic achievement of its students as indicated by the performance of its students on the same assessments and matrices required of all other public schools, based on grade level.

(4) Nothing in this section permits a local school district board of trustees to relinquish control or oversight of the schools created pursuant to this section, and the local school district board must ensure transparent and timely reporting of fiscal and academic performance for each school of innovation.”

SECTION 2. This act takes effect upon approval by the Governor. /
Amend title to conform.

/s/Sen. Nikki Giles Setzler
/s/Sen. Greg Hembree
/s/Sen. Rex Fontaine Rice
On Part of the Senate.

Rep. Merita Ann “Rita” Allison
/s/Rep. R. Raye Felder
/s/Rep. Terry Alexander
On Part of the House.

, and a message was sent to the House accordingly.

H. 3589--REPORT OF COMMITTEE OF CONFERENCE ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: A BILL TO ENACT THE “REINFORCING COLLEGE EDUCATION ON AMERICA’S CONSTITUTIONAL HERITAGE ACT” OR THE “REACH ACT”; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF

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THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

On motion of Senator MALLOY, the Bill was carried over.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND

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SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Amendment No. 6

Senator MASSEY proposed the following amendment (JUD0464.006), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __ A. A special committee is hereby created to be composed of six members, three from each House, to be selected by each body in the same manner members of conference committees are selected by that body. The duties and responsibilities of the special committee are to consider offers for the sale of some or all of the assets of the Public Service Authority of South Carolina and to further negotiate the terms and conditions of any offer for the sale of some or all of the assets of the Public Service Authority of South Carolina. The special committee shall adopt and set its own rules of procedure. Upon approval of any offer for the sale of some or all of the assets of the Public Service Authority of South Carolina, the special committee shall issue a recommendation and report to the General Assembly. This recommendation and report may be accepted and approved by each House in the same manner conference committee reports are accepted and approved. Upon approval of the special committee report by the General Assembly, the report also must be transmitted to the Governor for his approval in the same manner enactments are presented to him under Article IV of the Constitution of this State. The Department of Administration shall execute on behalf of the State of South Carolina the documents necessary to effectuate any sale proposal approved in the manner provided in this section. The special committee shall have the authority to remain in existence until dissolution and to consider any future offers for the sale of some or all of the assets of the Public Service Authority.

B. The Special Committee shall continue in existence unless terminated as provided in this section and shall be authorized to consider

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any future offers for the sale of some or all of the assets of the Public Service Authority. The provisions of this section expire ten years after the effective date of this section unless extended or reenacted by the General Assembly before this date.

C. The Special Committee may not accept and the General Assembly may not approve any offer to purchase the assets of the Public Service Authority or any portion thereof which offer is made contingent upon the reenactment of the Base Load Review Act or any similar variation of the Base Load Review Act containing comparable provisions. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Point of Order

Senator SCOTT raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator GOLDFINCH spoke on the Point of Order.

The PRESIDENT took the Point of Order under advisement.

Senator MASSEY resumed speaking on the amendment.

Senator MALLOY spoke on the Point of Order.

On motion of Senator SCOTT, with unanimous consent, the Point of Order was withdrawn.

Senator SCOTT moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Leatherman	Loftis

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Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Williams	Young

Total--36

NAYS

Climer	Corbin	Fanning
Kimbrell	Kimpson	Massey
Rice	Talley	

Total--8

The amendment was laid on the table.

Amendment No. 10

Senators CLIMER, KIMPSON and M. JOHNSON proposed the following amendment (464R006.SP.WC), which was tabled:

Amend the bill, as and if amended, on page 25, at line 20, by inserting an appropriately numbered new SECTION to read:

/SECTION __. A.Article 3, Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-365. (A) The Public Service Authority must not include as a condition for subscribing to, purchasing, or acquiring notes, bonds, evidences of indebtedness, or other obligations of the Public Service Authority that the Public Service Authority be the sole entity to establish and modify rates.

(B) This section is not intended to conflict with Section 58-31-360. In the event that a court of competent jurisdiction determines that there is a conflict, the provisions of Section 58-31-360 shall prevail.”

B.This SECTION takes effect on January 1, 2023, and applies after May 31, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

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Point of Quorum

At 3:44 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator MALLOY moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

A quorum being present, the Senate resumed.

Senator CLIMER resumed speaking on the amendment.

Senator GROOMS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 24; Nays 17

AYES

Adams	Allen	Campsen
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb

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Scott	Shealy	Stephens
Talley	Williams	Young

Total--24

NAYS

Alexander	Bennett	Cash
Climer	Corbin	Davis
Gustafson	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Massey	Peeler	Rice
Setzler	Turner	

Total--17

The amendment was laid on the table.

Amendment No. 11

Senators MASSEY and KIMPSON proposed the following amendment (JUD0464.018), which was adopted:

Amend the bill, as and if amended, page 10, by striking line 32 through line 34, in Section 58-31-730(B)(5)(c), as contained in SECTION 4, and inserting:

/ (c) at least one representative of the authority's staff or management and a quorum of the board of directors shall attend each public meeting; /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 12

Senator MASSEY proposed the following amendment (JUD0464.019), which was adopted:

Amend the bill, as and if amended, page 12, by striking line 16 through line 33, in Section 58-31-730(F), as contained in SECTION 4, and inserting:

/ (F) Notwithstanding the provisions of this section, the authority may place such adjusted rates and charges into effect on an interim basis

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under emergency circumstances such as the avoidance of default of its obligations and to ensure proper maintenance of its system; these interim rates must not be in effect for more than one year. Said adjusted rates and charges shall be subject to prospective rate adjustment in accordance with the terms of this section, provided further, that the authority may implement experimental rates on an interim basis for the purpose of developing improved rate offerings for customers. These experimental rates will be enacted for no longer than four years and (a) for large industrial customers, no more than twelve percent of the large industrial customer class except large industrial customers with one hundred megawatts or greater load shall be excluded from any class size limit, and (b) for all other customers no more than five percent of the customers in the class. All experimental rates must be disclosed in public session of the board prior to being enacted and are subject to approval by the board only to the extent that they meet the requirements of Section 58-31-55. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 13

Senator MASSEY proposed the following amendment (JUD0464.021), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 58-31-30 of the 1976 Code is amended by adding a new subsection (C) to read:

“(C) Any severance package, payment or other benefit of whatever nature conferred upon an executive officer or member of the board of the Public Service Authority or offered on or after May 15, 2021, must first be approved by the Agency Head Salary Commission before the Authority can enter into an agreement regarding a severance package, payment or other benefits. Any payment made in violation of this section is grounds for a claw-back of the payment or benefit in a legal action brought by the Attorney General of this State seeking a recovery of that payment. The Public Service Authority must provide a report to the Agency Head Salary Commission by July 6, 2021, with information regarding any severance package, payment or other benefit conferred

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upon an executive officer or member of the board of the Public Service Authority from January 1, 2020, through June 30, 2021.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Amendment No. 14

Senator MASSEY proposed the following amendment (JUD0464.027), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ Chapter 4, Title 58 of the 1976 Code is amended by adding Section 58-4-51:

“Section 58-4-51. (A) Regulatory staff shall have the following duties and responsibilities concerning the Public Service Authority to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff, review, investigate, and make appropriate recommendations to the appropriate entity with respect to the rates charged or proposed to be charged for electric service provided by the Public Service Authority;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff, make inspections, audits, and examinations of, and to make recommendations to, the appropriate entity, regarding electric service provided by the Public Service Authority;

(3) upon request by the commission, make studies and recommendations to the commission with respect to standards, regulations, practices, or electric service provided by the Public Service Authority for matters within the commission’s jurisdiction; and

(4) when considered necessary by the Executive Director of the Office of Regulatory Staff, investigate and examine the condition of generation, transmission, or distribution electric facilities owned or operated by the Public Service Authority.

(B) Regulatory staff may participate as a party of interest, as deemed necessary by the Executive Director of the Office of Regulatory Staff, before regulatory agencies, state courts and federal courts, in matters that could affect the Public Service Authority’s rates or charges for the authority’s electric service.

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(C) The regulatory staff may have additional duties and responsibilities related to the Public Service Authority as otherwise provided by law.” /

Amend this bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Section 58-4-55 of the 1976 Code is amended to read:

“Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Sections 58-4-50 and Section 58-4-51, may require the production of books, records, and other information to be produced at the regulatory staff's office, that, upon request of the regulatory staff, must be submitted under oath and without the requirement of a confidentiality agreement or protective order being first executed or sought. The regulatory staff must treat the information as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission. Although the Public Service Authority is subject to the Freedom of Information Act pursuant to Sections 30-4-10, et seq. the authority, when necessary and appropriate, may indicate that information or documents provided to regulatory staff is confidential or proprietary, or otherwise exempt from disclosure in accordance with statute, and the regulatory staff must treat this information in the same manner as public utilities and cooperatives pursuant to this section.

If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary

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examination or inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the Public Service Authority, or an electric cooperative, the public utility, the Public Service Authority, or the electric cooperative that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the regulated operations of the public utility, the Public Service Authority, or the electric cooperative.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility, the Public Service Authority or the electric cooperative may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the consent of the public utility, the Public Service Authority, or the electric cooperative raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an objection or request within sixty days of the date it was filed. During the pendency of the commission's ruling, the public utility, the Public Service Authority, or the electric cooperative making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility, the Public Service Authority, or any electric cooperative that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate

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any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility, the Public Service Authority, or electric cooperative to object to such discovery or to seek relief regarding such discovery, including without limitation, the entry of a protective order. The regulatory staff shall not be required to execute a confidentiality agreement or seek a protective order prior to accessing the documents or information of a public utility, the Public Service Authority, or an electric cooperative, and such information or documents must be treated as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from

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public disclosure under Section 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity. However, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission.

(E)(1) The Office of Regulatory Staff, in order to accomplish any of the responsibilities assigned to it by Chapter 4, Title 58 or any other provision of law, may apply to the circuit court for subpoenas to be issued to entities over which the Public Service Commission does not have jurisdiction. Such subpoenas will be issued by the circuit court in the same manner as subpoenas are issued to parties to proceedings before that court, and all rules applicable to the issuance of such subpoenas, including enforcement and penalties, shall apply to subpoenas issued at the request of the regulatory staff.

(2) In order to accomplish any of the responsibilities assigned to the Office of Regulatory Staff regarding the Public Service Authority in which the commission does not have jurisdiction, regulatory staff or another party of interest may file a complaint with the Administrative Law Court.

(F) The actual expenses of the Office of Regulatory Staff incurred in carrying out its duties under Section 58-4-50(A)(12) must be certified annually to the Public Utilities Review Committee in an itemized statement by the Office of Regulatory Staff, shown as a line item in the Office of Regulatory Staff budget, to be assessed directly to an audited electric cooperative by the Office of Regulatory Staff, and deposited with the State Treasurer to the credit of the Office of Regulatory Staff.” /

Amend the bill further, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION ____ . Section 58-27-190 of the 1976 Code is amended to read:

“Section 58-27-190. The Office of Regulatory Staff has the right at any and all times to inspect the property, plant, and facilities of any electrical utility and the South Carolina Public Service Authority and to inspect or audit at reasonable times the accounts, books, papers, and documents of any electrical utility and the South Carolina Public Service Authority. For the purposes herein mentioned an employee or agent of the Office of Regulatory Staff may during all reasonable hours enter upon any premises occupied by or under the control of any electrical

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utility or the South Carolina Public Service Authority. An employee or agent of the Office of Regulatory Staff authorized to administer oaths has the power to examine under oath any officer, agent, or employee of the electrical utility and the South Carolina Public Service Authority in relation to the business and affairs of the electrical utility, but written record of the testimony or statement so given under oath must be made.”

SECTION __. Section 58-27-200 of the 1976 Code is amended to read:

“Section 58-27-200. In the performance of its duties under this chapter, an employee or agent of the Office of Regulatory Staff may inspect or make copies of all income, property, or other tax returns, reports, or other information filed by electrical utilities or the South Carolina Public Service Authority, with or otherwise obtained by any other department, commission, board, or agency of the state government. All departments, commissions, boards, or agencies of the state government must permit an employee or agent of the Office of Regulatory Staff to inspect or make copies of all information filed by electrical utilities or the South Carolina Public Service Authority with or otherwise obtained by the department, commission, board, or agency of the state government.”

SECTION __. Section 58-27-210 of the 1976 Code is amended to read:

“Section 58-27-210. Whenever it shall appear that any electrical utility, electric cooperative, the South Carolina Public Service Authority regarding its provision of electric services, or consolidated political subdivision is failing or omitting, or about to fail or omit, to do anything required of it by law or by order of the commission or is doing, or about to do anything or permitting or about to permit anything to be done contrary to or in violation of law or of any order of the commission, an action or proceeding shall be prosecuted in any court of competent jurisdiction in the name of the Office of Regulatory Staff for the purpose of having such violation or threatened violation discontinued or prevented, either by mandamus, injunction, or other appropriate relief, and in such action or proceeding, it shall be permissible to join such other persons, corporations, municipalities, or consolidated political subdivisions as parties thereto as may be reasonably necessary to make the order of the court in all respects effective. The commission must not be a party to any action.”

SECTION __. Section 58-27-220 is amended to read:

“Section 58-27-220. In addition to the foregoing expressly enumerated powers, the Office of Regulatory Staff must enforce,

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execute, administer, and carry out the provisions of this chapter relating to the powers, duties, limitations, and restrictions imposed upon electrical utilities and the South Carolina Public Service Authority by this chapter or any other provisions of the law of this State regulating electrical utilities and the South Carolina Public Service Authority regarding its provision of electric services.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 15

Senator MASSEY proposed the following amendment (JUD0464.029), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION:

/ SECTION __. To amend Section 58-4-60 of the 1976 Code to read:

(F) Expenses incurred by the Office of Regulatory Staff in the administration of Section 58-4-51 in the performance of its duties and responsibilities related to the Public Service Authority, or related to other matters pertaining to the Public Service Authority as required by law must be covered by assessments made by the Comptroller General to the Public Service Authority once annually. The Office of Regulatory Staff shall certify annually to the Public Utilities Review Committee the amounts to be assessment to the Public Service Authority as shown as a line item in the Office of Regulatory Staff budget. The Office of Regulatory Staff shall certify to the Comptroller General the amounts to be assessed to the Public Service Authority no later than May 1st. The Comptroller General shall remit the amounts to the Office of Regulatory Staff based on the approval of the Office of Regulatory Staff budget by the Public Utilities Review Committee. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

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Amendment No. 16

Senators MASSEY, CLIMER, KIMPSON and DAVIS proposed the following amendment (JUD0464.005), which was carried over:

Amend the bill, as and if amended, beginning on page 15, line 38, and ending on page 21, line 16, by striking SECTION 7, in its entirety, and inserting:

/ SECTION 7. Section 58-37-40 of the 1976 Code, as last amended by Act 62 of 2019, is further amended to read:

“Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office’s website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsections (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation

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services, then the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the ~~State Energy Office~~ commission. The Public Service Authority shall develop a public process allowing for input from all stakeholders prior to submitting the integrated resource plan. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the ~~State Energy Office's~~ commission's website and on the Public Service Authority's website.

(4)(a) In addition to the requirements of 58-37-40(B), the Public Service Authority's integrated resource plan shall include an analysis of long term power supply alternatives and enumerate the cost of various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost effective and least ratepayer risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service.

(b) In addition to the requirements of Section 58-37-40(B), the commission shall review and evaluate the Public Service Authority's analysis of long-term power supply alternatives and various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and lowest ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service. The commission's evaluation shall include, but not be limited to:

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(i) evaluating the cost-effectiveness and ratepayer risk of self-build generation and transmission options compared with various long-term power supply alternatives including power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof. In evaluating and identifying the most cost effective and least ratepayer risk resource portfolio, the commission shall strive to reduce the risk to ratepayers associated with any generation and transmission options while maintaining safe and reliable electric service; and

(ii) an analysis of any potential cost savings that might accrue to ratepayers from the retirement of remaining coal generation assets.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

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(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility's and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;

(b) consumer affordability and least cost;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply; and

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(g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. The electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility or the Public Service Authority shall submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's or the Public Service Authority's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's or Public Service Authority's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each ~~electric~~ electrical utility's or the Public Service Authority's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the

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annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility or the Public Service Authority to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 17

Senator MASSEY proposed the following amendment (JUD0464.014), which was carried over:

Amend the bill, as and if amended, page 24, by striking line 4 through line 17, as included in Section 1-3-240(C)(1)(m), as contained in SECTION 10, and inserting:

/ ~~“(m)Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20. A director of the South Carolina Public Service Authority also may be removed for his breach of any duty arising under Section 58-31-55 or 58-31-56. The Governor must not request a director of the South Carolina Public Service Authority to resign unless cause for removal, as established by this subsection, exists. Removal of a director of the South Carolina Public Service Authority, except as is provided by this section or by Section 58-31-20(A), must be considered to be an irreparable injury for which no adequate remedy at law exists;”~~ /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

On motion of Senator MASSEY, the amendment was carried over.

ACTING PRESIDENT PRESIDES

Senator CORBIN assumed the Chair.

PRESIDENT PRESIDES

At 4:46 P.M., the PRESIDENT assumed the Chair.

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Amendment No. 2

Senator KIMBRELL proposed the following amendment (464R002.SP.JK), which was carried over:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 58-31-30 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“() Any debts or obligations contracted by or for the Public Service Authority, and the board of directors of the Public Service Authority, the advisory board, or the officers pursuant to this section, must be submitted to the Joint Bond Review Committee for review and approved by the State Fiscal Accountability Authority as provided by Chapter 47, Title 2.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

On motion of Senator KIMBRELL, the amendment was carried over.

Call of the Senate

Senator MASSEY moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

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Senator GROOMS asked unanimous consent to proceed to Amendment No. 4C.

Amendment No. 4C

Senator SETZLER proposed the following amendment (DG\464C008.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Article 1, Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-240. (A) For purposes of this section:

(1) ‘SFAA’ means the State Fiscal Accountability Authority.

(2) ‘Committee’ or ‘committees’ means the Senate Finance Committee and the House Ways and Means Committee.

(B) The Senate Finance Committee and the House Ways and Means Committee shall review and provide fiscal accountability of the Public Service Authority (authority) no less frequently than every two years. The committees shall provide a report with findings to the Senate Legislative Oversight Committee and the House Legislative Oversight Committee.

(C)(1) Every two years, or as often as requested by either committee, the authority must submit to the committees:

(a) annual audited financial statements;

(b) projected and actual annual revenue;

(c) actual annual expenditures;

(d) any debt issuances in the previous five years, whether short-term or long-term;

(e) percent of annual revenues utilized for administration. For purposes of this item, ‘administration’ includes executive level employees compensation and other operating costs;

(f) organizational flow chart displaying the position titles and name of executive-level employees;

(g) major components of any long-term capital plan, including timing and cost estimates, and financing plan for such capital investments whether paid from operations or debt;

(h) performance objectives and results;

(i) performance measurements used to evaluate program effectiveness;

(j) any outstanding litigation issues; and

(k) planning documents and progress reports, including budgeted and actual expenditures.

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(2) The authority must post its annual audited financial report in a conspicuous place on the authority's website and distribute the reports to members of the General Assembly.

(3) Any problems or issues of concern that arise during this oversight process may be forwarded to the State Inspector General for investigation after a vote of either committee. The Inspector General is granted the authority to complete the investigation.

(D)(1) When the authority issues bonds, notes, or other indebtedness, including any refinancing that does not achieve a savings in total debt service, it must notify the committees of such in writing and include:

- (a) the date of issuance;
- (b) the issuance amount;
- (c) sources of payment; and
- (d) any ratings assigned to the debt, including the reports of the rating services.

(2) Once revenue debt outstanding meets or exceeds sixty percent of debt capacity, the Joint Bond Review Committee and SFAA must be notified prior to any new issuances of debt.

(3) For purposes of this subsection, debt capacity means the total amount of debt that can be undertaken by the authority while maintaining compliance with its legal, contractual or rating-dependent debt service coverage requirements, incorporating reasonable assumptions and projections for future revenue, interest rates, and term of the indebtedness. The review and approval process set forth in item (2) is triggered whenever existing debt as a percentage of total debt capacity exceeds sixty percent.

(E)(1) By September first of each year, the authority shall provide an annual report regarding every transaction involving an interest in real property and executed during the preceding twelve months, including:

- (a) a summary of the key terms of all contracts effectuating or related to such transactions; and
- (b) parties involved in the transaction, including all entities or persons with any type of ownership interest or authority to control.

SFAA, after review and comment by the Joint Bond Review Committee, may adopt instructions which must be followed by the Authority that submitted the report required by this subsection.

(2) A transfer of any interest in real property by the authority, regardless of the value of the transaction, requires review by the Joint Bond Review Committee and approval of SFAA.

(3) The reporting and review requirements of this item do not apply to encroachment agreements, rights-of-way, or lease agreements

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made by the authority with private individuals for residential use on and near lakes in this State.

(F) Any and all executive compensation and retention programs must be reviewed by JBRC and the Agency Head Salary Commission. Additionally, any employment contracts or retention contracts that last longer than five years, and all contract extensions, must be reviewed by JBRC and the Agency Head Salary Commission.

(G) The authority is a public body for purposes of the Freedom of Information Act.

(H) The requirements imposed on the authority pursuant to this section are in addition to any other requirements of law. If any provision of this section conflicts with another provision of law, the provisions of this section shall control to the extent of the conflict.” /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Motion Under Rule 26B Waived

Senator GROOMS asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

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MOTION ADOPTED

On motion of Senator STEPHENS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Benny L. Webb of Sumter, S.C. Benny graduated from Morris College and earned a master's degree in Public Administration and received certification from the South Carolina Law Enforcement Academy. Benny retired after thirty-six years of an extensive career in law enforcement. He was a member of the NAACP, Omega Psi Phi Fraternity, Sumter chapter of the Morris College Alumni Association and a mentor for the Boys to Men Program to mention a few. Benny was recognized as the ABC Agent of the Year in 1991, Omega Man of the Year in 1993 and received the Presidential Citation from Morris College in 2003. Benny was a loving husband and devoted father who will be dearly missed.

ADJOURNMENT

At 5:33 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, April 22, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 147:1b

The Psalmist writes: "How good it is to sing praises to our God; how pleasant and fitting to praise him."

Let us pray: On this Earth Day, O God, we find ourselves once more thinking about how very blessed we are in South Carolina. Our riches are so great, from the mountains, through the Piedmont, to the Sandhills, down to the sea. These wondrous treasures are all so truly special. And in response to Your gifts, we pray today, Lord, that these Senators -- actually that every single one of us -- will always be wise and caring stewards of these resources we so cherish. Moreover, we further ask that You guide and bless not only all who serve You here in this Senate, Lord, but also all of our state's other leaders. Know that our hearts are full as we sing praise to You for all of Your blessings. In Your wondrous name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 11:05 A.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Young

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5022

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 63-11-30

SUBJECT: Residential Group Care Facilities for Children

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Family and Veterans' Services

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 22, 2021

Document No. 5023

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Section 43-1-80

SUBJECT: Licensure for Foster Care

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Family and Veterans' Services

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted April 22, 2021

Leave of Absence

At 11:07 A.M., Senator CROMER requested a leave of absence beginning at 12:50 P.M. until 9:00 P.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 464 Sen. Scott

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RECALLED AND ADOPTED

H. 4217 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2021, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA IN TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator ALEXANDER asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator ALEXANDER, the Resolution was adopted and ordered returned to the House.

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RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 22, 2021, at 11:15 A.M. and the following Acts and Joint Resolution were ratified:

(R30, S. 271) -- Senators Talley, Turner, Rice, Adams, Verdin, Setzler, M. Johnson, Kimbrell, McElveen, Climer, Garrett and Campsen: AN ACT TO AMEND SECTION 12-65-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE TEXTILE COMMUNITIES REVITALIZATION ACT, SO AS TO INCLUDE CERTAIN PROPERTIES WITHIN THE DEFINITION OF "CONTIGUOUS PARCEL"; AND TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, AS CONTAINED IN CHAPTER 67, TITLE 12 OF THE 1976 CODE, UNTIL DECEMBER 31, 2025.

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(R31, S. 454) -- Senators Martin, Bennett, Massey, Jackson and Young: AN ACT TO AMEND SECTION 40-33-43, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN COMMUNITY RESIDENTIAL FACILITIES, SO AS TO EXTEND THESE PROVISIONS TO CORRECTIONAL FACILITIES.

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(R32, S. 571) -- Senators Shealy, Hutto and Senn: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-53-361 SO AS TO REQUIRE PRESCRIBERS TO OFFER A PRESCRIPTION FOR NALOXONE HYDROCHLORIDE OR OTHER APPROVED DRUG TO A PATIENT UNDER CERTAIN CIRCUMSTANCES, AND FOR OTHER PURPOSES.

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(R33, S. 704) -- Senators Hembree, Massey and Malloy: A JOINT RESOLUTION TO PROVIDE FOR A RETURN TO FIVE-DAY, IN-PERSON CLASSROOM INSTRUCTION FOR THE 2020-2021 AND 2021-2022 SCHOOL YEARS, TO SUSPEND THE EARNINGS LIMITATION UNDER CERTAIN TERMS AND FOR CERTAIN MEMBERS OF THE SOUTH CAROLINA RETIREMENT SYSTEM,

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AND TO PROVIDE REQUIREMENTS CONCERNING DUAL-MODALITY INSTRUCTION FOR THE 2021-2022 SCHOOL YEAR.

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(R34, H. 3179) -- Reps. G.M. Smith, McCabe, Caskey, Yow and Brawley: AN ACT TO AMEND SECTION 44-53-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRESCRIPTIONS, SO AS TO EXEMPT SURGICALLY IMPLANTED DRUG DELIVERY SYSTEMS FROM THE THIRTY-ONE-DAY SUPPLY LIMITATION.

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(R35, H. 3567) -- Reps. Bernstein, Collins, Felder, Hosey, Murray, Henegan, Jefferson and R. Williams: AN ACT TO AMEND SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD A DEFINITION FOR "QUALIFIED RESIDENTIAL TREATMENT PROGRAM" AND OTHER TERMS; TO AMEND SECTIONS 63-7-1210 AND 63-7-2350, AS AMENDED, RELATING TO INVESTIGATIONS OF INSTITUTIONAL ABUSE AND RESTRICTIONS ON FOSTER CARE PLACEMENTS, RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTIONS 63-7-1730 AND 63-7-1740 SO AS TO REQUIRE ASSESSMENT, CASE PLANNING, AND JUDICIAL REVIEW FOR CHILDREN PLACED IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS; AND TO AMEND SECTION 63-7-1700, RELATING TO PERMANENCY PLANNING, SO AS TO MAKE CONFORMING CHANGES.

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(R36, H. 3589) -- Reps. Allison, Lucas, M.M. Smith, Calhoon, Felder and Huggins: AN ACT TO AMEND SECTION 59-19-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF SCHOOLS OF CHOICE EXEMPT FROM CERTAIN STATUTES AND REGULATIONS, SO AS TO REDESIGNATE THESE SCHOOLS AS BEING SCHOOLS OF INNOVATION, TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS

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MAY ESTABLISH MULTIPLE SCHOOLS OF INNOVATION, AND TO PROVIDE PROCEDURES FOR OBTAINING AND RENEWING STATUS AS A SCHOOL OF INNOVATION.

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(R37, H. 3664) -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: AN ACT TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 761 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE NEWBERRY ACADEMY GIRLS VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A GIRLS VOLLEYBALL STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 762 -- Senators Kimbrell, Rice, Adams, Turner and Climer: A BILL TO AMEND SECTION 15-36-10 OF THE 1976 CODE, RELATING TO FRIVOLOUS LAWSUITS, TO PROVIDE THAT SANCTIONS MUST BE IMPOSED UNDER CERTAIN CONDITIONS, TO PROVIDE THAT A COURT OR PARTY PROPOSING A SANCTION MUST EXPEDITIOUSLY NOTIFY THE COURT AND ALL PARTIES OF THE CONDUCT CONSTITUTING A VIOLATION, TO PROVIDE THAT THE ATTORNEY, PARTY, OR PRO SE LITIGANT WHO ALLEGEDLY COMMITTED THE VIOLATION HAS FIFTEEN DAYS TO RESPOND TO THE ALLEGATIONS, AND TO INCLUDE THE COSTS OF

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DEPOSITIONS AND REASONABLE FEES FOR TESTIFYING
EXPERT WITNESSES AS REASONABLE COSTS,

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Senator KIMBRELL spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 763 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ASBESTOS BANKRUPTCY TRUST CLAIMS TRANSPARENCY AND CLAIMS LEGITIMACY ACT" BY ADDING CHAPTER 83 TO TITLE 15 SO AS TO ESTABLISH REQUIRED DISCLOSURES BY PLAINTIFFS IN ASBESTOS ACTIONS, TO ESTABLISH RELATED DISCOVERY PROVISIONS, TO ESTABLISH THAT COURTS MAY STAY SUCH ACTIONS, TO ESTABLISH THAT DEFENDANTS IN SUCH ACTIONS MAY IDENTIFY ADDITIONAL OR ALTERNATIVE ASBESTOS TRUSTS, TO ESTABLISH THE VALUATION OF ASBESTOS TRUST CLAIMS IN ASBESTOS ACTIONS, TO ESTABLISH SETOFF PROVISIONS, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Judiciary.

S. 764 -- Senator Scott: A JOINT RESOLUTION TO PROHIBIT THE ENFORCEMENT OF SECTION 16-7-110 SO AS TO ALLOW A PERSON TO WEAR A MASK WHICH CONCEALS A PERSON'S IDENTITY AS A MEANS OF LIMITING EXPOSURE TO RESPIRATORY VIRUSES DURING THE COVID-19 PANDEMIC.

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Read the first time and referred to the Committee on Judiciary.

S. 765 -- Senator Scott: A BILL TO AMEND SECTION 16-7-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON WEARING A MASK WHICH CONCEALS A PERSON'S IDENTITY, SO AS TO PROVIDE THAT NOTWITHSTANDING ANOTHER PROVISION OF LAW, THIS PROHIBITION DOES NOT APPLY DURING AN ACTIVE

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PANDEMIC OR EPIDEMIC IN THIS STATE OR DURING AN ACTIVE AND LAWFULLY DECLARED STATE OF EMERGENCY IN THIS STATE.

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Read the first time and referred to the Committee on Judiciary.

S. 766 -- Senators Martin, Corbin, Kimbrell, Peeler and Talley: A SENATE RESOLUTION TO CONGRATULATE HENRY M. LAYE III UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF THE BOARD OF VOTER REGISTRATION AND ELECTIONS OF SPARTANBURG COUNTY, TO COMMEND HIM FOR HIS FOURTEEN YEARS OF DEDICATED SERVICE TO THE BOARD, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator VERDIN from the Committee on Medical Affairs polled out H. 3681 favorable:

H. 3681 -- Reps. Simrill, Rutherford, Bannister, West and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-95-45 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE MAY NOT ENACT ANY LAWS, ORDINANCES, OR RULES PERTAINING TO INGREDIENTS, FLAVORS, OR LICENSING OF CIGARETTES, ELECTRONIC SMOKING DEVICES, E-LIQUID, VAPOR PRODUCTS, TOBACCO PRODUCTS, OR ALTERNATIVE NICOTINE PRODUCTS; AND TO PROVIDE THAT SUCH LAWS, ORDINANCES, AND RULES ENACTED BY A POLITICAL SUBDIVISION PRIOR TO DECEMBER 31, 2020, ARE NOT SUBJECT TO THE PREEMPTION IMPOSED BY THIS ACT.

Poll of the Medical Affairs Committee Polled 17; Ayes 10; Nays 7

AYES

Verdin
Alexander

Martin
Davis

Scott
Corbin

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Matthews
Garrett

Gambrell

Loftis

Total--10

NAYS

Peeler
Kimpson
Senn

Hutto
Cash

Kevin Johnson
McLeod

Total--7

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE

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FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2019, and to expire June 30, 2023

3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

Received as information.

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 19, 2019, and to expire March 20, 2023

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Road, Cassatt, SC 29032

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL

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CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH

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NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND

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TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 596 -- Senators Senn, Campsen, McElveen and Leatherman: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE FOR THE REGULATION OF PRE-PRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.

S. 231 -- Senators Shealy, McLeod and Matthews: A BILL TO ENACT THE "STUDENT IDENTIFICATION CARD SUICIDE PREVENTION ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS PROVISIONS FOR EDUCATION, BY ADDING SECTION 59-1-375, TO PROVIDE THAT PUBLIC SCHOOLS AND PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING SHALL ADD THE TELEPHONE NUMBER FOR THE NATIONAL SUICIDE PREVENTION LIFELINE TO STUDENT IDENTIFICATION CARDS AND MAY ADD TELEPHONE AND TEXT NUMBERS FOR CERTAIN OTHER HOTLINES TO STUDENT IDENTIFICATION CARDS, AND TO PROVIDE FOR THE USE OF STUDENT IDENTIFICATION CARDS IN EXISTENCE BEFORE THE IMPLEMENTATION OF THIS REQUIREMENT.

AMENDED, OBJECTION

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer, Turner and Scott: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS, TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF

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REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

The Senate proceeded to a consideration of the Bill.

Senator MASSEY proposed the following amendment (JUD0464.008), which was withdrawn:

Amend the bill, as and if amended, by striking SECTION 13 and inserting:

/ SECTION 13. To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the directors representing the 1st, 2nd, and 7th congressional districts and the at-large seat designated as the Chair shall expire on January 1, 2022;

(2) The terms for the directors representing the 3rd, 4th, and 6th congressional districts and Berkeley County shall expire on January 1, 2023; and

(3) The terms for the directors representing the 5th congressional district, Horry County, Georgetown County and the other at-large seat shall expire on January 1, 2024.

If any vacancy occurs prior to respective dates established in this SECTION, the Governor may appoint a successor pursuant to Section 58-31-20.

(B) The terms for new directors shall begin on the expiration dates for the previous terms as provided in subsection (A).

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(C) Notwithstanding the term limit provisions in subsection 58-31-20(A), a director serving as of the effective date of this act is ineligible for reappointment unless that director was first appointed after January 1, 2018. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH spoke on the Bill.

The amendment was withdrawn.

RECESS

At 12:42 P.M., on motion of Senator ALEXANDER, the Senate recessed from business until 1:30 P.M.

At 1:32 P.M., the Senate resumed.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Senator RANKIN spoke on the Bill.

Senators RANKIN, HUTTO, GROOMS, MALLOY, CAMPSSEN, MASSEY, GOLDFINCH, SETZLER, KIMBRELL and WILLIAMS proposed the following amendment (JUD0464.042), which was adopted:

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Amend the bill, as and if amended, starting on page 2, line 1, and ending on page 6, line 6, by striking Section 58-31-20, as contained in SECTION 1 and inserting:

/ “Section 58-31-20 (A)(1) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an ex-officio capacity, a director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ four years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ four years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. A director shall not be appointed for more than three consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

(2) A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The authority may provide, at its expense, health insurance benefits to members of the board, through the State insurance plan or otherwise.

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(3) Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time.

(B) Candidates for appointment to the board must be screened by the State Regulation of Public Utilities Review Committee and, prior to confirmation by the Senate, must be found qualified by meeting the minimum requirements contained in subsection (C). The review committee must submit a written report to the Clerk of the Senate setting forth its findings as to the qualifications of each candidate. A candidate must not serve on the board, even in an interim capacity, until he is screened and found qualified by the State Regulation of Public Utilities Review Committee.

(C)(1) Each member must possess abilities and experience that are generally found among directors of energy utilities serving this State and that allow him to make valuable contributions to the conduct of the authority's business. These abilities include substantial business skills and experience, but are not limited to:

~~(1)~~(a) general knowledge of the history, purpose, and operations of the Public Service Authority and the responsibilities of being a director of the authority;

~~(2)~~(b) the ability to interpret legal and financial documents and information so as to further the activities and affairs of the Public Service Authority;

~~(3)~~(c) with the assistance of counsel, the ability to understand and apply federal and state laws, rules, and regulations including, but not limited to, Chapter 4 of Title 30 as they relate to the activities and affairs of the Public Service Authority; and

~~(4)~~(d) with the assistance of counsel, the ability to understand and apply judicial decisions as they relate to the activities and affairs of the Public Service Authority.

(2) Each member must also have:

(a) a baccalaureate or more advanced degree from:

(i) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(ii) an institution of higher learning that has been accredited by a regional or national accrediting body; or

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(iii) an institution of higher learning chartered before 1962;

and

(b) a background of substantial duration and an expertise in at least one of the following:

(i) energy issues;

(ii) consumer protection and advocacy issues;

(iii) water and wastewater issues;

(iv) finance, economics, and statistics;

(v) accounting;

(vi) engineering; or

(vii) law.

(D) For the assistance of the board of directors of the Public Service Authority, there is hereby established an advisory board to be known as the advisory board of the South Carolina Public Service Authority, to be composed of the Governor of the State, the Attorney General, the State Treasurer, the Comptroller General, and the Secretary of State, as ex officio members, who must serve without compensation other than necessary traveling expenses. The advisory board must perform any duties imposed on it pursuant to this chapter, and must consult and advise with the board of directors on any and all matters which by the board of directors may be referred to the advisory board. The board of directors must make annual reports to the advisory board, which reports must be submitted to the General Assembly by the Governor, in which full information as to all of the acts of said board of directors shall be given, together with financial statement and full information as to the work of the authority. On July first of each year, the advisory board must designate a certified public accountant or accountants, ~~resident in the State,~~ for the purpose of making a complete audit of the affairs of the authority, which must be filed with the annual report of the board of directors. The Public Service Authority must submit the audit to the General Assembly. (E)(1) The following shall be nonvoting ex officio members of the board of directors entitled to attend all meetings of the authority board, including any executive sessions, except as set forth below:

The Chairman of Central Electric Power Cooperative, or his designee, and one member of the Board of Central Electric Power Cooperative chosen by that board who is not the chairman or his designee. The ex officio members shall have the same obligations and duties as other members of the board, except the obligation to vote, and are subject to removal in the same manner as other board members. An ex officio member that has otherwise satisfied all obligations and duties

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owed to the Public Service Authority shall not be liable for matters directly related to either the process of voting nor a decision determined by a vote of the board of directors.

(2) The ex officio members may be excluded from executive session where the following matters are being discussed:

(a) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative Inc., or one of its members; or

(b) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the authority and Central Electric Power Cooperative or receiving legal advice in relation thereto.

Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (a) and (b), the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist.

(3) When ex officio members are excluded from executive session, the reason for the conflict must be stated before the vote is taken and shall be recorded in official minutes or other records of the meeting. The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. The decision of the board of directors to exclude an ex officio member due to a conflict is not appealable to any court. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions.

(4) Ex officio members will begin serving immediately upon a letter indicating their appointments is delivered to the board and to the Public Utilities Review Committee but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. Ex officio members will be appointed for two-year terms but may be removed either by the Governor pursuant to Section 1-3-240(C)(1)(m) or the Board of Central Electric Power Cooperative. In the event that the Board of Central Electric Power Cooperative removes the ex officio member, the Public Service Authority Board of Directors must receive notice at least sixty days before the ex officio member's

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successor begins service on the Public Service Authority Board of Directors. An ex officio member will not be entitled to receive compensation from the Public Service Authority for his or her service as an ex officio member and will not be counted for purposes of determining a quorum.

(F) In making appointments to the board of directors, the Governor, in making appointments and the Senate, in its advice and consent capacity, must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this State.”

Amend the bill further, as and if amended, starting on page 16, line 16, and ending on page 21, line 35, by striking Section 58-37-40, as contained in SECTION 8, and inserting:

/ “Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts and the Public Service Authority must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office’s website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or

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the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsections (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation services, then the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the ~~State Energy Office~~ commission. The Public Service Authority shall develop a public process allowing for input from all stakeholders prior to submitting the integrated resource plan. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the ~~State Energy Office's~~ commission's website and on the Public Service Authority's website.

(4)(a) In addition to the requirements of 58-37-40(B), the Public Service Authority's integrated resource plan shall include an analysis of long-term power supply alternatives and enumerate the cost of various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost effective and least ratepayer risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service.

(b) In addition to the requirements of Section 58-37-40(B), the commission shall review and evaluate the Public Service Authority's

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analysis of long-term power supply alternatives and various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and lowest ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service. The commission's evaluation shall include, but not be limited to:

(i) evaluating the cost-effectiveness and ratepayer risk of self-build generation and transmission options compared with various long-term power supply alternatives including power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof. In evaluating and identifying the most cost effective and least ratepayer risk resource portfolio, the commission shall strive to reduce the risk to ratepayers associated with any generation and transmission options while maintaining safe and reliable electric service; and

(ii) an analysis of any potential cost savings that might accrue to ratepayers from the retirement of remaining coal generation assets.

(c) The authority's integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers; and shall include the effect of demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electricity service while meeting a net zero carbon emission goal by the year 2050.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation

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facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility's subject to (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days

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after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

- (a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;
- (b) consumer affordability and least cost;
- (c) compliance with applicable state and federal environmental regulations;
- (d) power supply reliability;
- (e) commodity price risks;
- (f) diversity of generation supply; and
- (g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or

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construction of any resource or the making of any expenditure. ~~The~~ An electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility and the Public Service Authority shall each submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's or the Public Service Authority's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's or Public Service Authority's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each ~~electric~~ electrical utility's or the Public Service Authority's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility or the Public Service Authority to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ Chapter 4, Title 58 of the 1976 Code is amended by adding Section 58-4-51:

"Section 58-4-51. (A) Regulatory staff shall have the following duties and responsibilities concerning the Public Service Authority to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff, review, investigate, and make appropriate recommendations to the appropriate entity with respect to the rates charged or proposed to be charged for electric service provided by the Public Service Authority;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff, make inspections, audits, and examinations of, and to make recommendations to, the appropriate entity, regarding electric service provided by the Public Service Authority;

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(3) upon request by the commission, make studies and recommendations to the commission with respect to standards, regulations, practices, or electric service provided by the Public Service Authority for matters within the commission's jurisdiction; and

(4) when considered necessary by the Executive Director of the Office of Regulatory Staff, investigate and examine the condition of generation, transmission, or distribution electric facilities owned or operated by the Public Service Authority.

(B) Regulatory staff may participate as a party of interest, as deemed necessary by the Executive Director of the Office of Regulatory Staff, before regulatory agencies, state courts and federal courts, in matters that could affect the Public Service Authority's rates or charges for the authority's electric service.

(C) The regulatory staff may have additional duties and responsibilities related to the Public Service Authority as otherwise provided by law." /

Amend this bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION _____. Section 58-4-55 of the 1976 Code is amended to read:

"Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50 and Section 58-4-51, may require the production of books, records, and other information to be produced at the regulatory staff's office, that, upon request of the regulatory staff, must be submitted under oath and without the requirement of a confidentiality agreement or protective order being first executed or sought. The regulatory staff must treat the information as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise

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ordered by the commission. Although the Public Service Authority is subject to the Freedom of Information Act pursuant to Sections 30-4-10, et seq, the authority, when necessary and appropriate, may indicate that documents or information provided to regulatory staff is confidential or proprietary, or otherwise exempt from disclosure in accordance with statute, and the regulatory staff must treat this information in the same manner as public utilities and cooperatives pursuant to this section.

If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary examination or inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the Public Service Authority, or an electric cooperative, the public utility, the Public Service Authority, or the electric cooperative that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the regulated operations of the public utility, the Public Service Authority, or the electric cooperative.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility, the Public Service Authority or the electric cooperative may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the consent of the public utility, the Public Service Authority, or the electric cooperative raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an objection or request within sixty days of the date it was filed. During the pendency of

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the commission's ruling, the public utility, the Public Service Authority, or the electric cooperative making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility, the Public Service Authority, or any electric cooperative that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility, the Public

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Service Authority, or electric cooperative to object to such discovery or to seek relief regarding such discovery, including without limitation, the entry of a protective order. The regulatory staff shall not be required to execute a confidentiality agreement or seek a protective order prior to accessing the documents or information of a public utility, the Public Service Authority, or an electric cooperative, and such information or documents must be treated as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Section 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity. However, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission.

(E)(1) The Office of Regulatory Staff, in order to accomplish any of the responsibilities assigned to it by Chapter 4, Title 58 or any other provision of law, may apply to the circuit court for subpoenas to be issued to entities over which the Public Service Commission does not have jurisdiction. Such subpoenas will be issued by the circuit court in the same manner as subpoenas are issued to parties to proceedings before that court, and all rules applicable to the issuance of such subpoenas, including enforcement and penalties, shall apply to subpoenas issued at the request of the regulatory staff.

(2) In order to accomplish any of the responsibilities assigned to the Office of Regulatory Staff regarding the Public Service Authority in which the commission does not have jurisdiction, regulatory staff may request a hearing with the Administrative Law Court.

(F) The actual expenses of the Office of Regulatory Staff incurred in carrying out its duties under Section 58-4-50(A)(12) must be certified annually to the Public Utilities Review Committee in an itemized statement by the Office of Regulatory Staff, shown as a line item in the Office of Regulatory Staff budget, to be assessed directly to an audited electric cooperative by the Office of Regulatory Staff, and deposited with the State Treasurer to the credit of the Office of Regulatory Staff.”/

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Amend the bill further, as and if amended, by adding appropriately numbered SECTIONS to read:/

SECTION __. Section 58-27-190 of the 1976 Code is amended to read:

“Section 58-27-190. The Office of Regulatory Staff has the right at any and all times to inspect the property, plant, and facilities of any electrical utility and the South Carolina Public Service Authority and to inspect or audit at reasonable times the accounts, books, papers, and documents of any electrical utility and the South Carolina Public Service Authority. For the purposes herein mentioned an employee or agent of the Office of Regulatory Staff may during all reasonable hours enter upon any premises occupied by or under the control of any electrical utility or the South Carolina Public Service Authority. An employee or agent of the Office of Regulatory Staff authorized to administer oaths has the power to examine under oath any officer, agent, or employee of the electrical utility and the South Carolina Public Service Authority in relation to the business and affairs of the electrical utility or the South Carolina Public Service Authority, but written record of the testimony or statement so given under oath must be made.”

SECTION __. Section 58-27-200 of the 1976 Code is amended to read:

“Section 58-27-200. In the performance of its duties under this chapter, an employee or agent of the Office of Regulatory Staff may inspect or make copies of all income, property, or other tax returns, reports, or other information filed by electrical utilities or the South Carolina Public Service Authority, with or otherwise obtained by any other department, commission, board, or agency of the state government. All departments, commissions, boards, or agencies of the state government must permit an employee or agent of the Office of Regulatory Staff to inspect or make copies of all information filed by electrical utilities or the South Carolina Public Service Authority with or otherwise obtained by the department, commission, board, or agency of the state government.”

SECTION __. Section 58-27-210 of the 1976 Code is amended to read:

“Section 58-27-210. Whenever it shall appear that any electrical utility, electric cooperative, the South Carolina Public Service Authority regarding its provision of electric services, or consolidated political subdivision is failing or omitting, or about to fail or omit, to do anything required of it by law or by order of the commission or is doing, or about to do anything or permitting or about to permit anything to be done

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contrary to or in violation of law or of any order of the commission, an action or proceeding shall be prosecuted in any court of competent jurisdiction in the name of the Office of Regulatory Staff for the purpose of having such violation or threatened violation discontinued or prevented, either by mandamus, injunction, or other appropriate relief, and in such action or proceeding, it shall be permissible to join such other persons, corporations, municipalities, or consolidated political subdivisions as parties thereto as may be reasonably necessary to make the order of the court in all respects effective. The commission must not be a party to any action.”

SECTION ____ Section 58-27-220 is amended to read:

“Section 58-27-220. In addition to the foregoing expressly enumerated powers, the Office of Regulatory Staff must enforce, execute, administer, and carry out the provisions of this chapter relating to the powers, duties, limitations, and restrictions imposed upon electrical utilities and the South Carolina Public Service Authority by this chapter or any other provisions of the law of this State regulating electrical utilities and the South Carolina Public Service Authority regarding its provision of electric services.” /

Amend the bill further, as and if amended, page 25, beginning on line 41, by striking SECTION 13 in its entirety and inserting:

/ “Section 58-31-240. (A) For purposes of this section:

(1) ‘JBRC’ means the Joint Bond Review Committee.

(2) ‘Committee’ or ‘committees’ means the Senate Finance Committee and the House Ways and Means Committee.

(B) The Senate Finance Committee and the House Ways and Means Committee shall review and provide fiscal accountability of the Public Service Authority (authority) no less frequently than every two years. The committees shall provide a report with findings to the Senate Legislative Oversight Committee and the House Legislative Oversight Committee.

(C)(1) Every two years, or as often as requested by either committee, the authority must submit to the committees:

- (a) annual audited financial statements;
- (b) projected and actual annual revenue;
- (c) actual annual expenditures;

(d) any debt issuances in the previous five years, whether short-term or long-term;

(e) percent of annual revenues utilized for administration. For purposes of this item, ‘administration’ includes executive level employees compensation and other operating costs;

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(f) organizational flow chart displaying the position titles and name of executive-level employees;

(g) major components of any long-term capital plan, including timing and cost estimates, and financing plan for such capital investments whether paid from operations or debt;

(h) performance objectives and results;

(i) performance measurements used to evaluate program effectiveness;

(j) any outstanding litigation issues; and

(k) planning documents and progress reports, including budgeted and actual expenditures.

(2) The authority must post its annual audited financial report in a conspicuous place on the authority's website and distribute the reports to members of the General Assembly.

(3) Any problems or issues of concern that arise during this oversight process may be forwarded to the State Inspector General for investigation after a vote of either committee. The Inspector General is granted the authority to complete the investigation.

(D)(1) Prior to issuing any bonds, notes, or other indebtedness, including any refinancing that does not achieve a savings in total debt service, JBRC must approve, reject, or modify the issuance by the Authority.

(2) If JBRC does not take action on the issuance within 60 days, the issuance is considered approved.

(3) For purposes of this subsection, debt capacity means the total amount of debt that can be undertaken by the authority while maintaining compliance with its legal, contractual or rating-dependent debt service coverage requirements, incorporating reasonable assumptions and projections for future revenue, interest rates, and term of the indebtedness.

(E)(1) By September first of each year, the authority shall provide an annual report regarding every transaction involving an interest in real property and executed during the preceding twelve months, including:

(a) a summary of the key terms of all contracts effectuating or related to such transactions; and

(b) parties involved in the transaction, including all entities or persons with any type of ownership interest or authority to control.

(2) A transfer of any interest in real property by the authority, regardless of the value of the transaction, requires approval, rejection, or modification by JBRC.

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(3) The reporting and other requirements of this item do not apply to encroachment agreements, rights-of-way, or lease agreements made by the authority and private individuals for residential use on and near lakes in this State.

(F) JBRC, may adopt instructions which must be followed by the authority for any submission pursuant to this section.

(G) Any and all executive compensation and retention programs must be reviewed by the Agency Head Salary Commission. Additionally, any employment contracts or retention contracts that last longer than five years, and all contract extensions, must be reviewed by the Agency Head Salary Commission.

(H) The authority is a public body for purposes of the Freedom of Information Act.

(I) The requirements imposed on the authority pursuant to this section are in addition to any other requirements of law. If any provision of this section conflicts with another provision of law, the provisions of this section shall control to the extent of the conflict.” /

To amend the bill by striking SECTION 16, beginning on line 17, page 29, and inserting:

/ SECTION 16. (A) To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the members representing the 2nd and 4th congressional districts and the at-large seat designated as the Chair shall expire on January 1, 2022;

(2) The terms for the members representing the 1st, 7th congressional districts and Berkeley County shall expire on January 1, 2023;

(3) The terms for members representing the 3rd, and 6th congressional districts and the other at-large seat shall expire on January 1, 2024; and

(4) The terms for members representing the 5th congressional district and Georgetown and Horry counties shall expire on January 1, 2025.

If any vacancy occurs prior to respective dates established in this SECTION, the Governor may appoint a successor pursuant to Section 58-31-20.

(B) Notwithstanding the term limit provisions in subsection 58-31-20(A), a director serving as of the effective date of this act is ineligible for reappointment unless that director was first appointed after January 1, 2018.

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To amend the bill, as and if amended, by striking SECTION 9 in its entirety, beginning on line 37 on page 21.

To amend the bill, as and if amended, by striking SECTION 11, lines 18-23 on page 24.

To amend the bill, as and if amended, by striking SECTION 19, lines 16-17 on page 30 and inserting:

SECTION 19. Section 58-31-30(C), SECTION 3, takes effect upon approval by the Governor. The other provisions of this act takes effect on January 1, 2022. However, the screening process for the Public Service Authority Board of Directors as provided in this act may begin prior to the effective date so that the directors may begin service on January 2, 2022.

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

Senator KIMPSON spoke on the amendment.

Remarks by Senator KIMPSON

Thank you, MR. PRESIDENT. I actually had an amendment up on the House Bill, and I have been eagerly listening to this debate for the last couple of days. I think my amendment raises the issue to explore a potential sale. My efforts will likely be futile so at the appropriate time I am going to withdraw my amendment to the House Bill because I understand Senator RANKIN is likely to do a strike, insert with the Senate Bill, and put it on top of the House Bill. I wanted to make a few comments, then I'm going to head on the road to Charleston. I have to pick my kids up later on this evening, Marleigh and Marlon. They have good names and I have an opportunity to spend some time with my children. I think Senator CLIMER engaged with Senator CAMPSSEN on this subject, and I think their comments were telling. I think Senator CLIMER made great points yesterday. One point that stood out to me was that when you do the analysis, focus on the ratepayer -- be passing the Bill or amendment Senator MASSEY offered. I think it was amendment eight, leaving the possibility of a sale open because when you strip away the tax benefits and I think it is somewhere in the neighborhood of 25% in other words -- quasi utility, get certain tax benefits theoretically that ought to insure to the benefit of the ratepayer. It doesn't. I have heard about the Santee Cooper being the lowest provider, but the evidence is, frankly, to the contrary. If you have the ratepayer in mind, this Bill isn't the vehicle you want to use to put a

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statement in the Senate Journal. When the history of Santee Cooper is written, it will be written in such a fashion that this General Assembly missed an opportunity to off-load this albatross. Those are my words. You flashback to television screens, the *Wall Street Journal* and financial papers all around the country -- we were the laughing stock of the nation less than a year ago. Let me get this straight. We have a \$9 billion debacle in the State of South Carolina. All but two board members are still on the board. People, at SCANA, went to jail or at least one went to jail. We are talking about prison. Now, we are going to give them a promotion. That is effectively what we are doing. Listen, I am not a utility expert. I certainly give great credit to all the Senators who have worked on this proposal. Yes, it is a good reform proposal. It is just mind boggling to me that it received a 38-6 vote. That is why I'm probably going to pull down the amendment. The people across the hall, who don't normally get it right, they sent us a Bill to consider selling. I want all my colleagues to be clear, I want the record to reflect that here we are on this Thursday afternoon getting ready to pass a reform Bill on an entity that just a few months ago was on the cover of the *Wall Street Journal* for being exhibit A for mismanagement -- town closed down -- jobs lost. Then last summer, they go out and borrow another \$100 million. Now, there was some discussion about the board. And about the General Assembly not having the expertise to conduct a sales process. I think I made some comments with respect to you can't get any more negligent than what we have. I'm sure there are good people at Santee Cooper, especially the new CEO. I had a conference call with him. We are talking about a quasi-governmental entity that by 2056 will be paying more than \$13 billion in debt. Who is going to manage that? I appreciate ORS and PERC. In my view, we had better get somebody that knows something about power generation and electricity. History has not been kind on this issue to Santee Cooper. The bottom line is, I think the Bill should have traveled with a process. We are not going to touch this issue again until three years later when we are going to be back here debating the same thing. Y'all watch TV.

I know if you follow the former president, you watch a lot of TV. That is all he did when he was president. Last night I watched TV, President Joe Biden, who by the way, got more votes than any other president in the history of the United States -- President Joe Biden and Vice President Kamala Harris. President Joe Biden just announced yesterday we are re-joining the Paris Accord. He is going to double the time we get to net zero. This plan, before us, isn't going to get us to net zero carbon emissions. You know why? Forty percent of Santee Cooper at least, and

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that is probably generous to them, probably more like 50% is generated by coal. So what are we going to do then? That Joint Board Review Committee is going to be meeting a lot. Under this plan they are going to have a decommission plan that is approved by -- I can't remember the acronym -- IRP or ICP and the PSC? If they are going to comport with the national climate change policy in this country, this reform package is not going to work. We are going to have to gut Santee Cooper, because it is not going to comport with federal policy. For those who don't believe in climate change, climate change is real. That is real stuff so I don't know how we walk away. I know we have financial experts. There was some question about expertise. Who are we going to appoint on the committee? I think Senator BENNETT -- with his financial expertise, Senator CLIMER -- with his financial expertise and myself -- with my financial and legal expertise. We would be good candidates to explore any offers. We negotiate with Boeing, we negotiate with BMW, we have the expertise to appropriately secure solicitations for the sale of Santee Cooper, assuming it is warranted. So we go from the front page of the *Wall Street Journal* as Exhibit A for negligence and mismanagement and \$100 million in new debt to an already \$13 billion portfolio of debt by a quasi-governmental utility to walking away. There has been a lot of talk about NextEra. I talked to their CEO. You know what I talked to him about? ESG. That is going to be a big term. ESG is good corporate governance in getting rid of what causes harm to our environment. I also talked to him about minority procurement. This is for my democratic colleagues, as well as my republican colleagues. In my community all the grassroot conscious leadership are supporting a sale because they understand the opportunity for the transformation that a sale would bring. So the bottom line is, folks, we had an opportunity to entertain an offer. Most recently last week the President of NextEra sent a letter. I don't have it in front of me; but I hope you read it. NextEra is the largest producer of energy in the world. I might have that wrong but they are a large producer of energy in the world. I think I can say that without fear of contradiction. I do know the market cap -- \$129 billion. They have money. I have never been to Juneau, don't care to go. But the bottom line is, I think we have an obligation to talk to all parties -- not just the people in Juneau. Certainly we ought to entertain offers by somebody who has the ability to write a check and that check will clear the bank. We are talking about \$13 billion in debt. Even under this reform plan, I'm glad Senator RANKIN has a robust provision that the ratepayers can have a seat at the corporate table. They say if the board doesn't give permission the ratepayers can go to the Supreme Court. I think that is still in the

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plan. So we put needless barriers on the backs of poor people who are not going to have the resources to take off work and go to a board meeting nor hire a lawyer to get to the Supreme Court. You know why they are concerned? They currently have \$7 billion of debt they are going to have to pay off. These are our constituents. You say, "KIMPSON, how did you get from 7 to 13 billion?" \$7 billion is on the balance sheet now. When you amortize the debt to 2056, we talk about \$13 billion. I did the calculation in the Judiciary meeting. I think Senator MASSEY was sitting next to me. I asked the young man how much interest on this debt do we have to pay a week? He didn't know -- a day. I think the interest on the debt is almost a million dollars a week. I might have that wrong but it is in the neighborhood of a million dollars a week or more. So you mean to tell me, we are not going to provide a process to some Fortune 20 or 500 company to come in and buy off all that debt? To come in and manage a utility company that's been clearly mismanaged so I think we missed an opportunity today but the ship has sailed. I'm going to be voting for the reform because I think reform is a good thing. But mark my words, we are going to be back here in three years. In addition to that, there are a lot of prices going to go up then. We all assume this is going to work. When has it worked for the ratepayers? The ratepayers at Santee Cooper are paying the highest rates in the State. So clearly we have breached our fiduciary duty. Those are strong words, and I don't casually throw those words around. I know the significance of it. You have a duty to loyalty when you sit in these seats -- duty of loyalty, duty of care. In my view, the vote that was 36-8 did not reflect what I think would have been a viable option to balance the options available to us -- reform and providing a clear path and process for sale. Particularly when we have people or institutions that are credible institutions that are willing to sell.

The final point I will make is in terms of the minority community, and this may not be politically popular in this group, but Santee Cooper doesn't have an African-American on the board. They don't have any procurement process -- zero. How long are we going to allow the alumni association of the Citadel or the good old boys that stay at Wampee to manage what has been described as a very, very sophisticated operation? I guess indefinitely. Again, my remarks reflect in no way that these Senators didn't do their jobs, because they did. There are no greater advocates for Santee Cooper than Senator GROOMS, Senator RANKIN and Senator GOLDFINCH. They are fighting for those jobs. One thing I like about Santee Cooper is they have a defined benefit plan. They can keep that plan. Under a merger with a public utility -- they probably go to a 401k plan. It is interesting the issue has been lost on the General

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Assembly. I hear privatization all the time, but the same people, pushing privatization seem to have forgotten about this transaction. We have heard it about the port. We hadn't had much discussion about that. We have a \$13 billion quasi-governmental owned institution that the State of South Carolina is going to be responsible for -- going to be a lot more money as we move to clean energy. We will be required to move to clean energy. That is going to be billions more because they are going to have to decommission essentially their entire higher generation facilities.

On motion of Senator SABB, with unanimous consent, the remarks of Senator KIMPSON, were ordered printed in the Journal.

The amendment was adopted.

Senator RANKIN objected to further consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

Senators CLIMER, VERDIN, McELVEEN, TALLEY and GARRETT proposed the following amendment (3539R007.SP.WC), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 31 and inserting:

/official form of identification approved by the State Veterinarian and are transported in such a way that the swine is visible. /

Amend the bill further, as and if amended, page 3, line 9, by inserting:

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/ (C) The department may seize and destroy any pig obtained pursuant to this section. /

Amend the bill further, as and if amended, on page 3, by striking line 12 and inserting:

/SECTION 4. This act takes effect upon approval by the Governor and is repealed on July 1, 2024. /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator McELVEEN spoke on the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--45

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NAYS

Verdin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 308 -- Senator Fanning: A BILL TO AMEND SECTION 44-1-143, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO ALLOW A HOME-BASED FOOD PRODUCTION OPERATION TO SELL FOOD TO AN INFORMED PERSON AND TO REQUIRE A DISCLOSURE ON CERTAIN FOOD PRODUCTS.

On motion of Senator FANNING, the Bill was recommitted to Committee on Agriculture and Natural Resources.

OBJECTION

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER

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GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT WITHDRAWN
AMENDED, READ THE SECOND TIME**

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3194.002), which was withdrawn:

Amend the bill, as and if amended, by striking all after the enacting words and inserting therein the following:

/ SECTION 1. Section 58-31-20 of the 1976 Code of Laws is amended to read:

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“Section 58-31-20. (A) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an ex-officio capacity, a ~~A~~ director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ six years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ six years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. A director shall not be appointed for more than two consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The authority may provide, at its expense, health insurance benefits to members of the board, through the State insurance plan or otherwise. Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not

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eligible for appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time.

(B) Candidates for appointment to the board must be screened by the State Regulation of Public Utilities Review Committee and, prior to confirmation by the Senate, must be found qualified by meeting the minimum requirements contained in subsection (C). The review committee must submit a written report to the Clerk of the Senate setting forth its findings as to the qualifications of each candidate. A candidate must not serve on the board, even in an interim capacity, until he is screened and found qualified by the State Regulation of Public Utilities Review Committee.

(C)(1) Each member must possess abilities and experience that are generally found among directors of energy utilities serving this State and that allow him to make valuable contributions to the conduct of the authority's business. These abilities include substantial business skills and experience, but are not limited to:

~~(1)~~(a) general knowledge of the history, purpose, and operations of the Public Service Authority and the responsibilities of being a director of the authority;

~~(2)~~(b) the ability to interpret legal and financial documents and information so as to further the activities and affairs of the Public Service Authority;

~~(3)~~(c) with the assistance of counsel, the ability to understand and apply federal and state laws, rules, and regulations including, but not limited to, Chapter 4 of Title 30 as they relate to the activities and affairs of the Public Service Authority; and

~~(4)~~(d) with the assistance of counsel, the ability to understand and apply judicial decisions as they relate to the activities and affairs of the Public Service Authority.

(2) Each member must also have:

(a) a baccalaureate or more advanced degree from:

(i) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(ii) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(iii) an institution of higher learning chartered before 1962;
and

(b) a background of substantial duration and an expertise in at least one of the following:

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- (i) energy issues;
- (ii) consumer protection and advocacy issues;
- (iii) water and wastewater issues;
- (iv) finance, economics, and statistics;
- (v) accounting;
- (vi) engineering; or
- (vii) law.

(D) For the assistance of the board of directors of the Public Service Authority, there is hereby established an advisory board to be known as the advisory board of the South Carolina Public Service Authority, to be composed of the Governor of the State, the Attorney General, the State Treasurer, the Comptroller General, and the Secretary of State, as ex officio members, who must serve without compensation other than necessary traveling expenses. The advisory board must perform any duties imposed on it pursuant to this chapter, and must consult and advise with the board of directors on any and all matters which by the board of directors may be referred to the advisory board. The board of directors must make annual reports to the advisory board, which reports must be submitted to the General Assembly by the Governor, in which full information as to all of the acts of said board of directors shall be given, together with financial statement and full information as to the work of the authority. On July first of each year, the advisory board must designate a certified public accountant or accountants, ~~resident in the State, for the purpose of making a complete audit of the affairs of the authority, which must be filed with the annual report of the board of directors. The Public Service Authority must submit the audit to the General Assembly.~~ The board of directors must submit annual reports required by Section 58-3-530(17) to the advisory board.

(E)(1) The following shall be nonvoting ex officio members of the board of directors entitled to attend all meetings of the authority board, including any executive sessions, except as set forth below:

The Chairman of Central Electric Power Cooperative, or his designee, and one member of the Board of Central Electric Power Cooperative chosen by that board who is not the chairman or his designee. The ex officio members shall have the same obligations and duties as other members of the board, except the obligation to vote, and are subject to removal in the same manner as other board members. An ex officio member that has otherwise satisfied all obligations and duties owed to the Public Service Authority shall not be liable for matters directly related to either the process of voting nor a decision determined by a vote of the board of directors.

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(2) The ex officio members may be excluded from executive session where the following matters are being discussed: (1) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative Inc. or one of its members; and (2) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the authority and Central Electric Power Cooperative or receiving legal advice in relation thereto. Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (1) and (2) above, the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist. The reason for the conflict must be stated before the vote is taken and shall be recorded in official minutes or other records of the meeting. The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. The decision of the Board of Directors to exclude an ex officio member due to a conflict is not appealable to any court. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions.

(3) Ex officio members will serve immediately but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. They will not be entitled to receive compensation from the Public Service Authority for their service as an ex officio member and will not be counted for purposes of determining a quorum.

(F) In making appointments to the board of directors, the Governor, in making appointments and the Senate, in its advice and consent capacity, must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this State.

SECTION 2. Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-225. The Office of Regulatory Staff, under the provisions of this section, is hereby vested with the authority and jurisdiction to make inspections, audits, and examinations of the Public

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Service Authority pursuant to the provisions of Chapter 4, Title 58, relating to the electric and water rates established by the Public Service Authority. Upon completion of an authorized inspection, audit, or examination, the Office of Regulatory Staff must report its findings to the management and board of the Public Service Authority and attempt to resolve with the management and board any issues that are identified. The Public Service Authority must post information regarding its electric and water rates on its website.”

SECTION 3. Chapter 31, Title 58 is amended by adding:

“Article 7 - Retail Rates Process

Section 58-31-710. The Public Service Authority, through its board of directors, shall adopt and publish pricing principles that respect and balance factors including, but not limited to, adherence to the authority’s mission to be a low-cost provider, reliability, transparency, preservation of the authority’s financial integrity, equity among customer classes, gradualism in adjustments to its pricing and rate schedule type, encouragement of efficiency and demand response, adequate notice to customers, and relief mechanisms for financially distressed customers. The authority shall also maintain and continue to offer rate schedules and options that provide demand-side management flexibility, including, but not limited to, non-firm sales and interruptible power rates, and conservation opportunities to its customers.

Section 58-31-720. For purposes of this article ‘customer’ shall include the authority’s residential, commercial and industrial retail customers, and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State.

Section 58-31-730. Prior to creating or revising any of its board-approved retail rate schedules, the Public Service Authority, through resolution of its board of directors or otherwise, shall adopt a process that shall include the following:

(A) The authority shall provide notice to all customers at least one hundred and eighty days before the board of directors’ vote on a proposed rate adjustment.

(1) The one hundred and eighty days’ notice required under this section is established to allow customers to provide comments to the authority as follows:

(a) written comments to the authority for ninety days from the date of notice; and

(b) oral comments to the authority for one hundred twenty days from the date of notice.

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(2) The notice required by this subsection must be given in the following forms:

(a) by first-class United States mail addressed to the customer's billing address in the authority's records at the time of the notice, or for customers who have elected paperless billing, by the same means of communication used for providing these customers paperless billing;

(b) by advertisements to be published in newspapers of general circulation within the service territory of the authority;

(c) by way of the authority's regularly maintained website, including a conspicuous portal or link accessible from the website's landing page; and

(d) by issuance of a news release to local news outlets.

(3) The notice of proposed rate adjustments required by this subsection shall contain the following information:

(a) the date, time, and location of all public meetings;

(b) the date, time, and location of the meeting at which a proposed rate adjustment is expected to be submitted to the board of directors for its consideration;

(c) the date, time, and location of the meeting at which the board of directors is expected to vote on the proposed rate adjustment;

(d) a notification to customers of their right to:

(i) review the proposed rate schedules;

(ii) appear and speak in person concerning the proposed rates at public meetings or the specified meetings of the board of directors; and

(iii) submit written comments;

(e) the means by which customers can submit written comments, including the email and physical addresses to which written comments may be submitted, and the deadline for submitting such comments; and

(f) the means by which customers can access and review the authority's written report containing the proposed rate adjustments, the non-proprietary and non-confidential portions of any rate study or other documentation developed by the authority in support of the rate adjustment which shall be available at the time the notice is issued.

(4) Contemporaneously with notice to customers, the authority shall provide notice of proposed rate adjustments to the Office of Regulatory Staff.

(B) In addition to the requirements of notice set forth above, the authority shall provide for the following in its retail rate adjustment process:

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(1) the Office of Regulatory Staff must review any rate adjustments proposed to the authority's board of directors under this article. In accomplishing its responsibilities under this article, the Office of Regulatory Staff must use the authority granted to it pursuant to Section 58-31-225. The Office of Regulatory Staff must treat as confidential or proprietary the information provided by the authority pursuant to this subsection that is identified by the authority as such unless or until the authority agrees that such information is no longer confidential or proprietary. Any disputes concerning whether such information is subject to protection must be resolved by the board of directors.

(2) a comprehensive review of the authority's rate structure and rates, consistent with the provisions of Chapter 31, Title 58, and the Public Service Authority's bond covenants concerning the Public Service Authority's revenue requirements, provided that:

(a) management may engage consultants as necessary to assist the authority in completing this review; and

(b) this review should include such subjects as the authority's revenue requirements, rate/tariff design recognizing the provisions of any wholesale power supply agreement, and a comprehensive cost of service analysis that includes an allocation of costs, between wholesale and retail customers, and among all classes of retail customers, including residential, commercial and industrial classes;

(3) a written report of management's recommendations concerning proposed rate adjustments;

(4) beginning no later than the date that notice of the proposed rate adjustment is issued by the authority, an opportunity for customers and the Office of Regulatory Staff, in advance of the board of directors' consideration and determination of rates, to review the proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, provided that:

(a) the authority also shall provide customers and the Office of Regulatory Staff access to proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, such materials to be made available at a physical location, at public meetings, and posted on the authority's website; and

(b) the authority shall not be required to provide to customers analyses which disclose the commercially sensitive information of individual customers or which is otherwise proprietary or confidential;

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(5) public meetings, to be held at locations convenient for customers and within the authority's service territory, provided that:

(a) the authority shall convene at least two public meetings at a minimum of two locations within its service territory for the purpose of presenting the proposed rate adjustment and relevant information regarding the same to customers for their information and comment;

(b) customers may appear and speak in person at public meetings and direct comments and inquiries about the rate adjustment to representatives of the authority;

(c) at least one representative of the authority's staff or management and at least one member of the board of directors shall attend each public meeting;

(d) the authority shall cause a transcript of all such meetings to be prepared and maintained as a public record and for consideration by the board of directors prior to its consideration and vote on a proposed rate adjustment; and

(e) the contents of this item must not be construed in such a manner as to prevent the authority from extending the prescribed timelines, holding additional public meetings, holding additional meetings with customers as may be scheduled from time to time at the convenience of the authority and the customers, or having additional representatives of staff, management, or the board of directors in attendance at such meetings;

(6) the authority's management shall respond to reasonable questions and requests for information from customers and the Office of Regulatory Staff during the comment period regarding the rate proposal, subject to the appropriate protection of confidential information. All information provided to the Office of Regulatory Staff upon request that is not confidential or proprietary shall be made publicly available immediately following disclosure to the requesting party;

(7) submission by the Office of Regulatory Staff of written comments and supporting documentation in the same manner as customers and an opportunity for the Office of Regulatory Staff to provide comments to, and answer questions from, the board of directors;

(8) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred twenty days from the date of notice required pursuant to Section 58-31-730(A), at which the board of directors shall receive written comments received in accordance with Section 58-31-730(A)(1), and transcripts of the public meetings, provided that:

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(a) at this meeting customers who will be affected by a rate adjustment shall be entitled to appear and speak in person for a reasonable amount of time to offer their comments directly to the board of directors;

(b) customer comments received by the authority prior to this meeting and transcripts of the public meetings shall be submitted to the board of directors for their consideration in the determination of rates;

(c) submissions from the Office of Regulatory Staff shall be provided to the board of directors for their consideration in the determination of rates; and

(d) the authority shall cause a transcript of this meeting to be prepared and maintained as a public record;

(9) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred fifty days from the date of notice required pursuant to Section 58-31-730(A), at which it shall receive the authority management's recommendation, which shall be made publicly available, concerning proposed rate adjustments, the proposed rate schedules, and documentation supporting the same; and

(10) a meeting at which the board of directors votes on the proposed rate adjustment, following notice as set forth in subsection (A) and completion of the process implemented by the board of directors pursuant to subsection (B).

(C) Rates shall become effective no earlier than sixty days following board approval of proposed rate adjustments.

(D) Nothing contained in this section may be construed to limit or derogate from the state's covenants as provided in Sections 58-31-30 and 58-31-360, and those covenants are hereby reaffirmed.

(E) The board of directors shall utilize consultants independent from the authority's management and is authorized to hire independent outside experts and consultants as necessary to fulfill the board of directors' obligations and duties pursuant to this section.

(F) Notwithstanding the provisions of this section, the authority may place such adjusted rates and charges into effect on an interim basis under emergency circumstances such as the avoidance of default of its obligations and to ensure proper maintenance of its system. Said adjusted rates and charges shall be subject to prospective rate adjustment in accordance with the terms of this section, provided further, that the authority may implement experimental rates on an interim basis for the purpose of developing improved rate offerings for customers. These experimental rates will be enacted for no longer than four years and (a)

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for large industrial customers, no more than twelve percent of the large industrial customer class except large industrial customers with one hundred megawatts or greater load shall be excluded from any class size limit, and (b) for all other customers no more than five percent of the customers in the class. All experimental rates must be disclosed in public session of the board prior to being enacted and are subject to approval by the board only to the extent that they meet the requirements of Section 58-31-55.

(G) Judicial review of decisions by the board of directors under this article shall be by direct appeal to the South Carolina Supreme Court. The service of a notice of appeal from a decision of the board of directors pursuant to this article does not act to automatically stay the matters decided in the decision, in the same manner as provided by Rule 241(b)(11) of the South Carolina Appellate Court Rules. Rate adjustments approved by the board of directors pursuant to this article have been authorized by law.

(1) The Office of Regulatory Staff, or any customer who has submitted written or oral comments as permitted under this article is considered a 'party in interest' entitled to obtain judicial review of any final decision of the board under this article by appealing in the manner provided by Rule 203(b)(6) of the South Carolina Appellate Court Rules as applicable to appeals from administrative tribunals. No right to appeal accrues unless a request for reconsideration is submitted to the board and refused as set out in S.C. Code Ann. Section 58-31-730(G)(2).

(2) Any party in interest seeking to appeal must first submit, within ten days after the decision of the board, a request for reconsideration. The board of directors shall either grant or refuse such request within twenty days of receipt. If the board grants the request for reconsideration, it must meet to consider the request within thirty days.

(3) On appeal, the South Carolina Supreme Court may not substitute its judgment for the judgment of the board of directors as to the weight of the evidence on questions of fact. The court may affirm the decision of the board of directors or remand the case to the board of directors for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the board's findings, inferences, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the authority;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;

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(e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(H) The procedure provided in this article is the exclusive process for challenging any rate adjustments approved by the board of directors. If a party in interest successfully challenges a rate approval decision on appeal, the exclusive remedy is a prospective adjustment of a new rate by the board of directors. The board of directors possesses authority only to adjust rates prospectively and has no authority to refund amounts collected pursuant to a rate adjustment approved pursuant to this article. The filed rate doctrine protects any such rate adjustment decisions from any collateral attack, which includes, but is not limited to, any claim that a rate adjustment decision by the board of directors violates S.C. Code Ann. Sections 58-31-55, 58-31-56, or 58-31-57.

Section 58-31-740. The authority shall submit to the Office of Regulatory Staff a pricing report each year, and its report must include an analysis of the adherence to the pricing principles required in Section 58-31-710, the current and projected electric customer pricing, a comparison of pricing to other utilities, and an analysis of the rates of return by customer class. After its review, the ORS shall issue comments on the authority's annual pricing report to the authority's board of directors and the Public Utility Review Committee."

SECTION 4. Section 58-33-20 of the 1976 Code of Laws is amended to read:

"Section 58-33-20. (1) The term 'commission' means Public Service Commission.

(2) The term 'major utility facility' means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

(b) an electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more; provided, however, that the words 'major utility facility' shall not include electric distribution lines and associated facilities, ~~nor shall the words 'major utility facility' include electric transmission lines and associated facilities leased to and operated by (or which upon completion of construction are to be leased to and operated by) the South Carolina Public Service Authority.~~

(3) The term 'commence to construct' means any clearing of land, excavation, or other action that would adversely affect the natural

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environment of the site or route of a major utility facility, but does not include surveying or changes needed for temporary use of sites or routes for nonutility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions.

(4) The term ‘municipality’ means any county or municipality within this State.

(5) The term ‘person’ includes any individual, group, firm, partnership, corporation, cooperative, association, government subdivision, government agency, local government, municipality, any other organization, or any combination of any of the foregoing, and ~~but~~ shall ~~not~~ include the South Carolina Public Service Authority.

(6) The term ‘public utility’ or ‘utility’ means any person engaged in the generating, distributing, sale, delivery, or furnishing of electricity for public use.

(7) The term ‘land’ means any real estate or any estate or interest therein, including water and riparian rights, regardless of the use to which it is devoted.

(8) The term ‘certificate’ means a certificate of environmental compatibility and public convenience and necessity.

(9) The term ‘regulatory staff’ means the executive director or the executive director and the employees of the Office of Regulatory Staff.”

SECTION 5. Section 58-33-110(4) of the 1976 Code of Laws is amended to read:

“(4) This chapter shall not apply to any major utility facility:

(a) The construction of which is commenced within one year after January 1, 1972; or

(b) For which, prior to January 1, 1972, an application for the approval has been made to any Federal, State, regional or local governmental agency which possesses the jurisdiction to consider the matters prescribed for finding and determination in subsection (1) of Section 58-33-160.

(c) For which, prior to January 1, 1972, a governmental agency has approved the construction of the facility and indebtedness has been incurred to finance all or part of the cost of such construction; ~~or~~

(d) Which is a hydroelectric generating facility over which the Federal Power Commission has licensing jurisdiction; or

(e) Which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority, for which construction either is commenced within one year after January 1, 2022, or is necessary to maintain system reliability in

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connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter.”

SECTION 6. Section 58-37-40 of the 1976 Code of Laws is amended to read:

“Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office’s website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsections (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation services, then plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a

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generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

~~(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the State Energy Office. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the State Energy Office's website and on the Public Service Authority's website.~~

(3) The South Carolina Public Service Authority shall adopt and publish resource planning principles that respect and balance factors including, but not limited to, customer focus, cost management, system reliability, risk and financial integrity to be used in development of its integrated resource plan, and shall submit an integrated resource plan to the Public Service Commission, the State Energy Office, and the Public Utilities Review Committee.

(a) The integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers; and shall include the effect of demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electricity service while meeting a net zero carbon emission goal by the year 2050.

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(b) The commission shall not have the authority to approve or disapprove of the integrated resource plan but must have a public hearing for interested parties to comment on the integrated resource plan. Prior to the public hearing, the commission shall have a proceeding to review the Public Service Authority's integrated resource plan which allows intervention by interested parties. The commission shall establish a procedural schedule establishing the date for the public hearing and to permit testimony and reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. The Office of Regulatory Staff shall also provide comments regarding the integrated resource plan, including, but not limited to, any material differences between it and the integrated resource plan submitted to the Energy Office by the electric cooperatives. No later than three hundred days after the Public Service Authority files an integrated resource plan the commission shall issue a plan assessment applying the standards and factors set forth in Section 58-37-40(C)(2) as applied to electrical utilities and deliver it to the Public Service Authority's board of directors and the Public Utilities Review Commission. The parties to the proceeding will have an opportunity to file a proposed plan assessment for consideration by the commission prior to the commission issuing its final plan assessment.

(c) Within sixty days after the issuance of the commission's plan assessment, the Board of the Public Service Authority shall meet to consider the comments received from the public hearing and the Office of Regulatory Staff, and the commission's plan assessment. The integrated resource plan must be finalized within the following sixty days and submitted to the commission, the Office of Regulatory Staff and the Public Utilities Review Committee, and posted on the Public Service Authority's website.

(d) Nothing in this Chapter of Title 58 gives the Public Service Commission or the Public Service Authority the power to amend or alter in any way any wholesale power supply agreement between the Public Service Authority and Central Electric Power Cooperative.

(B)(1) An integrated resource plan shall include all of the following:

- (a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;
- (b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation

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facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) ~~For each electrical utility subject to subsection (A)(1), the~~The commission shall have a proceeding to review each electrical utility's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days

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after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility.

(2) The commission shall approve an electrical utility's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

- (a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;
- (b) consumer affordability and least cost;
- (c) compliance with applicable state and federal environmental regulations;
- (d) power supply reliability;
- (e) commodity price risks;
- (f) diversity of generation supply; and
- (g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's integrated resource plan, the electrical utility, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's revised filing, the Office of Regulatory Staff shall review the electrical utility's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. The electrical utility shall retain the burden of proof to show that all of its

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investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) ~~An~~ Each electrical utility subject to subsection (A)(1) shall submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each electric utility's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

SECTION 7. Section 58-3-530 of the 1976 Code of Laws is amended by adding the following numbered subsections to read:

"(16) to conduct an annual performance review of each member of the South Carolina Public Service Authority Board of Directors, which must be submitted to the General Assembly. Directors shall be entitled to submit documentation in advance of the annual review regarding actions taken and expert opinions received. A draft of each director's performance review must be submitted to the director, and the director must be allowed an opportunity to be heard before the review committee before the final draft of the performance review is submitted to the General Assembly. The final performance review must be made a part of the director's record for consideration if the member is reappointed to the board.

As part of the performance review, the review committee will provide a mechanism by which parties, including the Office of Regulatory Staff, who have an interest in the oversight of the South Carolina Public Service Authority by its board may submit a confidential survey evaluating the directors. At a minimum, the survey must include the following:

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- (a) knowledge and application of substantive utility issues;
- (b) ability to perceive relevant issues;
- (c) absence of influence by political considerations;
- (d) temperament and demeanor in general, preparation for and attentiveness during meetings;

(17) to evaluate the actions of the South Carolina Public Service Authority Board, to the end that the members of the General Assembly may better judge whether these actions serve the best interests of the customers of the Public Service Authority, both retail and wholesale.

The Public Service Authority shall submit an annual report in which full information as to all of the acts of the board of directors shall be given, together with financial statements and full information as to the work of the Public Service Authority. The report shall include, but is not limited to, (i) a report from an independent consulting engineer every two years, (ii) an annual report demonstrating adherence to the resource planning principles established pursuant to Section 58-37-40 and the pricing principles established pursuant to Section 58-31-710, and (iii) the annual report of its external auditor; and

(18) to submit to the General Assembly, on an annual basis, the review committee's evaluation of the performance of the South Carolina Public Service Authority Board. A proposed draft of the evaluation must be submitted to the board prior to submission to the General Assembly, and the board must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly."

SECTION 8. Section 58-31-55 of the 1976 Code of Laws is amended to read:

"Section 58-31-55. (A) A director shall discharge his duties as a director, including his duties as a member of a committee:

- (1) in good faith;
- (2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
- (3) in a manner he reasonably believes to be in the best interests of the Public Service Authority. As used in this chapter, 'best interests' means a balancing of the following:

(a) preservation of the financial integrity of the Public Service Authority and its ongoing operations ~~of generating, transmitting, and distributing electricity to wholesale and retail customers on a reliable, adequate, efficient, and safe basis, at just and reasonable rates, regardless of the class of customer;~~

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(b) the interest of the Public Service Authority's residential, commercial and industrial retail customers and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State, in reliable, adequate, efficient, and safe service, at just and reasonable rates, regardless of customer class;

(c) maintenance, preservation and keeping of the Public Service Authority's properties and all additions and betterments thereto and extension thereof and every part and parcel in thereof, in good repair, working order and condition;

~~(b)(d)~~ the support of, economic development and job attraction and retention within the Public Service Authority's present service area or areas within the State authorized to be served by an electric cooperative or municipally owned electric utility that is a direct or indirect wholesale customer of the authority, provided the remaining items of this subsection have been met; and

~~(e)(e)~~ subject to the limitations of Section 58-31-30(B) and item (A)(3)(a) of this section, exercise of the powers of the authority set forth in Section 58-31-30 in accordance with good business practices and the requirements of applicable licenses, laws, and regulations.

(B) In discharging his duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

(1) one or more officers or employees of the Public Service Authority whom the director reasonably believes to be reliable and competent in the matters presented;

(2) legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or

(3) a committee of the board of directors of which he is not a member if the director reasonably believes the committee merits confidence.

(C) A director is not acting in good faith if he has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (B) unwarranted.

(D) A director is not liable for any action taken as a director, or any failure to take any action, if he performed the duties of his office in compliance with this section.

(E) An action against a director for failure to perform the duties imposed by this section must be commenced within three years after the cause of action has occurred, or within two years after the time when the

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cause of action is discovered or should reasonably have been discovered, whichever occurs sooner. This limitations period does not apply to breaches of duty which have been concealed fraudulently.”

SECTION 9. Section 1-3-240(C)(1)(m) of the 1976 Code of Laws is amended to read:

“(m) Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20. A director of the South Carolina Public Service Authority also may be removed for his breach of any duty arising under Section 58-31-55 or 58-31-56. The Governor is also allowed, but not required, to remove a director upon the recommendation of the State Regulation of Public Utilities Review Committee by an affirmative vote of eight of its members upon good cause shown.

The Governor must not request a director of the South Carolina Public Service Authority to resign unless cause for removal, as established by this subsection, exists. Removal of a director of the South Carolina Public Service Authority, except as is provided by this section or by Section 58-31-20(A), must be considered to be an irreparable injury for which no adequate remedy at law exists;”

SECTION 10. Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-227. (A) The Public Service Authority shall procure renewable energy resources subject to the following requirements:

(1) Renewable energy resources procured by the Public Service Authority shall be procured via a competitive solicitation process open to all independent market participants that meet minimum eligibility requirements.

(2) The Public Service Authority shall issue public notification of its intention to issue a competitive renewable solicitation at least ninety days prior to the release of each solicitation, including the proposed procurement volume, process, and timeline.

(3) Renewable energy facilities eligible to participate in a competitive procurement are those that have a valid interconnection request on file and that use renewable energy resources identified in Section 58-39-120(F) and may include battery storage devices charged exclusively by renewable energy.

(B) The Public Service Authority shall make publicly available at least forty-five days prior to each competitive solicitation:

(1) A pro forma contract to inform market participants of the procurement terms and conditions. The pro forma contract will (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; (ii)

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define limits and compensation for resource dispatch and curtailments that limit uncompensated curtailment to a specified portion of estimated annual output.

(2) A bid evaluation methodology that ensures all bids are treated equitably, including price and non-price evaluation criteria. Non-price criteria will include, at minimum, consideration of diversity in resource size and geographic location.

(3) Interconnection requirements and study methodology, including how bids without existing interconnection studies will be treated for purposes of evaluation.

(C) After bids are submitted and evaluated, winning bids will be selected based upon the published evaluation methodology.

The Public Service Authority shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report will include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range.”

SECTION 11. Section 58-31-430 of the 1976 Codes of Laws is amended to read:

“Section 58-31-430. The Public Service Commission may not assign any portion of the present service area of the Public Service Authority to any electrical utility or electric cooperative and this service area must be exclusively served by the Public Service Authority unless otherwise agreed to by the Public Service Authority as described in this section. Santee Electric Cooperative, Inc., Berkeley Electric Cooperative, Inc., Horry Electric Cooperative, Inc. may serve those areas reserved to them as provided in Section 58-31-330. The Public Service Commission is directed to conform the present assignment under Section 58-27-620 to the mandates of this article. Nothing contained in this article may be construed as preventing the Public Service Commission from exercising its jurisdiction over electric cooperative service areas in the manner provided by law. Upon customer choice either the Public Service Authority, ~~or~~ an electric cooperative mentioned above, or Edisto Electric Cooperative, Inc. may furnish electric service to any new premises which the other supplier has the right to serve, upon agreement of the affected suppliers.

Notwithstanding the foregoing, the Public Service Authority shall have the right to enter into agreements with other electric suppliers, as defined by Section 58-27-610, concerning service areas, as contemplated by Section 58-27-640, and corridor rights, as defined by Section

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58-27-610. In that event, the Public Service Commission shall have the authority to approve said agreements and to reassign said service area or corridor rights. This authority shall only apply in situations where all affected electric suppliers have reached an agreement concerning service areas or corridor rights. With respect to the agreements, the commission shall approve the agreements and reassign said service area or corridor rights if, after giving notice and an opportunity for hearing to interested parties, it finds the agreements to be fair and reasonable, but the commission shall not have the authority to alter or amend any such agreement unless all affected electric suppliers agree to the alteration or amendment. For purposes of this article, the term 'all affected electric suppliers' shall include, but not be limited to, the nearest electric cooperative or cooperatives to the proposed service area changes within a five mile radius of the affected service area or corridor. This section shall not confer service territory rights to the Public Service Authority beyond those provided in Section 58-31-330 and Section 58-31-320(2)."

SECTION 12. As part of the process of retiring its coal units, the Public Service Authority shall develop and implement a plan, with community engagement and participation, that: (a) allows employees in good standing who would be directly affected by the closure of the unit to be retained by the Public Service Authority, or provides training opportunities for related employment to affected employees in good standing who cannot be retained; and (b) provides an opportunity for economic development and job attraction in the communities where the retired coal stations are located. Annual written status reports shall be provided to the SC Public Utilities Review Committee.

SECTION 13. Section 58-31-30(A)(21) of the 1976 Code is amended to read:

“(21) to investigate, study, and consider all undeveloped power sites, ~~and~~ navigation projects, or other projects in the State and to acquire or develop the same as need may arise in the same manner as herein provided. Provided, always, nevertheless, that said investigations, studies, and considerations of said South Carolina Public Service Authority herein created shall be limited to the Congaree River and its tributaries below the confluence of the Broad and Saluda Rivers and the Wateree tributary of the Santee River at and near a point at or near Camden, South Carolina. Provided, however, that the Public Service Authority shall have no power at any time or in any manner to pledge the credit and the taxing power of the State or any of its political subdivisions, nor shall any of its obligations or securities be deemed to be obligations of the State or of any of its political subdivisions; nor shall

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the State be legally, equitably, or morally liable for the payment of principal of and interest on such obligations or securities. The State of South Carolina does hereby pledge to and agree with any person, firm, or corporation, the government of the United States and any corporation or agency created, designated, or established by the United States, subscribing to or acquiring the notes, bonds, evidences of indebtedness, or other obligations to be issued by the Public Service Authority for the construction of any project, that the State will not alter or limit the rights hereby vested in the Public Service Authority until the said notes, bonds, evidences of indebtedness, or other obligations, together with the interest thereon, are fully met and discharged; provided, that nothing herein contained shall preclude such limitation or alteration if and when and after adequate provisions shall be made by law for the protection of those subscribing to or acquiring such notes, bonds, evidences of indebtedness, or other obligations of the Public Service Authority. The State of South Carolina or any political subdivision shall in no way be responsible for any debts or obligations contracted by or for the authority, and the board of directors of the authority, the advisory board, and the officers shall make no debt whatsoever for the payment of which the State or any political subdivision shall in any way be bound. It is intended that the project to be developed hereunder and any and all projects undertaken by the provisions of this chapter shall be financed as self-liquidating projects and that the credit and taxing powers of the State, or its political subdivisions, shall never be pledged to pay said debts and obligations;”

SECTION 14. Section 58-31-30 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“() Any debts or obligations contracted by or for the Public Service Authority, and the board of directors of the Public Service Authority, the advisory board, or the officers pursuant to this section, must be submitted to the Joint Bond Review Committee for review and approved by the State Fiscal Accountability Authority as provided by Chapter 47, Title 2.”

SECTION 15. (A) To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the members representing the 1st, 2nd and 7th congressional districts and the at-large seat designated as the chair shall expire on January 1, 2022;

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(2) The terms for the members representing the 3rd, 4th and 6th congressional districts and Berkeley County shall expire on January 1, 2024; and

(3) The terms for members representing the 5th congressional district, Horry County, Georgetown County, and the other at-large seat shall expire on January 1, 2026.

If any vacancy occurs prior to respective date established in this SECTION.

(B) The provisions in SECTION 1 regarding board member term limits shall apply to appointments made on or after the effective date of this act.

SECTION 16. Section 11 in Act 135 of 2020 is repealed on the effective date of this act.

SECTION 17. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 18. This act takes effect upon approval by the Governor./
Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was withdrawn.

Senators RANKIN, HUTTO, GROOMS, MALLOY, CAMPSER, MASSEY, GOLDFINCH, SETZLER, KIMBRELL and WILLIAMS proposed the following amendment (JUD3194.005), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 58-31-20 of the 1976 Code of Laws is amended to read:

“Section 58-31-20. (A)(1) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State

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Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an ex-officio capacity, a ~~A~~ director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ four years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ four years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director's successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. A director shall not be appointed for more than three consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

(2) A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The authority may provide, at its expense, health insurance benefits to members of the board, through the State insurance plan or otherwise.

(3) Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for appointment as Director of the Public Service Authority during the term of his office.

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No more than two members from the same county may serve as directors at any time.

(B) Candidates for appointment to the board must be screened by the State Regulation of Public Utilities Review Committee and, prior to confirmation by the Senate, must be found qualified by meeting the minimum requirements contained in subsection (C). The review committee must submit a written report to the Clerk of the Senate setting forth its findings as to the qualifications of each candidate. A candidate must not serve on the board, even in an interim capacity, until he is screened and found qualified by the State Regulation of Public Utilities Review Committee.

(C)(1) Each member must possess abilities and experience that are generally found among directors of energy utilities serving this State and that allow him to make valuable contributions to the conduct of the authority's business. These abilities include substantial business skills and experience, but are not limited to:

~~(1)~~(a) general knowledge of the history, purpose, and operations of the Public Service Authority and the responsibilities of being a director of the authority;

~~(2)~~(b) the ability to interpret legal and financial documents and information so as to further the activities and affairs of the Public Service Authority;

~~(3)~~(c) with the assistance of counsel, the ability to understand and apply federal and state laws, rules, and regulations including, but not limited to, Chapter 4 of Title 30 as they relate to the activities and affairs of the Public Service Authority; and

~~(4)~~(d) with the assistance of counsel, the ability to understand and apply judicial decisions as they relate to the activities and affairs of the Public Service Authority.

(2) Each member must also have:

(a) a baccalaureate or more advanced degree from:

(i) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(ii) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(iii) an institution of higher learning chartered before 1962;
and

(b) a background of substantial duration and an expertise in at least one of the following:

(i)energy issues;

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- (ii) consumer protection and advocacy issues;
- (iii) water and wastewater issues;
- (iv) finance, economics, and statistics;
- (v) accounting;
- (vi) engineering; or
- (vii) law.

(D) For the assistance of the board of directors of the Public Service Authority, there is hereby established an advisory board to be known as the advisory board of the South Carolina Public Service Authority, to be composed of the Governor of the State, the Attorney General, the State Treasurer, the Comptroller General, and the Secretary of State, as ex officio members, who must serve without compensation other than necessary traveling expenses. The advisory board must perform any duties imposed on it pursuant to this chapter, and must consult and advise with the board of directors on any and all matters which by the board of directors may be referred to the advisory board. The board of directors must make annual reports to the advisory board, which reports must be submitted to the General Assembly by the Governor, in which full information as to all of the acts of said board of directors shall be given, together with financial statement and full information as to the work of the authority. On July first of each year, the advisory board must designate a certified public accountant or accountants, ~~resident in the State,~~ for the purpose of making a complete audit of the affairs of the authority, which must be filed with the annual report of the board of directors. The Public Service Authority must submit the audit to the General Assembly.

(E)(1) The following shall be nonvoting ex officio members of the board of directors entitled to attend all meetings of the authority board, including any executive sessions, except as set forth below:

The Chairman of Central Electric Power Cooperative, or his designee, and one member of the Board of Central Electric Power Cooperative chosen by that board who is not the chairman or his designee. The ex officio members shall have the same obligations and duties as other members of the board, except the obligation to vote, and are subject to removal in the same manner as other board members. An ex officio member that has otherwise satisfied all obligations and duties owed to the Public Service Authority shall not be liable for matters directly related to either the process of voting nor a decision determined by a vote of the board of directors.

(2) The ex officio members may be excluded from executive session where the following matters are being discussed:

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(a) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative Inc., or one of its members; or

(b) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the authority and Central Electric Power Cooperative or receiving legal advice in relation thereto.

Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (a) and (b), the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist.

(3) When ex officio members are excluded from executive session, the reason for the conflict must be stated before the vote is taken and shall be recorded in official minutes or other records of the meeting. The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. The decision of the board of directors to exclude an ex officio member due to a conflict is not appealable to any court. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions.

(4) Ex officio members will begin serving immediately upon a letter indicating their appointments is delivered to the board and to the Public Utilities Review Committee but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. Ex officio members will be appointed for two-year terms but may be removed either by the Governor pursuant to Section 1-3-240(C)(1)(m) or the Board of Central Electric Power Cooperative. In the event that the Board of Central Electric Power Cooperative removes the ex officio member, the Public Service Authority Board of Directors must receive notice at least sixty days before the ex officio member's successor begins service on the Public Service Authority Board of Directors. An ex officio member will not be entitled to receive compensation from the Public Service Authority for his or her service as an ex officio member and will not be counted for purposes of determining a quorum.

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(F) In making appointments to the board of directors, the Governor, in making appointments and the Senate, in its advice and consent capacity, must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this State.”

SECTION 2. Section 58-31-30(A)(21) of the 1976 Code is amended to read:

“(21) to investigate, study, and consider all undeveloped power sites, ~~and~~ navigation projects, or other projects in the State and to acquire or develop the same as need may arise in the same manner as herein provided. Provided, always, nevertheless, that said investigations, studies, and considerations of said South Carolina Public Service Authority herein created shall be limited to the Congaree River and its tributaries below the confluence of the Broad and Saluda Rivers and the Wateree tributary of the Santee River at and near a point at or near Camden, South Carolina. Provided, however, that the Public Service Authority shall have no power at any time or in any manner to pledge the credit and the taxing power of the State or any of its political subdivisions, nor shall any of its obligations or securities be deemed to be obligations of the State or of any of its political subdivisions; nor shall the State be legally, equitably, or morally liable for the payment of principal of and interest on such obligations or securities. The State of South Carolina does hereby pledge to and agree with any person, firm, or corporation, the government of the United States and any corporation or agency created, designated, or established by the United States, subscribing to or acquiring the notes, bonds, evidences of indebtedness, or other obligations to be issued by the Public Service Authority for the construction of any project, that the State will not alter or limit the rights hereby vested in the Public Service Authority until the said notes, bonds, evidences of indebtedness, or other obligations, together with the interest thereon, are fully met and discharged; provided, that nothing herein contained shall preclude such limitation or alteration if and when and after adequate provisions shall be made by law for the protection of those subscribing to or acquiring such notes, bonds, evidences of indebtedness, or other obligations of the Public Service Authority. The State of South Carolina or any political subdivision shall in no way be responsible for any debts or obligations contracted by or for the authority, and the board of directors of the authority, the advisory board, and the officers shall make no debt whatsoever for the payment of which the State or any political subdivision shall in any way be bound. It is intended that the

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project to be developed hereunder and any and all projects undertaken by the provisions of this chapter shall be financed as self-liquidating projects and that the credit and taxing powers of the State, or its political subdivisions, shall never be pledged to pay said debts and obligations;”

SECTION 3. Section 58-31-30 of the 1976 Code is amended by adding a new subsection (C) to read:

“(C) Any severance package, payment or other benefit of whatever nature conferred upon an executive officer or member of the board of the Public Service Authority or offered on or after May 15, 2021, must first be approved by the Agency Head Salary Commission before the authority can enter into an agreement regarding a severance package, payment or other benefits. Any payment made in violation of this section is grounds for a claw-back of the payment or benefit in a legal action brought by the Attorney General of this State seeking a recovery of that payment. The Public Service Authority must provide a report to the Agency Head Salary Commission by July 6, 2021, with information regarding any severance package, payment or other benefit conferred upon an executive officer or member of the board of the Public Service Authority from January 1, 2020, through June 30, 2021.”

SECTION 4. Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-225. The Office of Regulatory Staff, under the provisions of this section, is hereby vested with the authority and jurisdiction to make inspections, audits, and examinations of the Public Service Authority pursuant to the provisions of Chapter 4, Title 58, relating to the electric and water rates established by the Public Service Authority. Upon completion of an authorized inspection, audit, or examination, the Office of Regulatory Staff must report its findings to the management and board of the Public Service Authority and attempt to resolve with the management and board any issues that are identified. The Public Service Authority must post information regarding its electric and water rates on its website.”

SECTION 5. Chapter 31, Title 58 is amended by adding:

“Article 7 - NEW STATUTORY PROVISIONS

Retail Rates Process

Section 58-31-710. The Public Service Authority, through its board of directors, shall adopt and publish pricing principles that respect and balance factors including, but not limited to, adherence to the authority’s mission to be a low-cost provider, reliability, transparency, preservation of the authority’s financial integrity, equity among customer classes, gradualism in adjustments to its pricing and rate schedule type,

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encouragement of efficiency and demand response, adequate notice to customers, and relief mechanisms for financially distressed customers. The authority shall also maintain and continue to offer rate schedules and options that provide demand-side management flexibility, including, but not limited to, non-firm sales and interruptible power rates, and conservation opportunities to its customers.

Section 58-31-720. For purposes of this article ‘customer’ shall include the authority’s residential, commercial and industrial retail customers, and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State.

Section 58-31-730. Prior to creating or revising any of its board-approved retail rate schedules, the Public Service Authority, through resolution of its board of directors or otherwise, shall adopt a process that shall include the following:

(A) The authority shall provide notice to all customers at least one hundred and eighty days before the board of directors’ vote on a proposed rate adjustment.

(1) The one hundred and eighty days’ notice required under this section is established to allow customers to provide comments to the authority as follows:

(a) written comments to the authority for ninety days from the date of notice; and

(b) oral comments to the authority for one hundred twenty days from the date of notice.

(2) The notice required by this subsection must be given in the following forms:

(a) by first-class United States mail addressed to the customer’s billing address in the authority’s records at the time of the notice, or for customers who have elected paperless billing, by the same means of communication used for providing these customers paperless billing;

(b) by advertisements to be published in newspapers of general circulation within the service territory of the authority;

(c) by way of the authority’s regularly maintained website, including a conspicuous portal or link accessible from the website’s landing page; and

(d) by issuance of a news release to local news outlets.

(3) The notice of proposed rate adjustments required by this subsection shall contain the following information:

(a) the date, time, and location of all public meetings;

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(b) the date, time, and location of the meeting at which a proposed rate adjustment is expected to be submitted to the board of directors for its consideration;

(c) the date, time, and location of the meeting at which the board of directors is expected to vote on the proposed rate adjustment;

(d) a notification to customers of their right to:

(i) review the proposed rate schedules;

(ii) appear and speak in person concerning the proposed rates at public meetings or the specified meetings of the board of directors; and

(iii) submit written comments;

(e) the means by which customers can submit written comments, including the email and physical addresses to which written comments may be submitted, and the deadline for submitting such comments; and

(f) the means by which customers can access and review the authority's written report containing the proposed rate adjustments, the non-proprietary and non-confidential portions of any rate study or other documentation developed by the authority in support of the rate adjustment which shall be available at the time the notice is issued.

(4) Contemporaneously with notice to customers, the authority shall provide notice of proposed rate adjustments to the Office of Regulatory Staff.

(B) In addition to the requirements of notice set forth above, the authority shall provide for the following in its retail rate adjustment process:

(1) the Office of Regulatory Staff must review any rate adjustments proposed to the authority's board of directors under this article. In accomplishing its responsibilities under this article, the Office of Regulatory Staff must use the authority granted to it pursuant to Section 58-31-225. The Office of Regulatory Staff must treat as confidential or proprietary the information provided by the authority pursuant to this subsection that is identified by the authority as such unless or until the authority agrees that such information is no longer confidential or proprietary. Any disputes concerning whether such information is subject to protection must be resolved by the board of directors.

(2) a comprehensive review of the authority's rate structure and rates, consistent with the provisions of Chapter 31, Title 58, and the Public Service Authority's bond covenants concerning the Public Service Authority's revenue requirements, provided that:

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(a) management may engage consultants as necessary to assist the authority in completing this review; and

(b) this review should include such subjects as the authority's revenue requirements, rate/tariff design recognizing the provisions of any wholesale power supply agreement, and a comprehensive cost of service analysis that includes an allocation of costs, between wholesale and retail customers, and among all classes of retail customers, including residential, commercial and industrial classes;

(3) a written report of management's recommendations concerning proposed rate adjustments;

(4) beginning no later than the date that notice of the proposed rate adjustment is issued by the authority, an opportunity for customers and the Office of Regulatory Staff, in advance of the board of directors' consideration and determination of rates, to review the proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, provided that:

(a) the authority also shall provide customers and the Office of Regulatory Staff access to proposed rate schedules and written findings and analyses of employees and consultants retained by the authority that support the proposed rate adjustments, such materials to be made available at a physical location, at public meetings, and posted on the authority's website; and

(b) the authority shall not be required to provide to customers analyses which disclose the commercially sensitive information of individual customers or which is otherwise proprietary or confidential;

(5) public meetings, to be held at locations convenient for customers and within the authority's service territory, provided that:

(a) the authority shall convene at least two public meetings at a minimum of two locations within its service territory for the purpose of presenting the proposed rate adjustment and relevant information regarding the same to customers for their information and comment;

(b) customers may appear and speak in person at public meetings and direct comments and inquiries about the rate adjustment to representatives of the authority;

(c) at least one representative of the authority's staff or management and a quorum of the board of directors shall attend each public meeting;

(d) the authority shall cause a transcript of all such meetings to be prepared and maintained as a public record and for consideration by

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the board of directors prior to its consideration and vote on a proposed rate adjustment; and

(e) the contents of this item must not be construed in such a manner as to prevent the authority from extending the prescribed timelines, holding additional public meetings, holding additional meetings with customers as may be scheduled from time to time at the convenience of the authority and the customers, or having additional representatives of staff, management, or the board of directors in attendance at such meetings;

(6) the authority's management shall respond to reasonable questions and requests for information from customers and the Office of Regulatory Staff during the comment period regarding the rate proposal, subject to the appropriate protection of confidential information. All information provided to the Office of Regulatory Staff upon request that is not confidential or proprietary shall be made publicly available immediately following disclosure to the requesting party;

(7) submission by the Office of Regulatory Staff of written comments and supporting documentation in the same manner as customers and an opportunity for the Office of Regulatory Staff to provide comments to, and answer questions from, the board of directors;

(8) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred twenty days from the date of notice required pursuant to Section 58-31-730(A), at which the board of directors shall receive written comments received in accordance with Section 58-31-730(A)(1), and transcripts of the public meetings, provided that:

(a) at this meeting customers who will be affected by a rate adjustment shall be entitled to appear and speak in person for a reasonable amount of time to offer their comments directly to the board of directors;

(b) customer comments received by the authority prior to this meeting and transcripts of the public meetings shall be submitted to the board of directors for their consideration in the determination of rates;

(c) submissions from the Office of Regulatory Staff shall be provided to the board of directors for their consideration in the determination of rates; and

(d) the authority shall cause a transcript of this meeting to be prepared and maintained as a public record;

(9) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred fifty days from the date of notice required pursuant to Section 58-31-730(A),

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at which it shall receive the authority management's recommendation, which shall be made publicly available, concerning proposed rate adjustments, the proposed rate schedules, and documentation supporting the same; and

(10) a meeting at which the board of directors votes on the proposed rate adjustment, following notice as set forth in subsection (A) and completion of the process implemented by the board of directors pursuant to subsection (B).

(C) Rates shall become effective no earlier than sixty days following board approval of proposed rate adjustments.

(D) Nothing contained in this section may be construed to limit or derogate from the state's covenants as provided in Sections 58-31-30 and 58-31-360, and those covenants are hereby reaffirmed.

(E) The board of directors shall utilize consultants independent from the authority's management and is authorized to hire independent outside experts and consultants as necessary to fulfill the board of directors' obligations and duties pursuant to this section.

(F) Notwithstanding the provisions of this section, the authority may place such adjusted rates and charges into effect on an interim basis under emergency circumstances such as the avoidance of default of its obligations and to ensure proper maintenance of its system; these interim rates must not be in effect for more than one year. Said adjusted rates and charges shall be subject to prospective rate adjustment in accordance with the terms of this section, provided further, that the authority may implement experimental rates on an interim basis for the purpose of developing improved rate offerings for customers. These experimental rates will be enacted for no longer than four years and (a) for large industrial customers, no more than twelve percent of the large industrial customer class except large industrial customers with one hundred megawatts or greater load shall be excluded from any class size limit, and (b) for all other customers no more than five percent of the customers in the class. All experimental rates must be disclosed in public session of the board prior to being enacted and are subject to approval by the board only to the extent that they meet the requirements of Section 58-31-55.

(G) Judicial review of decisions by the board of directors under this article shall be by direct appeal to the South Carolina Supreme Court. The service of a notice of appeal from a decision of the board of directors pursuant to this article does not act to automatically stay the matters decided in the decision, in the same manner as provided by Rule 241(b)(11) of the South Carolina Appellate Court Rules. Rate

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adjustments approved by the board of directors pursuant to this article have been authorized by law.

(1) The Office of Regulatory Staff, or any customer who has submitted written or oral comments as permitted under this article is considered a 'party in interest' entitled to obtain judicial review of any final decision of the board under this article by appealing in the manner provided by Rule 203(b)(6) of the South Carolina Appellate Court Rules as applicable to appeals from administrative tribunals. No right to appeal accrues unless a request for reconsideration is submitted to the board and refused as set out in S.C. Code Ann. Section 58-31-730(G)(2).

(2) Any party in interest seeking to appeal must first submit, within ten days after the decision of the board, a request for reconsideration. The board of directors shall either grant or refuse such request within twenty days of receipt. If the board grants the request for reconsideration, it must meet to consider the request within thirty days.

(3) On appeal, the South Carolina Supreme Court may not substitute its judgment for the judgment of the board of directors as to the weight of the evidence on questions of fact. The court may affirm the decision of the board of directors or remand the case to the board of directors for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the board's findings, inferences, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the authority;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or
- (f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(H) The procedure provided in this article is the exclusive process for challenging any rate adjustments approved by the board of directors. If a party in interest successfully challenges a rate approval decision on appeal, the exclusive remedy is a prospective adjustment of a new rate by the board of directors. The board of directors possesses authority only to adjust rates prospectively and has no authority to refund amounts collected pursuant to a rate adjustment approved pursuant to this article. The filed rate doctrine protects any such rate adjustment decisions from any collateral attack, which includes, but is not limited to, any claim that a rate adjustment decision by the board of directors violates S.C. Code Ann. Sections 58-31-55, 58-31-56, or 58-31-57.

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Section 58-31-740. The authority shall submit to the Office of Regulatory Staff a pricing report each year, and its report must include an analysis of the adherence to the pricing principles required in Section 58-31-710, the current and projected electric customer pricing, a comparison of pricing to other utilities, and an analysis of the rates of return by customer class. After its review, the ORS shall issue comments on the authority's annual pricing report to the authority's board of directors and the Public Utility Review Committee."

SECTION 6. Section 58-33-20 of the 1976 Code of Laws is amended to read:

"Section 58-33-20. (1) The term 'commission' means Public Service Commission.

(2) The term 'major utility facility' means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

(b) an electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more; provided, however, that the words 'major utility facility' shall not include electric distribution lines and associated facilities, ~~nor shall the words 'major utility facility' include electric transmission lines and associated facilities leased to and operated by (or which upon completion of construction are to be leased to and operated by) the South Carolina Public Service Authority.~~

(3) The term 'commence to construct' means any clearing of land, excavation, or other action that would adversely affect the natural environment of the site or route of a major utility facility, but does not include surveying or changes needed for temporary use of sites or routes for nonutility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions.

(4) The term 'municipality' means any county or municipality within this State.

(5) The term 'person' includes any individual, group, firm, partnership, corporation, cooperative, association, government subdivision, government agency, local government, municipality, any other organization, or any combination of any of the foregoing, and ~~but~~ shall ~~not~~ include the South Carolina Public Service Authority.

(6) The term 'public utility' or 'utility' means any person engaged in the generating, distributing, sale, delivery, or furnishing of electricity for public use.

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(7) The term ‘land’ means any real estate or any estate or interest therein, including water and riparian rights, regardless of the use to which it is devoted.

(8) The term ‘certificate’ means a certificate of environmental compatibility and public convenience and necessity.

(9) The term ‘regulatory staff’ means the executive director or the executive director and the employees of the Office of Regulatory Staff.”

SECTION 7. Section 58-33-110(4) of the 1976 Code of Laws is amended to read:

“(4) This chapter shall not apply to any major utility facility:

(a) The construction of which is commenced within one year after January 1, 1972; or

(b) For which, prior to January 1, 1972, an application for the approval has been made to any Federal, State, regional or local governmental agency which possesses the jurisdiction to consider the matters prescribed for finding and determination in subsection (1) of Section 58-33-160.

(c) For which, prior to January 1, 1972, a governmental agency has approved the construction of the facility and indebtedness has been incurred to finance all or part of the cost of such construction; ~~or~~

(d) Which is a hydroelectric generating facility over which the Federal Power Commission has licensing jurisdiction; ~~or~~

(e) Which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority, for which construction either is commenced within one year after January 1, 2022, or is necessary to maintain system reliability in connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter.”

/ “Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts and the Public Service Authority must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

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(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office's website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsections (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable energy or because it purchases wholesale load balancing generation services, then the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the ~~State Energy Office commission~~. The Public Service Authority shall develop a public process allowing for input from all stakeholders prior to submitting the integrated resource plan. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and

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energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the ~~State Energy Office's~~ commission's website and on the Public Service Authority's website.

(4)(a) In addition to the requirements of 58-37-40(B), the Public Service Authority's integrated resource plan shall include an analysis of long-term power supply alternatives and enumerate the cost of various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost effective and least ratepayer risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service.

(b) In addition to the requirements of Section 58-37-40(B), the commission shall review and evaluate the Public Service Authority's analysis of long-term power supply alternatives and various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and lowest ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service. The commission's evaluation shall include, but not be limited to:

(i) evaluating the cost-effectiveness and ratepayer risk of self-build generation and transmission options compared with various long-term power supply alternatives including power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof. In evaluating and identifying the most cost effective and least ratepayer risk resource portfolio, the commission shall strive to reduce the risk to ratepayers associated with any generation and transmission options while maintaining safe and reliable electric service; and

(ii) an analysis of any potential cost savings that might accrue to ratepayers from the retirement of remaining coal generation assets.

(c) The authority's integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers; and shall include the effect of

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demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electricity service while meeting a net zero carbon emission goal by the year 2050.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

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(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility's subject to (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

(a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;

(b) consumer affordability and least cost;

(c) compliance with applicable state and federal environmental regulations;

(d) power supply reliability;

(e) commodity price risks;

(f) diversity of generation supply; and

(g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified

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by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. ~~The~~ An electrical utility shall retain the burden of proof to show that all of its investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility and the Public Service Authority shall each submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's or the Public Service Authority's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's or Public Service Authority's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each ~~electric~~ electrical utility's or the Public Service Authority's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility or the Public Service Authority to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

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SECTION 9. Section 58-31-55 of the 1976 Code of Laws is amended to read:

“Section 58-31-55. (A) A director shall discharge his duties as a director, including his duties as a member of a committee:

- (1) in good faith;
- (2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
- (3) in a manner he reasonably believes to be in the best interests of the Public Service Authority. As used in this chapter, ‘best interests’ means a balancing of the following:

(a) preservation of the financial integrity of the Public Service Authority and its ongoing operations ~~of generating, transmitting, and distributing electricity to wholesale and retail customers on a reliable, adequate, efficient, and safe basis, at just and reasonable rates, regardless of the class of customer;~~

(b) the interest of the Public Service Authority’s residential, commercial and industrial retail customers and those wholesale customers served pursuant to contractual arrangements but excluding joint action agencies and those entities located outside the State, in reliable, adequate, efficient, and safe service, at just and reasonable rates, regardless of customer class;

(c) maintenance, preservation and keeping of the Public Service Authority’s properties and all additions and betterments thereto and extension thereof and every part and parcel in thereof, in good repair, working order and condition;

~~(b)(d)~~ the support of, economic development and job attraction and retention within the Public Service Authority’s present service area or areas within the State authorized to be served by an electric cooperative or municipally owned electric utility that is a direct or indirect wholesale customer of the authority, provided the remaining items of this subsection have been met; and

~~(e)(e)~~ subject to the limitations of Section 58-31-30(B) and item (A)(3)(a) of this section, exercise of the powers of the authority set forth in Section 58-31-30 in accordance with good business practices and the requirements of applicable licenses, laws, and regulations.

(B) In discharging his duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

- (1) one or more officers or employees of the Public Service Authority whom the director reasonably believes to be reliable and competent in the matters presented;

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(2) legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or

(3) a committee of the board of directors of which he is not a member if the director reasonably believes the committee merits confidence.

(C) A director is not acting in good faith if he has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (B) unwarranted.

(D) A director is not liable for any action taken as a director, or any failure to take any action, if he performed the duties of his office in compliance with this section.

(E) An action against a director for failure to perform the duties imposed by this section must be commenced within three years after the cause of action has occurred, or within two years after the time when the cause of action is discovered or should reasonably have been discovered, whichever occurs sooner. This limitations period does not apply to breaches of duty which have been concealed fraudulently."

SECTION 10. Chapter 31, Title 58 of the 1976 Code is amended by adding:

"Section 58-31-227. (A) The Public Service Authority shall procure renewable energy resources subject to the following requirements:

(1) Renewable energy resources procured by the Public Service Authority shall be procured via a competitive solicitation process open to all independent market participants that meet minimum eligibility requirements.

(2) The Public Service Authority shall issue public notification of its intention to issue a competitive renewable solicitation at least ninety days prior to the release of each solicitation, including the proposed procurement volume, process, and timeline.

(3) Renewable energy facilities eligible to participate in a competitive procurement are those that have a valid interconnection request on file and that use renewable energy resources identified in Section 58-39-120(F) and may include battery storage devices charged exclusively by renewable energy.

(B) The Public Service Authority shall make publicly available at least forty-five days prior to each competitive solicitation:

(1) A pro forma contract to inform market participants of the procurement terms and conditions. The pro forma contract will (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; (ii)

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define limits and compensation for resource dispatch and curtailments that limit uncompensated curtailment to a specified portion of estimated annual output.

(2) A bid evaluation methodology that ensures all bids are treated equitably, including price and non-price evaluation criteria. Non-price criteria will include, at minimum, consideration of diversity in resource size and geographic location.

(3) Interconnection requirements and study methodology, including how bids without existing interconnection studies will be treated for purposes of evaluation.

(C) After bids are submitted and evaluated, winning bids will be selected based upon the published evaluation methodology.

The Public Service Authority shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report will include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range.”

SECTION 11. Article 1, Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-240. (A) For purposes of this section:

(1) ‘JBRC’ means the Joint Bond Review Committee.

(2) ‘Committee’ or ‘committees’ means the Senate Finance Committee and the House Ways and Means Committee.

(B) The Senate Finance Committee and the House Ways and Means Committee shall review and provide fiscal accountability of the Public Service Authority (authority) no less frequently than every two years. The committees shall provide a report with findings to the Senate Legislative Oversight Committee and the House Legislative Oversight Committee.

(C)(1) Every two years, or as often as requested by either committee, the authority must submit to the committees:

(a) annual audited financial statements;

(b) projected and actual annual revenue;

(c) actual annual expenditures;

(d) any debt issuances in the previous five years, whether short-term or long-term;

(e) percent of annual revenues utilized for administration. For purposes of this item, ‘administration’ includes executive level employees compensation and other operating costs;

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(f) organizational flow chart displaying the position titles and name of executive-level employees;

(g) major components of any long-term capital plan, including timing and cost estimates, and financing plan for such capital investments whether paid from operations or debt;

(h) performance objectives and results;

(i) performance measurements used to evaluate program effectiveness;

(j) any outstanding litigation issues; and

(k) planning documents and progress reports, including budgeted and actual expenditures.

(2) The authority must post its annual audited financial report in a conspicuous place on the authority's website and distribute the reports to members of the General Assembly.

(3) Any problems or issues of concern that arise during this oversight process may be forwarded to the State Inspector General for investigation after a vote of either committee. The Inspector General is granted the authority to complete the investigation.

(D)(1) Prior to issuing any bonds, notes, or other indebtedness, including any refinancing that does not achieve a savings in total debt service, JBRC must approve, reject, or modify the issuance by the authority.

(2) If JBRC does not take action on the issuance within 60 days, the issuance is considered approved.

(3) For purposes of this subsection, debt capacity means the total amount of debt that can be undertaken by the authority while maintaining compliance with its legal, contractual or rating-dependent debt service coverage requirements, incorporating reasonable assumptions and projections for future revenue, interest rates, and term of the indebtedness.

(E)(1) By September first of each year, the authority shall provide an annual report regarding every transaction involving an interest in real property and executed during the preceding twelve months, including:

(a) a summary of the key terms of all contracts effectuating or related to such transactions; and

(b) parties involved in the transaction, including all entities or persons with any type of ownership interest or authority to control.

(2) A transfer of any interest in real property by the authority, regardless of the value of the transaction, requires approval, rejection, or modification by JBRC.

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(3) The reporting and other requirements of this item do not apply to encroachment agreements, rights-of-way, or lease agreements made by the authority and private individuals for residential use on and near lakes in this State.

(F) JBRC, may adopt instructions which must be followed by the authority for any submission pursuant to this section.

(G) Any and all executive compensation and retention programs must be reviewed by the Agency Head Salary Commission. Additionally, any employment contracts or retention contracts that last longer than five years, and all contract extensions, must be reviewed by the Agency Head Salary Commission.

(H) The authority is a public body for purposes of the Freedom of Information Act.

(I) The requirements imposed on the authority pursuant to this section are in addition to any other requirements of law. If any provision of this section conflicts with another provision of law, the provisions of this section shall control to the extent of the conflict.”

SECTION 12. Section 58-31-430 of the 1976 Codes of Laws is amended to read:

“Section 58-31-430. The Public Service Commission may not assign any portion of the present service area of the Public Service Authority to any electrical utility or electric cooperative and this service area must be exclusively served by the Public Service Authority unless otherwise agreed to by the Public Service Authority as described in this section. Santee Electric Cooperative, Inc., Berkeley Electric Cooperative, Inc., Horry Electric Cooperative, Inc. may serve those areas reserved to them as provided in Section 58-31-330. The Public Service Commission is directed to conform the present assignment under Section 58-27-620 to the mandates of this article. Nothing contained in this article may be construed as preventing the Public Service Commission from exercising its jurisdiction over electric cooperative service areas in the manner provided by law. Upon customer choice either the Public Service Authority, ~~or an electric cooperative mentioned above,~~ or Edisto Electric Cooperative, Inc. may furnish electric service to any new premises which the other supplier has the right to serve, upon agreement of the affected suppliers.

Notwithstanding the foregoing, the Public Service Authority shall have the right to enter into agreements with other electric suppliers, as defined by Section 58-27-610, concerning service areas, as contemplated by Section 58-27-640, and corridor rights, as defined by Section 58-27-610. In that event, the Public Service Commission shall have the

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authority to approve said agreements and to reassign said service area or corridor rights. This authority shall only apply in situations where all affected electric suppliers have reached an agreement concerning service areas or corridor rights. With respect to the agreements, the commission shall approve the agreements and reassign said service area or corridor rights if, after giving notice and an opportunity for hearing to interested parties, it finds the agreements to be fair and reasonable, but the commission shall not have the authority to alter or amend any such agreement unless all affected electric suppliers agree to the alteration or amendment. For purposes of this article, the term ‘all affected electric suppliers’ shall include, but not be limited to, the nearest electric cooperative or cooperatives to the proposed service area changes within a five mile radius of the affected service area or corridor. This section shall not confer service territory rights to the Public Service Authority beyond those provided in Section 58-31-330 and Section 58-31-320(2).”

SECTION 13. As part of the process of retiring its coal units, the Public Service Authority shall develop and implement a plan, with community engagement and participation, that: (a) allows employees in good standing who would be directly affected by the closure of the unit to be retained by the Public Service Authority, or provides training opportunities for related employment to affected employees in good standing who cannot be retained; and (b) provides an opportunity for economic development and job attraction in the communities where the retired coal stations are located. Annual written status reports shall be provided to the SC Public Utilities Review Committee.

SECTION 14. (A) To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the members representing the 2nd and 4th congressional districts and the at-large seat designated as the Chair shall expire on January 1, 2022;

(2) The terms for the members representing the 1st and 7th congressional districts and Berkeley County shall expire on January 1, 2023;

(3) The terms for members representing the 3rd and 6th congressional districts and the other at-large seat shall expire on January 1, 2024; and

(4) The terms for members representing the 5th congressional district and Georgetown and Horry counties shall expire on January 1, 2025.

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If any vacancy occurs prior to respective dates established in this SECTION, the Governor may appoint a successor pursuant to Section 58-31-20.

(B) Notwithstanding the term limit provisions in subsection 58-31-20(A), a director serving as of the effective date of this act is ineligible for reappointment unless that director was first appointed after January 1, 2018.

SECTION 15. Chapter 4, Title 58 of the 1976 Code is amended by adding Section 58-4-51:

“Section 58-4-51. (A) Regulatory staff shall have the following duties and responsibilities concerning the Public Service Authority to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff, review, investigate, and make appropriate recommendations to the appropriate entity with respect to the rates charged or proposed to be charged for electric service provided by the Public Service Authority;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff, make inspections, audits, and examinations of, and to make recommendations to, the appropriate entity, regarding electric service provided by the Public Service Authority;

(3) upon request by the commission, make studies and recommendations to the commission with respect to standards, regulations, practices, or electric service provided by the Public Service Authority for matters within the commission’s jurisdiction; and

(4) when considered necessary by the Executive Director of the Office of Regulatory Staff, investigate and examine the condition of generation, transmission, or distribution electric facilities owned or operated by the Public Service Authority.

(B) Regulatory staff may participate as a party of interest, as deemed necessary by the Executive Director of the Office of Regulatory Staff, before regulatory agencies, state courts and federal courts, in matters that could affect the Public Service Authority’s rates or charges for the authority’s electric service.

(C) The regulatory staff may have additional duties and responsibilities related to the Public Service Authority as otherwise provided by law.”

SECTION 16. Section 58-4-55 of the 1976 Code is amended to read:

“Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50 and Section 58-4-51, may require the production of books, records, and other information to be produced

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at the regulatory staff's office, that, upon request of the regulatory staff, must be submitted under oath and without the requirement of a confidentiality agreement or protective order being first executed or sought. The regulatory staff must treat the information as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission. Although the Public Service Authority is subject to the Freedom of Information Act pursuant to Sections 30-4-10, et seq., the authority, when necessary and appropriate, may indicate that documents or information provided to regulatory staff is confidential or proprietary, or otherwise exempt from disclosure in accordance with statute, and the regulatory staff must treat this information in the same manner as public utilities and cooperatives pursuant to this section.

If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary examination or inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the Public Service Authority, or an electric cooperative, the public utility, the Public Service Authority, or

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the electric cooperative that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the regulated operations of the public utility, the Public Service Authority, or the electric cooperative.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility, the Public Service Authority or the electric cooperative may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the consent of the public utility, the Public Service Authority, or the electric cooperative raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an objection or request within sixty days of the date it was filed. During the pendency of the commission's ruling, the public utility, the Public Service Authority, or the electric cooperative making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility, the Public Service Authority, or any electric cooperative that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such

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petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility, the Public Service Authority, or electric cooperative to object to such discovery or to seek relief regarding such discovery, including without limitation, the entry of a protective order. The regulatory staff shall not be required to execute a confidentiality agreement or seek a protective order prior to accessing the documents or information of a public utility, the Public Service Authority, or an electric cooperative, and such information or documents must be treated as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Section 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity. However, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission.

(E)(1) The Office of Regulatory Staff, in order to accomplish any of the responsibilities assigned to it by Chapter 4, Title 58 or any other

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provision of law, may apply to the circuit court for subpoenas to be issued to entities over which the Public Service Commission does not have jurisdiction. Such subpoenas will be issued by the circuit court in the same manner as subpoenas are issued to parties to proceedings before that court, and all rules applicable to the issuance of such subpoenas, including enforcement and penalties, shall apply to subpoenas issued at the request of the regulatory staff.

(2) In order to accomplish any of the responsibilities assigned to the Office of Regulatory Staff regarding the Public Service Authority in which the commission does not have jurisdiction, regulatory staff may request a hearing with the Administrative Law Court.

(F) The actual expenses of the Office of Regulatory Staff incurred in carrying out its duties under Section 58-4-50(A)(12) must be certified annually to the Public Utilities Review Committee in an itemized statement by the Office of Regulatory Staff, shown as a line item in the Office of Regulatory Staff budget, to be assessed directly to an audited electric cooperative by the Office of Regulatory Staff, and deposited with the State Treasurer to the credit of the Office of Regulatory Staff.”

SECTION 17. Section 58-27-190 of the 1976 Code is amended to read:

“Section 58-27-190. The Office of Regulatory Staff has the right at any and all times to inspect the property, plant, and facilities of any electrical utility and the South Carolina Public Service Authority and to inspect or audit at reasonable times the accounts, books, papers, and documents of any electrical utility and the South Carolina Public Service Authority. For the purposes herein mentioned an employee or agent of the Office of Regulatory Staff may during all reasonable hours enter upon any premises occupied by or under the control of any electrical utility or the South Carolina Public Service Authority. An employee or agent of the Office of Regulatory Staff authorized to administer oaths has the power to examine under oath any officer, agent, or employee of the electrical utility and the South Carolina Public Service Authority in relation to the business and affairs of the electrical utility or the South Carolina Public Service Authority, but written record of the testimony or statement so given under oath must be made.”

SECTION 18. Section 58-27-200 of the 1976 Code is amended to read:

“Section 58-27-200. In the performance of its duties under this chapter, an employee or agent of the Office of Regulatory Staff may inspect or make copies of all income, property, or other tax returns, reports, or other information filed by electrical utilities or the South

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Carolina Public Service Authority, with or otherwise obtained by any other department, commission, board, or agency of the state government. All departments, commissions, boards, or agencies of the state government must permit an employee or agent of the Office of Regulatory Staff to inspect or make copies of all information filed by electrical utilities or the South Carolina Public Service Authority with or otherwise obtained by the department, commission, board, or agency of the state government.”

SECTION 19. Section 58-27-210 of the 1976 Code is amended to read:

“Section 58-27-210. Whenever it shall appear that any electrical utility, electric cooperative, the South Carolina Public Service Authority regarding its provision of electric services, or consolidated political subdivision is failing or omitting, or about to fail or omit, to do anything required of it by law or by order of the commission or is doing, or about to do anything or permitting or about to permit anything to be done contrary to or in violation of law or of any order of the commission, an action or proceeding shall be prosecuted in any court of competent jurisdiction in the name of the Office of Regulatory Staff for the purpose of having such violation or threatened violation discontinued or prevented, either by mandamus, injunction, or other appropriate relief, and in such action or proceeding, it shall be permissible to join such other persons, corporations, municipalities, or consolidated political subdivisions as parties thereto as may be reasonably necessary to make the order of the court in all respects effective. The commission must not be a party to any action.”

SECTION 20. Section 58-27-220 is amended to read:

“Section 58-27-220. In addition to the foregoing expressly enumerated powers, the Office of Regulatory Staff must enforce, execute, administer, and carry out the provisions of this chapter relating to the powers, duties, limitations, and restrictions imposed upon electrical utilities and the South Carolina Public Service Authority by this chapter or any other provisions of the law of this State regulating electrical utilities and the South Carolina Public Service Authority regarding its provision of electric services.”

SECTION 21. Section 11 in Act 135 of 2020 is repealed on the effective date of this act.

SECTION 22. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the

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General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 23. Section 58-31-30(C), SECTION 3, takes effect upon approval by the Governor. The other provisions of this act takes effect on January 1, 2022. However, the screening process for the Public Service Authority Board of Directors as provided in this act may begin prior to the effective date so that the directors may begin service on January 2, 2022. /

Renumber sections to conform.

Amend title to conform.

Senator RANKIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Corbin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

H. 3194--Ordered to a Third Reading

On motion of Senator MASSEY, H. 3194 was ordered to receive a third reading on Friday, April 23, 2021.

CARRIED OVER

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

On motion of Senator YOUNG, the Bill was carried over.

CARRIED OVER

H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN

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SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

On motion of Senator YOUNG, the Bill was carried over.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

Remarks by Senator STEPHENS

Thank you, Mr. PRESIDENT. Good morning to my esteemed colleagues here in the South Carolina Senate, staff, ladies and gentlemen, it has been said that we too forget, no longer remember what we say here, but we can never forget what we did here. I am honored to be a member of one of the greatest deliberative bodies in this Nation.

The passion for all to do their due diligence on Bills and Resolutions that come before this Body shows the genuineness of all in the rights of all South Carolinians. The genuineness of these individuals still remain at the forefront of our reason for making a government of the people, by the people, and for the people. I must admit that I saw democracy here in this assembly in action. The questions of Senators, one to the other, exemplify the spirit of cooperativeness and respect. We all may never agree on items, large and small, but it appears to be that after the dust settles, the Senate is still intact. I applaud the efforts of those in this Body, with seniority and respect, for the role that they play in taking me and other freshmen Senators under their wings and showing and telling, through their actions, how to become a good statesman. I said in my introductory address that I will not just propose Bills and Resolutions just to please my ego, but that such will be to assure the health, safety, and welfare for all that saw the need to elect me to this position and for the citizens of South Carolina as a whole.

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Over the past few months, I have read pamphlets, received numerous emails, text messages, as well as presentations, from individuals who are for and against Santee Cooper. I must admit, all parties were good in their pitch to persuade me to do, as they say, "right by the citizens of South Carolina", whether it be the ratepayers or the taxpayers. I applaud all Senators who have joined in the debate, whether by speech or vote -- shows once again our quest to do the right thing. Now as for myself, I deliberated hard into the wee hours of the morning. I deliberated hard throughout the day. What is best for South Carolina, as it relates to the future of Santee Cooper? Let me say, the very meticulous wording of amendments to this Bill assured that nothing about this piece of proposed legislation will not be scrutinized in that regard. Lastly, let me just say thanks to both sides of the aisle, in being good stewards of this great democracy, and with that being said, I must say to the constituents and all the citizens of South Carolina that I am an advocate for reform of Santee Cooper. Thank you, Mr. PRESIDENT.

On motion of Senator GUSTAFSON, with unanimous consent, the remarks of Senator STEPHENS, were ordered printed in the Journal.

THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 2:53 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CONCURRENCE

S. 38 -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: A BILL TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120(A), RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUISITE FOR GRADUATION, TO PROVIDE THAT EACH PUBLIC HIGH SCHOOL MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH

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STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, TO PROVIDE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE FEDERALIST PAPERS, AND THE DECLARATION OF INDEPENDENCE TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; AND TO REPEAL SECTION 59-29-140, RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator GROOMS explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--41

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NAYS

Total--0

On motion of Senator GROOMS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:58 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 23, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

HOUSE BILL RETURNED

The following House Bill was read the third time and ordered returned to the House with amendments:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

On motion of Senator MASSEY.

FRIDAY, APRIL 23, 2021

MOTION ADOPTED

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. DuBose R. Martin of Columbia, S.C. Bosie earned a political science degree from the University of South Carolina. He was a loyal member of his lodge for 30 years where he held many positions and awards. Bosie was a manager for the Clerk of the State Senate and retired from the S.C. Education Lottery after over a 40 year career serving South Carolina. He enjoyed mentoring youth, Gamecock athletics and spending time with family and friends. Bosie was a member of Eastminister Presbyterian Church. Bosie was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, April 27, 2021, at 12:00 P.M.

* * *

Tuesday, April 27, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 18:20

We read in Exodus how Jethro, the father-in-law of Moses, said to him: “. . . teach them the statutes and instructions and make known to them the way they are to go and the things they are to do.”

Bow in prayer with me, if you will: This week, O God, the proposed budget arrives on the Senate floor -- and thus will begin the annual wrestling match as Senators and their aides strive to determine the best outcomes for the State of South Carolina. So we pray this morning, Lord, that You will guide these leaders and make known to them the best ways to tackle this important and necessary work. Surround them with Your grace as they seriously try to provide not only for the needs of our State but also, truly, as they work in ways that will ultimately benefit all of our citizens. And may their decisions, O God, clearly show them to be the serious, responsible, and caring leaders that we always expect them to be. In Your loving name we humbly pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Climer	Cromer
Davis	Fanning	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

At 12:06 P.M., Senator GROOMS requested a leave of absence for Senator VERDIN until 1:00 P.M.

Leave of Absence

At 12:06 P.M., Senator CLIMER requested a leave of absence for Senator GOLDFINCH until 1:30 P.M.

Leave of Absence

At 5:20 P.M., Senator McELVEEN requested a leave of absence for Senator SCOTT until 5:45 P.M.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 767 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GILBERT HIGH SCHOOL GIRLS GOLF TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS AAA GIRLS GOLF STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 768 -- Senators Young, Massey, Setzler and Hutto: A CONCURRENT RESOLUTION TO NOMINATE MR. WILLIAM INMAN TO SERVE ON THE SAVANNAH RIVER SITE RESEARCH AUTHORITY BOARD OF DIRECTORS.

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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

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S. 769 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE KATHRYN ROGERS "KATHY" PADGETT UPON THE OCCASION OF HER RETIREMENT AS MANAGER OF THE SOUTH CAROLINA STATE HOUSE TOUR OFFICE, TO COMMEND HER FOR HER MORE THAN SIX YEARS OF DEDICATED SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 770 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE JAMESON C. BROGGI FOR HIS MANY OUTSTANDING ACCOMPLISHMENTS AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL

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ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 3124 -- Reps. J. E. Johnson and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 1-7-730 RELATING TO THE EXAMINATION OF THE OFFICES OF COUNTY OFFICERS.

Read the first time and referred to the Committee on Judiciary.

H. 3369 -- Reps. Weeks, Fry, Huggins, Dillard, Hewitt, Pendarvis, Trantham, Alexander, Pope, Hosey, Murray and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 17-5-135 AND 17-5-250 SO AS TO REQUIRE, AMONG OTHERS, CORONERS AND MEDICAL EXAMINERS TO COMPLETE CONTINUING EDUCATION ON THE IDENTIFICATION OF DEATHS CAUSED BY OPIATES.

Read the first time and referred to the Committee on Judiciary.

H. 3956 -- Rep. Howard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-320 SO AS TO ESTABLISH THE "SOUTH CAROLINA RARE DISEASE ADVISORY COUNCIL" WITHIN THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE PURPOSE, DUTIES, MEMBERSHIP, AND FUNDING OF THE COUNCIL, TO ESTABLISH CERTAIN REPORTING AND MEETING REQUIREMENTS, AND FOR OTHER PURPOSES.

Read the first time and referred to the Committee on Medical Affairs.

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H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

Read the first time and referred to the Committee on Medical Affairs.

H. 4019 -- Reps. Crawford, Erickson, Bernstein, Fry, Burns, Haddon, Oremus, Long, Chumley, Magnuson, Jones, Bennett, Huggins, G. R. Smith, McCravy, V. S. Moss, Bannister, Collins, Trantham and Matthews: A BILL TO AMEND SECTION 63-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF INFANTS AT DESIGNATED LOCATIONS WITHOUT CRIMINAL LIABILITY, SO AS TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN AND TO CHANGE THE DEFINITION OF "INFANT".

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4187 -- Reps. W. Cox, Hill, West, Gagnon, Thayer and White: A BILL TO AMEND SECTION 6-11-273, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LEVY REFERENDUMS, SO AS TO PROVIDE THAT REFERENDUMS CONDUCTED PURSUANT TO THIS SECTION MUST BE SCHEDULED TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION.

Read the first time and referred to the Committee on Judiciary.

H. 4266 -- Reps. Rose, Bernstein, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry,

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McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE COLONEL DAVID S. GAYLE, DIRECTOR OF JOINT OPERATIONS (J3) FOR THE SOUTH CAROLINA ARMY NATIONAL GUARD, UPON THE OCCASION OF HIS RETIREMENT, TO SALUTE HIM FOR HIS THIRTY-FOUR YEARS OF EXCEPTIONALLY MERITORIOUS SERVICE IN THE UNITED STATES ARMY AND THE GUARD, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 700 -- Senators Alexander and Climer: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION",

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AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 3541 -- Reps. Hixon, Burns and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4035 -- Reps. Hiott, Bailey and Hewitt: A BILL TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

5th Congressional District:

Christine E. White, 1520 Highcrest Way, Rock Hill, SC 29730-6668
VICE Dr. Gretchen Love

Received as information.

Message from the House

Columbia, S.C., April 26, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., April 27, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4064 -- Reps. G.M. Smith, Sandifer and Weeks: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 27, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3805 -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN

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LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 27, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3017 -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: A BILL TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF

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HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 27, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Motion to Ratify Adopted

At 12:31 P.M., Senator MASSEY made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

TUESDAY, APRIL 27, 2021

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H. 4100, THE GENERAL APPROPRIATIONS BILL.**

**REPORT OF THE SENATE FINANCE
COMMITTEE ADOPTED
AMENDED, READ THE SECOND TIME**

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

Senator LEATHERMAN spoke on the report.

**Report of the Subcommittee on
Natural Resources and Economic Development**

Senator SETZLER, Chairman of the Subcommittee on Natural Resources and Economic Development, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Transportation and Regulatory Laws**

Senator JACKSON, Chairman of the Subcommittee on Transportation and Regulatory Laws, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Health and Human Services**

Senator ALEXANDER, Chairman of the Subcommittee on Health and Human Services, was recognized to report to the Senate regarding the work of the subcommittee.

**Report of the Subcommittee on
Constitutional Officers and Administrative Laws**

Senator CROMER, on behalf of the Chairman of the Subcommittee on Constitutional and Administrative Laws, was recognized to report to the Senate regarding the work of the subcommittee.

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Report of the Subcommittee on Criminal Justice

Senator MARTIN, Chairman of the Subcommittee on Criminal Justice, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on K-12 Education

Senator BENNETT, Chairman of the Subcommittee on K-12 Education, was recognized to report to the Senate regarding the work of the subcommittee.

Report of the Subcommittee on Higher Education

Senator PEELER, Chairman of the Subcommittee on Higher Education, recognized Senator TURNER to report to the Senate regarding the work of the subcommittee.

Motion Adopted

Report of the Committee on Finance Adopted

Senator LEATHERMAN asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

The report of the Committee on Finance was adopted.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Revenue and Fiscal Affairs Office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff, Majority and Minority Caucus staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4100, the General Appropriations Bill.

There was no objection and the motion was adopted.

Senator LEATHERMAN spoke on the report.

Amendment No. 6

Senators SHEALY, MARTIN and ALEXANDER proposed the following amendment (BH AID TO SUB-TREAS-SHERIFF), which was adopted (#1):

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Amend the bill, as and if amended, Part IA, Section 113, AID TO
SUBDIVISIONS - STATE TREASURER, page 262, line 14, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	72,450	72,450
and		
INSERTING:	144,900	144,900/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 8

Senators HEMBREE and GOLDFINCH proposed the following
amendment (AGM 5 YR OLD ELIGIBILITY FOR 4K), which was
adopted (#2):

Amend the bill, as and if amended, Part IB, Section 1,
DEPARTMENT OF EDUCATION, page 294, proviso 1.56, after line
34, by inserting:

/ For Fiscal Year 2021-22, in response to the COVID-19 crisis,
children who were eligible to participate in the Child Early Reading
Development and Education Program in the prior fiscal year but did not
participate, shall be eligible to participate in the program during Fiscal
Year 2021-22, subject to classroom availability and funding. /

Amend the bill further, as and if amended, Part IB, Section 1A,
DEPARTMENT OF EDUCATION - EIA, page 323, proviso 1A.29,
after line 34, by inserting:

/ For Fiscal Year 2021-22, in response to the COVID-19 crisis,
children who were eligible to participate in the Child Early Reading
Development and Education Program in the prior fiscal year but did not
participate, shall be eligible to participate in the program during Fiscal
Year 2021-22, subject to classroom availability and funding. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 78.4 of Part 1B was out of order inasmuch as it was not germane to the Bill.

78.4. (INS: Fees for Title Insurance) For Fiscal Year 2021-22, the Department of Insurance shall suspend collections of the municipal tax that is due for Tax Year 2021 on the portion of title insurance premiums that an agent retains for companies that domesticated in the State of South Carolina during Fiscal Year 2020-21.

The PRESIDENT took the Point of Order under advisement.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that Proviso 1A.75 of Part 1B was out of order inasmuch as it was not germane to the Bill.

1A.75. (SDE-EIA: Report Card Date) For the current fiscal year, the department is directed to produce the school report cards by November 1.

The PRESIDENT took the Point of Order under advisement.

Amendment No. 10

Senator HEMBREE proposed the following amendment (AGM 1.96 STUDENT ASSESSMENT V.2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, proviso 1.96, line 3, by inserting a line at the beginning to read:

/ For the 2021-2022 school year, districts must ensure all students in first through ninth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 15A

Senators HEMBREE, GUSTAFSON, MARTIN and KIMBRELL proposed the following amendment (SM VIRTUAL SCHOOL FUNDING SEN. HEMBREE V.2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 310, proviso 1.103 (SDE:

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Public School Virtual Program Funding), lines 25 - 34, by striking the proviso in its entirety, and inserting

/ 1.103. (SDE: Public School Virtual Program Funding) For Fiscal Year 2021-22, school districts shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from the EFA portion of the State Aid to Classroom's district allocation and, if necessary, the state minimum teacher salary schedule portion of State Aid to Classrooms. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 12

Senator BENNETT proposed the following amendment (AGM 1A.73 RETIREE SALARY), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 339, proviso 1A.73, line 20, after /districts./ by inserting / The department may not pay a retiree who qualifies for the earnings limitation exception under this provision more than \$125,000 per year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

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On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 16

Senator CASH proposed the following amendment (4100R032.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 370, after line 33, by adding an appropriately numbered new proviso to read:

/33. . (DHHS: Defunding Planned Parenthood) None of the state funds appropriated for family planning may be expended to directly or indirectly subsidize abortion services, procedures, or administrative functions. Furthermore, none of the state funds appropriated herein may be paid or granted to an organization that provides abortion services. An otherwise qualified organization may not be disqualified from the receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in which the life of a mother is at risk and the termination of a pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT took the Point of Order under advisement.

On motion of Senator ALEXANDER, the amendment was carried over.

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Amendment No. 11

Senators SENN and CAMPSSEN proposed the following amendment (SA\4100C006.NBD.SA21.DOCX), which was adopted (#3):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/ (DHEC: Drainage Facilities) In the current fiscal year, the Department of Health and Environmental Control (DHEC) may not enforce the prohibition against maintenance, repair, or reestablishment activities performed by an approved organization on storm water conveyance systems including, but not limited to, previously established storm water conveyance systems constructed in accordance with state and federal law that are located within critical areas, as defined in Section 48-39-10(J) of the 1976 Code. Maintenance, repair, and reestablishment activities performed pursuant to this provision must be compliant with all state, federal, and local laws, regulations, and guidelines. For previously approved storm water conveyance systems, reestablishment activities performed pursuant to this provision may not exceed the footprint of the previously approved storm water conveyance system. Approved organizations performing maintenance, repair, or reestablishment activities pursuant to this provision must notify DHEC of the location of each storm water conveyance system, repaired, maintained, or reestablished and identify the type of maintenance, repair, or reestablishment activity conducted. Expenditures incurred pursuant to this proviso are to originate from funds provided by the approved organization performing the maintenance, repair, or reestablishment activities unless otherwise agreed upon by the approved organization and DHEC. For the purposes of this proviso, an approved organization includes local jurisdictions, public service, and special purpose districts, agencies, and political subdivisions of this State. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SENN spoke on the amendment.

The amendment was adopted.

Amendment No. 1

Senators HEMBREE and MARTIN proposed the following amendment (MO DRUG COURT FUNDING), which was carried over:

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Amend the bill, as and if amended, Part IB, Section 60, PROSECUTION COORDINATION COMMISSION, page 414, after line 28, by adding an appropriately numbered new proviso to read:

/ (PCC: Drug Court Funding) The funds appropriated to the Prosecution Coordination Commission for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

On motion of Senator HEMBREE, the amendment was carried over.

Amendment No. 33

Senator CORBIN proposed the following amendment (4100R034.SP.TDC.DOCX), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, after line 27, by inserting:

/ For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of total funds expended by the organization, as well as a detailed statement explaining the use that was made of the contribution. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds. /

Renumber sections to conform.

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Amend sections, totals and title to conform.

Senator CORBIN spoke on the amendment.

The amendment was adopted.

Amendment No. 5

Senator CROMER proposed the following amendment (SM 117.116 RETAIL FACILITIES REVITALIZATION), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 520, proviso 117.116, line 2, by striking /2020-21/ and inserting /2021-22/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

Amendment No. 19

Senator MARTIN proposed the following amendment (AGM 117.163 COVID-19), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 536, proviso 117.163, line 22, by inserting at the end:

/ In instances of off-campus learning events for which third party program providers require proof of vaccination, the third party requirements shall apply. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN spoke on the amendment.

Senator KIMPSON spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 3

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AYES

Alexander	Allen	Bennett
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Adams	Cash	Rice
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Total--3

The amendment was adopted.

Amendment No. 38

Senators MASSEY, KIMBRELL, CORBIN, CASH, CLIMER, RICE, MARTIN, GARRETT, GUSTAFSON, LOFTIS and TALLEY proposed the following amendment (4100R035.SP.ASM.DOCX), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 537, proviso 117.166, lines 3 - 6, by striking the proviso in its entirety, and inserting /117.166. (GP: Federal Gun Law)

For the current fiscal year, no law enforcement agency that receives state or local funds shall enforce a federal law, regulation, statute, executive order, or procedure related to firearms put into effect after January 1, 2021, if any such federal action requires the seizure of a firearm, firearm part, or firearm component solely because of its classification or type of weapon./

Renumber sections to conform.

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Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

Point of Order

Senator SCOTT raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MASSEY spoke on the Point of Order.

Senator SCOTT spoke on the Point of Order.

Senator MARTIN spoke on the Point of Order.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HARPOOTLIAN spoke on the amendment.

Senator GUSTAFSON spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator TURNER assumed the Chair.

Senator KIMPSON spoke on the amendment.

PRESIDENT PRESIDES

At 4:43 P.M., the PRESIDENT assumed the Chair.

Senator KIMPSON continued speaking on the amendment.

Senator MALLOY spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator JOHNSON spoke on the amendment.

Senator JACKSON spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis

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Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Martin	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--30

NAYS

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Matthews	McLeod	Sabb
Stephens	Williams	

Total--11

The amendment was adopted.

Motion Adopted

Senator LEATHERMAN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 12:00 P.M.

REPORTS RECEIVED

Joint Screening Committee

For The Legislative Audit Council

Report to the General Assembly April 27, 2021

The Joint Screening Committee for the Legislative Audit Council found the following individuals qualified and nominated for the Trustee seat to which they applied. These individuals will be released to receive commitments on Thursday, April 29, 2021 at 10:00 a.m. The

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concurrent resolution adopted by the General Assembly set the election for Wednesday, May 5, 2021 at 12:00 noon. A complete transcript of the hearings for these candidates will be printed in today's Senate and House Journals.

Legislative Audit Council

At-Large Seat - expires 2027 (one seat)

CANDIDATE FOUND QUALIFIED AND NOMINATED

Dennis P. Caldwell -- *Columbia*

**STATE OF SOUTH CAROLINA JOINT SCREENING
COMMITTEE FOR THE LEGISLATIVE AUDIT COUNCIL
SCREENING HEARINGS**

Wednesday, April 7, 2021

The within hearings, reported by Kathryn B Bostrom, Court Reporter and Notary Public in and for the State of South Carolina; said hearings were taken at the Gressette Building, Room 209, Columbia, South Carolina, on Wednesday, the 7th day of April, 2021, commencing at the hour of 9:33 a.m.

APPEARANCES: Committee Members: Senator Thomas C. Alexander Senator John L. Scott Senator Daniel B. Verdin Representative Chandra E. Dillard Representative Jeffrey E. Johnson Representative William E. Sandifer Committee Staff Martha Casto Julie Price Court Reporter: Kathryn Bostrom, Garber Reporting

SENATOR ALEXANDER: Good morning. I will call this meeting of the joint screening committee of the legislative audit council to order. We appreciate members of the screening committee being present to do the work on this Wednesday April 7. The business before us today is the screening of at large position of the legislative audit Council that expires in 2027. Let the record reflect that we have a unanimous members of our screening committee present for this. We have before us one candidate, Mr. Dennis Caldwell, here in Columbia. If you would come forward and before you're seated, I would like to swear you in. If you'll raise your right hand. DENNIS CALDWELL, having been first duly sworn, was examined and testified as follows:

SENATOR ALEXANDER: We appreciate your willingness to be considered for this position of the legislative audit Council. Would you like to make a brief statement about why you would have an interest in serving on the Legislative Council.

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MR. CALDWELL: Yes, sir. Thank you. Thank you all for your time and for allowing me to come and appear before you today. You have my packet and you have a letter that I have written and handed out this morning. Just briefly I have been in public service my whole life. Whether it's for government or nonprofit organizations, my adult life. Except for one time for a few years. And certainly as a kid, I wasn't in public service. I was shoveling snow and raking leaves and stuff to earn money. But after that I grew up. I think I grew up, but anyway. I've been in public service and I thoroughly enjoy it. I've been in many positions in the healthcare field. Presently, I'm a chaplain at the Lexington County jail and on death row. I can't get into those. I'm a volunteer one, meaning I don't get paid. Which is fine, I don't do it for money. So I'm a substitute teacher in District Five and have a wonderful time doing that. But my background is in Health and Human Services. I was the first director of South Carolina Health and Human Services Finance Division, which later became Health and Human Services agency in the state, and hospital administration and retirement village. So I have worked with all levels of government and I feel like I have a good understanding of how the levels of government work together and work with nonprofit organizations. So I think I can bring a lot of insight and I appreciate y'all listening and inviting me today. And if I am elected I'm really excited about doing this as a public service. Thank you very much for having me here.

SENATOR ALEXANDER: Thank you. And staff has received -- we have before us the information you have provided to the screening committee. Is there any additions, changes, deletions or any information that needs to be updated since you have submitted this information?

MR. CALDWELL: No, sir.

SENATOR ALEXANDER: So you say here that Legislative Audit Council is to do independent objective performance audits requested of the General Assembly. So you see that as the role of the work of the audit Council?

MR. CALDWELL: Yes, sir. It's of vital importance to carry out things of the direction of the General Assembly and the functions that they want to look at and the audit council comes behind and does that. Yes, sir.

SENATOR ALEXANDER: Are there any questions for members of the screening committee? Senator from Richland.

SENATOR SCOTT: Thank you, Mr. Caldwell, for your willingness to serve. Let me say that at this stage in life and career, your willingness to serve and looking at your resume also as a person who spent of a lot of time and finance, auditing and state government -- I'm excited because

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experience you have is very broad. And looking at with their work is going to be like, I think you'll be a good fit for it. But other than that because of the longevity that you've shown, it's just experience across the board. I think that will help with some of the small stuff they may have to go through.

MR. CALDWELL: Yes, sir. I think my experience will help guide me what to look for and what to ask for and be very helpful to you all doing this.

SENATOR ALEXANDER: Is there anything — you outlined the work that you are doing, is there anything that precludes you from being available to do the work as a member of the Legislative Audit Council?

MR. CALDWELL: No, sir. Right now I am a substitute teacher working for Kelley, but I will not be doing that in the fall. If I'm elected to this position, I would want to be able to devote my time to that. And the school system being a substitute teacher, although I thoroughly enjoy it, so is there is nothing.

SENATOR ALEXANDER: Any comments or questions?

REPRESENTATIVE DILLARD: Thank you for being with us. First of all, thank you, Mr. Chairman, thank you, Mr. Caldwell. I'm just curious now, have you been teaching during COVID?

MR. CALDWELL: Say that again, ma'am?

REPRESENTATIVE DILLARD: Have you been substitute teaching during COVID?

MR. CALDWELL: Yes, ma'am. The school needed help. I signed up in August and wore a mask two days a week, and then three days and then five and I got my shot in February so was doing it without it yes. I have had a blessed time as a substitute and still will to the end of the year.

REPRESENTATIVE DILLARD: Thank you for that service. If you can do that you can certainly serve. Thank you so much.

SENATOR SCOTT: Favorable report.

SENATOR ALEXANDER: Okay, we have a motion for favorable.

REPRESENTATIVE SANDIFER: Seconded.

SENATOR ALEXANDER: We have a motion for favorable report and a second from Representative Sandifer. Is there any discussion to that motion? If not, we will take it to a vote on the favorable report that will be provided to the full General Assembly of Mr. Dennis Caldwell of Columbia as at-large member of the Legislative Audit Council. All in favor of that motion, please say aye.

PANEL MEMBERS: Aye.

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SENATOR ALEXANDER: Any opposition? You are unanimously recommended to the General Assembly and staff will be getting with you when that has been determined and also when you're eligible to seek commitments.

MR. CALDWELL: Thank you all very much and I will not let you down.

SENATOR ALEXANDER: We have great confidence in you. That's the purpose of our meeting today. And I will entertain a motion that we adjourn.

SENATOR SCOTT: So moved.

SENATOR ALEXANDER: Anybody who wants to stay can stay, but otherwise, we stand adjourned. (There being no further questions, the hearings concluded at 9:41 am)

**College and University Trustee
Screening Commission
Report to the General Assembly
April 27, 2021**

The College and University Trustee Screening Commission found the following individuals qualified and nominated for the Trustee seats to which they applied. These individuals will be released to receive commitments on Thursday, April 29, 2021 at 10:00 a.m. The concurrent resolution adopted by the General Assembly set the election for Wednesday, May 5, 2021 at 12:00 noon. A complete transcript of the hearings for these candidates will be printed in today's Senate and House Journals.

Coastal Carolina University

2nd Congressional District - seat 2 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

Oran P. Smith -- West Columbia

4th Congressional District - seat 4 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

Brad Poston -- Greenville

6th Congressional District - seat 6 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

John H. Bartell -- Lake City

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At-Large - seat 8 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

Jason Repak -- *Myrtle Beach*

At-Large - seat 10 expires 2025

CANDIDATES FOUND QUALIFIED AND NOMINATED

Mark S. Kelley -- *Conway*

Robert L. O'Brien -- *Myrtle Beach*

At-Large - seat 12 expires 2025

CANDIDATES FOUND QUALIFIED AND NOMINATED

Brett C. Porterfield -- *Columbia*

H. Delan Stevens -- *Conway*

At-Large - seat 14 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

Joe N. Jarrett, Jr. -- *Myrtle Beach*

At-Large - seat 15 expires 2025

CANDIDATE FOUND QUALIFIED AND NOMINATED

Patrick Sparks -- *Myrtle Beach*

Winthrop University

At-Large - seat 10 - expires 2027

CANDIDATES FOUND QUALIFIED AND NOMINATED

Glenn A. McCall -- *Rock Hill*

Old Exchange Commission

At-Large - expires 2027 (one seat)

CANDIDATES FOUND QUALIFIED AND NOMINATED

Greg Ohanesian -- *Bennettsville*

Wil Lou Gray Opportunity School

At-Large - expires 2025 (four seats)

CANDIDATES FOUND QUALIFIED AND NOMINATED

D. Stewart Cooner -- *West Columbia*

Cheryl H. Fralick -- *Lexington*

Michael D. Moss -- *Duncan*

Micheal J. Pryor -- *Branchville*

Gregory Vaughn -- *Pendleton*

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**STATE OF SOUTH CAROLINA COLLEGE AND UNIVERSITY
TRUSTEE SCREENING COMMISSION SCREENING
HEARINGS**

Monday, April 12, 2021

The within hearings, reported by Kathryn B Bostrom, Court Reporter and Notary Public in and for the State of South Carolina; said hearings were taken at the Gressette Building, Room 209, Columbia, South Carolina, on Monday, the 12th day of April, 2021, commencing at the hour of 11:52 a.m.

APPEARANCES: Committee Members: Senator Harvey S. Peeler, Chairman Representative William R. Whitmire, Vice Chairman Senator Thomas C. Alexander Senator John L. Scott Senator Daniel B. Verdin Representative Kirkman Finlay Representative James H. Lucas Committee Staff Martha Casto Julie Price Court Reporter: Kathryn Bostrom, Garber Reporting

SENATOR PEELER: I'd like to call the meeting to order. This is a meeting of the College and University of Trustee Screening Commission. I pray that God continues to bless us all. I understand that Representative King is not going to make it, and I think the speaker is on the way, but if there's no objection, we'll go ahead and get started. Welcome everyone. You have an agenda before you. First of all, Winthrop University, at large, seat 10. Glenn McCall, Rock Hill. Good morning, sir.

MR. MCCALL: Good morning, Senator, everyone.

SENATOR PEELER: It's always a pleasure to see you, sir.

MR. MCCALL: Yes, sir, same here.

SENATOR PEELER: If you would, let me swear you in.

MR. MCCALL: Yes, sir. GLENN A. MCCALL having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. MCCALL: Yes, sir. I'd like to thank each of you for this opportunity to come before you and to be considered once again to serve on the Winthrop University Board of Trustees. As each of you know, these are challenging times, not only for Winthrop but higher ed overall. For one, we're having fewer students that are coming to the university and just through the demographic shifts things are changing also. You probably saw last week a Gallop Poll that said parents, or 46 percent of parents would love for their students to do something other than a four year college degree as far as going to technical school, getting an education or training that would allow them to go right into the job

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market with an employable skill. So we're having great competition, but I think there is opportunity to continue to be prosperous and to grow over time at Winthrop University. So, thank you, sir.

SENATOR PEELER: Thank you. Any questions or comments. Mr. Scott.

SENATOR SCOTT: Yes, sir. Thank you, Mr. McCall for your willingness to serve. I see that you are now the chair?

MR. MCCALL: Yes, have been for the last three years.

SENATOR SCOTT: Yes, sir. How long have you been on the board now?

MR. MCCALL: I have been on the board since 2012, 2011.

SENATOR SCOTT: Tell me a little bit about in the last 12, this last nine years, the diversity plans since we started talking about the diversity plan. You know, when you get to be chair, you're in the hot seat.

MR. MCCALL: Yes, sir. Well, Winthrop, as you know -- we have 5,800 students. Of those, 38 percent of our student body is students of color and primarily African American. The university does a great job. As you probably already know, that of our student body close to 47 percent are Pell eligible students, so we have a mix of diverse students. And we're continuing to grow that, but what we could like also, we want to reach out to those students and first in students, but we would like a little more diversity within that diversity. We would like students from all walks of life that can help afford to pay for some of their tuition. We've giving out quite a bit of funds each year for a scholarship to help those students, the needy student. So we're working towards that.

SENATOR SCOTT: Tell me about your out of state numbers.

MR. MCCALL: Our out of state numbers are fairly low. We were, I think, this last year -- eight percent of our student body was out of state.

SENATOR SCOTT: That's excellent. So where are you pulling your pool of students actually coming from?

MR. MCCALL: Our out of state students?

SENATOR SCOTT: No, in state students. Eight percent is good.

MR. MCCALL: Yeah, the majority of our in state students, believe it or not, are coming from the Pee Dee area, coming from Dillon County, Lee and Darlington and that area, so --

SENATOR SCOTT: So you've got a big influx that are coming from the Pee Dee area?

MR. MCCALL: We have a large influx.

SENATOR SCOTT: So what percentage would you say you think is coming out of the Pee Dee, if you know of the top of your head?

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MR. MCCALL: I don't know off the top of my head exactly.

SENATOR SCOTT: Okay. One other thing. Tell me about the faculty and staff. It looks like you're doing pretty good with your students. How are you doing with faculty and staff, and I know lots of times it's hard to get immediate staff, but you've got --

MR. MCCALL: You're right.

SENATOR SCOTT: -- but you've got adjunct professors, a week promoting them. They'll be coming full time to help try to curb some of those issues. Tell me a little bit about what your plan is.

MR. MCCALL: Yes, sir. As you know from my material, I did 34 years in the corporate environment and banking and almost 20 with Bank of America --

SENATOR SCOTT: Right.

MR. MCCALL: -- and I came here from Texas because of that primary reason --

SENATOR SCOTT: Right.

MR. MCCALL: -- that Hugh McCall wanted to increase diversity in people of color --

SENATOR SCOTT: Right.

MR. MCCALL: -- and especially in the markets we serve --

SENATOR SCOTT: Right.

MR. MCCALL: -- and we're doing the same thing, since we have about 38 percent --

SENATOR SCOTT: Yeah.

MR. MCCALL: -- of students of color. We want within the administration --

SENATOR SCOTT: Right.

MR. MCCALL: -- and the faculty that they can see those that look like them.

SENATOR SCOTT: Right.

MR. MCCALL: So we're doing a good job. I would say within the administration we have two of color that serve in administration and also in the faculty. We're growing that. It's not as steep as we'd like it to be percentage wise, but as you can imagine, for faculty of color with terminal degrees, they have a lot of choices --

SENATOR SCOTT: Yeah.

MR. MCCALL: -- and we're trying to do all we can to reach out.

SENATOR SCOTT: Now the two that you do have, what are they -- are they committee chairs or vice presidents or what are they?

MR. MCCALL: Yes. We have a dean of our arts and science college that's a person of color.

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SENATOR SCOTT: Yeah.

MR. MCCALL: And we also have several chairs and, of course faculty

SENATOR SCOTT: Right.

MR. MCCALL: -- that are not only black, but we have several Muslim. We have Hispanic and so forth.

SENATOR SCOTT: Okay. Thank you so much. I remember when Bank of America built that center. I think Catherine Bessant was probably the --

MR. MCCALL: Right.

SENATOR SCOTT: -- lead VP across the country.

MR. MCCALL: Right.

SENATOR SCOTT: I remember y'all stealing our material from South Carolina and left us with virtually nothing, everything out of Charlotte, so I'm very familiar with that.

MR. MCCALL: Right.

SENATOR SCOTT: Thank you so much.

MR. MCCALL: Thank you, sir.

SENATOR PEELER: Anyone else? Vice Chairman, Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. And welcome again, Mr. McCall.

MR. MCCALL: Thank you, sir.

REPRESENTATIVE WHITMIRE: Having had a daughter graduate from Winthrop, I've always kind of -- and my mother, too, so --

MR. MCCALL: Thank you.

REPRESENTATIVE WHITMIRE: -- excellent, excellent school.

MR. MCCALL: It is.

REPRESENTATIVE WHITMIRE: You listed Winthrop's biggest weakness, don't do a good job of understanding which programs are generating revenue and which are not. Can you expand on that a little bit?

MR. MCCALL: Yes, sir. I think one of the things that as a board we have been working with administration on -- understand, we provide, as you said, sir, a great education, but we also -- we're in the education of business, and we need to know the return on investments. We have 46 programs that we manage and we teach and instruct, but we don't know as of yet which of those are running a surplus or a deficit. So we're in that process of looking, and of course Covid has hastened a lot of the activities that we're doing like so many other universities to understand which programs are generating revenue and which are not. And it's just taking that focus, since the majority of the board come from the business industry, and they have business acumens, we feel that we need to

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understand that, to put revenue into those programs that have potential to grow. Those that are not growing, either we fix them or we discontinue those.

REPRESENTATIVE WHITMIRE: How long do you think this process will take eventually?

MR. MCCALL: I would think by the end of the year. That's our goal --

REPRESENTATIVE WHITMIRE: Okay.

MR. MCCALL: -- to have this information working with --

REPRESENTATIVE WHITMIRE: Looking forward to hearing back from whoever the next trustees are coming for us --

MR. MCCALL: Yes, sir.

REPRESENTATIVE WHITMIRE: Thank you.

MR. MCCALL: Yes, sir.

SENATOR PEELER: Representative Finlay.

REPRESENTATIVE FINLAY: Yes, sir. Good to see you again.

MR. MCCALL: Yes, sir.

REPRESENTATIVE FINLAY: Hope you're well. You know, the point you just hit on is one that I think is across all universities. Some years ago, it was at another university, one that I'm sure Harvey Peeler or Senator Peeler thinks about probably morning, noon and night, and they made the point --

SENATOR PEELER: Not as much as Senator Alexander.

REPRESENTATIVE FINLAY: -- and they made a very good point that -- perhaps this university is hypothetical -- for example, an education program and a nursing program have very different returns --

MR. MCCALL: Right.

REPRESENTATIVE FINLAY: -- and not only for the students, but for the cost. And they said one of the struggles is that at times we, the state, require universities to stay in programs that lose a lot of money, and we don't always pick up the entire bill. Is that an issue y'all are facing?

MR. MCCALL: We feel it is from a high level and talking with deans and the chairs and not having the analysis done. We have analysis looking at an academic master plan, but it doesn't take into account the financial components of our program, so -- and that's what we're trying to get to the bottom of --

REPRESENTATIVE FINLAY: I very much --

MR. MCCALL: -- to understand that.

REPRESENTATIVE FINLAY: -- look forward to seeing it, because I think if we're not careful, we're committing or creating a system where various universities in the state are competing for the same programs, and none of them achieve the economy of scale. So we're spending

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more, and I think what y'all are doing is to be commended, because it's going to be something that we have to do at all universities across the state to make sure we don't have a whole lot of duplication here.

MR. MCCALL: And I thank you for that, and I think you'll understand that. Most of you are -- have your own business or in business, and you understand you can't run a business if you don't know which products are generating revenue and services and which are not, so --

REPRESENTATIVE FINLAY: Mr. Chairman.

SENATOR PEELER: Senator Verdin, Senator Alexander, which one? Go ahead, Senator Verdin.

SENATOR VERDIN: Thank you both, Senators. Mr. McCall, I appreciate the fact that we want the best educated, prepared students in all our institutions as possible.

MR. MCCALL: Yes, sir.

SENATOR VERDIN: We also want the best citizens. Now what I know about you is that you are very familiar with the founding documents, the founding fathers. When a senior matriculates or when a senior graduates from Winthrop, is he better off in the understanding of our body politic civil discourse, founding fathers, founding documents, documents of covenant in the Constitution than when he arrived there as a freshman?

MR. MCCALL: I wish I could say yes, completely -- say yes to that, and that is something that the board -- we have been discussing. We have worked with several organizations. We have a -- as a matter of fact, this fall the board had insisted that we have a conservative talk course teach that would talk about a conservative, not only the opposite to that, ideology, talk about the Constitution and why -- talk about capitalism, liberalism, socialism, so --

SENATOR VERDIN: Yeah. I wouldn't restrict even my thoughts to conservatism. I'm just interested, regardless of conservative or a liberal, someone who as a citizen of this country is more inclined to help build up the constitutional republic we live in rather than hasten its demise --

MR. MCCALL: Right.

SENATOR VERDIN: -- so -- and it's encouraging to know that you and your colleagues are attuned to this matter, which I believe the days in front of us are going to go more appointed to this.

MR. MCCALL: Yes, sir. Thank you.

SENATOR VERDIN: Thank you, Mr. Chairman.

SENATOR PEELER: Speaker, welcome.

REPRESENTATIVE LUCAS: Thank you, Mr. President.

SENATOR PEELER: Good to see you, sir.

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REPRESENTATIVE LUCAS: I'm delighted to be here, and I appreciate being a part of this.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. President. And good to see you this morning.

MR. MCCALL: Yes, sir.

SENATOR ALEXANDER: In following up on the two representatives, and then also looking under five and you talk about the biggest weakness, understanding which programs generate the revenue and whatnot, but we also go on -- I think, the other part of that equation is training an employable skill set of creating a four year program to re-engineer our course of delivery process and the brick and mortar. So are you saying they're making sure that whatever, you're wanting to make sure that you've got degrees that they can go out and be employed and be productive citizens to kind of go along with the senator from Laurens?

MR. MCCALL: Yes.

SENATOR ALEXANDER: So how do you -- is that part of the evaluation that you're doing on the other side of the cost benefit and being -- whether it's making money, but also isn't it making sure that the students are getting a degree that they can get a job with? So how do you balance that?

MR. MCCALL: Well, a great example, Senator Alexander, that we're working with is York Tech and having a bridge program. York Tech has a great program allowing students to go into corporate America in data mining, data analytics and coding, for example. And the Charlotte market is really huge in that. As a matter of fact, Wells Fargo, Bank of America, they're hiring those students and putting them through their training, and in a couple of years they're making 70, \$80,000.00. Well, a lot of those students will likely even get deeper into that topic around data security and cyber security, and so we're offering those bridge programs that help them to be employed. We're also -- this fall, we're coming out with certificate programs in cyber security and data analytics. So you don't have a degree to be -- to help you get those skill sets to be employed. Also, and I'll say finally, what we're asking our faculty and especially the business school, come up with a program, a degree program, that would allow students to get a degree, an employable degree in four years, not six, not seven, not eight, four years, because the market is demanding that. And we think we can do that working with York Tech in their bridged program facet.

SENATOR ALEXANDER: Thank you. Thank you, Mr. President.

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SENATOR PEELER: Thank you. Anyone else? What is the desire of the committee?

SENATOR SCOTT: Favorable.

SENATOR PEELER: Okay. Favorable. Seconded? All in favor, raise your right hand. Opposed, none. Unanimous. Thank you so much for your willingness to continue to serve.

MR. MCCALL: Thank you, sir. Thank everyone.

SENATOR PEELER: Next Coastal Carolina University, the Second Congressional District, Seat 2, Oran Smith. Good afternoon, sir.

MR. SMITH: Thank you, Mr. Chairman.

SENATOR PEELER: For the record, give us your full name.

MR. SMITH: Yes, Oran Perry Smith.

SENATOR PEELER: Okay. Let me swear you in. ORAN PERRY SMITH, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. SMITH: The only brief statement I would like to offer is I provided the Committee with a lot of statistics as a part of my questionnaire because I wanted there to be a basis for some of the points that I made in that questionnaire, and I realize that those charts in many cases were very small, and I did not provide a magnifying glass to you. So Julie is kind enough -- Ms. Price is kind enough to be handing out larger versions of those charts with that data.

SENATOR PEELER: Thank you. Senator Finlay pointed out my age earlier, so thank you for this.

MR. SMITH: Yes, sir. I would simply say I am an original trustee of Coastal Carolina. When Coastal Carolina USC, Coastal Carolina College sought its independence and won that under the Campbell administration in 1993, a fresh board was elected from scratch, and I have been a member of the board since then. It's been my pleasure to be there and to watch this university grow.

SENATOR PEELER: Questions?

SENATOR VERDIN: Mr. Chairman, thank you. You're going to represent -- you're going to be the representative designated respondent for all your colleagues or candidates and applicants on Coastal before us today to answer that last question I asked of Mr. McCall. Of course, to me you're a known quantity. I was just counting back the years, 35 years ago we were roommates. So I know where you are as it relates to your commitment to the education of young people, because we were mighty young, but this is a matter of significance. It's a matter that's been bubbling up in the halls of the Legislature, debating the efficacy of a

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renewed focus here as it relates to civics, basic civics, founding documents, founding fathers, interpretations. What's going on?

MR. SMITH: Well, this is where, as far as Coastal Carolina goes, not to sound like the mother ship, but it may be a place where we might get a little bit cocky. And the reason for that is Coastal Carolina was blessed for many years with a member of our political science faculty who served on the core curriculum committee. And that core curriculum committee, which revised the general educational requirements on a regular basis, this individual, who by the way is now a member of the Commission of Higher Education -- this individual made sure that in Coastal's core there would always be the requirement that every student that graduated from Coastal would have to complete an American history course or a political science course. Those were graduation requirements. And because of those requirements, we very easily have been able to follow the state law in regard to the federalist papers, the Constitution, the Declaration in that nature, because they are required as a portion of one of those two courses so that every student is exposed to those documents, is required to read those documents. And speaking of academic freedom, if I may, how those documents are taught are going to vary from professor to professor. So academic freedom is still present, but the requirement to know our founding documents is also present.

SENATOR PEELER: Thank you, sir. Representative Finlay.

REPRESENTATIVE FINLAY: So to be clear, in your opinion, Coastal is compliant with state law regarding the number of hours and in credits that are required on the founding documents?

MR. SMITH: Yes. I would even say uniquely compliant.

SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman, and welcome again, Mr. Smith.

MR. SMITH: Thank you, sir.

REPRESENTATIVE WHITMIRE: Not a question, but I just want to make a statement. I really appreciate you providing these higher ed statistics. I've never been able to compare all the schools in our state at one time, and this will be very telling for me when I start asking questions of the different schools, so thank you very much for that.

MR. SMITH: Thank you. And I think you'll see Coastal's position. You know, it is what it is, and in some of those charts -- there were nine charts I gave you -- I would say seven of those charts I'm very happy with where Coastal is. A couple of them -- Senator Scott, I'm not so happy where Coastal is, but hopefully that will be of help to you.

REPRESENTATIVE WHITMIRE: It will, thank you.

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SENATOR PEELER: Anyone else?

SENATOR SCOTT: Yes, sir. Thank you again for your willingness --

SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you, Mr. Chairman. Thank you again for your willingness to serve. I was looking at tuition, required fees full time, and saw an increase of 43 percent. That is your page number 5. How much of the tuition or in state funding is actually funded by local government in your area?

MR. SMITH: The role of local government for Coastal is primarily through our portion that we receive of the penny sales tax --

SENATOR SCOTT: Right.

MR. SMITH: -- which is primarily on accommodation, so people who pass through Horry County are helping us pay for primarily buildings and buildings --

SENATOR SCOTT: Capital.

MR. SMITH: -- and what we have needed as our student body has grown from 4,000 when I was sworn in as a trustee to just under ten. So the ability to use penny sales tax dollars for capital expenditures has allowed us to not have to use tuition dollars to do that and allowed us for three years to have flat tuition. And to that also I would give the credit to our chairman of the board at the time, who was a CPA who went very deeply, much more than a typical trustee would do. He went very deeply into our expenses and found a way for us to freeze tuition for three years in a row, but the capital expenditures from the local citizens and then some support from the Horry County Higher Education Commission have helped us keep tuition very competitive.

SENATOR SCOTT: Okay, great. I'm looking at your page 7. You talk about your student enrollment. On your diversity side, black males, black females compared to a total of 9,760 students, roughly 1,700. The makeup of other students of color at Coastal, you have 17.76, almost 18 percent. The other makeup of minority students at Coastal, a percentage Asian are the --

MR. SMITH: This chart was a little wider originally with Asian, I think, pacific islander --

SENATOR SCOTT: Right.

MR. SMITH: -- and some other categories, but I just chose to kind of bore in on --

SENATOR SCOTT: That's okay.

MR. SMITH: -- on African American. As you can see, this is the chart that my predecessor before you would have wanted to hand out --

SENATOR SCOTT: Right.

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MR. SMITH: -- because this is where Winthrop really shines and Frances Marion really shines, and this is where we've got work to do, particularly with African American population, I think, being roughly 20
SENATOR SCOTT: Twenty-seven percent.

MR. SMITH: We have at least 12 points. And again, one of our board members says frequently, only that which gets recorded gets done, and only that which gets tracked gets done. And part of my reason for sharing this is I hope if I come before you in the future if I should be so fortunate, that I hope this number's going to be much higher, but we know what it is. And this took some calculating, because it's not something that's readily available.

SENATOR SCOTT: What percentage of students are out of state students?

MR. SMITH: Currently undergraduate total headcount out of state students is 42 percent, so we're basically 58 in, 42 out. And that's based on the actual tuition rate that is paid by the student. So if a student is a member or part of the academic common market where we have students that may live out of state, but because that state may not have a program we have, they may be paying in state tuition. So the only footnote I would put on that is it is based on that, so 58 percent in state, 42 percent out of state.

SENATOR SCOTT: Where do most of your students come from, Coastal?

MR. SMITH: A large percentage from Horry and Georgetown Counties, which is sort of our home base.

SENATOR SCOTT: More regional.

MR. SMITH: But more regionally, primarily northeast. So out of state, not as much midwest, but more northeast, places that get really cold during the winter.

SENATOR SCOTT: Okay. They just love your beaches.

MR. SMITH: Yes, sir.

SENATOR SCOTT: Okay. Well, one other question. When you look at your in state students, which is the 58 percent, most of that 58 percent is more regional, kids who actually drive in, or most of these kids actually live on campus?

MR. SMITH: I would say generally that they are in sort of a metropolitan statistical area, from Myrtle Beach, Conway, Georgetown, not as strong north of -- well, in the 864, we're a little weak in the 864 area code, if we kind of picture that --

SENATOR SCOTT: Right.

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MR. SMITH: -- we're stronger in the 843 and the 803. In fact, our new president has made it one of his goals as to expose more people in the upstate to Coastal.

SENATOR SCOTT: Pell grants, what percent of your students are on Pell grants?

MR. SMITH: You know, I have an old chart that's a few years old --

SENATOR SCOTT: That's okay.

MR. SMITH: -- and I'm reluctant to rely on it --

SENATOR SCOTT: That's all right.

MR. SMITH: -- but --

SENATOR SCOTT: We won't hold you to it.

MR. SMITH: -- these numbers show about 30 percent.

SENATOR SCOTT: Okay. Thank you, Mr. Chairman.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. Chairman. And good afternoon, Dr. Smith. Always a pleasure to see you, and again, I appreciate the information that's been provided to you from that standpoint. Kind of following up, if you looked at all -- you said that the information you provided was based on the undergraduate. If you took it to the graduate level, does that change those dynamics?

MR. SMITH: It's very hard to stay ahead of Senator Alexander, but --

SENATOR PEELER: It's impossible.

MR. SMITH: These are charts that are -- the data is published by the Commission of Higher Education, and their higher education almanac and the first citation was tables 1.7. Table 1.8 is all students. So what I had before was undergraduate. All students is 51 percent in state.

SENATOR ALEXANDER: Fifty-one percent are in state. Are you using that same designation, though, of those in state that if they -- if the state that they reside does not have that program, you are counting them as an in state, that they're paying in state tuition?

MR. SMITH: You know, this chart does not --

SENATOR ALEXANDER: You can get back to me. I was just curious

MR. SMITH: -- sorry about that.

SENATOR ALEXANDER: -- about that.

MR. SMITH: Right.

SENATOR ALEXANDER: It seems like y'all are making progress of having more in state students than out of state. That's not always been the case, right?

MR. SMITH: Right. We have been very heavily -- we have done well with out of state students, and they, of course, pay the full ride. And I think one of the charts I presented to you had in state versus out of state

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tuition change over time. And our out of state tuition and fees, we've made sure that that kept pace so that truly out of state students are paying the full ride.

SENATOR ALEXANDER: Thank you. One final question. Getting back, are y'all also evaluating your courses of making sure that students are having an employable job once they get that degree at Coastal?

MR. SMITH: I think we do a fair job of that, maybe not as well as some of the private institutions. From an article I read recently in the Chronicle of Higher Education, our own Furman University does probably the best job in the state, based on this article, in tracking that. And that's something I think that we can do a better job of, and actually it's something that our new president has also called for.

SENATOR ALEXANDER: I would hope all higher education would do that.

MR. SMITH: And a part of that question maybe is the whole issue of the courses and whether they are losers, money losers. We made some unpopular decisions in the past, four or five years, where we cut some majors because they just weren't paying for themselves. And it was painful and caused a great outcry, but we just felt that majors that aren't paying for themselves ultimately we just can't afford to keep.

SENATOR ALEXANDER: Thank you so much.

SENATOR PEELER: Representative Finlay. Speaker Lucas.

REPRESENTATIVE LUCAS: Yes, sir. Thank you, Mr. President. Oran, how are you?

MR. SMITH: Yes, sir, all right.

REPRESENTATIVE LUCAS: Oran, you made the statement that 43 percent of the students coming from out of state, they are paying the full ride, which is the full out of state tuition?

MR. SMITH: Right.

REPRESENTATIVE LUCAS: One of the problems that I've noticed and we've noticed in a lot of our colleges and universities across the state is the full ride that you are charging is still less than the in state tuition, say, that they would be paying in New Jersey, and I will use Rutgers as an example of that. We get students who come down to school in South Carolina, and it's cheaper for them to come here and pay the out of state tuition than stay and pay the in state tuition. Y'all having so large a number of students coming from out of state, have you been able to track that to ensure that the students who are truly coming to Coastal Carolina are actually paying more than they would than if they stayed in their original home state?

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MR. SMITH: I'm both glad and not so glad that you asked that question. I'm glad because Coastal Carolina's out of state rate is 27.3, 27.4 and our in state rate is 12, 11.6, but we are keeping a constant eye, and Rutgers is one of them, but we're keeping a constant eye on those northeastern state universities and what their tuition is, because at the point that we're not competitive anymore, it harms our business model. It just won't work anymore if they can go to school at home more cheaply. So I don't think -- unless those universities in the northeast are forced to increase their tuition, I don't know that we have a lot more wiggle room left, frankly. I think it's something that we're watching very carefully, because we definitely do not want to be noncompetitive and then lose the out of state students that kind of make our model work, yes, sir.

REPRESENTATIVE LUCAS: Thank you.

SENATOR PEELER: Mr. Finlay.

REPRESENTATIVE FINLAY: Thank you. You know, there's sort of three various interesting data which I did not understand until I visited Coastal. First, with the component of the investment in that campus that is subsidized by the county, it makes them a very different animal than most of our other schools. And so I went down asking the question about in state versus out of state, and the president at that time basically -- the way he thought about it is that county had made an investment in making sure that they go forward to have a higher percentage of in state, out of state, by using bond money to build the buildings. I'd never thought about it like that, but that was their competitive advantage. The second comment that I heard was from a gentleman who used to work in the House, who is now at a college on the coast, that the real issue becomes for a lot of people that when it's not whether they're the same price, it's when they get out of a percentage above those in state universities. An example he used was 30 years ago the University of Maryland versus this college, it was \$4,000.00 more expensive to go to this university out of state than the University of Maryland. It's now 20. So parents making those decisions out of state all of a sudden had pause. So I'm glad that you have recognized that that pause is going on, because the third point is, a lot of universities up north have decided to pause the growth of in state tuition. So when they freeze their in state tuition that is going to trickle back very quickly to y'all, because that percentage when it goes from \$4,000.00 a year to \$20,000.00 a year to send little Katie down from New Jersey to Coastal or the College of Charleston, that math changes very quickly. So I'm glad y'all are on top of it, and I think the Speaker did a good job of starting the debate or the dialogue, but that is

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going to be something that becomes ever more important for y'all to watch, because y'all will price yourself out of the market.

MR. SMITH: Yes, sir. And the other state that we're watching like a hawk is North Carolina. They are offering incredible deals to stay in state. And we're -- some of those students that come over the border, we've got to keep them coming over the border, but North Carolina and Georgia both, they are stiff competition, because they want to keep their in state people in state. And we're keeping an eye on them and hope that we can remain competitive.

SENATOR PEELER: Anyone else? Senator Scott.

SENATOR SCOTT: Yeah, one quick question. So I'll go back to something we started talking about years ago, using diversity and also using -- creating another model to start keeping our best and brightest at home, too. This is not a pattern that these other states started doing. They've been doing it for quite some time, but we just kind of overlooked it and got too used to getting out of state students to balance the budget and continue to grow these institutions to a point that we really can't afford to operate without those students. I want to bring your attention to chart number 6, which I think we'll talk a little bit about this case of out of state, in state staying in tuition as a percentage of state median household income. Are you saying for Coastal it has maintained the same median household income, I guess, for the last nine years?

MR. SMITH: Yes, sir. This is from an independent website --

SENATOR SCOTT: Right.

MR. SMITH: -- called how colleges spend money, and I simply downloaded the portions for South Carolina universities, and I'm not sure of the numbers in between 2010, '11 and '18, '19, but when they're compared one to one, we and College of Charleston, for some reason, are roughly almost exactly the same percentage of median household income. And the reason I supplied this to you is, again, we don't want to price ourselves out of what an average household --

SENATOR SCOTT: So when I look at a college that has lost in the trend of minus four percent household income, that means that either in the area which the normal recruiting has been taking place those folk either have relocated or just no longer come to that school. So it creates a tremendous factor on the school. That's why I asked you about Pell grants and others. Where you had 30 percent, that school is at 80 percent, and so it doesn't have the household income to be able to pay it for these kids, actually being able to get money to go to school.

MR. SMITH: Right. One thing about that chart that I should have noted is, for instance, South Carolina State went from roughly 22 percent down

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to 21 percent. So over time, South Carolina State has a slightly lower -- the tuition is a slightly, very slightly, lower percentage of the average personal income. So that university sort of stands alone as the only one that's --

SENATOR SCOTT: What -- based upon the tuition that it charges and a median household income that is paying, then you had more students who went on Pell grant than students who could actually pay to go to school, because the household income just wasn't there.

MR. SMITH: Right, yes, sir.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Thank you. Anyone else? What is the desire of the committee.

SENATOR ALEXANDER: Move favorable.

SENATOR PEELER: Favorable.

SENATOR VERDIN: Second.

SENATOR PEELER: Seconded. Any discussion. Hearing none, we will take the vote. All in favor, raise your right hand. Unanimous. Thank you so much, sir.

MR. SMITH: Thank you, sir. Thank you for your time.

SENATOR PEELER: Still with Coastal Carolina University, 4th Congressional District Seat 4, Brad Poston. And so for the record, if you would, give us your full name.

MR. POSTON: Sure. Bradley James Poston.

SENATOR PEELER: Swear you in. BRADLEY JAMES POSTON, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. POSTON: Just to thank you guys for allowing me the opportunity to be here.

SENATOR PEELER: I love a brief statement. Thank you.

MR. POSTON: I'll be plenty brief. I don't have near the knowledge of the last two.

SENATOR PEELER: You've done your homework. Questions. Comments? Senator Alexander.

SENATOR ALEXANDER: Just one question. I think it said that you visited the campus often. How would you define --

MR. POSTON: How would I define the campus.

SENATOR ALEXANDER: Well, no. How would you define how often is often from your standpoint?

MR. POSTON: So I just moved to the upstate about four years ago. Prior to that, I lived in Myrtle Beach for -- since the time I graduated

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from Coastal. So I'd say, pre Covid we went back three times a year, usually in the fall and the last year or so not as much, less.

SENATOR ALEXANDER: Thank you.

SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: No, I didn't have anything.

SENATOR PEELER: Okay. Senator Scott.

SENATOR SCOTT: Mr. Poston, why do you want to serve?

MR. POSTON: Well, I have a passion for the university. I think it's a unique opportunity, something I kind of considered earlier in my life, and once the opportunity presented itself I thought about it, and it's just a unique opportunity. It's something that many of my colleagues where I work don't really have much experience in governmental type things, and that's the main reason. I just -- I love the university. It's allowed me to be here today.

SENATOR SCOTT: What do you think that you can do? What do you think you'd bring to the table and a board that's diverse as Coastal, and you just said the person before you with all the experience -- what experience do you actually bring?

MR. POSTON: I am a CPA --

SENATOR SCOTT: Okay.

MR. POSTON: -- I think I'll be able to help in the financial aspect of the board's jobs. And to be honest with you, I don't necessarily know everything that I'm going to be faced or challenged with, so I don't know that I can answer what I can help with, because I don't know necessarily what I'm going to be faced with. I do think I will be able to help in various aspects. I played sports at the university. You know, when I first arrived at Coastal it was a much smaller university than it is now, and the whole area around it for that matter, so I do think I've kind of seen how things have progressed over the last couple of decades, and I - - you know, I think that the insight will be valuable going forward.

SENATOR SCOTT: Are you related to Roger?

MR. POSTON: I don't believe so, but I have a lot of kin that I'm not so sure. It's possible.

SENATOR SCOTT: Well, he's okay. You can claim him. He's not a bad fellow.

MR. POSTON: Okay. I'll claim him then. You can't have enough good ones.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Speaker Lucas.

REPRESENTATIVE LUCAS: Mr. Poston, good afternoon.

MR. POSTON: Good afternoon.

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REPRESENTATIVE LUCAS: Thank you for being here today. You're a CPA; did I hear that correctly?

MR. POSTON: Yes, sir.

REPRESENTATIVE LUCAS: Price Waterhouse?

MR. POSTON: Yes, sir.

REPRESENTATIVE LUCAS: I couldn't help but note a comment by Mr. Smith before you talked about, you know, cutting certain majors at a school. Having a background as a CPA, how do you feel about going in and looking at the program and majors that can't produce the type of graduate that could, say, go in and go out in the work force and get a job sufficient enough to pay back a student loan? I know many of the colleges are looking at where the trend was many years ago when you could get as many people in school as possible. Now it's sort of a trend that we need to look and see if certain majors are not only beneficial but can, in fact, you know, sustain a loan to pay back after the student has gotten out of school. How do you feel about that, being a CPA?

MR. POSTON: I mean, I see the point. I --

REPRESENTATIVE LUCAS: Would you be willing to go in and make a hard decision to cut a major?

MR. POSTON: With all of the facts present, yes. Currently, I can't say that I would be happy to do so or would do so or would not do so, because I don't necessarily know everything that comes with making that decision. I'm sure I'll learn that quite quickly, but in terms of analyzing the financial data, I think I could do that, and that's pretty black and white without taking anything else into account. I think I'll be able to help with that type of --

REPRESENTATIVE LUCAS: You should definitely have that ability. That would be a good -- yeah.

SENATOR PEELER: Anyone else? I notice you're a former district manager for Waffle House.

MR. POSTON: Yes, sir.

SENATOR PEELER: What was your responsibility? Would you ever have to cook?

MR. POSTON: Oh, yeah. All Waffle House management starts as a cook. All managers have to cook.

SENATOR PEELER: I've told my children that has to be the toughest job being an HR manager at Waffle House.

MR. POSTON: Actually the HR people kind of stay out of the restaurants. The operations managers is the -- it's a tough career.

SENATOR PEELER: You played ball at Carolina, Coastal Carolina?

MR. POSTON: Coastal Carolina, yes, sir.

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SENATOR PEELER: What did you play?

MR. POSTON: I played right tackle mostly, offensive line.

SENATOR PEELER: Did you have a mullet back then?

MR. POSTON: For a brief time before it started fading on me, and I had a mohawk, too. That's not happening these days.

SENATOR PEELER: Any other questions or comments. What's the desire?

SENATOR VERDIN: Favorable.

REPRESENTATIVE FINLAY: Favorable.

SENATOR PEELER: The motion is favorable. There being no more discussion, we'll take it to a vote. All in favor, raise your right hand. Unanimous. Thank you for your willingness to serve.

MR. POSTON: Thank you for your time.

SENATOR PEELER: Now Sixth Congressional District, Seat 6, Coastal Carolina University, John Bartell. Good afternoon, sir.

MR. BARTELL: Good afternoon.

SENATOR PEELER: For the record, if you would, give us your full name.

MR. BARTELL: John H. Bartell, Jr.

SENATOR PEELER: Let me swear you in. JOHN H. BARTELL, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. BARTELL: I have been on the board for four years, and I have thoroughly enjoyed my time on the board, and I look forward to continuing.

SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Tell me about your experience on the board for the last four years. What were you able to achieve? What did you see that Coastal needed to do to improve? Just kind of your overview of Coastal and things like the previous members running for the board or back to the board talked about.

MR. BARTELL: Well, the tuition is always a big thing when it comes to college, and we have managed the last two years to hold out the tuition at the same level that it started at. And we're trying to recruit more Afro American students, in state students and Spanish students to grow our enrollment. And right now we're at 18 percent Afro American, 66 percent Caucasian and six percent Spanish and the other ten percent are Native American, Asians and one that didn't fill out anything on their application.

SENATOR SCOTT: What do you think about the growth? Do you think y'all are big enough, or you think you need to grow some more? Do you

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think you need to concentrate more on what's going on in South Carolina compared to these other states?

MR. BARTELL: Well, I think we should grow more. We're down to just under 10,000 now, and for the last three years that I've been on the board we were around 10,500 or 10,600. We've lost a little bit. Of course, the Covid had a lot to do with that. And I think with Coastal giving the opportunity for any in state student that is eligible for college, Coastal will accept them, which I think is a great thing.

SENATOR SCOTT: Now you said you think you should grow. You mean you want to grow back to the 10,000, or do you want to get to be a much larger school?

MR. BARTELL: I would like to get up -- I think we should be much larger.

SENATOR SCOTT: So if that happens, and we continue to see the trend like the other senator from Richland -- other House member from Richland talked about -- what's going on across this country, especially you being adjacent to North Carolina, right on the oceanfront, because that's going up the coast, and all of a sudden these kids aren't coming over here, how do we balance our budget when we're slow in recruiting students coming in, out of state students slow down, and you're not getting enough in state students, I mean to say, at what point do you balance all that out?

MR. BARTELL: Well, most of our out of state students are from Maryland, surprisingly.

SENATOR SCOTT: Okay.

MR. BARTELL: You have to have a -- you also have to have a number of out of state students, and the tuition they pay has to be in line with what they can't get an education for in their own home state. And ours right now is in the neighborhood of 27.4 for out of state students. And our in state students are around 11.9 now.

SENATOR SCOTT: Well, in knowing the particulars, I just want to make sure you pay close attention as a board member any event, the Covid pandemic or because of economics, just in case this trend were to stop, and to spend a little bit more attention on trying to recruit more in state students if you're going to grow.

MR. BARTELL: Yes, sir.

SENATOR SCOTT: At least that's a group you can keep. How do you feel the diversity at your school?

MR. BARTELL: I think we have a better opportunity to see more diversity in our school with the percent of Afro American students and Spanish students, but right now, like I say, we're sitting at about 18

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percent Afro American and six percent. And I'm not saying that couldn't grow, and I think it should grow.

SENATOR SCOTT: We hope you are able to continue to recruit African Americans, not Afro, but African American student, and they'll have an interest in coming to Coastal to get a good education. Also, normally when you recruit those students, whatever schools you come from, it becomes just a pattern, trend, based on the relationships and how students would come. Thank you.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Two brief questions, if I could. One is, your attendance as a board member, how would you describe that? Have you had 100 percent, 90 percent, since being on the board?

MR. BARTELL: When I first went on the board I had to have open heart surgery in July.

SENATOR ALEXANDER: Okay.

MR. BARTELL: So I missed the first July, August and November. Then I've had 100 percent attendance.

SENATOR ALEXANDER: Thank you, sir. The other thing you say here says, as the board member setting policy and approve decisions made by the president. So you setting policy is the role of the board and not going into different departments and not trying to run the university. Is that --

MR. BARTELL: Yes, sir.

SENATOR ALEXANDER: -- my understanding of what you're saying, or do you need to elaborate?

MR. BARTELL: That's my thought on it, yes, sir.

SENATOR ALEXANDER: Thank you, sir.

SENATOR PEELER: Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. And welcome, Mr. Bartell.

MR. BARTELL: Thank you.

REPRESENTATIVE WHITMIRE: I see that most of your adult life has been in law enforcement, and thank you for your service to our state. This has bothered me a good bit. You know, every time I wake up in the morning, it seems like there's some issue here in Columbia with students being attacked, some even being murdered. Since Coastal is right there at the beach, and you have so many people coming in and out, do you feel like your campus is safe, and if not, would you recommend anything to provide a safer environment for your students?

MR. BARTELL: I think our campus is safe. We get a lot bad press, sometimes in the Sun News and maybe the News and Courier saying at

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the university apartments such and such happened, and actually the university apartments are not on campus. They're elsewhere, but we have a great police department, and that's one battle we kind of -- we are up against when we had -- through the rift and all, wanted the program, which I was totally against, but like you say, I'm a 40 year veteran of law enforcement, and when you send -- when families their children to any university, they want to be sure they have a safe environment. And that's imperative anywhere and especially at Coastal.

REPRESENTATIVE WHITMIRE: All right. Well, just like here in Columbia, it's such a large city, and a lot of the incidents that happen with students here seem like they are off campus, whether at Five Points or some of the apartments that aren't part of the university system. I imagine that's an issue that, you know, a lot of the schools face. Clemson faces it also up where I live, so I thank you for your service in law enforcement, and I hope you'll keep an eye on that.

MR. BARTELL: Thank you sir. I appreciate it.

SENATOR PEELER: Anyone else? Representative Lucas.

REPRESENTATIVE LUCAS: Mr. Bartell, thank you for being here today. Did I note that you are a Clemson grad?

MR. BARTELL: No, sir. I attended Clemson University. I didn't graduate. I lacked three credits from being a junior, and I was born and raised on -- I'll explain why I didn't graduate if you'd like to know.

REPRESENTATIVE LUCAS: No, sir. I just noted that degree --

MR. BARTELL: Yes, sir.

REPRESENTATIVE LUCAS: And I know around the university there probably isn't much need for agronomy, but as you go up into Loris and all those great areas in Aynor, we do grow a lot of South Carolina's greatest products. So I would hope that you would look at agronomy education at Coastal also, because there is a need for that in Horry County.

MR. BARTELL: Yes, sir. And we just last year implemented and put in a degree in criminal justice, which a lot of people were looking for at Coastal.

REPRESENTATIVE LUCAS: Thank you, sir.

SENATOR PEELER: For the record, Senator Senn vouches for you.

MR. BARTELL: Thank you, sir. We are great friends.

SENATOR SCOTT: Favorable.

SENATOR PEELER: The motion is favorable. Any other discussion? If not, we'll take it to a vote. All in favor, raise your right hand. Thank you, sir.

MR. BARTELL: Thank you.

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SENATOR PEELER: Next at large, Seat 8, Jason Repak. Good afternoon, sir.

MR. REPAK: Good afternoon.

SENATOR PEELER: On the record, if you would give us your full name.

MR. REPAK: Jason Michael Repak.

SENATOR PEELER: I'm going to swear you in. JASON MICHAEL REPAK, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. REPAK: Yes. Thank you so much for having me out. You know, I've only been on the board now a year filling an unfilled term, but it's been the highlight of a long history of service I've had at Coastal. And then also, I apologize for my tardiness before the session started. I had to make a stop in Florence to my daughter's orthopedist. She broke her arm a couple of weeks ago.

SENATOR PEELER: Questions, comments? Senator Verdin?

SENATOR VERDIN: Thank you, Mr. Chairman. Mr. Repak, what -- do you know what the percentage of in- classroom rather than virtual education has taken place today?

MR. REPAK: Today at Coastal?

SENATOR VERDIN: Yes, sir.

MR. REPAK: So, I believe we put in place to want every class to have an in-person requirement for our faculty, for our teaching faculty, unless there were an actual health concern to the faculty member and then they were allowed to stay in place through a virtual education system, you know, through all of our different online modes of delivery now. I don't know the number -- the percentage, but I can get it back to you that -- more students that are actually taking advantage of that. I have talked to a number of the faculty that said, even when they did start their in-person classes, at first, they were still having a lot of their students take those classes online just out of convenience.

SENATOR VERDIN: Well, and that -- we've discussed, certainly, in financial terms of recruiting student body in the years to come, what we should anticipate and I would -- and I should've predicated my question with the fact that health is of -- health concerns are of paramount importance. But I do think that the administrations and the boards are going to have to very closely monitor this question as it relates to all those matters of student recruitment and retention. You know, a lot of traditional education has changed and is changing more rapidly than even we can sometimes quantify or measure. But I think this is one

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critical key component of the traditional classical means and methods of educating. Every time we talk about the future and how radically different and changed things can be, I personally have lived long enough and I'm -- haven't served in your capacity, but I think all of us, as interested in public policy, especially the future -- the pendulum -- I'm never seen a pendulum not come back and find its place or water find its level. And I've got -- and I'm measuring this against a couple of soon-to-be-in-laws that I'm adding to my family this year, both of them in graduate school. And it's a little different there with that type of -- it's more intimate in their particular degree programs, but just how it's affecting students psychologically, their plans for the future, their first desire to be in- classroom. If they're not, they're going back home. Just those factors. So, yeah, I am interested -- I've probably asked it of all universities here going forward, not necessarily in the context of this screening, but I do appreciate you relating it back to me for Coastal.

MR. REPAK: Yes, sir, it's my pleasure. And I will tell you I agree wholeheartedly. I think you're going to see some pretty significant transformation in educational delivery, specifically higher education delivery, but even through your grade school system. Because of this pandemic, so many dollars have had to be invested in creating new modes of delivery for education that the reality is that, now that they're there, even though my personal preference would be to have all in-person classes, say, for health concerns, now that the infrastructure is there, we're all going to have to take a good hard look at what is the best way to deliver our education to our students, both economically and effectively.

SENATOR PEELER: Senator Scott.

SENATOR SCOTT: Thank you, Mr. Repak, for your willingness to serve. I was just looking at your resume. How do you go from selling Silver Spurs and Corniches, to doing building and construction? That's a tremendous leap. And the reason I'm saying that is because I do real estate and construction and now, I'm building cars, too. So, tell me -- tell me about that experience. That should've --

MR. REPAK: Sure.

SENATOR SCOTT: -- been some kind of experience.

MR. REPAK: Yes, sir. So, I think you're referring to my time with Rolls-Royce?

SENATOR SCOTT: Yeah.

MR. REPAK: Yeah. So, well, I worked for the Rolls Royce that was a jet manufacturer. So, the --

SENATOR SCOTT: Okay.

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MR. REPAK: -- the company went bankrupt back in the '70s and violated their financial statements that may not be in great shape going forward either. But they went bankrupt back in the '70s and they sold the car business off to raise capital to BMW. I worked for Rolls-Royce, the remaining company, which is primarily defense and civil applications of jet engines.

SENATOR SCOTT: Out of Indianapolis, I think.

MR. REPAK: Big plant in Indianapolis, and so --

SENATOR SCOTT: Uh-huh.

MR. REPAK: -- a lot of people don't realize this, but the -- the vice president of finance of that Indianapolis plant for about 15 years, and one that saved the current -- at that time -- the CEO's job, because of cash delivery back from Indianapolis to the parent, was a Coastal Carolina graduate.

SENATOR SCOTT: Oh.

MR. REPAK: He grew up in Loris and went on to work several different areas and became the vice president of finance at that factory and took it from a \$100 million loan that they borrowed from the parent to a billion-dollar cash return within about four years because of how he changed the financial effectiveness and in some of the weirdest ways, too. He -- one of his first projects, he tore down a million square feet of the factory.

SENATOR SCOTT: Tore it down.

MR. REPAK: Didn't need it. And so, he spent money putting a new computer on ever desk and saved the company money in the ninth month. It just -- it was incredible. So, anyway, he gave back to Coastal and is still passionate about getting back to Coastal today. He serves as a chairman of one of our honor program boards there. And he recruited me out of school and I went to work for them for about seven years, I believe. I got my graduate degree from University of Richmond, and we've been in buildings and real estate for years, and that's where I'm at now. And so, when I grew up in Horry County, in Socastee, we all grew up in the same neighborhood that we developed and so I wanted my children to experience that same -- that same experience of growing up around family, so we moved back.

SENATOR SCOTT: So, I'm pretty sure, with a broad array of experience from the corporate side and the financial side, in time to come, a lot of experience on Coastal, you'll be able to make some things happen. Tell me about -- a little bit about your thought pattern of trying to keep more South Carolina students in at Coastal and also getting more African-American students to come to Coastal.

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MR. REPAK: Yeah, absolutely. So, I'm thrilled for the change to see that we are trending more towards in-state students. Obviously, we love our out-of-state students, both as enrollment and students at our university, and want nothing but success for them. But for any state, for me, I look at economic development opportunity in the state and what is the future of the state's economy and our, more importantly, for Horry County, what does our area's financial future look like. And so, attracting in-state students, ones that are going to come and stay --

SENATOR SCOTT: Right.

MR. REPAK: -- is very, very important. So, to see that shift from about 50/50, which was just a few years ago --

SENATOR SCOTT: Right.

MR. REPAK: -- to where it is now -- it's closer to 60 percent -- is a very, very favorable shift, in my opinion, and I'd like to see that get even a little better into the 70/30 territory just because that gives our workforce, our state workforce in South Carolina, the ability to compete. Because, ultimately, when new companies are looking for a place to park their new factories or their new distribution centers, they're looking for infrastructure and ability to deliver, they're looking for infrastructure and education for workforce development, and they're looking for people. And we've got them by the thousands of -- roughly, the number is about a thousand families moving to Horry County every month. And so, I'd love to see that number continue to rise and I would love to see our diversity numbers come up as well. I think, overall, if you look at - - there's a website, College Factual, that ranks -- has a diversity score ranking across all twenty-four hundred institutions that it's -- that it monitors in the U.S., and they have us at about their top ten percent for diversity ranking. But that doesn't mean the work's done.

SENATOR SCOTT: Right.

MR. REPAK: I'd love to see our diversity numbers continue to increase.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Mr. Finlay.

REPRESENTATIVE FINLAY: So, you really think that for universities, especially state universities, it is exceedingly important that they attempt to achieve at least two-thirds, one-third in-state versus out-of-state?

MR. REPAK: I think, to help and deliver -- to help to deliver education to the students is, obviously, job one, right. But the state's interest in those universities is for the economic future of the state, because the state is spending public monies to invest in those universities and to create a future workforce. And so, for me, I think it's important for us to have a

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workforce that are being educated at the institutions that will stay there in the state when they're done.

REPRESENTATIVE FINLAY: I think that Senator Scott and I and some others might agree how important that is, because I think it's two things. Number one, the state is investing the resources of the citizens and it would be nice for them to get a return. And I think, number two, that as the state draws -- or its universities draw more students from the state, naturally, it becomes more representative of the state. I think that is an important factor that it's one I'm glad to hear you represent -- I mean, recognize and continue to work for, although I continue to applaud Horry County their willingness to invest in education and producing buildings and helping subsidize -- because, just like we want for the state, they are doing it for their city and I take away from it that it is an investment, they think, in their future in producing a workforce for our growing communities and I think it's a wonderful idea.

MR. REPAK: Thank you so much. I agree wholeheartedly and just hope that when it comes to -- for renewal -- I believe it's two or three years that we're up for renewal -- that citizens of Horry County still feel that way, because I certainly do. I think it's a huge investment in our future, especially when you consider the population growth we're having. I mean, we're forecasted -- I'll tell you that my personal belief is that the forecast is wrong. It is far undershooting the number. They're forecasting our metropolitan area to grow from about 300,000 to about 640,000 by 2040. I think it'll be closer to mid-2030s by the time it happens, especially if you see the rate that people are moving to the area now. And not all of them that are coming are what we'll call a more mature retiree. A lot of those are 40s, 50-year-old civil servants retiring out of the northeast and they're bringing their family and their family's going to have to have a place to work and a place to go to school.

SENATOR SCOTT: Favorable report.

SENATOR PEELER: Motion is favorable report. Seconded?

REPRESENTATIVE FINLAY: Yes, sir.

SENATOR PEELER: Anybody have a discussion? If none, we'll take a vote on it. In favor, raise your right hand. Appreciate your willingness to serve.

MR. REPAK: Thank you so much.

SENATOR PEELER: At large, Seat 10, Mark Kelley. Good afternoon, sir. For our record, if you would, give us your full name.

MR. KELLEY: Good afternoon, Mr. President. Mark Stephan Kelley.

MARK STEPHAN KELLEY, having been first duly sworn, was examined and testified as follows:

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SENATOR PEELER: Would you like to make a brief statement?

MR. KELLEY: I am ready, willing and able if y'all will allow me to serve on the board of Coastal Carolina. I think I bring some things to the board that other people don't have; my experience -- my 26 years experience working and being up here, as long as my 16 years of representing Coastal Carolina University. With that, I'll be glad to answer any questions.

SENATOR PEELER: How much does that penny bring in off the top of your head, now?

MR. KELLEY: It depends, it fluctuates, depending on, certainly, last year, because of COVID; and that is down some. But it's -- I could get those numbers for you. I don't know them off the bat.

SENATOR PEELER: I know you've been following it for a long time. I thought you'd --

MR. KELLEY: Yeah. I should -- well, I've been retired for a couple of years, but I'll get that for you.

SENATOR PEELER: Just curious. Questions? Senator Alexander?

SENATOR ALEXANDER: Thank you. Good to see you today.

MR. KELLEY: Thank you, Senator.

SENATOR ALEXANDER: Thank you for your willingness to serve. You say ways to improve university's retention and graduation rate. What is that current landscape and what do you -- how would you have the retention and what -- of those students, and what is that --

MR. KELLEY: I think -- I think it's -- if you got students that are 1400 SAT students, anybody and everybody can educate those. I think, when you get down to the 900s and that, those students need -- a lot of those students need some help to bring them along to get them from the time that they enter till the time that they leave the institution. And I think we could do a better -- we do some of that and we do -- but I think we can do a better job at retaining those students, not losing them in the first year, and being able to bring up through to be able to see them graduate in four years, five years. Thank you.

SENATOR ALEXANDER: Thank you.

MR. KELLEY: Thank you, Mr. President.

SENATOR PEELER: Senator Scott?

SENATOR SCOTT: Good to see you, my friend.

MR. KELLEY: Thank you, Senator.

SENATOR SCOTT: Do you know what's the average SAT that Coastal requires since you --

MR. KELLEY: The minimum SAT, I don't have that. It's nine-something, I believe. I'm not sure.

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SENATOR SCOTT: So, how many -- how many lottery -- lottery students would normally be taken in over there annually? Do you have any idea? Because that would give us some kind of range to how well we're doing on SAT scores, too.

MR. KELLEY: Yeah. I don't have those numbers --

SENATOR SCOTT: Okay.

MR. KELLEY: -- off the bat.

SENATOR SCOTT: Okay. Tell me a little bit -- your thought pattern on diversity and also trying to -- deciding to open the state and trying to get South Carolina students to come. And I know a number of kids who recently -- at least a couple of them from my church are going to Coastal now.

MR. KELLEY: I think -- in fact, one thing I do know is I think right now, we're graduating more African-American students than we are white male students at Coastal Carolina.

SENATOR SCOTT: Okay.

MR. KELLEY: So, I think it's diverse and that all areas of education need to be looked at, all different races need to be looked at, and what can we do as a better -- as a board to set policy in that to do things better to see that these people stay in school and get through college. We have grown our African-American population at Coastal. I think we've got some awards for that. I think, you know, we have to balance being fiscally responsible with the ability to pay, and I think that -- by bringing some students in that maybe are below the line that we have right now, but could get through to make it to graduation in four or five years, I think we owe it to those in-state students to do a little better job maybe in trying to get them into the school and retain them in the school.

SENATOR SCOTT: Well, you guys got some scholarship money? Are you raising money annually for those kids --

MR. KELLEY: They have. The president has some discretionary funds that they use, yes, sir.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Welcome, Mr. Kelley.

MR. KELLEY: Thank you, Representative.

REPRESENTATIVE WHITMIRE: I see you mention Coastal's biggest weakness is declining enrollment. Do you have any numbers on that?

MR. KELLEY: I think -- I don't have numbers, but I think, nationally, it's a problem that we're looking at throughout with online tuition or online educations around this country with the cost of education in the

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country. I think it's a problem that all institutions are facing right now. I think Coastal has somewhat of an advantage in that we have local support, we have state support. And I think if we keep, you know, a bit high on the fiscal responsibilities of the school, I think we can weather this. I think we'll improve -- as you heard, the population in our area is growing. As that population grows, those children come up through our system and, I think, will end up in our school. So, I think we will increase, but I think we -- again, I say everybody can educate a 1400 SAT student.

REPRESENTATIVE WHITMIRE: What is Coastal's enrollment now; do you know?

MR. KELLEY: Right at -- I think, right at 10,000.

REPRESENTATIVE WHITMIRE: Okay. Has that kind of been the norm the last few years?

MR. KELLEY: Yeah. It's slipped a little bit. I mean, I think we're up close to 11,000. It depends how you measure those by FTEs and by head counts and that, so it changes. But, you know, I think that's the level that we're at now. I think that probably somewhere around 12 might be a good number, good settling-in point for Coastal, at lease, in this year.

REPRESENTATIVE WHITMIRE: And, by the way, congratulations on Coastal's football success last year. That was quite a run you guys had.

MR. KELLEY: Thank you. It was great exposure for the campus and for the State of South Carolina.

REPRESENTATIVE WHITMIRE: Is Coastal going to get to play USC this year? I just wonder.

MR. KELLEY: Well, you know, we were supposed to play them last year, but --

REPRESENTATIVE WHITMIRE: That's what I thought. I thought they might want to make that game up. I just didn't know.

MR. KELLEY: Well, Coastal does.

REPRESENTATIVE FINLAY: That's my fear.

REPRESENTATIVE WHITMIRE: Thank you.

SENATOR PEELER: They'd chicken out. No pun intended. Mr. Finlay?

REPRESENTATIVE FINLAY: No, sir. I think USC might be willing to swap Coastal out for Clemson right now. And by the way, I just want to make an editorial comment. Fourteen hundred SAT students may be easier to teach, but they are just as stubborn. Do not be confused.

SENATOR PEELER: Anyone else? What's the desire of the committee?

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REPRESENTATIVE WHITMIRE: Favorable.

SENATOR SCOTT: Second.

SENATOR PEELER: Favorable and seconded. Any other discussion? All in favor, raise your right hand. Unanimous. Thank you, sir.

MR. KELLEY: Thank you.

SENATOR PEELER: Next, at large seat 10, Robert O'Brien. For the record, sir, if you would give us your full name, sir.

MR. O'BRIEN: Sure. Robert Louis O'Brien.

SENATOR PEELER: Let me swear you in. ROBERT LOUIS O'BRIEN, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Do you have a statement?

MR. O'BRIEN: I just appreciate the opportunity to run for a seat on the board because living down in Myrtle Beach, I know a number of people that have no idea how this process works, and it's all new to me, too. So, I'm looking forward to the opportunity.

SENATOR PEELER: Questions or comments? Mr. Scott?

SENATOR SCOTT: Thank you, Mr. O'Brien, for your willingness to serve. I see you have a heck of an employment record, RES, CID special agent, tell me about how we can transfer some of that experience that you have even to curriculum specifics or some things you think you can begin to make some changes at Coastal; and also, a wide variety of different schools, Wofford, Maryland, xin xEurope, City College of Chicago, about this college at Charleston, a lot of different experiences with colleges and universities and a lot of different experience as is relates to employment history.

MR. O'BRIEN: Yes, sir.

SENATOR SCOTT: So, tell me how we take those experiences and looking at some of the -- well, you've had the opportunity to hear some of the questions this morning.

MR. O'BRIEN: Yes.

SENATOR SCOTT: So, kind of fill in the blanks where you think that those experiences can become --

MR. O'BRIEN: Well, I went to Summerville High School, so I started there and then I went into the military; and that's when I got the opportunity to see some different schools --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- when I went to school there; and then came back on scholarship at Wofford.

SENATOR SCOTT: Right.

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MR. O'BRIEN: Moved -- and I was married and had a young daughter

--

SENATOR SCOTT: Right.

MR. O'BRIEN: -- and came back there. And my experience at Wofford getting an accounting degree taught me a lot and -- but I wanted to have a degree that I could use, not necessarily to be a CPA, but --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- I wanted to understand how money moved and how to read these voluminous reports --

SENATOR SCOTT: Certainly.

MR. O'BRIEN: -- and see where things are going. And that experience over the years, I've had a number of white-collar crime and healthcare fraud and different types of investigations I've been a part of. And then, I eventually went into forensics, having to be involved in the undercover operation where the state lost all their tax returns --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- on the dark web.

SENATOR SCOTT: Right.

MR. O'BRIEN: I actually was part of that when we reported it to SLED when it happened back in -- back in the day. And computer forensics has always been a big interest. But CCU, I've gotten the opportunity, because I've lived there so long, now, and my daughter went to school there, my son went to the scholars academy there, which is a joint program --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- with CCU where they take the kids from the high school area and allow them to take college courses at the campus. So, I was on campus all the time, especially since we couldn't drive when we first started.

SENATOR SCOTT: Right.

MR. O'BRIEN: So, just being able to understand the fiduciary responsibilities, I see a board as being, you know, critical that people that are there and have been a part of the university and understand how that money flows and that responsibility the board has not to just be a rubber stamp to budgets and taking care of that money --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- but also providing a -- I mean, CCU is one of the biggest and best resources that that area has. I mean, the university is great and they're right there with HGTC and it's just a great, great place.

SENATOR SCOTT: So, in terms of your experience, cyber security, any form of computer fraud --

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MR. O'BRIEN: Yes, sir.

SENATOR SCOTT: -- and looking at the -- looking at some of the curriculum, could need to improve some of the curriculum, tell me a little bit about your thoughts on a more diverse school and some of the things you think the board needs to be moving in that direction, policy-wise, with the president. See, you got a new president. Now, you're going to have --

MR. O'BRIEN: Yes, sir.

SENATOR SCOTT: -- a bunch of new board members, too, in trying to meet the challenges we're facing, because it's going to happen as this pandemic -- which I think will be a long time before it just goes all away. We're going to see more and more of our students have to stay at home as it relates to just being able to afford a college education. So, just give me your thoughts on what you --

MR. O'BRIEN: Yes, sir.

SENATOR SCOTT: -- think we need to be doing and how we --

MR. O'BRIEN: Well, from the diversity standpoint, CCU's done a great job in the diversity area. I mean, there's always room for improvement. And the one area that probably, diversity-wise, that they're weakest at is probably in the Hispanic population.

SENATOR SCOTT: Okay.

MR. O'BRIEN: The African-American population there has done a great job and it's a very popular school there for the African-American population. And we did the Adrian project there where we recruited -- we did it in Orangeburg, too, at South Carolina State where we do this thing where you get to be a special agent for two days and you learn what the job is. And it was a very popular there. But to address your question, those three offices that are already there at Coastal are doing a great job and the board is supportive of that; and I would continue to support that as well. But there is room for improvement, like I said, in the Hispanic area. We have a large Hispanic population that is very under-represented at CCU probably right now.

SENATOR SCOTT: Okay. So, you're comfortable with 17, 18 and the overall population of the African- American community is 27. So, you're comfortable with -- comfortable number or are you comfortable because that's where the school is right now?

MR. O'BRIEN: Well, no, I would say I'm comfortable in that opportunities are available there --

SENATOR SCOTT: Okay.

MR. O'BRIEN: -- for that population.

SENATOR SCOTT: Right.

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MR. O'BRIEN: And they're doing a great job in trying to --

SENATOR SCOTT: Move in a direction.

MR. O'BRIEN: -- increase that.

SENATOR SCOTT: Okay.

MR. O'BRIEN: I don't see, you know, within the Hispanic population, it's not nearly as well known --

SENATOR SCOTT: Right.

MR. O'BRIEN: -- that the type of degree and opportunities that are available there, that's all. And it's just a -- something I noticed being on campus all the time, that that's the case.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Okay. Speaker Lucas?

REPRESENTATIVE LUCAS: Yes. Thank you for being here today. Students who receive or having been receiving their education through online classes as opposed to face-to-face classes, do you think those students deserve some kind of discount for not being there full time?

MR. O'BRIEN: Well, my son's doing that right now and not a fan. He's a senior in high school at Myrtle Beach, so --

REPRESENTATIVE LUCAS: I'm not saying I'm disagreeing with you

-- MR. O'BRIEN: But a discount --

REPRESENTATIVE LUCAS: -- I'm just looking for your response.

MR. O'BRIEN: Sure. Sure. It's difficult, because the fixed cost of the university is still going to be the same. You still have to have all those costs related. And sometimes, I think it's an informational thing as well. But to answer your question, maybe some discount, but maybe not nearly what some might believe it should be. But I think a lot of that's informational. If parents were aware of why the tuition has to be what it is, I mean, a lot of parents that I know are like, "Man, you know, we hit the lottery and tuition just keeps going up and up and up." You know, it seems to incrementally keep going up. And in talking to the parents of the kids that I know -- I coach softball at Socastee High School, too, and that's a constant thing that they talk about is, you know, "My kid's at home doing computer work and I'm still paying the same tuition that I had to pay when I sent him off to school." And so, I think there is some -- there needs to some give-back there, because the costs are low. I mean, these universities, though, weren't set up to be online universities and they had to do it on the fly. And so, the bills still come due. And the board has a responsibility, fiduciarily, to, I think, most importantly, give the parents and the people that are paying the bills that information,

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and as to why it's not a 50 percent discount, let's say, or whatever they think it might should be. You follow me?

REPRESENTATIVE LUCAS: Yes, sir.

MR. O'BRIEN: I mean, that's my thought process on it. I think there should be, because it is less expensive to do, but when my son enrolled at CCU, he didn't enroll to be an online victim of circumstances of a -- of the pandemic required them to shift gears. I mean, I don't know how you balance the two, but I think there has to be some balance. I don't think you just put your head in the sand and just say, "Well, that's what the tuition is, and this is what we're going to do." I think, ultimately, that runs people away.

REPRESENTATIVE LUCAS: I appreciate your answer. Thank you.

SENATOR PEELER: Mr. Finlay?

REPRESENTATIVE FINLAY: As the parent of two soon-to- be three students, I think there's part of the issue on the tuition is not just that the costs are lower. It's what the children are receiving is significantly less.

MR. O'BRIEN: Yeah.

REPRESENTATIVE FINLAY: And I think universities have been very slow to acknowledge that the courses, the experience, the long-term takeaway has been significantly less. And to say, "Oh, you're sort of a victim of circumstance," is nice. But when faculty are receiving the same pay you sort of go, "Well, where the victim of circumstance there?" That is a lead-in to say that I think there are going to be a lot more victim of circumstances coming along, many of those financial. So, in other words, I don't think every school that has a certain program is going to be able to maintain them for the future. I think the economy as a scale, the internet, other things are going to start pushing those. Are you willing to make those hard decisions as it comes time to cut and push -- and push through to do what they need to do?

MR. O'BRIEN: Oh, absolutely. I mean, and I think that's the board's responsibility. I mean, Coastal has some great things going on with -- you mentioned athletics -- that they could capitalize on. It doesn't matter that -- and it doesn't seem to correlate, but Clemson wins the national championship and their admissions go up 200 percent. You know, Coastal has some -- they win a baseball national championship and I think the athletic football program last year, with all the success they had, you know, that's an area we can capitalize on. And I think the board should focus on to get that initial -- I mean, additional interest in the school. And, I mean, to me, CCU's got -- we got to keep building that reputation that's -- getting those 1400 SAT score kids that want to come to Coastal, you know. I think it's important and it's critical. And for the

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university to continue to grow and become more -- continue to be successful, they have to do those things.

SENATOR PEELER: Senator Alexander?

SENATOR ALEXANDER: Thank you, Mr. President, briefly; and good to have you here this afternoon. You mentioned a way to attract students and develop a cooperation ranging with MUSC or Grand Strand Hospital, kind of like a bridge program.

MR. O'BRIEN: Yes, sir.

SENATOR ALEXANDER: Are you aware, does Coastal Carolina have any of those type of programs now in that arena or any other disciplines?

MR. O'BRIEN: Not specifically that I'm aware of. At Grand Strand, I know they've tied -- Grand Strand Regional Medical Center has started taking medical students and they're teaching there. I mention that because Horry Georgetown Tech does nursing programs and they're right adjacent to CCU. And the biggest reason I put it in there is my son, who's looking at colleges, and my brother-in-law both went to College of Charleston -- or, my son is looking at College of Charleston because of that relationship that MUSC has with College of Charleston.

SENATOR ALEXANDER: That's a great idea.

MR. O'BRIEN: It's critical. To me, I mean, having been there quite a bit to MUSC, he went on and became an anesthesiologist after going to C of C and went -- and used some of those programs in close proximity. They work together quite a bit. And he's now in Greenville as a pain anesthesiologist, pain specialist. And --

SENATOR ALEXANDER: I think that's a great suggestion. If I could, I just want to recognize for the record, too, is you talk about your membership in civic organizations, certified to represent the taxpayers before the Internal Revenue Service. I think that's -- with your background, that's an interesting association to be with. And then finally, to the -- you're a TurboTax expert part time, and then you're the official scorekeeper for the Pelicans and so what kind of season do they -- you looking for them to have?

MR. O'BRIEN: Well, we're hoping they get to come play. You know, Major League Baseball is taking over all the minor league baseball teams, so they're supposed to start in May, but I don't know if they actually will. But Myrtle Beach Pelicans have now become a low A affiliate and they've played Charleston and Columbia and -- where they used to be in the South -- they're not in the South Atlantic League. Before, they were in the Carolina League.

SENATOR ALEXANDER: And if I could finish up, Mr. President, with your different duties and part-time things, would there be any -- would

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there be any problem with you serving on the board and being available to attend all the meetings?

MR. O'BRIEN: Oh, not at all. No, that's one of the - - it's been the hardest thing about getting used to being retired, but I got to retire at a relatively young age because of the federal law enforcement, so --

SENATOR ALEXANDER: Well, we appreciate --

MR. O'BRIEN: -- it's been interesting.

SENATOR ALEXANDER: We appreciate your service and what you do --

MR. O'BRIEN: Thank you.

SENATOR ALEXANDER: -- and your willingness to serve in this capacity.

MR. O'BRIEN: Appreciate the opportunity. I just wish that you didn't have to, like, it wasn't a political thing where you have to run against somebody to be able to serve. So, thank you.

SENATOR PEELER: Good point. We have excellent candidates. Hunter Renfrow, any contact with him?

MR. O'BRIEN: I coached his sister in softball and --

SENATOR PEELER: Is she as good as he is?

MR. O'BRIEN: -- I actually saw Hunter last week. He's at home -- he came home and watched some baseball. He's just been married and has a little baby and his dad's the athletic director where I coach softball -- or was the athletic director. Now, he's retired as well. But Hunter's a great young man.

SENATOR PEELER: He sure is.

SENATOR SCOTT: Favorable report.

SENATOR PEELER: Motion for favorable.

SENATOR ALEXANDER: I second it.

SENATOR PEELER: Seconded. Any other discussion? Hearing none, Those in favor, raise your right hand? Unanimous. Thank you, sir.

MR. O'BRIEN: Thank you.

SENATOR PEELER: Now we move to at large Seat 12. Okay, Mr. Porterfield. Afternoon, sir.

MR. PORTERFIELD: Good afternoon.

SENATOR PEELER: For the record, give us your full name, sir.

MR. PORTERFIELD: Brett Charles Porterfield.

SENATOR PEELER: Let me swear you in. BRETT CHARLES PORTERFIELD, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

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MR. PORTERFIELD: Yeah, just a very brief statement. Good afternoon to the members of the General Assembly. My name is Brett Porterfield. I am a candidate for Seat 12 on the Board of Trustees at Coastal Carolina University. I consider it an honor and a privilege to potentially serve in this capacity. I am an alumnus of Coastal Carolina, having graduated in 2007. Having graduated, I've remained a financial supporter of the college and currently serve as a member on several alumni associations. Serving on the Board of Trustees is the highest form of service an alumnus can render to an institution. I thank the Commission for its consideration and I welcome any questions the Commission may have.

SENATOR PEELER: Thank you. Questions or comment? Senator Alexander?

SENATOR ALEXANDER: Thank you for your willingness to serve. Your present employer is who?

MR. PORTERFIELD: Blue Cross/Blue Shield, Senator Alexander.

SENATOR ALEXANDER: Okay. And would your ability, if elected to the Board, would there be any problem with having the ability to serve and go -- attend meetings?

MR. PORTERFIELD: No, sir, it wouldn't be any problems.

SENATOR ALEXANDER: And you say here, ways to improve Coastal Carolina is to improve its profile. Would you tell me what that means?

MR. PORTERFIELD: Well, yes, I noticed as we've been having these screenings today, there's been an increased intention in the profile of Coastal Carolina within the State of South Carolina. And I feel that South -- Coastal Carolina is working to be the third institution behind the University of South Carolina and Clemson. I feel that, right now, the school's reputation is that when you say Coastal Carolina, one of the first things you think of is athletics. We talked about the baseball team, we talked about the football team. And I feel that, along with those things, the academic aspect of the institution should also follow along. That way, that when you go to school, say, in the 864 or in the 803, you go to the schools in upstate and you market the institution, it has that academic weight behind it. You know, currently, here in the State of South Carolina, when you say you're an alumni of Clemson University or alumni of University of South Carolina, that holds weight. When you say you're an alumni of Coastal Carolina University, you should hold weight as well.

SENATOR ALEXANDER: Thank you. Thank you, Mr. President.

SENATOR PEELER: Anyone else? Mr. Scott?

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SENATOR SCOTT: Thank you for your willingness to serve. I see you're a member of Zion Pilgrim.

MR. PORTERFIELD: Yes, sir, I am.

SENATOR SCOTT: Good church, good church.

MR. PORTERFIELD: Yes, sir.

SENATOR SCOTT: You seem to be very, very excited about this appointment. What do you think that you need to do for Coastal to be able to recruit more African-American students so the percentage looks like South Carolina --

MR. PORTERFIELD: Well, I think it's --

SENATOR SCOTT: -- and have a more diverse population. And there's a lot of good students out there --

MR. PORTERFIELD: Yes.

SENATOR SCOTT: -- too if we recruit them.

MR. PORTERFIELD: I agree. I agree that Coastal Carolina should do more in regards to increasing its diversity especially African-American males. Right now, they have a program called Call Me Mister, which trains African-American males to become teachers.

SENATOR SCOTT: Right.

MR. PORTERFIELD: Programs such as that, I think, are of benefit to the institution as well. Also, I think Coastal Carolina should market directly to that particular demographic within the State of South Carolina. I feel that a diverse institution is representative of a diverse state. And I feel that Coastal Carolina should do more in regards to diversifying their student profile so that there are, when alumni graduate from the institution, they are prepared for a diverse workplace.

SENATOR PEELER: Anyone else? Desire of the committee?

SENATOR SCOTT: Favorable report.

REPRESENTATIVE WHITMIRE: Favorable.

SENATOR PEELER: Favorable and second. Any other discussion? We'll take it to a vote. All in favor, raise your right hand. Unanimous. Thank you for your willingness to serve. Thank you, sir.

MR. PORTERFIELD: Thank you for your time this afternoon.

SENATOR PEELER: Next, Delan Stevens. Good afternoon, sir.

MR. STEVENS: Good afternoon.

SENATOR PEELER: For the record, if you would, give us your full name.

MR. STEVENS: Hal Delan Stevens.

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SENATOR PEELER: Please raise your hand. HAL DELAN STEVENS, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. STEVENS: Yes, sir. I'd just like to thank you for the time to be here and I'd just like to say it's been an honor and a privilege to serve the six years that I've been able to serve on the Board.

SENATOR PEELER: Questions or comments? Senator Alexander?

SENATOR ALEXANDER: Thank you. Good to see you today.

MR. STEVENS: Thank you, sir.

SENATOR ALEXANDER: Thank you. You talk here about the biggest strength -- I think it's interesting -- the biggest strength of the university is its economic impact.

MR. STEVENS: Yes, sir.

SENATOR ALEXANDER: Does that outweigh the academic success of the students?

MR. STEVENS: No, sir. But I think the economic impact has an impact on the students directly.

SENATOR ALEXANDER: And so, when you talk about the economic impact, are you talking about on just the Horry -- Greater Horry County area or are you talking about the economic impact of the students once they get out into the workforce?

MR. STEVENS: I'm talking about the economic impact that it has as far as preparing students to contribute.

SENATOR ALEXANDER: Okay. Then you say the biggest weakness is the endowment. So, what kind of endowment --

MR. STEVENS: Well, like --

SENATOR ALEXANDER: -- is there, and have y'all done work? Is there a focus on endowment?

MR. STEVENS: Yes, sir, we're working on it. We're now approximately, I think -- when I did this, it was about 40 -- well, maybe about a \$60 million endowment. When you consider Clemson as probably a \$750 million endowment, and you look at what the economic numbers are for the University now, it is a vital source of continuing to provide income, to provide what students need. The most important thing I think for a university -- or at least to me -- is the safety and well-being of the students and the education they receive when they get there. And this is a daunting task to do it sometimes with the budgets that you have to do it with. So, I think, to increase the endowment to have a better fund -- a better source of income fund coming in would be a great, great help.

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SENATOR ALEXANDER: Thank you for your answers.

SENATOR PEELER: Senator Scott?

SENATOR SCOTT: Thank you, again, for your willingness to serve. Tell me a little bit about your strategy as a board member to make Coastal a more diverse institution to bring more African- American students to the campus along with faculty, too. The number of faculty numbers weren't that great either. So, as a board member, what plan would you recommend or what would you recommend to the board to be able to address those kinds of issues at Coastal?

MR. STEVENS: Yes, sir. We -- one of the things we haven't addressed and done is we have a lot of -- formed a diversity department, which I think Dr. Stokes-Brown has done a good job there. And I think it helps students, when they're looking at universities to attend --

SENATOR SCOTT: Right.

MR. STEVENS: -- to know that we have addressed those issues and that that's something that has been done. I think another thing is sometimes, on your approach, as far as when you're trying to promote your school, I think you need to do direct promotion of what we can offer as far as our diversity, what we have, what's our strengths. And that -- sometimes, I think you market your school as an overall and you don't target some areas. So, I think that's very important, as we progress with our marketing, that we look at how do we -- exactly how do we promote our school to show people that we are.

SENATOR SCOTT: So, in looking at where Coastal was a 55/45 school, in terms of out-of-state students - - and it's just a matter of time it's going to happen with more states figuring out how to keep their students at home and always trying to take our students, what kind of plan do you think Coastal needs to do to prepare itself in the event the out-of-state shortage begins to stop. Now, you're in a specialized area of engineering, medical and those kinds of areas, you're going to always have kids transferring, veterinary sciences, you're going to have kids transferring. What do you think Coastal needs to do to protect itself -- and I see it's moving in that direction bringing those numbers down just in case that ends up happening faster than we can -- you know, that we anticipate?

MR. STEVENS: Yes, sir. Well, two things, first off, I would think our marine class department is probably one of the top in the country.

SENATOR SCOTT: Right.

MR. STEVENS: So, I think, when you have something that is one of the best in the country, you really need to showcase that --

SENATOR SCOTT: Right.

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MR. STEVENS: -- students from all over, not just United States, but the country -- the world will say this is the best marine science department in the country.

SENATOR SCOTT: Right.

MR. STEVENS: And you need to highlight that. And our Wall School of Business is also one of the best. So, sometimes, I think you need to highlight what is your strengths --

SENATOR SCOTT: Right.

MR. STEVENS: -- and promote that to your out-of-state students.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Any other questions or comments? What's the desire of the committee?

SENATOR SCOTT: Favorable report.

SENATOR ALEXANDER: Second.

SENATOR PEELER: Favor and seconded. Any other discussion? Hearing none? Raise your right hands. It's unanimous. Thank you, sir.

MR. STEVENS: Thank you all.

SENATOR PEELER: Appreciate your willingness to continue to serve.

MR. STEVENS: Thank you very much for your time.

SENATOR PEELER: At large Seat 14, Joe Jarrett. For the record, if you would give us your full name, sir.

MR. JARRETT: Joe Nelson Jarrett, Jr.

SENATOR PEELER: I'll swear you in. JOE NELSON JARRETT, JR., having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. JARRETT: I would. I would like to thank all of the commission for the work they do for the colleges and the universities of our state and I would also like to thank the staff of Senator Peeler's office, who have been so kind and helpful, Julie Price and Martha Casto.

SENATOR PEELER: Questions or comments for Mr. Jarrett. Speaker Lucas?

REPRESENTATIVE LUCAS: Thank you, and thank you for your time today for coming in. There has been a question that was raised to the prior candidate, and I want to raise it to you and give you a chance to comment, because I had wondered about it through all of the candidates who have come through. The endowment at Coastal is extremely low in comparison to many other public schools. What do you think causes that and do you believe one of the root causes of that is the percentage of out-of-state students we allow to come to Coastal Carolina?

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MR. JARRETT: I really don't know the answer to your question other than to say that our endowment, I think, is \$45 million right now, which is low. And to put that on the back of out-of-state students, I wouldn't consider that to be the case. We're fairly new in terms of having an endowment. We're relatively new, as a university, on our own. It takes time to get those monies up to get people to donate after they've finished college. Most of the time, by the time you can make a significant gift to the college, you would be in your 40s, 50s or 60s. We're probably going to have to wait a little longer and continue trying to improve our endowment. We do need to pay a lot of attention to our philanthropic department which helps in raising these funds.

REPRESENTATIVE LUCAS: And that was one of the points you raised and I wanted to give you a chance to comment; so, thank you.

MR. JARRETT: Yes, sir.

SENATOR PEELER: Mr. Finlay, did you have a question?

REPRESENTATIVE FINLAY: Yes, sir. I was just going to -- thank you. I was going to make a point. I don't know that -- if I understand correctly, Coastal was rolled out of the USC system in '93?

MR. JARRETT: Yes, that's correct.

REPRESENTATIVE FINLAY: So that's 28 years. That was going to be my one question. I don't understand if they were allowed to carry any forward from USC. But I will say this. It is a systemic problem within our colleges and universities in this state and one that all of them, especially our flagship universities are going to have to deal with, because that is one of the best ways to address rising student costs, is through the endowment. Right here, y'all bringing it up, I hope y'all have a plan to move on it, because I think it matters and it matters intensely.

SENATOR PEELER: Senator Alexander?

SENATOR ALEXANDER: Thank you, Mr. President. And, good afternoon. Thank you for being here. You mention here that ways to improve Coastal Carolina is a better arts center. Is there a -- is there a curriculum in the arts?

MR. JARRETT: Oh, yes.

SENATOR ALEXANDER: Okay. So, what -- is the arts failing? Is it not a prominent part, as far as the arts center goes, from that standpoint? Has there not been a -- I mean, you get the one percent money. I'm just wondering --

MR. JARRETT: Well, it has been kind of an neglected thing since a great contribution was made by a family, the Robin Edwards School of the Arts. But the facility is beautiful; it's just small and it needs to be enlarged. So, our new president has moved forward with this and

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downtown Myrtle Beach they are renovating an old theater and Coastal will run and manage that facility. So, that's going to be one new outlet for more performances and more exposure of the arts department, which is fantastic in the productions that they do put on. But, again, it's limited seating and just needs a boost.

SENATOR ALEXANDER: Thank you. I was just -- was not aware. The other question I would have, in your current -- well, says you visit the campus often. Can you define for me what "often" is?

MR. JARRETT: I think I could probably say I'm out there 50 times a year, at least.

SENATOR ALEXANDER: Okay.

MR. JARRETT: For one reason, my wife works there. She's the director of the Coastal Housing Foundation, which is not really a part of Coastal University -- Coastal Carolina University. Secondly, I used to be in a -- the team physician for them for 36-some years.

SENATOR ALEXANDER: Okay.

MR. JARRETT: And spent a lot of time with the teams and traveling, and so on.

SENATOR ALEXANDER: So, you're very familiar with it.

MR. JARRETT: I'm really familiar with it.

SENATOR ALEXANDER: So, if I could, one follow up. You mentioned Housing Foundation is separate and distinct from the university?

MR. JARRETT: It's not under the university auspices. I don't know the exact legal definition of that separation.

SENATOR ALEXANDER: Thank you.

MR. JARRETT: Thank you.

SENATOR PEELER: Mr. Finlay?

REPRESENTATIVE FINLAY: Senator Alexander, we put forward a proviso, I believe, that reaches to that, that at the beginning of the discussion of these sort of off-balance sheet items that these universities have, it's not just them. USC, Clemson, everybody has them. And it's going to become one of the most important issues, and I'm very glad to hear you've hit on it, or what is off-balance sheet financing that is depending on, for example, students being allocated to those dorms. The second issue is this off-balance sheet housing, you have a lease-back where you purchase 25 years out, what is the dorm worth if it's been beat up by kids for 25 years, in my guess, is negative equity. So, I think this is going to be a really interesting question for us to go forward.

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MR. JARRETT: And the fact that you ask that, it -- I was concerned, when I made the application, that there may be an appearance of conflict of interest in that, and I would certainly like that to be resolved.

SENATOR PEELER: Thank you. Senator Scott.

SENATOR SCOTT: Thank you, Mr. Chairmen. Thank you, Mr. Jarrett, for your willingness to serve. I want to go back to -- and I'm sorry, I had to leave the room for a minute. Duty calls, as the old saying. Tell me a little bit about the Fine Arts Center and, because, you were in a community where the arts and entertainment is really big, especially in the season, since the season is moved, that -- and maybe an off-campus location where they're trying to build a fine art center on campus, that way you can partner with the city and some other foundations to try to build a fantastic fine arts center knowing what your competition is going to be, but I don't think you want to bring all that traffic onto the campus.

MR. JARRETT: Well, you know, that's a great question. And Coastal is -- to expound on it a little more, which I had discussed maybe in your absence --

SENATOR SCOTT: I'm sorry.

MR. JARRETT: -- is that there's a theater in the downtown section of Myrtle Beach --

SENATOR SCOTT: Right.

MR. JARRETT: -- called the Reveille Theater, and that's an old beautiful building. It's going to be completely renovated and Coastal's fine arts program will be managing that, basically.

SENATOR SCOTT: Okay.

MR. JARRETT: And that's all part of the downtown revitalization plan for Myrtle Beach, for those of you who may or may not be aware of this. And the old buildings, which are beautiful to look at, but have been fairly run down, is a common problem in a lot of towns. But the university and the city council have really been working well together on this project.

SENATOR SCOTT: That may be the answer to that fine arts center.

MR. JARRETT: It may be.

SENATOR SCOTT: I mean, because it -- you would have a lot more exposure. And if the it -- if the partnership is set up right, you share a lot more of the debt, along with possible gains and losses, as you bring different acts and entertainment, because not all of you will make money, some of it you will actually lose money until you get that group who will come from all over everywhere to see it.

MR. JARRETT: It's tough and competitive environment.

SENATOR SCOTT: No question. Wish you well with that.

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SENATOR PEELER: Anyone else? Desire of the committee?

SENATOR SCOTT: Favorable.

SENATOR PEELER: Favorable.

REPRESENTATIVE FINLAY: Second.

SENATOR PEELER: Seconded. Any other discussion? Hearing none, we'll take it to a vote. All in favor, raise your right hand. Unanimous. Thank you, sir. Still on Coastal Carolina University, at large, Seat 15. Coastal Carolina University, at large, seat 15, Patrick Sparks. Good afternoon, sir.

MR. SPARKS: Hello.

SENATOR PEELER: For the record, give us your full name, sir.

MR. SPARKS: Patrick Stephen Sparks.

SENATOR PEELER: Let me swear you in. PATRICK STEPHEN SPARKS, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. SPARKS: Well, I'd appreciate the opportunity to get to take my mask off. This, if granted, will be my second term on the board. And I'm a graduate, former Alumni of the Year and donor. And Coastal has done a lot for me. It certainly has done a lot for our area, as a local business owner. So, I appreciate the opportunity to sit here and give you some reasons why I hope I should be elected again.

SENATOR PEELER: Questions or comments? Senator Scott.

SENATOR SCOTT: Thank you for your willingness to continue to serve, and I know, in the Toyota business right now, that's probably what you need to be most of the time. But we appreciate your service.

MR. SPARKS: Thank you, yes.

SENATOR SCOTT: Tell me what you've learned over the year of being on the board and some things that you may want to recommend for changes or, given some of the questions we've asked out here, diversity, making sure we sealed ourselves in case if more students decide to stay home, listening to some of the special programs that you do have to attract students, not knowing what percentage of those out-of-state students will actually come to your business department and others that we've talked at, please share your experience of what you saw and what you think we need to do; and if you get another term, how -- some things you could do to improve what you saw.

MR. SPARKS: Certainly. And to address your first thought about being on the board as first term, it's a lot like trying to jump on a train that's doing 80. When you're an incoming board member and you've been

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elected, however, the board has been there, it's continuing to move along, it takes a certain amount of time to get up to speed on everything --

SENATOR SCOTT: Sure.

MR. SPARKS: -- why we do things the way we do them, why have they been done this way in the past, what obstacles, roadblocks are there from trying to change things. Higher education is changing. We know the stats are out there. Not as many people may choose to attend to go to a four-year college or even a two-year college, for that matter. So, I think it's extremely important that universities, institutions recognize that and change with those times. But, fortunately, we do have a good partnership with Horry Georgetown Tech. We have a bridge program where we take in-state, in-area young men and young women who may not have the qualifications or, quite honestly, the ability to come in to Coastal as a freshman and succeed. They would go to Horry Georgetown Tech. They would attend that campus for classes. They would come over in the afternoons and attend certain classes on campus with Coastal. And the term "bridge" is aptly named. We have several opportunities like that. I know our admissions department has done a fantastic job in determining at-risk students, the students that, by the time that first semester rolls around, we've identified students that may not be adapting to college life quite like we would like them to in terms of their academics. So, they're stepping in quickly. There's almost like a neutral program with their academic advisor where that advisor goes and looks and says, "Hey, listen, we may have an issue here. How do we help?" Those things are helping with our retention -- our freshman retention rate this past year. It was a 73 percent. That's the highest since I've been there. It has been as low as the high 50s. When I started, it was 63 percent. So, we're making grounds in going out and recruiting students and keeping those students, which is really important.

SENATOR SCOTT: Right. Tell me about diversity, what have you seen --

MR. SPARKS: Absolutely. And I think one of the previous applicants mentioned Dr. Stokes-Brown with their Office of Diversity and Inclusion. I like the title. I like "diversity" and I like "inclusion." I think sometimes "diversity" just by itself, if somebody didn't know any better, might think that that would divide us. The "inclusion" aspect in that title really sums it up for me in terms of we have a department and we have a young lady solely dedicated, with her staff, to -- helping to onboard students in our university. We recruit through them. We were able to use that in terms of being able to go out and explain why us and why not somebody else, for students. Perhaps, Senator Scott, your next follow

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up might be do I think that our ratios are where they need to be, and I do not.

SENATOR SCOTT: Okay.

MR. SPARKS: I think that we need to do a better job all the way around with all ethnicities that may be willing to represent -- I think that's Hispanic. I think our Asian population, from what our demographic is, is woefully small, and I believe that we can do a better job. And quite honestly, Diversity and Inclusion Office is going to help us there. And I think our new president -- I was on the search committee for Dr. Benson. I think he is a -- will be a -- will turn out to be a great leader for us, a lot of energy and a lot of really good ideas. And open-door policy is a cliché, but when this gentleman says it, he means it. He's out in the classrooms teaching. He has asked all of his executive level counsel to teach a class each semester as well, so he wants his folks out there, the staff, being in front of people and making a difference in terms of "if I need to talk to you, it's there, it's available."

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Mr. Alexander.

SENATOR ALEXANDER: Thank you, Mr. President. And thank you for being here and for your service on the board. It says here ways to improve this is to communicate a clear vision. Is there a lack of that now? Have y'all put a focus on a vision for the university?

MR. SPARKS: Senator, yes, thank you for the question. Every university has a strategic plan. And that talks about how big our footprint can be or how many students we want to have, and what our maximum growth is. When we transitioned from Dr. DeCenzo to Dr. Benson, I personally felt as though that left us with an opportunity to be able to go back and rededicate ourselves and our message to our incoming students and to our existing students about what it is we're trying to do and where we're trying to go. And understandably so, we have an Office of Philanthropy and Giving and Advancement. It's part of our endowment, and we've spoken about our endowment, unfortunately, way too much in this meeting, but this is -- of where it is and what it is. But that department has been taken down. We, literally, under the previous president, did not have a staff in place waiting for the new president to come in and name his own staff. We've partnered with a third-party company to come in and try and help give us some ideas on how this department needs to be structured, what it needs to look like, who needs it. My assumption, it's somebody coming from outside the university to help us get back up in running in terms of that. So, in my mind, a clear

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vision meant how we move forward in certain areas that we know are strategic issues.

SENATOR ALEXANDER: Thank you. Just a couple of other questions.

MR. SPARKS: Certainly.

SENATOR ALEXANDER: You know, as a local business owner -- and I will agree with the senator, I'm trusting that the business is extremely going well these days, the car business --

MR. SPARKS: If I had more, we'd be doing better; but I'm satisfied, thank you.

SENATOR ALEXANDER: I'm certain it is. Do you have -- I'm just curious, but you were in that area. Is Coastal Carolina -- is it embraced by the local business community? Is there a good network there of support for Coastal in -- I mean, with the whole beach -- greater Myrtle Beach area?

MR. SPARKS: Senator, I appreciate the question, and that's an area that I actively try and work towards. I, as a graduate, grew up there. I know what Coastal is. We have a lot of transient folks. Jason Repak, one of the other board members, mentioned how many people are coming in. And I personally think that it's our job, as board members and citizens of the community to educate these folks that are moving in about Coastal Carolina University. It's part of our issue with our transient -- transients are one of our -- part of these folks that are moving in to our area, they bring --

SENATOR ALEXANDER: New residents?

MR. SPARKS: -- allegiances, yeah, allegiances from different universities, different areas. You know, our -- we've actually started a - - kind of an opportunity to say, listen, I know you're from West Virginia and you're a West Virginia fan; but you list here now, adopt us." You know, root for West Virginia on TV and come to the Coastal games, as it were.

SENATOR ALEXANDER: Thank you. And just following up to your point there of folks moving in. Now, you were born in Charlotte. Did you grow up and move to the beach at an early age or were you in Charlotte and then went to Coastal as a student?

MR. SPARKS: I moved in seventh grade. So, I attended North Myrtle Beach Middle School and North Myrtle Beach High School, and then Coastal.

SENATOR ALEXANDER: Only reason I was asking, I was just curious if you came there and went to school and then stayed.

MR. SPARKS: Right --

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SENATOR ALEXANDER: So, you had already been --

MR. SPARKS: -- I understand.

SENATOR ALEXANDER: Thank you. Thank you, Mr. President.

SENATOR PEELER: Mr. Finlay?

REPRESENTATIVE FINLAY: Yes, sir. This is a bit of sort of an oddball question but one I think deserves consideration. Do you think Senator Verdin could pull off that same haircut that you have going?

MR. SPARKS: I think the Senator can probably do a lot of things.

SENATOR VERDIN: Hey, I appreciate the --

REPRESENTATIVE FINLAY: Thank you for responding.

SENATOR VERDIN: I appreciate the spirit that was offered. He can twist that any way he wants to. I need a haircut. I understand. I'm trying to figure -- I got a wedding on June the 5th and no one in my family is happy about things on my face or my head. I can't believe you'd go there.

REPRESENTATIVE FINLAY: I just didn't want you to come too much of a burden.

SENATOR VERDIN: Why don't you tell Mr. Sparks what a good-looking man he is.

REPRESENTATIVE LUCAS: Well, as an orthopedic surgeon, could you help Mr. Findlay with his foot?

SENATOR VERDIN: Yeah, it's stuck somewhere right now.

SENATOR PEELER: Mr. Speaker, can you clean this up.

SENATOR LUCAS: No, I'm ready to vote.

SENATOR ALEXANDER: I move for favorable.

REPRESENTATIVE FINLAY: Second.

SENATOR PEELER: Move for favorable and seconded. Do you have any further discussion? Hearing none, we'll take it to a vote. All in favor, raise your right hand. Unanimous. Thank you, sir. Appreciate it.

MR. SPARKS: Thank you.

SENATOR SCOTT: Appreciate your service.

SENATOR PEELER: That completes Coastal Carolina University. And if you all will promise to be back in five minutes, we'll take a five-minute stretch break and be right back here. We still have the Old Exchange Building Commissioner and Wil Lou Gray. (off the record)

SENATOR PEELER: Call us back to order. This is the College and University Trustee Screening Commission. Next we have Old Exchange Building Commission at large. Greg Ohanesian.

MR. OHANESIAN: Ohanesian.

SENATOR PEELER: Ohanesian.

MR. OHANESIAN: Ohanesian.

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SENATOR PEELER: Is that close enough?

MR. OHANESIAN: Yes, sir.

SENATOR PEELER: For the record, give us the real way to pronounce it.

MR. OHANESIAN: Ohanesian.

SENATOR PEELER: Let me swear you in.

MR. OHANESIAN: Yes, sir. GREG OHANESIAN, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement, sir.

MR. OHANESIAN: I've been on the Old Exchange Commission overseeing Building Commission for about nine years now, and during that time we have not had to come before the General Assembly for funding. We have been able to provide our own funding through admission prices. I know that was one of the questions that was on one of the senator's minds the last time I came. The most important -- well, one of the most important facts about the Old Exchange Building that I consider is that there are three public buildings still standing in the United States where the Declaration of Independence was read in July of 1776. Everyone knows the Independence Hall in Philadelphia. And New Englanders know Faneuil Hall in Boston. But very few people seem to know that the Old Exchange Building in Charleston, South Carolina, is the third building, and that's a really important fact. Not just for the South, but for Charleston. It's one of the unknown facts. And, of course, the others are related to George Washington, when he was president, made a southern tour, came to Charleston for about five days. There were a couple of balls in the great ballroom of the old exchange building in his honor as well as other balls throughout the city. I could go on but I'm sure that members of the House and members of the Senate have questions and I'd be glad to entertain those.

SENATOR PEELER: Time's running. Questions or comments? Senator Scott.

SENATOR SCOTT: So why? So why folks don't know about this -- this well kept -- kept secret?

MR. OHANESIAN: Well, that's --

SENATOR SCOTT: What's going on? Are we not doing a well enough job in order to getting that information out to attract people who now comes to the aquarium and all these others things we have in Charleston. But the Old Exchanges is not being looked at.

MR. OHANESIAN: Well --

SENATOR SCOTT: What's going -- how can we improve it?

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MR. OHANESIAN: Well, actually, it is, sir. We have between -- in not a Covid year -- between 45 to 48 thousand people coming through on an annual basis. Last year we were about half of that. We're online and we get over a million hits a year, so someone is paying attention.

SENATOR SCOTT: Okay.

MR. OHANESIAN: We solicit interest from teachers, public school teachers throughout the state to bring their classes to the Old Exchange Building. Several do. I did myself bringing a couple of classes from Marlboro County --

SENATOR SCOTT: Okay.

MR. OHANESIAN: -- down to Charleston. But there's a fair amount of traffic in the building. We have a -- what's known as the great hall upstairs and that hall is used for very special events. Sometimes weddings, sometimes corporate meetings, such like that. There's great use of the building but it's in terms of facts about the building, you're right, sir, not that well known. But that's also a function of the History of the American Revolution in South Carolina. Not very many people know about the battles that took place here in this state.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. President. And just to follow-up on that -- you're last comments with the commission being formed for the 250th anniversary found that and certainly that -- that's already in place, that would be a great partnership if y'all would get involved with that. Telling that story and as we try to educate young and old and some of us to be reminded of the significance of South Carolina and our Revolution success.

MR. OHANESIAN: Yes, sir. Plans are already in place and more being

SENATOR ALEXANDER: To work with that commission?

MR. OHANESIAN: Yes, sir.

SENATOR ALEXANDER: Okay, good. Because there's no reason to

MR. OHANESIAN: We're on track.

SENATOR ALEXANDER: Okay.

MR. OHANESIAN: We recognize that the building is extremely important in the history of South Carolina.

SENATOR ALEXANDER: And the country too.

MR. OHANESIAN: And across the country, absolutely. We get more visitors from outside of South Carolina than we do from South Carolina.

SENATOR ALEXANDER: We need to work on that as well as part of our history. Thank you.

SENATOR PEELER: Senator Verdin.

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SENATOR VERDIN: Oh, just, not -- the chorus. I'll just join the chorus with a comment. You know, 13 colonies can directly refer their students to the Declaration of Independence, to the Constitution. We're one of those 13. There's 37 that can't. They might be able to direct their students to the Virginia and Kentucky Resolutions, add a couple of more states.

MR. OHANESIAN: Yes, sir.

SENATOR VERDIN: But anyway and you have close proximity to all of those young people that are in the low country for the visits but what -- what a great thing it would be if just one percent of our college graduates of our state institutions could reference the 1776 reading or two percent of our college graduates could reference the 1776 and the 1788 readings. What -- just two percent of the population. I'd like to start somewhere and I don't know if you were here earlier but we had college trustees and we've been having this conversation about getting back to the basics. Now, it was great putting men on the moon and have genome centers and everything else we've done in the last 50 years and one of the things we've done is neglected some really foundational fundamental points of education as it relates to how we interact with each other.

MR. OHANESIAN: Yes, sir. I --

SENATOR VERDIN: And I'd sure like to help you. I'm going -- I'm going to do my part by bringing my new grandchildren -- I've got grandchildren now that can walk and if I can keep -- if I can keep them out of the -- out of the gutter and up on the sidewalk, I'm going to try to get them to the foot of Broad this summer.

MR. OHANESIAN: They will be fascinated with the dungeon. The dungeon has been prepared for children. There are images of patriots that are hung up, fake, obviously mannequins to show what it was like during the American Revolution, when the British had control of Charleston and arrested patriots and put them down there. The other comment that I'd like to make coming off of that -- and I was astounded to read it last year in the Wall Street Journal. A significant number of colleges and universities in this country, including Ivy League schools, don't require of history majors a course on American Revolution. That's the place to start. The universities are not fulfilling, in my opinion, their role in educating our young adults. That's just an opinion, sir.

SENATOR VERDIN: Thank you, Mr. Chairman.

SENATOR PEELER: Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. Is there admission to the Old Exchange?

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MR. OHANESIAN: Yes, there is. It's the only way we survive.

REPRESENTATIVE WHITMIRE: How much?

MR. OHANESIAN: It's 15 for adults, 5 for children except when they come in class groups and then the price is reduced to 2 per child.

REPRESENTATIVE WHITMIRE: Okay. I used to teach social studies, South Carolina history, and I would bring them down to the state museum and they didn't charge anything for school groups. I would think that would be one way you could probably encourage more school groups, if you didn't have to charge for them. I can understand for adults and so forth. That's just something I would consider.

MR. OHANESIAN: Sure. We --

REPRESENTATIVE WHITMIRE: Go ahead.

MR. OHANESIAN: We were reminded many years ago before I got on the commission that coming to the state legislature for funding was not an event that any of the members of the commission looked forward to so we have tried to find a way where we can be self-sustained --

REPRESENTATIVE WHITMIRE: Right.

MR. OHANESIAN: -- without having to come to the --

REPRESENTATIVE WHITMIRE: I understand that. Without having to come to us for money.

MR. OHANESIAN: Yes, sir.

REPRESENTATIVE WHITMIRE: I've got personal interest in this. My -- one of my ancestors was heavily involved during the Revolution, John Rutledge. I know you're familiar with him.

MR. OHANESIAN: Yes, sir.

REPRESENTATIVE WHITMIRE: Yeah, so it's -- I've always had a fascinations for that part of Charleston. Thank you.

MR. OHANESIAN: Well, if I can come off of that, sir, John Rutledge is kind of an unsung hero. It was he who really directed the four delegates to the Continental Congress to pass the Declaration of Independence. He was behind the scenes and his brother, Edward, who was on the committee was waiting for word from his brother, John, in Charleston which way to vote to approve or not approve the Declaration of Independence. I commend you, sir. I wish I had such patriot -- although I have patriots myself, past president of the South Carolina society, Sons of the American Revolution.

REPRESENTATIVE WHITMIRE: Yeah. I'm a member of that. Unfortunately, I got left out of his will somewhere along the way.

SENATOR ALEXANDER: What's your relationship with Parks, Recreation, and Tourism?

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MR. OHANESIAN: We have a -- we're supposed to have the Director of Parks and Recreation to serve as an ex officio member of our Commission but I -- I don't know want to call names or anything but I can't remember ever seeing a representative of Parks and Recreation attending our Commission meeting.

SENATOR ALEXANDER: We need to improve on that.

SENATOR PEELER: Any other questions or comments?

SENATOR VERDIN: Yes, sir. I might not get an opportunity. Your surname, would that be the son on Ohan?

MR. OHANESIAN: Ohanes.

SENATOR VERDIN: Okay, the son of Ohanes.

MR. OHANESIAN: And it's actually son of St. John, that's n-e-s saint. Yes, sir. I commend you, sir.

SENATOR VERDIN: Well, just something that flew in my mind from way back.

MR. OHANESIAN: Not very many people would get that -- not very many people would get that far sir.

SENATOR SCOTT: Move favorable.

SENATOR ALEXANDER: Second.

SENATOR PEELER: Second. Any other discussion? Hearing none, take it to a vote. All in favor, raise your right hand. Appreciate all you do.

MR. OHANESIAN: Thank you. And thank you, gentlemen.

SENATOR PEELER: Now, we move to Wil Lou Gray Opportunity School. Four at large candidates today. Stewart Cooner?

MR. COONER: Yes, sir.

SENATOR PEELER: Just for the record, give us your full name. Give us your full name.

MR. COONER: Douglas Stewart Cooner. DOUGLAS STEWART COONER, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Like to make a brief statement?

MR. COONER: I'd like to make a statement, sir. I apologize I'm usually not brief but I will endeavor to be so. Mr. Chairman --

SENATOR PEELER: I deal with senators every day.

MR. COONER: Thank you, sir. Mr. Chairman, distinguished members of this Commission from both the South Carolina Senate and the South Carolina House of Representatives and to your colleagues and the South Carolina General Assembly, I say thank you. Thank you for the opportunity to sit here before you today, to discuss my candidacy for the Wil Lou Gray Opportunity School Board of Trustees. Thank you for the

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16 years that I've already served on this excellent board and thank you for trusting me to serve as a representative, a voice, for the students who walk through those halls, who excel in those classroom, who build confidence, display leadership, and who prove that they can and will be successful. All they need is an opportunity. With the 6.5 million dollars in the general funds you provide, almost 85 percent of the school's budget, you, the members of the South Carolina General Assembly, have built the foundation for their opportunity to succeed. What does success look like? To date, 80 GEDs have been earned. 80 GEDs towards the goal of 100. Since the 2011 school year, the school has met this goal of 201 earning their GED in the 2017 school year alone. Even with the unexpected events of Covid 19, the 2020 school year produced 124 GEDs. This year, Wil Lou Gray Opportunity School student won the David S. Stout award for the highest GED score in the state. Over the years, three Opportunity School students have earned this honor with one runner up. So success looks like the 26 percent of students who transition to college and into employment, 34 percent who transition directly to employment, 24 percent who return to school, the 6 percent who enter the military, and the 10 percent who transition to other situations. Before Wil Lou Gray Opportunity School, these students age 16 to 19, were at risk of academic progression but now they fill 4 dormitories of 35 students each across three 14 week sessions. They meet teachers in ratios of 14 to 1 or less. Teachers who maintain 100 percent of their required certification. They meet employees whose average tenure reach almost a decade, some who have taught, retired, and returned to tutor over a 50 year career. From the upstate to the midlands, to the Pee Dee, and the low country, these students may study for a GED, earn a works key card, pass the ASVAB, and learn a vocational skill, and they prove themselves successful. And they learn the meaning of Dr. Wil Lou Gray's motto why stop learning because for one young man, had he decided to ignore the meaning of that motto, he would have missed out on accomplishing a five grade level advancement in his education and would have missed out on proving to himself that he is a success. In 1921, Dr. Gray posed that question why stop learning? I invite you to the campus on Boston Avenue at any time but especially this year. As you enter the campus's single drive, you will find fastened to the lamp posts banners proclaiming 100 years, since 1921, Wil Lou Gray Opportunity School. This is our 100 year celebration. I hope Dr. Gray would be proud of what she planted first in Yamasee, South Carolina, and what others have grown. I believe she would. I am proud of this school. I hope that is apparent. I'm thankful

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for the dedication and determination of the faculty, staff, cadre, and administration of Wil Lou Gray Opportunity School. Please believe that the successes that I have share with you today would not be possible without the extraordinary efforts and compassion and caring of each one, past and present. The students are successful because they are taught to believe in themselves, taught by those who believe in them even more. We, as a Board of Trustees of Wil Lou Gray Opportunity School, have been granted an awesome opportunity to be a small part of what's accomplished. Through our diverse backgrounds, experiences, skills, and representation, we 12 members are privileged to work alongside a remarkable group of people carrying a lifelong banner. Thank you. Here I've arrived at the end of my comments but the work remains and I am dedicated to it. As it states on the Wil Lou Gray Opportunity School website "together we will." I believe that every child deserves a future filled with opportunities and possibilities. I believe that every child deserves a future filled with hope. For 100 years, Wil Lou Gray Opportunity School has provided hope. I want to continue to be a part of that work that promises such hope and as described here today, delivers on that promise. Together we will. Thank you for allowing this time to share with you the distinct honor that has been to serve on the Wil Lou Board of Trustees and to share with you the reasons I want to continue to serve. Thank you, Mr. Chairman.

SENATOR PEELER: Thank you. Questions or comments. Senator Scott.

SENATOR SCOTT: What is the key to that success? To remove the students from their present environment? To move the extra interference with the other kids being -- interacting with this child to get their child more focused? What is the -- what is the key to that success? I know there is a youth challenge program also.

MR. COONER: There is, sir.

SENATOR SCOTT: We'll hear -- hear about that, I know.

MR. COONER: I believe the key is, as you said, sir, is to take them out of the environment that is not necessarily conducive to their learning achievement. I believe it's bringing them into the Wil Lou Gray Opportunity School where they're assessed, where they're given an individualized guidance plan, where they're required to take the work keys program, where they're required to take the ASVAB. They live in a quasi-military environment and they're given structure. And I believe those are the keys to help them to succeed. That not only do they succeed while they're at the school but they also succeed when they transition back into their communities.

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SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Okay. Anyone else? Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. I just want to say Wil Lou Gray is part of my subcommittee on budgeting every year. We are just astounded at the success that you have at your school.

MR. COONER: Thank you, sir.

REPRESENTATIVE WHITMIRE: When we have them over for a luncheon, just how they act, how polite they are. It's yes, sir and no, sir, yes, ma'am, no ma'am. You've just done a wonderful job with some -- some young people who probably would fall through the cracks otherwise. So I have no problem trying to fund them, what they need every year because they've been a true success story. So I just want to thank you for what you do.

MR. COONER: Thank you, sir.

SENATOR PEELER: Senator Verdin.

SENATOR VERDIN: Female admissions are a challenge. Are they a challenge once they get there or just finding a -- is the pool of candidates the challenging aspect of it?

MR. COONER: It's the pool, sir.

SENATOR VERDIN: Okay.

MR. COONER: It is. We -- we actually have five dormitories. Two of them are dedicated to female. Three of them are dedicated to male. The admissions rate for females was low so what we actually decided to do was partner with vocational rehab and bring them on campus and reduce the number of dormitories available for females to accommodate the number of applications that we were receiving. But it is a population that we'd like to address. The school has -- has tried to understand what it is that -- that attracts the males to the program but not necessarily females and we continue to study that. We -- we promote the school through billboards, through radio announcements, through participating on news programs, different things of that sort. It would be helpful if we could get additional support from the school districts as they recognize that children are at risk and provide us with that information. Obviously, with the parents' consent. And we believe that we could address that. But yes, sir, it is -- the female population is one that we'd like to see an increase in enrollment.

SENATOR PEELER: Anybody else?

SENATOR SCOTT: Favorable report.

SENATOR ALEXANDER: Second.

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SENATOR PEELER: Motion is favorable report. Seconded. Any other discussion. If none, take it a vote. All in favor, raise your right hand. Unanimous. Thank you, sir.

MR. COONER: Thank you.

SENATOR PEELER: Next Michael Pryor. Good afternoon, sir.

MR. PRYOR: Good afternoon.

SENATOR PEELER: For the record, if you would give us your full name.

MR. PRYOR: Michael Tyrone Pryor.

SENATOR PEELER: Let me swear you in. MICHAEL TYRONE PRYOR, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. PRYOR: Yes, sir. May I sit?

SENATOR PEELER: Please do. Make yourself comfortable.

MR. PRYOR: I am a counselor. I am a native of South Carolina. I hail from the small town within Orangeburg County called Branchville, South Carolina. I received both my degrees from South Carolina State University and I'm currently working on my third degree in educational administration at that university as well. I am currently a certified school counselor and I'm passionate about advocating for our students. I believe my educational and professional experience along with my integrity will allow me to become a good fit for board member at Wil Lou Gray. I'm committed to bringing strategic and innovative ideas and helping progress our students within South Carolina.

SENATOR PEELER: Thank you, sir. Questions? Comments? Senator Scott?

SENATOR SCOTT: Thank you for your willingness to serve.

MR. PRYOR: Thank you.

SENATOR SCOTT: I'm excited to come out of a small county and especially even a smaller community.

MR. PRYOR: Yes, sir.

SENATOR SCOTT: And some of the things that we've been talking about, at least this year, that's been top priority is those children who are struggling in those communities, especially those trying to go to a four year school and we have enough difficulty just getting them out of high school because they don't have all the resources and material. Tell me what you think based upon your training, experience, and a South Carolina State College graduate too, so congratulations on that as well. The training, experience, especially your -- what you've seen in your own environment in those communities that you'll be looking for -

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- looking for when you see these students who are struggling trying to figure all this out, first just trying to make an adjustment being in a small community and then trying to -- to try to put themselves together so they begin to achieve. Give me your thought pattern on -- on what your thought pattern might be on that.

MR. PRYOR: Well, I think the number one thing is resources. Within the small town environment, we don't have a lot of resources. We don't have a lot of clubs and organizations, so the communication as well as the conversation within the schools is not necessarily there when it comes to success and post-secondary opportunities. So I think that's one of the main things that we can work on. Even within my experience as a school counselor, a lot of students they -- when they struggle academically or within the school setting, they don't know about the opportunities at Wil Lou Gray. I did have a few students that I did recommend and have gone to Wil Lou Gray and have become successful. But a lot of students, over all, they just stop coming without seeking advice of what to do next.

SENATOR SCOTT: Thank you, Mr. Chairman.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you, Mr. President. Briefly. Good afternoon. Thank you for being here and your willingness to serve.

MR. PRYOR: Thank you.

SENATOR ALEXANDER: You're current employer, you're -- what is your current employer?

MR. PRYOR: I'm currently employed as a head counselor at Dekalb Alternative School in Stone Mountain, Georgia.

SENATOR ALEXANDER: Stone Mountain, Georgia. So you live -- is your residence in Georgia or South Carolina?

MR. PRYOR: South Carolina.

SENATOR ALEXANDER: Okay. Would -- how often does the Wil Lou Gray board meet?

MR. PRYOR: It meets three times a year.

SENATOR ALEXANDER: So would there be any issue with you having the ability to attend those meetings?

MR. PRYOR: No, sir.

SENATOR ALEXANDER: Okay. And finally, it says here under the biggest weakness, you have reputation. Is there -- is there --

MR. PRYOR: As far as my biggest weakness?

SENATOR ALEXANDER: No, no, not yours but Wil Lou Gray's. I mean, is that -- is that a perception or is that something you're aware of?

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MR. PRYOR: Yes, I think that's just a perception of the students. They -- they see it as -- or the parents as well, they see it as an alternative school setting as a bad thing. As if all students that attend Wil Lou Gray have behavior issues and that's not necessarily the case. Some students go to Wil Lou Gray because they want a way of finishing their high school -- their secondary education, not necessarily for behavior issues.

SENATOR ALEXANDER: So that's something they could work on?

MR. PRYOR: Yes.

SENATOR ALEXANDER: And have you -- have you been to the campus?

MR. PRYOR: I have not been to the campus but that's something that I look forward to doing if I'm afforded the opportunity to tour the campus and speak with board members about, you know, ways we can make it better.

SENATOR ALEXANDER: Okay. Thank you. It's good to see you.

SENATOR PEELER: Mr. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you, Mr. Chairman. You have a South Carolina driver's license?

MR. PRYOR: Yes, sir.

REPRESENTATIVE WHITMIRE: You got any points left on it?

MR. PRYOR: I do have a few left.

REPRESENTATIVE WHITMIRE: Well, you better be careful. You're about to go out.

SENATOR VERDIN: Mr. Chairman. Are you finished there, Mr. Whitmire?

REPRESENTATIVE WHITMIRE: Yeah.

SENATOR VERDIN: Because I've got the same love for Mr. Pryor as you do. Because I experienced a lot of the things you experienced and I believe like sometimes having a stiff neck and not being able to look over my right hand shoulder when I'm on I-20 trying to get back to South Carolina.

MR. PRYOR: I know.

SENATOR VERDIN: You get -- if you can't look back over on the entrance ramp to the interstate, you don't know who's over there lurking. Honest to goodness, when I was young like you, I had fast cars and now I've got slow trucks. But I'm with the representative there, we all need to be careful.

MR. PRYOR: That's true.

SENATOR PEELER: Anyone else?

SENATOR SCOTT: Favorable report.

SENATOR ALEXANDER: Second.

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SENATOR PEELER: Second. Any discussion? Hearing none, take it to the vote. All in favor raise your right hand. I think it's unanimous. Thank you for your willingness to serve, sir.

MR. PRYOR: Thank you.

SENATOR PEELER: Next Gregory Vaughn.

SENATOR VERDIN: Mr. Chairman.

SENATOR PEELER: Yes, sir?

SENATOR VERDIN: You'll have to forgive me. Not only did I eat my whole cup full of chocolate, I ate Mr. Finlay's as well. So --

REPRESENTATIVE FINLAY: Not that Mr. Finlay is going to miss it.

SENATOR VERDIN: He said I was going to have a sugar rush at some point.

SENATOR PEELER: Gregory Vaughn, for the record, if you would, please give us your full name.

MR. VAUGHN: Gregory Martin Vaughn.

SENATOR PEELER: Let me swear you in. GREGORY MARTIN VAUGHN, having been first duly sworn, was examined and testified as follows:

SENATOR PEELER: Would you like to make a brief statement?

MR. VAUGHN: I am in the incumbent coming in. Haven't been very long. I have actually attended one face-to-face board meeting before we had to start going to teleconferencing. I filled a partial seat, the end of a seat so I came before this committee just over a year ago. So, of course, I have been involved in the teleconference board meetings that we've had since. I still have a lot to learn about the school but I'm totally, absolutely convinced that the school and what it stands for and how it operates is very, very needed in this state, not this state but any state but it is, of course, in the state so I think it serves a great purpose and I think it always will because youth will always have problems that don't always work themselves out and they need a little help so, I think Wil Lou Gray's a good opportunity for those kids to have a chance to fulfill their -- their potential.

SENATOR PEELER: Questions or comments?

SENATOR SCOTT: Favorable.

SENATOR PEELER: Motion is favorable. Second? Any other discussion? Hearing none, we'll take a vote. All in favor, raise your right hand. Unanimous. Thank you, sir. We appreciate your willingness to continue serving. That's our agenda. If there's nothing else, we'll stand adjourned.

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STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION
SCREENING HEARINGS

THURSDAY, APRIL 22, 2021

The within hearings, reported by Kathryn B Bostrom, Court Reporter and Notary Public in and for the State of South Carolina; said hearings were taken at the South Carolina State House, Columbia, South Carolina, on Thursday, the 22nd day of April, 2021, commencing at the hour of 12:26 p.m.

APPEARANCES: Committee Members: Representative William R. Whitmire, Chairman Senator Thomas C. Alexander Senator John L. Scott Senator Daniel B. Verdin Representative Kirkman Finlay Representative James H. Lucas Committee Staff Martha Casto Julie Price Court Reporter: Kathryn Bostrom, Garber Reporting

CHAIRMAN WHITMIRE: Today we're going to hear two candidates for a board at large seat from Wil Lou Gray Opportunity School. First I would ask for Cheryl Fralick from Lexington to come up, please. And as soon as you sit down, if you'll just raise your right hand, I'll swear you in. All right. CHERYL FRALICK, having been first duly sworn, was examined and testified as follows:

CHAIRMAN WHITMIRE: And if you'll tell me your name and what are your plans to run for Wil Lou Gray seat.

MS. FRALICK: Well, my name is Cheryl Howard Fralick. I've grown up in South Carolina. I was born and raised here. I went through the public school setting here at USC, early childhood masters, administration degree. I'm recently retired after 36 years of service in education. I served as principal the last 15 years in Lexington School District One. And so basically at church one day, a friend just said, hey, what are you doing in retirement. I said I'm trying to figure out who I am, trying to figure out what's the next step. And he started talking about you should think about something like a board of education. I don't think that I'm done helping children, and I don't think I'm done helping families and teachers. And this was an opportunity that just kind of came at the last minute, the 11th hour putting this application in, but since then I've really done some deep dives and some research, and I just think the children I've served as principal -- especially my emotionally disabled students, Wil Lou Gray gives me an opportunity to continue helping

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students and teachers and faculty and administration, and my work with children is just not done.

CHAIRMAN WHITMIRE: Okay. Questions? Speaker Lucas.

REPRESENTATIVE LUCAS: Ms. Fralick, you have an outstanding resume. Thank you for your desire to serve. One of the things you list is a desire to see an increase in the number of students passing the GED. How would you do that?

MS. FRALICK: Well, you know, like I said, when I first answered these questions, it was kind of off the cuff to be quite honest with you, because I didn't know this is a direction that I was really interested in doing, but in the course of going, you know, what, I can make a difference. You know, I can work with people there. So I kind of changed my answers a little bit on that. Basically increasing GED -- what I have found with results is one size does not fit all, especially when you get into children that have some issues and some mental, behavior, social, whatever, but what I have found is by increasing their self-worth, right, the character of who they are, the desire to want to do better, to work hard, when you combine the character piece, when you combine the mastery, the knowledge and skills, and when you expect high quality work, children will perform. And so -- but they have to first understand who they are as a person, and just to me increasing scores is showing individuals who they are, what they're capable of doing. And that you are capable of going beyond what you think you have potential to do. It's really pushing them to know they can do it, that they absolutely can do it.

REPRESENTATIVE LUCAS: Thank you.

CHAIRMAN WHITMIRE: Senator Scott.

SENATOR SCOTT: I agree with the Speaker. I'm really impressed with your resume. The other part that I'm impressed with is not only just the regular student who comes to school, but also the special needs students. And there are so many kids, that we are now dealing with these young people, who have special needs and some may be even balance because of parents who use drugs --

MS. FRALICK: Uh-huh.

SENATOR SCOTT: -- and kids who are having an addiction, just all kinds of issues. I think your experience would play a major role. Tell me about the last couple of years. Thirty-six years is a long time --

MS. FRALICK: It's a long time --

SENATOR SCOTT: -- but you're still a young teacher --

MS. FRALICK: Thank you, thank you.

SENATOR SCOTT: -- and a principal.

MS. FRALICK: Yes.

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SENATOR SCOTT: Tell me about the last two years and what you began to see, because things when you began 36 years ago, it's a lot different now than it was then. Tell me about those last couple of years.

MS. FRALICK: Oh, and to be quite honest, I've really noticed a change in the -- when I was there --

SENATOR SCOTT: Right.

MS. FRALICK: -- I retired June of 2019, so I'm not that far away from it yet.

SENATOR SCOTT: Right.

MS. FRALICK: But within the last two or three years from when we opened the school in 2011 --

SENATOR SCOTT: Right.

MS. FRALICK: -- I'm already seeing a difference in -- and I'm going to tell you, the social aspect even for children that are in stable homes, with social media and all the things that are thrown at them, we have to approach them differently, but the bottom line's still --

SENATOR SCOTT: Right.

MS. FRALICK: -- the bottom line for everybody is what their self-worth is on the inside. Being able to identify themselves as, I am Cheryl Fralick. Here's what I'm capable of doing, and this is what I continue to work on. And so they -- and through this pandemic, I can foresee there are going to be a lot more mental --

SENATOR SCOTT: Right.

MS. FRALICK: -- breakdowns and things like that, but the last two years I was there, my emotionally disabled classroom consisted of probably about eight boys and about two girls, but their behaviors were so violent and their mental health was so severe and for a lot of reasons, some of the families that are intact and some that are not. And we're just faced with a lot of variables being thrown at these children. And they just don't have that stability within themselves to work through these things, because they're so concerned about what's going on around them, who's doing what to me and who's not doing what to me, that they lose sight of, I need to focus on myself. And so really the last two years my faculty and I, we really focused on the why.

SENATOR SCOTT: Uh-huh.

MS. FRALICK: You know, why are we here, what is it that's the issue and how are going to fix this.

SENATOR SCOTT: Right.

MS. FRALICK: And when we met around a table like this, we always put the student name in the center of the table and said, this is why we're here, what's going on in this child's life and how are we going to work

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to help him meet the target, whatever that target is, and it may be just growth one percent --

SENATOR SCOTT: Right.

MS. FRALICK: -- it may be growth two percent, but are we moving that child forward instead of flat lining or dropping off a cliff.

SENATOR SCOTT: Well, I wish you well. I do know we sometimes think because these kids have programs that they don't have capability to really learn.

MS. FRALICK: That's right.

SENATOR SCOTT: Some of these kids -- they're bright kids, but because of outside influence, they just refuse to participate for one reason or another. I wish you well.

MS. FRALICK: Thank you.

CHAIRMAN WHITMIRE: Senator Verdin.

SENATOR VERDIN: Thank you, Mr. Chairman. That all translates to Wil Lou Gray, that approach.

MS. FRALICK: Yes.

SENATOR VERDIN: Inner person.

MS. FRALICK: Yes.

SENATOR VERDIN: The focal point right here. So the biggest weakness identified is just the turnover. I take it the students at Wil Lou Gray, if you were directing those comments directly is, would you say they have a decrease in the number of students leaving school due to disciplinary issues? What's the term, what's the normal term, 12 weeks, ten weeks, 12 weeks, or if it prescribed in different modules or --

MS. FRALICK: Well, can I -- do I have the privilege to say -- I want to tell you a different answer to that. Like I said, when I was trying to figure out whether I was going to apply to this, it was kind of a quick response. Let me look at everything, because I do dive deep in the data, right, but I didn't do a whole lot. So I've looked at Wil Lou Gray's data. I would change my answer to that --

SENATOR VERDIN: Okay.

MS. FRALICK: -- a little bit, because things are changing, going back to you. The last two years of my stay at Meadow Glen Elementary things were changing very rapidly, and we would lose students for this or that, and so it's really hard to pinpoint, but what I am seeing, though, is all schools, not just Wil Lou Gray, but just the mental health, the safety, right, true professional development for staff, students and families, a deep dive into the rise, the recruitment of solid faculty to help these students work through so that they don't want to leave.

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SENATOR VERDIN: Okay. So that response to the questionnaire was not specific to -- because I'm not familiar with the retention rate. I've always thought it was real high.

MS. FRALICK: His retention rate is very high, probably food services is probably a tough one, and probably those that have to watch them at night. I would think that that is a really --

SENATOR VERDIN: Oh, but that's employees, though.

MS. FRALICK: -- hard to recruit for that.

SENATOR VERDIN: Okay. Well, Wil Lou Gray's biggest weakness, "the need to increase the number of students passing the GED," good and "needs to increase the number of students leaving that school due to disciplinary issues."

MS. FRALICK: Right. Well --

SENATOR VERDIN: But that's what I view as the whole concept of the school.

MS. FRALICK: Right.

SENATOR VERDIN: Okay. I'm going to subject myself to this rigorous discipline because I haven't had it before and I knowingly, willingly am subjecting myself to it. And then they get there and don't pan out.

MS. FRALICK: Right. Well, since I've -- if you notice on question 5 it says, have you ever visited the campus, and I said, no. Well, as soon as this application went in, I called Director Smith and said, can I come by your school.

SENATOR VERDIN: Yeah.

MS. FRALICK: I want to feel what your heart is. I want to see the school. I want to see what's going on. We talked about that, and so I would have changed that answer as well, because people leave for different reasons. And with the way the world is now, people are changing their minds on anything. A student can all of a sudden just feel overwhelmed by that military style, 14 week structure, because they haven't had structure in their life. And so it's not like a prison where you hold them down. They do have the freedom to leave. So a lot of different things that Director Smith and I talked about -- it's a variety of things. They might call mom and dad and say, please, come pick me up. I can't handle this. And sometimes parents don't let children fail in order to become somebody strong, and they're bailing them out a lot. So that was a lot of the reason that he told me, and sometimes there are discipline issues. In my emotionally disabled class at Meadow Glen Elementary, we had two such severe children that the public school setting is not equipped to handle that, and it's the same thing. If there is

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a student with discipline issues and they've gone through the process of everything that -- their protocols and everything like that. Sometimes there is a need for something a little more even stringent than a 14 week program. Does that makes sense?

SENATOR VERDIN: Yes.

SENATOR SCOTT: Yeah, it does. Mr. Chairman.

CHAIRMAN WHITMIRE: Senator.

SENATOR SCOTT: Two programs that I always highly respect, Wil Lou Gray is one and Youth Challenge is the other one. And I spent many years working with the Youth Challenge program, and it is really military driven. And even with that, what we discovered, there's a lot of these kids that don't make it simply because they never had discipline in their life.

MS. FRALICK: Right.

SENATOR SCOTT: And that's a hard thing for a child who has been able to go and come as they please, and then take them out of a setting where they can't get their own way, they act out. And some come around and some don't. Thank you, Mr. Chairman.

CHAIRMAN WHITMIRE: I want to welcome Representative Finlay. Thank you for coming.

REPRESENTATIVE FINLAY: Three elevators.

CHAIRMAN WHITMIRE: That's real dedication. First, I'm a former educator, so I really want to thank you for your service to our state in education.

MS. FRALICK: It's been a privilege.

REPRESENTATIVE FINLAY: I can tell you when I first started, it's not like it is now.

MS. FRALICK: It's not.

CHAIRMAN WHITMIRE: It is totally different. My wife also has been an elementary principal at three different schools, and she keeps me informed, and she says the same thing. When she started in the early '90s, it's not the way it is now. So --

MS. FRALICK: It is. And I would add to that. When you have to be careful with every word that comes out of your mouth now --

CHAIRMAN WHITMIRE: Yeah.

MS. FRALICK: -- you want to be truthful, and you want to be -- we call it being lovingly blunt when we had to talk to parents about their students and their discipline, but it's so important that families work together in order to say no to a child every now and again and let them fail so that they pick themselves up, and they see how strong they actually are when they can go through some hardship. And the students that they serve at

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Wil Lou Gray -- I mean, that's what this school was built for, right, to help those that don't feel that they're a part of something, to build them up so that they walk out of there and say, I am somebody.

CHAIRMAN WHITMIRE: Well, I'll say this about Wil Lou Gray. I also serve on Public Education Ways and Means. They come before us every year. It is an outstanding school. They -- I can't say enough about the success there.

MS. FRALICK: Right. And just the tour and just how beautiful it is, first of all --

CHAIRMAN WHITMIRE: Right.

MS. FRALICK: -- it feels good to be there, and the things that they're doing, and I just -- it opened my eyes, and I'm going, yeah, these were my kids in elementary school who you've served and the kids that I've served for a very long time.

CHAIRMAN WHITMIRE: Any other questions?

SENATOR SCOTT: Favorable report.

CHAIRMAN WHITMIRE: All right. There is a motion for favorable report. All those in favor, please signify by raising your right hand. Opposed, like sign. Thank you very much.

MS. FRALICK: You're welcome. Thank you for the opportunity.

CHAIRMAN WHITMIRE: Good luck to you. Thank you.

MS. FRALICK: Thank you.

CHAIRMAN WHITMIRE: All right. Next up is Michael Moss from Duncan. Have a seat, and I'll swear you in. MICHAEL MOSS, having been first duly sworn, was examined and testified as follows:

CHAIRMAN WHITMIRE: If you'll state your name and tell us why you're running for Wil Lou Gray.

MR. MOSS: My name is Mike Moss, and I was asked a few years ago - - there was a partial term that needed to be filled, and I was contacted and asked about Wil Lou Gray, and I learned more about Wil Lou Gray. I have educators in my family. My wife is retired school teacher. My son is now band director, and I have two daughter-in-laws who both teach, one at Clemson University, the other one at an elementary school. I was a former admissions director at Spartanburg Methodist College so education has been a part of our life. And it's been such a privilege to serve. And I would like to continue to serve at Wil Lou Gray.

CHAIRMAN WHITMIRE: Questions? Senator Scott.

SENATOR SCOTT: Yes, sir. Thank you so much for your willingness to serve. Understanding what the needs are going to be and the role as a mission, how do you think that can transfer over to the young people at

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Wil Lou Gray, getting them prepared? Some of these kids will probably end up at the technical schools, in the military or even into a four-year institution. So with the broad knowledge coming from a southern Methodist college doing intake, what do you think that you would share with those young people to make a transition?

MR. MOSS: Well, I think that there is a transition here, and I think getting -- I've met with the admissions person at Wil Lou Gray. I went over, and they kind of shared with me what they've done before in admissions. And I think the students - - you've got to prepare them for life. And I think they have to see that need, and if that referral comes in, it's what that student needs at that time, Wil Lou Gray is either going to take it or they're not. And so I think if you -- you know, admissions -- same way at the college. We didn't know if the student -- we would look at their background. We looked at their grades. We looked at what they did while they were at those high schools and would they make it at college. And you have to make that determination. And I think that's the same with Wil Lou Gray.

SENATOR SCOTT: So sharing that as knowledge, as a member of the board, what would you like to see the board do on the policy side because you instruct administration what needs to be accomplished so these kids are able to achieve and be able to get into college, although it's expensive, college is now?

MS. MOSS: Right. I think as far as the staff and all, I think they do an excellent job getting the students prepared for college. Everything that I've seen from the board -- from our board perspective in getting ideas and listening to the principal of the school and what is going on and Director Smith, I feel like that they are achieving those goals. There's always going to be some fallout, but there's fallout everywhere.

SENATOR SCOTT: Right.

MR. MOSS: There's fallout in public schools. There's fallout no matter what you do, but I think they're on target. Everything looks good to me, and enrollment shows us that, that we continue to enroll. The only thing that's crippled enrollment this year, of course, if the virus, and there is just nothing we can do about that.

CHAIRMAN WHITMIRE: Any other questions? Senator.

SENATOR VERDIN: I'm just curious. Did you ever have any interaction with Bull Cagle, Mavis Bull Cagle?

MR. MOSS: Yes, from Lyman. Yes.

SENATOR VERDIN: I've been thinking. He kind of ran his own little Wil Lou Gray format over there, didn't he?

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MR. MOSS: He did. He'd run more like a recreation program, getting them involved. His nephew was a good friend of mine, and they -- Byron, I don't know if you knew him, but And Ms. Cagle also was the secretary to my doctor, so --

SENATOR VERDIN: Yeah. Over in Greer?

MR. MOSS: Over in Greer.

SENATOR VERDIN: Yeah.

MR. MOSS: But, Bull, yeah, he kind of run a program and keeping kids off the street.

SENATOR VERDIN: Tough love.

MR. MOSS: Yes.

SENATOR VERDIN: Discipline, but a lot of love.

MR. MOSS: Absolutely.

REPRESENTATIVE FINLAY: Well, I know how Byron Everett experienced him, because Byron Everett and I both called him Uncle Bull. Byron and I are first cousins.

MR. MOSS: I think we've met before. I don't know --

SENATOR VERDIN: Well, hey, I appreciate the focus up from both the nominees. Mr. Chairman. It's a personal relationship, really, the focal point of impact there at Wil Lou Gray. And I was again, just reading that book you gave me, ten, 12 or 14 years ago about the mission. You know, Wil Lou Gray came to Gray Court or out in the country there at Youngs Community and poured life and soul into a bunch of underprivileged folks that were bound and determined to lift themselves up with a little help, and you know, we have to be mindful of continuing to enable people to identify and then embrace the ideals that are so instrumental in keeping the society together. So Mr. Chairman, I move favorable.

CHAIRMAN WHITMIRE: All right. First, let me welcome Senator Alexander from his busy schedule down on the floor.

SENATOR ALEXANDER: We broke so we could come up here.

CHAIRMAN WHITMIRE: Well, we appreciate that. Any other questions for Mr. Moss, or move to favorable report? Hearing none, there's a motion for favorable report. All those in favor, please raise your right hand. Those opposed, like sign. So reported out. And before you two leave --

SENATOR SCOTT: Proxy open.

CHAIRMAN WHITMIRE: Oh, yeah. We got the -- Representative King -- Senator Scott had his proxy, and he also votes favorable.

SENATOR SCOTT: And favorable report on the previous as well.

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CHAIRMAN WHITMIRE: Martha, do you want to tell them their rules and orders and stuff?

MS. CASTO: Julie will get with y'all two. The election is scheduled now for May 5th. We are to get the transcripts printed in the journal next Thursday --

MS. PRICE: Tuesday.

MS. CASTO: -- Tuesday, I'm sorry, Tuesday, release them for commitments on Thursday, and then the election will be the following Wednesday at noon. Now Wil Lou Gray has four seats and five candidates. Remember y'all screened three last week, and then the other school is Coastal Carolina, and there are two contested seats on there.

CHAIRMAN WHITMIRE: And please do not talk to any representatives or senators before the day you can ask for commitments. We've had that come up in the past, and that really creates a problem for some. Okay. Anything else before the Committee? Thank you Senator for coming up, and thank you to the speaker, and we now stand adjourned. (There being no further questions, the hearings concluded at 12:49 pm)

(There being no further questions, the hearings concluded at 2:41 pm)

Letter received by the Commission from a Winthrop Alumnae on April 9, 2021

To Whom It May Concern,

I am writing as a deeply concerned alumna of Winthrop University urging that Mr. Glenn McCall NOT be appointed once again to the Winthrop Board of Trustees. As the current Chairman of Winthrop's Board of Trustees, a great deal of unethical conduct and corruption has transpired and ultimately, our leaders should be held accountable for their conduct, not rewarded to additional terms. Not only will I provide evidence, but I urge you to do confidential interviews with every member of the current Board of Trustees to verify. Some will be brave enough to say as such, but only if in confidence.

First and foremost, I expect all Board members to abide by the South Carolina Freedom of Information Act. Legislator Seth Rose can also attest, but this state law is violated at every Winthrop BOT meeting. The law permits the Board to enter into Executive Session for a limited number of reasons, however, over 90% of every board meeting is held Executive Session, during topics that do not qualify. In general, they open the meeting, say the invocation, approve the agenda/past minutes and then enter immediately into executive session for hours on end. They

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come out, read the resolutions and vote with Board members passing every resolution unanimously, then they adjourn. Topics such as athletic programming simply do not belong in Executive Session. That's the bottom line. I have voiced my concerns on this and other major governance issues directly to WU's legal counsel Caroline Overcash, Interim-President Hynd and Chairman McCall as far back as September, 2020, yet no efforts have been made to abide by state law. It all begins with Chairman Glenn McCall, who presides over the meeting. They continue the same pattern of doing things, without formal board training and assuming the way it has been done in the past is okay for the future, whether it is lawful or not. No ignorance to the law may be pled as the plethora of illegal executive sessions has been brought up many times, directly to Chairman McCall. Winthrop's head of the Political Science and Mass Communications departments, Ms. Jennifer Disney and Mr. Guy Reel, can also verify their eyewitness accounts of the current Board entering into Executive Session illegally.

At the November, 2020 Board of Trustee meeting, I witnessed nearly 14 guests of Winthrop University speaking during the public comment time in advance of the Board of Trustee meeting. Those guests, which included three current students, were not welcomed into the room by Chairman McCall, Vice-Chair Bigham, Secretary Faust (responsible for lining up speakers) nor Interim-President Hynd. A microphone was not initially afforded to speakers (despite being requested in advance and the board having microphones at their tables). It was only one member of Winthrop public relations and a retired WU staff member who actually spoke to these individuals to thank them for their time in coming. The retired staff member even went as far as apologizing for their treatment by the Board after everyone was removed from the room because of executive session happening. It was highly embarrassing for me that my own alma mater cared nothing for these speakers who simply wanted their voice to be heard.

As you will soon find out in the media in the coming weeks, not only is Winthrop University in gross violation of compliance of federal law, Title IX, but there will be a much deeper story coming out that I don't even have all of the facts of. University officials are finally going to be held accountable to the public on many fronts, and hopefully, it will lead to positive change. As you know, any University not in compliance with Title IX may lose ALL of its federal funding as a result. Here is a link (https://share.icloud.com/photos/0MzyFTjWeN_N8Ago8KbQ6yB2g#Cramerton) to a very serious audio conversation that I had with Josh Whitlock of Jackson Lewis (their outside Title IX legal counsel) just a

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few weeks ago. **It is vital that you listen to the entire conversation.** I did notify Josh in advance I would be recording our call, however, I did not need to do that as both NC and SC are one consent law states. Please pay attention to the entire conversation as after the Title IX conversation, we go into a timeline that unveils a great deal of unethical behavior and corruption amongst many members of Winthrop leadership, including select members of the board (including Mr. Glenn McCall). I have evidence and witnesses to back up every single statement that I made to Mr. Whitlock. I am happy to provide ALL of that to you. I have also included a copy of my follow-up email to Mr. Whitlock (including those attachments). ***see follow-up email.

I speak to you having significant board experience myself as I serve on the Executive Committee of a global non-profit board based out of NYC. In my view, this Board operates as a dictatorship. In private conversations I've had with board members, a great deal of vital information is kept from the full board and they only find out key information after the fact. The poor governance procedures I outlined only breed this type of activity and needs to be corrected immediately. It is not surprising to me that Chairman McCall and Vice Chair Bigham continue to purposefully withhold information from the full board in order to push their personal agendas. This is NOT how a productive board operates in the least.

Leadership starts at the top and appointing Mr. McCall (and Kathy Bigham for that matter) to an additional term would only make the situation worse. Winthrop needs new leaders that take seriously their fiduciary responsibility to the institution, not to themselves and the power they wield. We don't need more politicians doing what they want (because there is no accountability otherwise) having created a culture that is based in fear. Did you know that University officials have informed me that in no way can members of the Board be held accountable to even the most basic level of ethical conduct outside of the finite stipulations outlined by the SC State Ethics Commission (basically nepotism and where financial gain is at hand)? Even Winthrop's own General Conduct Policy is ignored. I have attached two letters to University leadership (2/12) and the full board (2/21) that outline the gross mishandling of a complaint to Human Resources.

I understand that Mr. McCall is the only candidate to have submitted his candidacy. Why? It is not surprising to me that in no way does Winthrop post details publicly about the process of doing so, for those who may be interested in running Board seats. Perhaps it is leadership's way of ensuring that the same select few individuals can go about their

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business as they have in the past, with no regard to abiding by good governance, or state law for that matter. I urge the state to mandate universities provide this “process for being appointed to the Board” available on their web site at the minimum. That’s just good governance.

Lastly, Mr. McCall is NOT an alumnus of Winthrop University. Read that again. **Mr. Glenn McCall is NOT an alumnus of Winthrop University.** I understand politics are often involved in matters such as these and a Republican governor will want to appoint someone who serves on the RNC. While state officials may also choose to “look the other way” and appoint him anyway citing he was the only applicant, it is only a matter of time before the volcano erupts. To give you a runner’s analogy, “it is better to go through the temporary pain of surgery in order to run swiftly once again, than it is to continue hobbling on a bum knee.” A bum knee only gets worse over time if not corrected.

I urge that you yourselves serve in the best interest of my alma mater and NOT allow Mr. McCall to serve again. Winthrop’s future depends on the decisions you make. Thank you for your time and deep consideration.

Sincerely,

Julie Busha

Winthrop Class of 2000

Academic All-American, XC/Track, Order of Omega, 3 Departmental Honors

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator RANKIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Patrick “Pat” Henry, Sr. of Conway, S.C. Pat graduated from Spartanburg Methodist and Wofford Colleges before serving four years in the U.S. Air Force. He graduated from the University of South Carolina Law School and retired after 45 years from Thompson and Henry Law Firm. Pat served as Horry County Attorney and president of the Horry County Bar Association. He was a devoted member of Trinity United Methodist Church where he served in many capacities. Pat enjoyed fishing, hunting and farming. Pat was a loving husband and devoted father who will be dearly missed.

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and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Stephen Campbell Mims of Sumter, S.C. Stephen was a master electrician and former co-owner of Ridgeway Electric. He was the drummer for The Footnotes band and enjoyed spending time with family, friends, the outdoors and the Gamecocks. Stephen was a member of Trinity United Methodist Church. Stephen was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:26 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:00 P.M.

* * *

Wednesday, April 28, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Matthew 25:45

We read in Matthew that: “The King will answer them, ‘Truly, I tell you just as you did it to one of the least of these who are members of my family, you did it to me.’ ”

Let us pray: O loving Lord, You have given to each of these leaders a heavy responsibility, one that surely is emphasized here while budget decisions are being made. This burden, of course, is the very fact that each financial conclusion this Body comes to will have heavy impact on those citizens who, sadly, are not always able to make good decisions for themselves. Indeed, those among us who are poor, powerless, and disadvantaged are counting on all who serve them in this place to make decisions that are fair and that are good for all. So allow these leaders to act in ways that are just and worthy, O Lord. Bless each Senator as You alone can, granting her and him the courage to do those things that are not only pleasing in Your sight, dear God, but that are also beneficial to all. Also, Lord embrace in Your loving care two of our staff members, Stephanie Jones-Fitts and her daughter, Lauren Biggerstaff, as they go through major medical procedures this very day. In Your name we humbly pray, O Savior. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:06 A.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

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Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Malloy
Martin	Massey	Matthews
Peeler	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 28, 2021, at 9:00 A.M. and the following Acts and Joint Resolution were ratified:

(R38, S. 38) -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO AMEND SECTION 59-29-120, RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUIRED FOR GRADUATION, SO AS TO PROVIDE PUBLIC HIGH SCHOOLS SHALL PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE EMANCIPATION PROCLAMATION, AND THE FEDERALIST PAPERS TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL REQUIRE STUDENTS TO COMPLETE AT LEAST THREE CREDIT HOURS

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OF INSTRUCTION THAT PROVIDES A COMPREHENSIVE OVERVIEW OF THE MAJOR EVENTS AND TURNING POINTS OF AMERICAN HISTORY AND GOVERNMENT, TO INCLUDE SPECIFIC REQUIREMENTS FOR SUCH INSTRUCTION, TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY NOT GRANT CERTIFICATES OF GRADUATION FOR BACCALAUREATE DEGREE PROGRAMS TO STUDENTS WHO FAIL TO SUCCESSFULLY COMPLETE THIS INSTRUCTION REQUIREMENT, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED IMPLEMENTATION REQUIREMENTS OF THE GOVERNING BOARDS OF PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO PROVIDE RELATED OVERSIGHT AND COMPLIANCE REPORTING REQUIREMENTS OF THE COMMISSION OF HIGHER EDUCATION, AND TO SPECIFY THE STUDENTS TO WHICH THESE PROVISIONS APPLY; TO REPEAL SECTION 59-29-140 RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE BEGINNING WITH THE 2021-2022 SCHOOL YEAR.
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(R39, S. 147) -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms, Bennett, Corbin and Martin: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT" SO AS TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO DEFINE NECESSARY TERMS; TO PROVIDE LIABILITY PROTECTION FOR CERTAIN COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS-RELATED CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; AND TO PROVIDE A TIMEFRAME THAT THIS LIABILITY PROTECTION IS IN EFFECT.
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(R40, H. 3101) -- Reps. Allison, Felder and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO DEFINE THE TERM "SALVAGE POOL OPERATOR" AND PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM AND SUBSEQUENTLY THE INSURANCE COMPANY DENIES MOTOR VEHICLE INSURANCE COVERAGE OR DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

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MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2021, and to expire April 30, 2023

Matthew Skinner, 38 South Main Street, Inman, SC 29349-1673 *VICE*
Kenneth Harold Dover

Doctor of the Day

Senator CROMER introduced Dr. Jimmy Wells of Lexington, S.C., Doctor of the Day.

Leave of Absence

At 6:44 P.M., Senator VERDIN requested a leave of absence for Senator GROOMS for the balance of the day.

Leave of Absence

At 7:05 P.M., Senator KIMBRELL requested a leave of absence for Thursday, April 29, 2021, until 1:45 P.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:
S. 290 Sens. Davis, Hembree, Gustafson, Grooms

RECALLED

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Senator CAMPSSEN asked unanimous consent to make a motion to recall the Bill from the Committee on Fish, Game and Forestry.

There was no objection and the Bill was recalled from the Committee on Fish, Game and Forestry and ordered placed on the calendar.

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 772 -- Senators Gambrell and Garrett: A SENATE RESOLUTION TO RECOGNIZE THE SALVATION ARMY AND CELEBRATE ITS ONE HUNDRED YEARS OF DEDICATED SERVICE TO THE PEOPLE OF GREENWOOD, SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 773 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LANDER UNIVERSITY WOMEN'S BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON, TO CONGRATULATE THEM FOR WINNING THE 2021 PEACH BELT CONFERENCE TOURNAMENT CHAMPIONSHIP TITLE AND THE NCAA SOUTH REGION CHAMPIONSHIP, AND TO FURTHER COMMEND THEM FOR MAKING THE FIRST NCAA TOURNAMENT FINAL FOUR APPEARANCE IN PROGRAM HISTORY.

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The Senate Resolution was adopted.

S. 774 -- Senator Talley: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO CREDITS UNDER THE SOUTH CAROLINA INCOME TAX ACT, BY ADDING SECTION 12-6-3810, TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

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Read the first time and referred to the Committee on Finance.

H. 3927 -- Reps. Stavrinakis, Murphy and Weeks: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT, SO AS TO PROVIDE THAT CRIMINAL CASES IN WHICH THE PENALTY DOES NOT EXCEED THREE YEARS, RATHER THAN

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ONE YEAR, MAY BE TRANSFERRED FROM GENERAL SESSIONS COURT.

Read the first time and referred to the Committee on Judiciary.

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Read the first time and referred to the Committee on Judiciary.

H. 4241 -- Reps. Anderson and Hewitt: A BILL TO AMEND ACT 907 OF 1962, AS AMENDED, RELATING TO THE GEORGETOWN COUNTY SCHOOL DISTRICT AND THE GEORGETOWN COUNTY BOARD OF EDUCATION, SO AS TO, AMONG OTHER THINGS, CONFORM LOCAL ELECTION PROCEDURES FOR MEMBERS OF THE BOARD OF EDUCATION TO THE CONTROLLING 2008 CONSENT JUDGMENT AND DECREE; TO DEFINE RELEVANT TERMS; TO PROVIDE THAT THE GEORGETOWN COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF EDUCATION CONSISTING OF NINE MEMBERS WHO MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE THAT WHEN A VACANCY OCCURS IN OFFICE, BY REASON OF DEATH, RESIGNATION, OR REMOVAL, THE VACANCY IN OFFICE SHALL BE FILLED BY A SPECIAL ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM; TO PROVIDE THAT PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE GEORGETOWN COUNTY BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF CANDIDACY WITH THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH THE APPLICABLE CANDIDATE FILING PERIOD; TO PROVIDE THAT THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS SHALL CONDUCT AND SUPERVISE THE ELECTIONS FOR MEMBERS OF THE GEORGETOWN COUNTY BOARD OF EDUCATION IN THE

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MANNER GOVERNED BY THE ELECTION LAWS OF THIS STATE, MUTATIS MUTANDIS; AND TO REPEAL ACT 237 OF 1983.

Read the first time and ordered placed on the Local and Uncontested Calendar.

H. 4280 -- Reps. Wooten, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE RIVER BLUFF HIGH SCHOOL WE THE PEOPLE TEAM, THE TEAM SUPERVISORS, AND SCHOOL OFFICIALS AND TO CONGRATULATE THEM FOR A WINNING PERFORMANCE AT THE WE THE PEOPLE STATE LEVEL COMPETITION.

The Concurrent Resolution was adopted, ordered returned to the House.

REPORT OF STANDING COMMITTEE

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3612 -- Reps. Lucas, Allison, M.M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN

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PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 14, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

STATEWIDE APPOINTMENT

Initial Appointment, South Carolina State Ethics Commission, with term to commence April 1, 2020, and to expire April 1, 2025

Senate-Majority:

Mr. Scott Frick 33, Sunset Drive, Greenville, SC 29605 *Vice* Samuel L. Erwin (resigned)

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., April 28, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY

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ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION

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AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

On motion of Senator BENNETT, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and

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Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY

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REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

The House returned the Bill with amendments.

The question then was concurrence with the House amendments.

Senator BENNETT explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Martin

Total--1

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H. 4100, THE GENERAL APPROPRIATIONS BILL.**

AMENDED, DEBATE INTERRUPTED

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

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Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that Proviso 108.13 of Part 1B was out of order inasmuch as it was not germane to the Bill.

108.13. (PEBA: Optional Payment of Employee Contributions by Employer) No later than July 1, 2021, an employer in the South Carolina Retirement System or the Police Officers Retirement System may elect to pay all or a portion of the employee contribution set out in Sections 9-1-1085 and 9-11-225, respectively, of the 1976 Code with respect to its employees during the fiscal year. In lieu of the deductions from compensation required by Sections 9-1-1020, 9-1-1160, and 9-11-210, as applicable, an employer electing to pay employee contributions under this provision hereby elects to pick up all or a portion of the employee contributions required by Sections 9-1-1085 and 9-11-225, as applicable, for the fiscal year without a reduction or offset from its employees' compensation. Employee contributions picked up without such reduction or offset from the employee's compensation shall be treated as employer contributions in determining federal tax treatment under Section 414(h)(2) of the United States Internal Revenue Code, but shall be credited as employee contributions for the purposes of the South Carolina Retirement System or the Police Officers Retirement System. An employer making the election provided by this provision shall be deemed to have taken formal action to provide that the contributions on behalf of its employees, although designated as employee contributions, shall be paid by the employer in lieu of employee contributions. The employer shall pay these employee contributions from the same source of funds which is used in paying earnings to the employee. The employee, however, must not be given any option of choosing to receive the contributed amount of the pick ups directly instead of having them paid by the employer to the South Carolina Retirement System or the Police Officers Retirement System. An employer's election to pick up contributions without a reduction or offset from its employees' compensation pursuant to this proviso may not be changed during the fiscal year. Employee contributions picked up by an employer pursuant to this provision without a reduction or offset from the member's compensation are: 1) not earnable compensation for the purposes of the South Carolina Retirement System or the Police Officers Retirement System; and 2) shall be deposited in the employee's South Carolina Retirement System or Police Officers Retirement System individual accumulated contribution account described in Sections 9-1-10(1), 9-11-10(2) and (6), and 9-11-260(2), as applicable, of the 1976 Code.

The PRESIDENT sustained the Point of Order.

Proviso 108.13 was ruled out of order.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that Proviso 108.14 of Part 1B was out of order inasmuch as it was not germane to the Bill.

108.14. (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than ninety working days during a furlough program that was implemented as a result of and took place during

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the COVID-19 Public Health Emergency and if the terms of the furlough program are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made will not be considered a break in consecutive employment.

The PRESIDENT sustained the Point of Order.

Proviso 108.14 was ruled out of order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 27, 2021, that Proviso 78.4 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 78.4 was ruled out of order.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 27, 2021, that Proviso 1A.75 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 1A.75 was ruled out of order.

Amendment No. 2

Senator HEMBREE proposed the following amendment (BH NAT GUARD COLLEGE ASSISTANCE), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 537, proviso 117.167, line 9, by striking /members shall be required to meet satisfactory academic progress as defined by the institution./ and inserting /members shall be required to meet all other requirements./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

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Amendment No. 7

Senator DAVIS proposed the following amendment (BH REGIONAL TRANSMISSION STUDY), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Regional Transmission Organization Report) The Regional Transmission Organization Report required by Act 187 of 2020 shall be completed by March 1, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

Amendment No. 17

Senators CASH and RICE proposed the following amendment (4100R007.KMM.RJC.DOCX), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, line 29, by adding an appropriately numbered new proviso to read:

/ 117. . (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the state's public colleges or universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The state's public colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the general fund an amount equal to ten percent of the funds appropriated to the college or university under Part 1A of this act. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

The amendment was adopted.

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Amendment No. 36A

Senator SCOTT proposed the following amendment (AGM ELECTRONIC MONITORING PROGRAM V.2), which was not adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Electronic Monitoring Program) County and municipal authorities, in conjunction with appropriate state agencies, may create a pilot project for an electronic monitoring program which shall include a wristband device that must be worn by an offender or other individual designated by the agency which connects to a cellular device. The vendor shall supply the wristband and cellular device. The vendor's software shall provide a Key Performance indicators (KPI) format to display the offender's or designee's daily compliance to the agency or officer. The vendor shall supply a 24/7 call center. The vendor shall upload, train, and have a standard operating procedure provided to each agency. The device shall alert a domestic victim and the appropriate agency when a domestic violent offender is within a certain distance of the protected person or protected premises. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

Senator MARTIN spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 15; Nays 27

AYES

Allen	Gustafson	Harpootlian
Hutto	Jackson	Johnson, Kevin
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Setzler	Stephens	Williams

Total--15

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NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	McLeod
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

The amendment failed.

Amendment No. 49

Senators BENNETT and HEMBREE proposed the following amendment (DAD FIRST STEPS FTES), which was adopted (#11):

Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, opposite /COORDINATOR I/ line 29, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	(1.00)	
and		
INSERTING:	(2.00)	/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, line 31, opposite /EDUCATION ASSOCIATE/ by:

	COLUMN 7	COLUMN 8
/ STRIKING:	(3.00)	
and		
INSERTING:	(9.00)	/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, by inserting after line 31,

	COLUMN 7	COLUMN 8
/NEW POSITIONS - SENIOR CONSULTANT	(1.00)	/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

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The amendment was adopted.

Amendment No. 48

Senators CLIMER, TURNER, SENN, KIMBRELL and HARPOOTLIAN proposed the following amendment (4100R009.KMM.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 13, by

	COLUMN 7	COLUMN 8
/ STRIKING:	771,228	474,550
and		
INSERTING:	0	0/

Amend the bill further, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 15, by

	COLUMN 7	COLUMN 8
/STRIKING:	6,877	4,300
and		
INSERTING:	0	0/

Amend the bill further, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 16, by

	COLUMN 7	COLUMN 8
/STRIKING:	1,107,597	161,989
and		
INSERTING:	0	0/

Amend the bill further, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, line 11, by adding an appropriately numbered new proviso to read:

/ 34. (DHEC: Suspend Certificate of Need Program) The requirements contained in Article 3, Chapter 7, Title 44 of the 1976 Code, related to the State Certification of Need and Health Facility Licensure Act, are suspended during the current fiscal year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

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Objection

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the Calendar.

Senator SCOTT objected.

Senator CLIMER continued speaking on the amendment.

Objection

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the Calendar.

Senator MARTIN objected.

Senator CLIMER continued speaking on the amendment.

Objection

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the Calendar.

Senator MALLOY objected.

Senator CLIMER continued speaking on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Amendment No. 10

Senator HEMBREE proposed the following amendment (AGM 1.96 STUDENT ASSESSMENT V.2), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, proviso 1.96, line 3, by inserting a line at the beginning to read:

/ For the 2021-2022 school year, districts must ensure all students in first through ninth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

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On motion of Senator HEMBREE, with unanimous consent, Amendment Nos. 9 and 15A were withdrawn.

Amendment No. 37

Senator HEMBREE proposed the following amendment (DAD 1.103 VIRTUAL SCHOOLS V3), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 310, proviso 1.103 (SDE: Public School Virtual Program Funding), lines 25 - 34, by striking the proviso in its entirety, and inserting

/ 1.103. (SDE: Public School Virtual Program Funding) For Fiscal Year 2021-22, school districts shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5th, 45th, 90th, and 135th day to the Department of Education.

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from the EFA portion of the State Aid to Classroom's district allocation and, if necessary, the state minimum teacher salary schedule portion of State Aid to Classrooms.

The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered in a virtual format. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

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Amendment No. 45

Senators CASH, ADAMS, RICE and KIMBRELL proposed the following amendment (4100R040.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 340, line 8, by adding an appropriately numbered new proviso to read:

/ 1A. . (SDE-EIA: Same Sex School Athletic Team Participation)

(A) A middle school-level or high school-level interscholastic or intramural athletic team or sport that is sponsored by a public school or a private school, if the school's students or teams compete against a public school, must be expressly designated as one of the following based on biological sex:

(1) 'males', 'men', or 'boys';

(2) 'females', 'women', or 'girls'; or

(3) 'coed' or 'mixed'.

(B) An athletic team or sport that is designated for 'females', 'women', or 'girls' must not be open to students of the male sex. A student's original birth certificate shall be used to determine the student's biological sex.

(C) A school district that allows a school to field a team in violation of this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator CASH spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator HEMBREE spoke on the amendment.

On motion of Senator CASH, the amendment was carried over.

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Amendment No. 16

Senator CASH proposed the following amendment (4100R032.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 370, after line 33, by adding an appropriately numbered new proviso to read:

/33. . (DHHS: Defunding Planned Parenthood) None of the state funds appropriated for family planning may be expended to directly or indirectly subsidize abortion services, procedures, or administrative functions. Furthermore, none of the state funds appropriated herein may be paid or granted to an organization that provides abortion services. An otherwise qualified organization may not be disqualified from the receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in which the life of a mother is at risk and the termination of a pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 23; Nays 23

AYES

Alexander	Allen	Bennett
Davis	Fanning	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Kimpson	Leatherman
Malloy	Matthews	McElveen

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McLeod	Rankin	Sabb
Scott	Senn	Setzler
Stephens	Williams	

Total--23

NAYS

Adams	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Shealy	Talley	Turner
Verdin	Young	

Total--23

The motion to table failed.

On motion of Senator HUTTO, the amendment was carried over.

Statement by Senator ALEXANDER

Reluctantly, I felt I needed to vote to table Senator CASH's Amendment 16. While I fully support the effort to defund Planned Parenthood and protect taxpayers from funding abortions and I also fully supported S. 1, the Fetal Heartbeat Bill, both in the Medical Affairs Committee and throughout the process until its final passage. Senator CASH's amendment as drafted would ban women who had been raped or were victims of incest from being able to utilize Medicaid services. By not including victims of rape and incest, the amendment could jeopardize hundreds of millions of federal dollars we receive for medical services for our citizens, which could include funding for nursing homes and for citizens with disabilities and special needs. While I agree with Senator CASH's goal, for the reasons listed above, I voted to table the amendment.

Amendment No. 13

Senator CLIMER proposed the following amendment (4100R030.SP.WC.DOCX), which was adopted (#14):

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Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, proviso 34.58, line 9-10, by striking:

/ 34.58. (DHEC: E-Waste Extension) The Department of Health and Environmental Control shall administer the provisions of Chapter 60, Title 48 of the 1976 Code until the end of the current fiscal year.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

RECALLED

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Hembree, Gustafson and Grooms: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE "STATE HEALTH FACILITY LICENSURE ACT".

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the calendar.

The Bill was recalled from the Committee on Medical Affairs and placed on the calendar.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 48 was withdrawn.

Amendment No. 51

Senators M. JOHNSON, CLIMER, FANNING and PEELER proposed the following amendment (4100R031.SP.MJ.DOCX), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL,

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page 382, after line 10, by adding an appropriately numbered new proviso to read:

/34. . (DHEC: Permitted Emissions) For the current fiscal year, the Department of Health and Environmental Control shall not allow an increase in permitted or actual emissions for any facilities in York County handling or processing pulp for paper products./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M. JOHNSON spoke on the amendment.

The amendment was adopted.

Amendment No. 55

Senators KIMBRELL, CLIMER and FANNING proposed the following amendment (4100R043.SP.JK.DOCX), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/34. . (DHEC: Home-based Food Production) For the current Fiscal Year, the provisions of Section 44-1-143(A)(1) are suspended./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL spoke on the amendment.

The amendment was adopted.

Amendment No. 43A

Senator SCOTT proposed the following amendment (SA\4100C011.NBD.SA21.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 42, HOUSING FINANCE & DEVELOPMENT AUTHORITY, page 396, after line 11, by adding an appropriately numbered new proviso to read:

/(HFDA: South Carolina Economic Growth Study Committee):

(A) There is created the South Carolina Economic Growth Study Committee charged with studying the housing shortage's affect on affordable housing in the State and what factors are limiting affordable housing.

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(B) Membership of the study committee is comprised of nine members as follows:

(1) a representative from the South Carolina Bankers Association;

(2) a representative from the South Carolina Association of Realtors;

(3) a representative from the South Carolina Chapter of the National Association of Real Estate Brokers;

(4) a representative from the Home Builders Association of South Carolina;

(5) a representative from the South Carolina Mortgage Brokers Association;

(6) a representative from the South Carolina State Housing Finance and Development Authority;

(7) a representative from the South Carolina Sheriff's Association;

(8) a representative of the Senate Labor, Commerce and Industry Committee; and

(9) a representative of the House Labor, Commerce and Industry Committee.

Each representative in items (1) through (7) must be appointed by the governing body of each respective organization. Each representative in items (8) and (9) must be appointed by the chairman of the respective committee.

(C) The study committee must be staffed by the Senate Labor, Commerce and Industry Committee and the House Labor, Commerce and Industry Committee.

(D) The study committee shall provide a report to the General Assembly by June 30, 2022, at which time the study committee is dissolved. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

On motion of Senator SCOTT, the amendment was carried over.

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Amendment No. 1

Senator HEMBREE proposed the following amendment (MO DRUG COURT FUNDING), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 60, PROSECUTION COORDINATION COMMISSION, page 414, after line 28, by adding an appropriately numbered new proviso to read:

/ (PCC: Drug Court Funding) The funds appropriated to the Prosecution Coordination Commission for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

Amendment No. 39

Senator MASSEY proposed the following amendment (4100R037.SP.ASM.DOCX), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 85, INFRASTRUCTURE BANK BOARD, page 443, proviso 85.1, lines 3 - 5, by striking the proviso in its entirety, and inserting 85.1. (IBB:

Board Meeting Coverage) Of the funds authorized for the State Transportation Infrastructure Bank Board, the bank must provide live-streamed coverage of all board meetings to ensure transparency and access for the public. The board meetings shall be recorded and archived and made available on the South Carolina Transportation Infrastructure Bank's website./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

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Amendment No. 41

Senator CROMER proposed the following amendment (BH AG USE OF CAPITAL FUNDS), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

/ (ADJ: Use of Capital Funds) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the "McEntire Joint National Guard Base - Land" received in Act 91 of 2019 for this and related purposes. The Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use funds received for "Armory Construction and Revitalizations" in Act 91 of 2019 for the state's share for construction and related costs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 54

Senator MASSEY proposed the following amendment (4100R042.SP.ASM.DOCX), which was adopted (#19):

Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 474, proviso 108.12, by striking line 15 /and response to the COVID-19 virus./ and inserting /and response to the COVID-19 virus. This section is not intended to supersede or conflict with Act of 2021, R. 33, S. 704 of 2021. In the event of a conflict, the provisions of the Act control./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

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Amendment No. 46

Senators LEATHERMAN and MARTIN proposed the following amendment (AGM BROADCASTERS APPORTIONMENT V.2), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 478, proviso 109.16 (Broadcasters Apportionment), lines 6 - 12, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 18

Senators MASSEY, CLIMER, HARPOOTLIAN and GUSTAFSON proposed the following amendment (4100R033.SP.ASM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.22, beginning at line 28, by striking the proviso in its entirety and inserting

/117.22. (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, and members of state boards, commissions, and agencies and their invitees for official business only; ~~no~~ No member of the General Assembly, ~~no~~ member of a state board, commission, or committee, ~~and~~ ~~no~~ nor any state official shall use any state-owned or operated aircraft unless the member or official files a sworn statement to the agency providing the flight certifying and describing the official nature of his/her trip within twenty-four hours after the completion of the flight ~~with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and no~~ No member of the General Assembly, ~~no~~ member of a state board, commission or committee, ~~and no~~ nor state official ~~shall~~ may be furnished air

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transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include: routine transportation to and from meetings of the General Assembly ~~or; attending a committee meetings meeting~~ for which mileage is authorized. ~~Official business also does not include; attending a press conference; attending a bill signing; or attending a conference~~ or political function.

Unless a flight is initiated by a cabinet agency, members of the General Assembly may not use state-owned aircraft unless the member receives approval prior to the flight, in writing, from either the President of the Senate or Speaker of the House of Representatives, as appropriate. For flights initiated by cabinet agencies, the head of the initiating agency must certify, in writing, that the member of the General Assembly's attendance on the flight is in furtherance of the official business of the State.

Guests on flights who are unrelated to official state business shall be charged a comparable private commercial rate for like travel on a similar aircraft on a per seat basis for all flights taken. This comparable commercial rate for each aircraft must be established by the State Aeronautics Commission by August first and published on its website. Guests who are subject to this rate must be approved by the agency providing transportation within thirty days. Reimbursement not received within thirty-one days shall be subject to a penalty equal to five percent of the assessed cost of the guest's flight on that day and every subsequent thirty days. If it is determined that a passenger qualifies as a guest and is subject to this charger after a flight is taken, then the guest passenger and the inviting passenger shall be subject to an immediate ten percent penalty of the assessed cost of the guest flight and the aforementioned five percent penalty starting from the date of the flight. The appropriate ethics committee/commission shall be notified of any penalties issued.

Regardless of who initiated the flight, invitees of members of the General Assembly shall be considered guests not related to the official business of the State unless certified, in writing, by the President of the Senate or the Speaker of the House of Representatives. This paragraph does not apply to individuals employed by the Senate, the House of Representatives, or other legislative agencies.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any

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agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

On motion of Senator MASSEY, the amendment was carried over.

Amendment No. 40

Senator CLIMER proposed the following amendment (4100R003.SP.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, by striking /review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives / and inserting /review and/or audit, when requested to do so by the State Fiscal Accountability Authority, a standing committee of the General Assembly, the Speaker of the House of Representatives, the President of

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the Senate, or not less than five members of the General Assembly. From the funds an organization receives /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Amendment No. 47

Senators HEMBREE and BENNETT proposed the following amendment (4100R039.KMM.GH.DOCX), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, after line 27, by inserting:

/ For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the total appropriated funds contributed to and expended by the organization, as well as a detailed statement explaining the use that was made of the contribution. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

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The amendment was adopted.

Amendment No. 42

Senators JACKSON, HARPOOTLIAN and KIMPSON proposed the following amendment (4100 Proviso117.163.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 536, by deleting proviso 117.163.

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator JACKSON, with unanimous consent, the amendment was withdrawn.

Amendment No. 56A

Senators GROOMS, RANKIN and SCOTT proposed the following amendment (4100R044.SP.LKG.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/117. . (GP: Funds Transferred to Santee Cooper) The funds held by the Department of Administration, related to the implementation of Act 91 of 2019, shall be transferred as follows and for the purposes of reforming Santee Cooper: \$2,000,000 to the Office of Regulatory Staff; \$1,000,000 to the Public Service Commission; and the balance to Santee Cooper./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS spoke on the amendment.

The amendment was adopted.

Amendment No. 58

Senator MASSEY proposed the following amendment (4100R046.SP.ASM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, beginning on page 545, proviso 118.18, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator MASSEY spoke on the amendment.

Senator CASH spoke on the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator HARPOOTLIAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Cash	Corbin	Massey
Rice	Senn	

Total--5

The amendment was laid on the table.

OBJECTION

Senator LEATHERMAN asked unanimous consent that no further amendments be placed on the desk after 6:00 P.M.

Senator MALLOY objected.

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Amendment No. 53

Senators CASH and LEATHERMAN proposed the following amendment (SM NR DOLLY COOPER & ANDERSON CIVIC V. 2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.18, line 10, by inserting an appropriately numbered item to read:

/ () P280 - Departments of Parks, Recreation, and Tourism

(a) Dolly Cooper Park Improvement \$350,000;

(b) Anderson Civic Center Renovations \$1,005,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH moved to carry over Amendment No. 53.

Senator MARTIN moved to table the motion to carry over Amendment No. 53.

The motion to carry over the amendment was tabled.

Senator MARTIN spoke on the amendment.

Expression of Personal Privilege

Senator CASH rose for an Expression of Personal Privilege.

On motion of Senator MARTIN, the amendment was carried over.

ACTING PRESIDENT PRESIDES

Senator GAMBRELL assumed the Chair.

Amendment No. 57

Senators HUTTO, HARPOOTLIAN, K. JOHNSON, SABB and JACKSON proposed the following amendment (SA\4100C015.NBD.SA21.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.18, after line 10, by inserting an appropriately numbered item to read:

/ () J040 - Department of Health and Environmental Control
Vaccination Incentive Program \$50,000,000

(.1) From the funds appropriated to the Department of Health and
Environmental Control (DHEC) in this item for the Vaccination

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Incentive Program, DHEC shall provide \$100 to the first 500,000 residents aged 16-35 who receive a complete COVID-19 vaccination during the current fiscal year. DHEC shall develop a plan to mail checks in a timely manner and to determine eligibility. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO spoke on the amendment.

On motion of Senator HUTTO, the amendment was carried over.

PRESIDENT PRESIDES

At 4:44 P.M., the PRESIDENT assumed the Chair.

Amendment No. 12

Senator BENNETT proposed the following amendment (AGM 1A.73 RETIREE SALARY), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 339, proviso 1A.73, line 20, after /districts./ by inserting / The department may not pay a retiree who qualifies for the earnings limitation exception under this provision more than \$125,000 per year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

The amendment was adopted.

Amendment No. 65

Senators CAMPSER, RANKIN, HUTTO, ALEXANDER and CLIMER proposed the following amendment (AGM SOLAR PROJECTS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/ (DHEC: Solar Projects) From the funds appropriated to the Department of Health and Environmental Control, and within sixty days after the effective date of this act, the department shall establish regulations to guide all South Carolinians invested in, selling, installing.

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and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under State and Federal law.

(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

(a) reused, if not damaged or in need of repair, for a similar purpose;

(b) refurbished, if not substantially damaged, and reused for a similar purpose;

(c) recycled with recovery of materials for similar or other purposes;

(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the State's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

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(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department must require, as part of an application for local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a non-binding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and decommission solar energy equipment, facilities, or devices. The department is authorized to, by regulation, establish a more formal or detailed process for receiving the plans submitted pursuant to this provision, to include increased reporting requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2021, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN spoke on the amendment.

The amendment was adopted.

Amendment No. 43B

Senator SCOTT proposed the following amendment (SA\4100C016.NBD.SA21.DOCX), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 42, HOUSING FINANCE AND DEVELOPMENT AUTHORITY, page 396, after line 11, by adding an appropriately numbered new proviso to read:

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/ (HFDA: South Carolina Economic Growth Study Committee):

(A) There is created the South Carolina Economic Growth Study Committee charged with studying the housing shortage's affect on affordable housing in the State and what factors are limiting affordable housing.

(B) Membership of the study committee is comprised of twelve members as follows:

(1) a representative from the South Carolina Bankers Association, appointed by the President of the Senate;

(2) a representative from the South Carolina Association of Realtors, appointed by the President of the Senate;

(3) a representative from the South Carolina Chapter of the National Association of Real Estate Brokers, appointed by the President of the Senate;

(4) a representative from the Home Builders Association of South Carolina, appointed by the President of the Senate;

(5) a representative from the South Carolina Mortgage Brokers Association, appointed by the President of the Senate;

(6) a representative of the Senate Labor, Commerce and Industry Committee, appointed by the President of the Senate;

(7) a representative of the House Labor, Commerce and Industry Committee, appointed by the Speaker of the House of Representatives;

(8) a representative from the South Carolina State Housing Finance and Development Authority, appointed by the Speaker of the House of Representatives;

(9) a representative from the South Carolina Sheriff's Association, appointed by the Speaker of the House of Representatives;

(10) a representative from the South Carolina Association of Counties, appointed by the Speaker of the House of Representatives;

(11) a representative from the Municipal Association of South Carolina, appointed by the Speaker of the House of Representatives; and

(12) a representative from the South Carolina Association for Community Economic Development, appointed by the Speaker of the House of Representatives.

(C) The study committee must be staffed by the Senate Labor, Commerce and Industry Committee and the House Labor, Commerce and Industry Committee.

(D) The study committee shall provide a report of its findings to the General Assembly by June 30, 2022, at which time the study committee is dissolved./

Renumber sections to conform.

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Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

The amendment was adopted.

Amendment No. 62

Senators CLIMER, HARPOOTLIAN and GOLDFINCH proposed the following amendment (4100R048.SP.WC.DOCX), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 407, after line 4, by adding an appropriately numbered new proviso to read:

/ 50. . (CMRC: Coordinating Council Incentives) For the current fiscal year, the SC Coordinating Council for Economic Development is prohibited from granting extensions and from modifying or otherwise waiving conditions under which companies were awarded incentives or credits. At the expiration of incentives authorized by the coordinating council, the coordinating council may, upon giving notice to the Senate Finance Committee and the House of Representatives Ways and Means Committee, make recommendations to the State Fiscal Accountability Authority regarding whether a credit should be extended, repaid, modified, or waived. The State Fiscal Accountability Authority shall be responsible for making determinations regarding extensions, repayments, modifications, or waivers for credits or incentives authorized by the coordinating council and must make all determinations under the provisions of this section in a public meeting. Any economic development funds returned to the State shall be deposited in the General Fund of the State for future use./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

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Amendment No. 60

Senator CROMER proposed the following amendment (DAD AG MCENTIRE), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

/ (ADJ: Use of Capital Funds-McEntire) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the "McEntire Joint National Guard Base - Land" received in Act 91 of 2019 for this and related purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

Recorded Vote

Senator MARTIN desired to be recorded as voting against the adoption of the amendment.

Amendment No. 61

Senator CROMER proposed the following amendment (DAD AG JT BASE CHARLESTON), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

/ (ADJ: Use of Capital Funds-Joint Base Charleston) For the current fiscal year, the Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use the funds received for "Armory Construction and Revitalizations" in Act 91 of 2019 for the state's share for construction and related costs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

WEDNESDAY, APRIL 28, 2021

Amendment No. 40A

Senator CLIMER proposed the following amendment (4100R049.SP.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, by striking /review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives / and inserting /review and/or audit, when requested to do so by the State Fiscal Accountability Authority, a standing committee of the General Assembly, the Speaker of the House of Representatives, the President of the Senate, or not less than five members of the Senate or ten members of the House of Representatives. From the funds an organization receives /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

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Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 117.162 of Part 1B was out of order inasmuch as it was not germane to the Bill.

117.162. (GP: Child Welfare Providers Protection) In the current fiscal year, no funds may be expended by the state government to take any discriminatory action against a person that advertises, provides, or facilitates adoption or foster care, wholly or partially on the basis that such person has provided or declined to provide any adoption or foster care service, or related service, based upon or in a manner consistent with a sincerely held religious belief or moral conviction.

In the current fiscal year, no funds may be expended by the state government to take any discriminatory action against a person to whom the State grants custody of a foster or adoptive child, or a person who seeks from the State custody of a foster or adoptive child, wholly or partially on the basis that the person guides, instructs, or raises a child, or intends to guide, instruct, or raise a child, based upon or in a manner consistent with a sincerely held religious belief or moral conviction.

The state government shall consider accredited, licensed, or certified any person that would otherwise be accredited, licensed, or certified, respectively, for any purposes under state law but for a determination against such person wholly or partially on the basis that the person believes, speaks, or acts in accordance with a sincerely held religious belief or moral conviction.

This provision must be construed in favor of a broad protection of free exercise of religious beliefs and moral convictions, to the maximum extent permitted by the state and federal constitutions.

The protection of free exercise of religious beliefs and moral convictions afforded by this provision are in addition to the protections provided under federal law, state law, and the state and federal constitutions.

Nothing in this provision may be construed to:

(1) preempt or repeal any state or local law that is equally or more protective of free exercise of religious beliefs or moral convictions;

(2) narrow the meaning or application of any state or local law protecting free exercise of religious beliefs or moral convictions; or

(3) prevent state government from providing, either directly or through an individual or entity not seeking protection under this provision, any benefit or service authorized under state law.

This provision applies to, and in cases of conflict supersedes, any ordinance, rule, regulation, order, opinion, decision, practice, or other exercise of the state government's authority that impinges upon the free exercise of religious beliefs and moral convictions protected by this provision.

As used in this provision unless the context requires otherwise:

(1) 'Adoption or foster care' or 'adoption or foster care service' means social services provided to or on behalf of children, including:

(a) assisting abused or neglected children;

(b) teaching children and parents occupational, homemaking, and other domestic skills;

(c) promoting foster parenting;

(d) providing foster homes, residential care, group homes, or temporary group shelters for children;

(e) recruiting foster parents;

(f) placing children in foster homes;

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- (g)licensing foster homes;
- (h)promoting adoption or recruiting adoptive parents;
- (i) assisting adoptions or supporting adoptive families;
- (j) performing or assisting home studies;
- (k)assisting kinship guardianships or kinship caregivers;
- (l) providing family preservation services;
- (m) providing family support services; or
- (n)providing temporary family reunification services.

(2) 'Discriminatory action' means any action taken by the state government to:

(a)alter in any way the tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, revoke, or otherwise make unavailable an exemption from taxation of any person referred to in Section 63 10 20 of the 1976 Code;

(b)disallow, deny, or otherwise make unavailable a deduction for state tax purposes of any charitable contribution made to or by such person;

(c)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, or other similar benefit from or to such person;

(d)disqualify, disfavor, discredit, disregard, or otherwise make less competitive or qualifying any application, tender, offer, bid, proposal, or request for any state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, or other similar benefit from or to such person;

(e)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any entitlement or benefit under a state benefit program from or to such person;

(f) disqualify, disfavor, discredit, disregard, or otherwise make less competitive or qualifying any application, tender, offer, bid, proposal, or request for any entitlement or benefit under a state benefit program from or to such person;

(g)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any license, certification, accreditation, custody award or agreement, diploma, grade, recognition, or other similar benefit, position, or status from or to any person; or

(h)refuse to hire or promote, force to resign, fire, demote, sanction, discipline, materially alter the terms or conditions of employment, or retaliate or take other adverse employment action against a person employed or commissioned by state government.

(3) 'Person' means:

(a)a natural person, in that person's individual capacity, regardless of religious affiliation or lack thereof, or in that person's capacity as a member, officer, owner, volunteer, employee, manager, religious leader, clergy, or minister of any entity described in this item;

(b)a religious organization;

(c)a sole proprietorship, partnership, trust, closely held corporation, or other closely held entity operating with a sincerely held religious belief or moral conviction described in Section 63 10 20; or

(d)cooperatives, ventures, or enterprises comprised of two or more individuals or entities described in this item regardless of nonprofit or for profit status.

(4) 'Religious organization' means:

(a)a house of worship including, but not limited to, churches, synagogues, shrines, mosques, and temples;

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(b) a religious group, corporation, association, school or educational institution, ministry, order, society, or similar entity, regardless of whether affiliated with a church or other house of worship; or

(c) an officer, owner, employee, manager, religious leader, clergy, or minister of an entity or organization described in this item.

(5) 'State benefit program' means any program administered or funded by the State, or by any agent on behalf of the State, providing cash, payments, grants, contracts, loans, or in kind assistance.

(6) 'State government' means:

(a) the State or a political subdivision of the State;

(b) any agency of the State or of a political subdivision of the State, including a department, bureau, board, commission, council, court, or public institution of higher education;

(c) any municipality, county, or special purpose district, including a school district;

(d) any person acting under color of state law; or

(e) any private person suing under or attempting to enforce a law, rule, or regulation of the State or a political subdivision of the State.

The PRESIDENT took the Point of Order under advisement.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

5th Congressional District:

Christine E. White, 1520 Highcrest Way, Rock Hill, SC 29730-6668
VICE Dr. Gretchen Love

On motion of Senator CLIMER, the question was confirmation of Christine E. White.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

ABSTAIN

Goldfinch

Total--1

The appointment of Christine E. White was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539
VICE C. David Baxter

WEDNESDAY, APRIL 28, 2021

On motion of Senator MARTIN, the question was confirmation of Reno R. Boyd.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Total--0

ABSTAIN

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

Total--11

The appointment of Reno R. Boyd was confirmed.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

5th Congressional District:

Henry S. Eldridge, 2040 Manila Bay Lane, Tega Cay, SC 29708-8524

WEDNESDAY, APRIL 28, 2021

On motion of Senator MARTIN, the question was confirmation of Henry S. Eldridge.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Total--0

ABSTAIN

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

Total--11

The appointment of Henry S. Eldridge was confirmed.

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

3rd Congressional District:

Frank Daniel Wideman, 126 Stratford Road, Greenwood, SC 29649-9110 *VICE* Re. Dan Lindsay Batson

WEDNESDAY, APRIL 28, 2021

On motion of Senator MARTIN, the question was confirmation of Frank Daniel Wideman.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 0; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Total--0

ABSTAIN

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

Total--11

The appointment of Frank Daniel Wideman was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

WEDNESDAY, APRIL 28, 2021

Reappointment, South Carolina Commission on Higher Education,
with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754

On motion of Senator HEMBREE, the question was confirmation of Robert Wesley Hayes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Robert Wesley Hayes was confirmed.

Reappointment, South Carolina Commission on Higher Education,
with the term to commence July 1, 2020, and to expire July 1, 2025

At-Large:

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

WEDNESDAY, APRIL 28, 2021

On motion of Senator HEMBREE, the question was confirmation of Charles E. Dalton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Charles E. Dalton was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2020, and to expire June 30, 2022

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

WEDNESDAY, APRIL 28, 2021

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 0; Abstain 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

Total--30

NAYS

Total--0

ABSTAIN

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

Total--13

The appointment of Thomas Scott Beck was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

WEDNESDAY, APRIL 28, 2021

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 0; Abstain 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

Total--30

NAYS

Total--0

ABSTAIN

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

Total--13

The appointment of Thomas Scott Beck was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Avery B. Wilkerson, 329 Tamwood Circle, Cayce, SC 29033-1907

WEDNESDAY, APRIL 28, 2021

On motion of Senator RANKIN, the question was confirmation of Avery B. Wilkerson.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 0; Abstain 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimbrell
Leatherman	Loftis	Martin
Massey	McLeod	Peeler
Rice	Scott	Senn
Shealy	Stephens	Turner
Verdin	Williams	

Total--29

NAYS

Total--0

ABSTAIN

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

Total--13

The appointment of Avery B. Wilkerson was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large:

Aisha K. Taylor, 156 Seaton Ridge Drive, Blythewood, SC 29016

On motion of Senator RANKIN, the question was confirmation of Aisha K. Taylor.

WEDNESDAY, APRIL 28, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 0; Abstain 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

Total--30

NAYS

Total--0

ABSTAIN

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

Total--13

The appointment of Aisha K. Taylor was confirmed.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Senate - Majority:

Scott E. Frick, 33 Sunset Drive, Greenville, SC 29605 *VICE* Samuel L. Erwin (resigned)

On motion of Senator RANKIN, the question was confirmation of Scott E. Frick.

WEDNESDAY, APRIL 28, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 0; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--39

NAYS

Total--0

ABSTAIN

Malloy	Rankin	Sabb
Young		

Total--4

The appointment of Scott E. Frick was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 19, 2019, and to expire March 20, 2023

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Road, Cassatt, SC 29032

WEDNESDAY, APRIL 28, 2021

On motion of Senator ALEXANDER, the question was confirmation of LaQuita W. Horton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of LaQuita W. Horton was confirmed.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2018, and to expire June 30, 2023
5th Congressional District:
Christy B. Rhyne, 2170 Westbrook Road, Edgemoor, SC 29712-6736

On motion of Senator ALEXANDER, the question was confirmation of Christy B. Rhyne.

WEDNESDAY, APRIL 28, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Christy B. Rhyne was confirmed.

Reappointment, South Carolina Residential Builders Commission,
with the term to commence June 30, 2019, and to expire June 30, 2023
3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

On motion of Senator ALEXANDER, the question was confirmation
of Timothy W. Roberts.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
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Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Timothy W. Roberts was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2019, and to expire December 31, 2023

3rd Congressional District:

Wilma Kay Swisher, 110 Cedar Court, Laurens, SC 29360

On motion of Senator VERDIN, the question was confirmation of Wilma Kay Swisher.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 2

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis

WEDNESDAY, APRIL 28, 2021

Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Allen	Goldfinch
-------	-----------

Total--2

The appointment of Wilma Kay Swisher was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2018, and to expire December 31, 2022

At-Large, Licensed Practical Nurse:

Tamara Day, 3439 Calks Ferry Road, Pelion, SC 29123-9389 *VICE*
vacant

On motion of Senator VERDIN, the question was confirmation of Tamara Day.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0; Abstain 2

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis

WEDNESDAY, APRIL 28, 2021

Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

ABSTAIN

Allen	Goldfinch
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Total--2

The appointment of Tamara Day was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2021, and to expire June 9, 2024

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

On motion of Senator VERDIN, the question was confirmation of Melissa T. Yetter.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

WEDNESDAY, APRIL 28, 2021

Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Melissa T. Yetter was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2018, and to expire September 30, 2021

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

On motion of Senator VERDIN, the question was confirmation of Lesly Wilson James.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell

WEDNESDAY, APRIL 28, 2021

Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Lesly Wilson James was confirmed.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2021, and to expire April 30, 2023

Matthew Skinner, 38 South Main Street, Inman, SC 29349-1673 *VICE*
Kenneth Harold Dover

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

* * *

Thursday, April 29, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 10:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

I Kings 19:11-12

Elijah is there on Mount Horeb, and we read: “. . . behold, the Lord passed by, and a great and strong wind rent the mountains, and broke in pieces the rocks before the Lord, but the Lord was not in the wind, and after the wind an earthquake, but the Lord was not in the earthquake; and after the earthquake a fire, but the Lord was not in the fire, and after the fire a still small voice.”

Pray with me, please: O ever-loving God, we realize clearly that Your still, small voice never ceases calling out to those You love. Indeed, Your voice reaches each Senator, every aide, each one of us. So we ask today, by Your Spirit’s grace, that You will help us through You, Lord, to hear voices of wisdom, to hear messages of hope for the needy, to hear sounds of promise for this State we love. And dear God, especially allow each one of these leaders to hear Your voice as You bless their labors during these trying and difficult days. Moreover, give each Senator not only the ability to hear rightly, O Lord, but also grant them the courage to act in the ways they know in their hearts to be best for all. This we pray in Your loving name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>

THURSDAY, APRIL 29, 2021

Kimpson	Loftis	Martin
Massey	Matthews	McElveen
Peeler	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Motion Adopted

On motion of Senator TURNER, with unanimous consent, Senators YOUNG, GARRETT and KIMPSON were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2022, and to expire January 1, 2026

Chairman:

Peter M. McCoy, Jr., 451 Wampler Dr., Charleston, SC 29412-9152

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

James Graves, 127 High Hampton Drive, Columbia, SC 29209-1222
VICE Monte A. Lemmon

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2021, and to expire June 30, 2027

2nd Congressional District:

Mary Douglas Smith, 1013 Trillie Lane, Chapin, SC 29036-8984
VICE James Addison Livingston

THURSDAY, APRIL 29, 2021

Referred to the Committee on Medical Affairs.

Leave of Absence

On motion of Senator GROOMS, at 4:36 P.M., Senator RANKIN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TALLEY, at 11:34 A.M., Senator SENN was granted a leave of absence until 12:00 Noon.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 197 Sen. Senn
S. 229 Sen. Gustafson
S. 429 Sen. Senn

REGULATION WITHDRAWN

The following was received:

Document No. 4984

Agency: Department of Labor, Licensing and Regulation-Board of Architectural Examiners

Chapter: 11

Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-3-50, and 40-3-60

SUBJECT: Board of Architectural Examiners

Received by Lieutenant Governor January 12, 2021

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration: Permanently Withdrawn

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 775 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE MAY 2021 AS "FOSTER CARE AWARENESS MONTH" IN SOUTH CAROLINA IN HONOR OF FOSTER FAMILIES ACROSS THE STATE AND THEIR MANY CONTRIBUTIONS TO THE WELL-BEING OF OUR CHILDREN.

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The Senate Resolution was adopted.

THURSDAY, APRIL 29, 2021

S. 776 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FRIDAY, MAY 7, 2021, AS "CHILD-CARE PROVIDER APPRECIATION DAY" IN SOUTH CAROLINA IN HONOR OF THE IMPORTANT WORK OF CHILD-CARE PROVIDERS AND PROGRAMS IN OUR COMMUNITIES.

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The Senate Resolution was adopted.

S. 777 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION AT TWO NOTCH ROAD WHERE IT INTERSECTS WITH CUSHMAN DRIVE IN RICHLAND COUNTY "BISHOP C. L. LORICK, SR. MEMORIAL INTERSECTION" AND ERECT AN APPROPRIATE SIGN OR MARKER AT THIS LOCATION CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3219 -- Reps. Collins, Allison, Henderson-Myers, Erickson, Bradley and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-35 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO ESTABLISH A PROGRAM TO PAY FOR CERTAIN EXPENSES INCIDENTAL TO BECOMING LEGALLY AUTHORIZED TO DRIVE FOR CHILDREN FIFTEEN YEARS OF AGE OR OLDER WHO RESIDE IN OUT-OF-HOME CARE, WITH EXCEPTIONS; TO AMEND SECTION 56-1-110, RELATING TO IMPUTED LIABILITY OF A PERSON SIGNING A DRIVER'S LICENSE APPLICATION FOR AN UNEMANCIPATED MINOR, SO AS TO PROVIDE AN EXCEPTION TO LIABILITY FOR, AMONG OTHERS, FOSTER PARENTS; AND TO AMEND SECTION 63-7-2310, RELATING TO FOSTER CARE, SO AS TO PROVIDE IMMUNITY FROM LIABILITY FOR FOSTER PARENTS WITH EXCEPTIONS.

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Read the first time and referred to the Committee on Family and Veterans' Services.

THURSDAY, APRIL 29, 2021

H. 3623 -- Reps. Murphy, Stavrinakis, Kimmons, Hart, Rutherford, Lucas, Dillard, Erickson, Hyde, W. Newton, Thigpen, Wheeler, R. Williams, Murray, Gilliard, Rivers, Brawley, Anderson, S. Williams, King, Alexander, McDaniel, Henderson-Myers and Govan: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EARLY RELEASE OF AN INMATE, SO AS TO REDUCE THE PERCENTAGE OF TIME AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FROM EIGHTY-FIVE PERCENT TO SIXTY-FIVE PERCENT FOR CERTAIN DRUG OFFENSES, AND TO PROVIDE THIS REDUCTION APPLIES TO INMATES CURRENTLY INCARCERATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; AND TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES.

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Read the first time and referred to the Committee on Corrections and Penology.

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

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Read the first time and referred to the Committee on Transportation.

THURSDAY, APRIL 29, 2021

H. 3939 -- Reps. Pope, Hyde, McCravy, McGarry, Bryant, Wheeler, Wooten, Hixon, B. Newton, Blackwell and Weeks: A BILL TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

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Read the first time and referred to the Committee on Judiciary.

H. 3943 -- Reps. D. C. Moss, Yow, McCravy, Hyde, T. Moore, Chumley, Haddon, Bailey, Burns, Allison, Bannister, Bryant, Herbkersman, Simrill, West, Willis and Henderson-Myers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4072 SO AS TO PROVIDE THAT A PICK-UP TRUCK WITH A FIFTH WHEEL ASSEMBLY MAY NOT TOW MORE THAN ONE SEPARATE TRAILING VEHICLE, TO PROVIDE A MAXIMUM LENGTH FOR THIS COMBINATION OF VEHICLES, AND TO PROVIDE THE MAXIMUM WEIGHT FOR THE FINAL TRAILING VEHICLE.

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Read the first time and referred to the Committee on Transportation.

H. 4149 -- Reps. Ott, Sandifer, Ballentine and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-70 SO AS TO PROVIDE DEFINITIONS; BY ADDING SECTION 8-27-80 SO AS TO PROHIBIT A PUBLIC UTILITY FROM TAKING ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO MADE A REPORT OF WRONGDOING BY THE PUBLIC UTILITY TO THE OFFICE OF REGULATORY STAFF; AND BY ADDING SECTION 8-27-90 SO AS TO PROVIDE REMEDIES IF A PUBLIC UTILITY TAKES ADVERSE EMPLOYMENT ACTION AGAINST AN EMPLOYEE WHO MADE A REPORT OF WRONGDOING.

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Read the first time and referred to the Committee on Judiciary.

THURSDAY, APRIL 29, 2021

H. 4293 -- Reps. Hardee, J. E. Johnson, Fry, McGinnis, Brittain, Bailey and Crawford: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JOHN PATRICK "PAT" HENRY, SR., TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 4294 -- Reps. Blackwell, Clyburn, Taylor, Oremus, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DR. SANDRA JORDAN UPON THE OCCASION OF HER RETIREMENT AS CHANCELLOR OF THE UNIVERSITY OF SOUTH CAROLINA AIKEN, TO THANK HER FOR HER DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Concurrent Resolution was adopted, ordered returned to the House.

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REPORTS OF STANDING COMMITTEE

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 264 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable with amendment report on:

S. 508 -- Senators Shealy and Hutto: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45(A), 44-78-50, AND 44-78-60 OF THE 1976 CODE, ALL RELATING TO DO NOT RESUSCITATE ORDERS, TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

H. 3222 -- Reps. Davis, Forrest, Hiott, Cobb-Hunter, Jefferson, R. Williams and J. Moore: A BILL TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING

THURSDAY, APRIL 29, 2021

TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2019, and to expire April 1, 2023

At-Large:

John P. Brogan, P. O. Box 3410, Bluffton, SC 29910-3410

Received as information.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 20, 2024

Pee Dee District - represent organ and tissue recipients, families of recipients, and families of donors who are residents of South Carolina:

Alan Sipe, 128 Colonial Circle, Murrells Inlet, SC 29576-8514

Received as information.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

5th Congressional District:

Crystal A. Maxwell, 2748 Dunlin Dr., Fort Mill, SC 29707-9118

Received as information.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2020, and to expire December 31, 2024

5th Congressional District:

Samuel H. McNutt, Jr., 5909 Hwy. 321 South, Winnsboro, SC 29180-6690

Received as information.

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THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5

THURSDAY, APRIL 29, 2021

OF CHAPTER 19, TITLE 50 AS “SLADE LAKE FISHING”; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS “FISHING AND HUNTING IN LAKE WATEREE”.

On motion of Senator CAMPSSEN, the Bill was carried over.

RECOMMITTED

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS

THURSDAY, APRIL 29, 2021

REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

READ THE SECOND TIME

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE

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LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

The Senate proceeded to consideration of the Bill.

Senator GROOMS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

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NAYS

Climer

Matthews

Total--2

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

The Senate proceeded to a consideration of the Bill.

Senator CLIMER proposed the following amendment (717R001.SP.WC), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. A.Article 3, Chapter 7, Title 44 of the 1976 Code is renamed the "State Health Facility Licensure Act".

B.Section 44-7-110 of the 1976 Code is amended to read:

"Section 44-7-110. This article may be cited as the 'State ~~Certification of Need and~~ Health Facility Licensure Act'."

SECTION __. Section 44-7-120 of the 1976 Code is amended to read:

"Section 44-7-120. The purpose of this article is to ~~promote cost containment, prevent unnecessary duplication of health care facilities and services, guide the establishment of health facilities and services which will best serve public needs,~~ and ensure that high quality services are provided in health facilities in this State. To achieve these purposes, this article requires:

(1) ~~the issuance of a Certificate of Need before undertaking a project prescribed by this article;~~

(2) ~~adoption of procedures and criteria for submittal of an application and appropriate review before issuance of a Certificate of Need;~~

(3) ~~preparation and publication of a State Health Plan;~~

(4) the licensure of facilities rendering medical, nursing, and other health care."

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SECTION __. Section 44-7-130 of the 1976 Code is amended to read:

“Section 44-7-130. As used in this article:

(1) ~~‘Affected person’ means the applicant, a person residing within the geographic area served or to be served by the applicant, persons located in the health service area in which the project is to be located and who provide similar services to the proposed project, persons who before receipt by the department of the proposal being reviewed have formally indicated an intention to provide similar services in the future, persons who pay for health services in the health service area in which the project is to be located and who have notified the department of their interest in Certificate of Need applications, the State Consumer Advocate, and the State Ombudsman. Persons from another state who would otherwise be considered ‘affected persons’ are not included unless that state provides for similar involvement of persons from South Carolina in its certificate of need process.~~

(2) ‘Ambulatory surgical facility’ means a facility organized and administered for the purpose of performing surgical procedures for which patients are scheduled to arrive, receive surgery, and be discharged on the same day. The owner or operator makes the facility available to other providers who comprise an organized professional staff.

(2) ‘Birthing center’ means a facility or other place where human births are planned to occur. This does not include the usual residence of a mother, any facility that is licensed as a hospital, or the private practice of a physician who attends a birth.

(3) ‘Board’ means the State Board of Health and Environmental Control.

(4) ~~Reserved.~~ ‘Children, adolescents, or young adults in need of mental health treatment’ in a residential treatment facility means a child, adolescent, or young adult under the age of twenty-one who manifests a substantial disorder of cognitive or emotional process that lessens or impairs to a marked degree that child’s, adolescent’s, or young adult’s capacity either to develop or to exercise age-appropriate or age-adequate behavior, including, but not limited to, marked disorders of mood or thought processes; severe difficulties with self-control or judgment, including behavior dangerous to himself or others; and serious disturbances in a child’s, adolescent’s, or young adult’s ability to care for or relate to others.

(5) ~~‘Competing applicants’ means two or more persons or health care facilities as defined in this article who apply for Certificates of Need~~

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~~to provide similar services or facilities in the same service area within a time frame as established by departmental regulations and whose applications, if approved, would exceed the need for services or facilities.~~

(6) 'Community residential care facility' means a facility which offers room and board and provides a degree of personal assistance for two or more persons eighteen years old or older.

(7)(6) '~~Day care~~ Daycare facility for adults' means a facility for adults eighteen years or older ~~which~~ that:

(a) offers in a group setting a program of individual and group activities and therapies; ~~The program~~

(b) is directed toward providing community-based care for those in need of a supportive setting for less than twenty-four hours a day, ~~thereby preventing in order to prevent~~ unnecessary institutionalization; and

(c) ~~shall provide~~ provides a minimum of four and a maximum of fourteen hours of operation a day.

(8)(7) 'Department' means the Department of Health and Environmental Control.

(9)(8) '~~The federal act~~ means Title VI of the United States Public Health Service Act (the Hill-Burton Construction Program); Title XVI of the United States Public Health Service Act (National Health Planning and Resources Development Act of 1974—Public Law 93-641); grants for all center and facility construction under Public Law 91-211 (community mental health centers' amendments to Title II, Public Law 88-164, Community Mental Health Centers Act); grants for all facility construction under Public Law 91-517 (developmental disabilities services and facilities construction amendments of 1970 to Part C, Title I, grants for construction of facilities for persons with intellectual disability—Public Law 88-164); and other federal programs as may exist or be enacted which provide for the construction of hospitals or related health facilities. 'Facility for chemically dependent or addicted persons' means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.

(9) 'Facility wherein abortions are performed' means a facility, other than a hospital, in which any second-trimester or any five or more first-trimester abortions are performed in a month.

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(10) 'Freestanding emergency service' or 'off-campus emergency service' means an extension of an existing hospital emergency department that is intended to provide comprehensive emergency service but does not include a service that does not provide twenty-four hour, seven day per week operations or that is not capable of providing basic services as defined for hospital emergency departments. A service that does not qualify as a freestanding emergency service must not be classified as a freestanding emergency service and must not advertise, or display or exhibit any signs or symbols, that would identify the service as a freestanding emergency service.

~~(10)~~(11) 'Health care facility' means, at a minimum, acute care hospitals, psychiatric hospitals, alcohol and substance abuse hospitals, nursing homes, ambulatory surgical facilities, hospice facilities, radiation therapy facilities, rehabilitation facilities, residential treatment facilities for children and adolescents, intermediate care facilities for persons with intellectual disability, or narcotic treatment programs, ~~and any other facility for which Certificate of Need review is required by federal law.~~

~~(11)~~(12) 'Health service' means clinically related, diagnostic, treatment, or rehabilitative services and includes alcohol, drug abuse, and mental health services ~~for which specific standards or criteria are prescribed in the State Health Plan.~~

~~(12)~~(13) 'Hospital' means a facility that is organized and administered to provide overnight medical or surgical care or nursing care ~~of for an illness, injury, or infirmity; that and~~ may provide obstetrical care; and in which all diagnoses, treatment, or care is administered by or under the direction of persons currently licensed to practice medicine, surgery, or osteopathy. ~~Hospital~~ 'Hospital' may include a residential treatment facilities facility for children, and adolescents, or young adults in need of mental health treatment ~~which are that is~~ physically a part of a licensed psychiatric hospital. This definition does not include facilities ~~which that~~ are licensed by the Department of Social Services.

(14) 'Intermediate care facility for persons with an intellectual disability' means a facility that serves four or more persons with an intellectual disability or persons with related conditions and that provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.

~~(13)~~(15) 'Nursing home' means a facility with an organized nursing staff to maintain and operate organized facilities and services to

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accommodate two or more unrelated persons over a period exceeding twenty-four hours which is operated either in connection with a hospital or as a freestanding facility for the express or implied purpose of providing intermediate or skilled nursing care for persons who are not in need of hospital care.

~~(14) 'Facility for chemically dependent or addicted persons' means a facility organized to provide outpatient or residential services to chemically dependent or addicted persons and their families based on an individual treatment plan including diagnostic treatment, individual and group counseling, family therapy, vocational and educational development counseling, and referral services.~~

~~(15)~~(16) 'Person' means an individual, a trust or estate, a partnership, a corporation including an association, joint stock company, insurance company, and a health maintenance organization, a health care facility, a state, a political subdivision, or an instrumentality including a municipal corporation of a state, or any legal entity recognized by the State.

(17) 'Radiation therapy facility' means a person or a health care facility that provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.

~~(16)~~(18) 'Residential treatment facility for children and adolescents' means a facility operated for the assessment, diagnosis, treatment, and care of two or more 'children and adolescents in need of mental health treatment' which provides:

(a) a special education program with a minimum program defined by the South Carolina Department of Education;

(b) recreational facilities with an organized youth development program; and

(c) residential treatment for a child or adolescent in need of mental health treatment.

~~(17) 'Solely for research' means a service, procedure, or equipment which has not been approved by the Food and Drug Administration (FDA) but which is currently undergoing review by the FDA as an investigational device. FDA research protocol and any applicable Investigational Device Exemption (IDE) policies and regulations must be followed by a facility proposing a project 'solely for research'.~~

~~(18) 'Children, adolescents, and young adults in need of mental health treatment' in a residential treatment facility means a child, adolescent, or young adult under age twenty one who manifests a substantial disorder of cognitive or emotional process, which lessens or impairs to a marked degree that child's, adolescent's, or young adult's~~

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capacity either to develop or to exercise age-appropriate or age-adequate behavior. The behavior includes, but is not limited to, marked disorders of mood or thought processes, severe difficulties with self-control and judgment including behavior dangerous to self or others, and serious disturbances in the ability to care for and relate to others.

(19) ~~'Intermediate care facility for persons with intellectual disability' means a facility that serves four or more persons with intellectual disability or persons with related conditions and provides health or rehabilitative services on a regular basis to individuals whose mental and physical conditions require services including room, board, and active treatment for their intellectual disability or related conditions.~~

(20) ~~'Freestanding or mobile technology' means medical equipment owned or operated by a person other than a health care facility for which the total cost is in excess of that prescribed by regulation and for which specific standards or criteria are prescribed in the State Health Plan.~~

(21) ~~'Like equipment with similar capabilities' means medical equipment in which functional and technological capabilities are identical to the equipment to be replaced; and the replacement equipment is to be used for the same or similar diagnostic, therapeutic, or treatment purposes as currently in use; and does not constitute a material change in service or a new service.~~

(22) ~~'Facilities wherein abortions are performed' means a facility, other than a hospital, in which any second trimester or five or more first trimester abortions are performed in a month.~~

(23) ~~'Radiation therapy facility' means a person or a health care facility which provides or seeks to provide mega-voltage therapeutic services to patients through the use of high energy radiation.~~

(24) ~~'Birthing center' means a facility or other place where human births are planned to occur. This does not include the usual residence of the mother or any facility that is licensed as a hospital or the private practice of a physician who attends the birth.~~

(25) ~~'Freestanding emergency service' also referred to as an off-campus emergency service, means an extension of an existing hospital emergency department that is an off-campus emergency service and that is intended to provide comprehensive emergency service. The hospital shall have a valid license and be in operation to support the off-campus emergency service. A service that does not provide twenty four hour, seven day per week operation or that is not capable of providing basic services as defined for hospital emergency departments must not be classified as a freestanding emergency service and must not~~

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advertise or display or exhibit any signs or symbols that would identify the service as a freestanding emergency service.

~~(26) ‘Crisis stabilization unit facility’ means a facility, other than a health care facility, operated by the Department of Mental Health or operated in partnership with the Department of Mental Health that provides a short term residential program, offering psychiatric stabilization services and brief, intensive crisis services to individuals eighteen and older, twenty four hours a day, seven days a week.”~~

SECTION __. Section 44-7-140 of the 1976 Code is amended to read:

“Section 44-7-140. The department is designated the sole state agency for control and administration of the ~~granting of Certificates of Need and~~ licensure of health facilities and other activities necessary to be carried out under this article.”

SECTION __. A. Section 44-7-150 of the 1976 Code is amended to read:

“Section 44-7-150. In carrying out the purposes of this article, the department shall:

(1) require reports and make inspections and investigations as considered necessary;

(2) to the extent that is necessary to effectuate the purposes of this article, enter into agreements with other departments, commissions, agencies, and institutions, public or private;

(3) adopt in accordance with Article I of the Administrative Procedures Act substantive and procedural regulations considered necessary by the department and approved by the board to carry out the department’s licensure ~~and Certificate of Need~~ duties under this article; ~~including regulations to deal with competing applications;~~

(4) accept on behalf of the State and deposit with the State Treasurer, any grant, gift, or contribution made to assist in meeting the cost of carrying out the purpose of this article and expend it for that purpose; and

~~(5) The department may charge and collect fees to cover the cost of operating the Certificate of Need program, including application fees, filing fees, issuance fees, and nonapplicability/exemption determination fees. The department shall develop regulations which set fees as authorized by this article. The level of these fees must be determined after careful consideration of the direct and indirect costs incurred by the department in performing its various functions and services in the Certificate of Need program. All fees and procedures for collecting fees must be adopted pursuant to procedures set forth in the Administrative~~

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~~Procedures Act. Any fee collected pursuant to this section in excess of seven hundred fifty thousand dollars must be retained by the department and designated for the administrative costs of the Certificate of Need program. The first seven hundred fifty thousand dollars collected pursuant to this section must be deposited into the general fund of the State. Until fees are promulgated through regulation, all fees established as of January 1, 2009, remain in effect~~ promulgate regulations, in accordance with the Administrative Procedures Act, that establish fees as authorized by this article."

B. Fees authorized by Article 3, Chapter 7, Title 44 that are promulgated as of January 1, 2009 shall remain in effect until further regulations are promulgated pursuant to Section 44-7-150(5), as amended by this act.

SECTION __. Section 44-7-320 of the 1976 Code is amended to read:

"Section 44-7-320. (A)(1) The department may deny, suspend, or revoke licenses or assess a monetary penalty, or both, against a person or facility for:

(a) violating a provision of this article or departmental regulations;

~~(b) permitting, aiding, or abetting the commission of an unlawful act relating to the securing of a Certificate of Need or the establishment, maintenance, or operation of a facility requiring certification of need or licensure under this article;~~

~~(e)~~ engaging in conduct or practices detrimental to the health or safety of patients, residents, clients, or employees of a facility or service. This provision does not refer to health practices authorized by law;

~~(d)(c)~~ refusing to admit and treat alcoholic and substance abusers, the mentally ill, or persons with intellectual disability, whose admission or treatment has been prescribed by a physician who is a member of the facility's medical staff; or discriminating against alcoholics, the mentally ill, or persons with intellectual disability solely because of the alcoholism, mental illness, or intellectual disability; or

~~(e)(d)~~ failing to allow a team advocacy inspection of a community residential care facility by the South Carolina Protection and Advocacy System for the Handicapped, Inc., as allowed by law.

(2) Consideration to deny, suspend, or revoke licenses or assess monetary penalties, or both, is not limited to information relating to the current licensing period but includes consideration of all pertinent information regarding the facility and the applicant.

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(3) If in the department's judgment conditions or practices exist in a facility that pose an immediate threat to the health, safety, and welfare of the residents, the department immediately may suspend the facility's license and shall contact the appropriate agencies for placement of the residents. Within five calendar days of the suspension a preliminary hearing must be held to determine if the immediate threatening conditions or practices continue to exist. If they do not, the license must be immediately reinstated. Whether the license is reinstated or suspension remains due to the immediate threatening conditions or practices, the department may proceed with the process for permanent revocation pursuant to this section.

(B) Should the department determine to assess a penalty, deny, suspend, or revoke a license, it shall send to the appropriate person or facility, by certified mail, a notice setting forth the particular reasons for the determination. The determination becomes final thirty days after the mailing of the notice, unless the person or facility, within such thirty-day period, requests in writing a contested case hearing before the board, or its designee, pursuant to the Administrative Procedures Act. On the basis of the contested case hearing, the determination involved must be affirmed, modified, or set aside. Judicial review may be sought in accordance with the Administrative Procedures Act.

(C) The penalty imposed by the department for violation of this article or its regulations must be not less than one hundred nor more than five thousand dollars for each violation of any of the provisions of this article. Each day's violation is considered a subsequent offense.

(D) Failure to pay a penalty within thirty days is grounds for suspension, revocation, or denial of a renewal of a license. ~~No~~ A license ~~may~~ must not be issued, reissued, or renewed until all penalties finally assessed against a person or facility have been paid.

(E) ~~No Certificate of Need may be issued to any person or facility until a final penalty assessed against a person or a facility has been paid.~~

~~(F)~~ All penalties collected pursuant to this article must be deposited in the state treasury and credited to the general fund of the State."

SECTION __. A. Sections 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, and 44-7-240 of the 1976 Code are repealed.

B.(A) Beginning on the effective date of this act, there is no requirement for the issuance of a Certificate of Need for any project or operation of a facility in this State. The Department of Health and Environmental Control shall not take any action on any pending applications for a Certificate of Need, shall notify a facility that has a

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pending application that there is no requirement for the issuance of a Certificate of Need, and shall identify any licensing requirements that are applicable to the facility's proposed project or operation.

(B) For a facility with an existing Certificate of Need, the Department of Health and Environmental Control shall notify the facility that it is no longer required to submit periodic reports or to submit architectural or engineering drawings and specifications and that the Department of Health and Environmental Control shall not make further inspections to determine compliance with the Certificate of Need, as there is no such requirement in the State, and shall identify any licensing requirements that are applicable to the facility's proposed project or operation.

(C) Beginning on the effective date of this act, the Department of Health and Environmental Control shall not accept new applications for a Certificate of Need, shall review its relevant regulations for the purposes of submitting revised regulations that implement the provisions of this act to the General Assembly for approval, and shall update its website and other publicly available information to reflect that there is no requirement under the laws of this State for the issuance of a Certificate of Need for any project or operation of a facility and to summarize the licensing requirements and associated application process applicable to a facility for any projects or operations.

(D) A court with jurisdiction over a case resulting from an appeal of a denial of a Certificate of Need application that is pending on the effective date of this act shall issue an appropriate order of dismissal that includes in its findings that there is no requirement for a Certificate of Need for any project or operation of a facility in this State.

SECTION __. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws. /

Renumber sections to conform.

Amend title to conform.

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The amendment was withdrawn.

Senator TALLEY proposed the following amendment (717R003.SP.SFT), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 44-7-160 of the 1976 Code is amended to read:

“Section 44-7-160. A person or health care facility as defined in this article is required to obtain a Certificate of Need from the department before undertaking any of the following:

(1) the construction or other establishment of a new health care facility;

(2) a change in the existing bed complement of a health care facility through the addition of one or more beds, except as provided for in Section 44-7-170(A)(5), or change in the classification of licensure of one or more beds;

(3) an expenditure by or on behalf of a health care facility in excess of ~~an amount to be prescribed by regulation~~ five million dollars, as adjusted pursuant to this item, which, under generally acceptable accounting principles consistently applied, is considered a capital expenditure except those expenditures exempted in Section 44-7-170(B)(1). The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the development, acquisition, improvement, expansion, or replacement of any plant or equipment must be included in determining if the expenditure exceeds the prescribed amount. Starting July 1, 2025, and every fifth year thereafter, the department must determine the increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI-U), Medical Care Commodities in the U.S. City Average, for the prior five-year period published by the United States Department of Labor, and the dollar threshold for expenditures by or on behalf of a health care facility shall be adjusted accordingly, except that the dollar amount shall never be adjusted below five million dollars. As soon as practicable after this adjustment is calculated, the director of the department shall submit the revised amount to the State Register for publication pursuant to Section 1-23-40(2). The revised amount becomes effective on July first of every fifth year, starting July 1, 2025;

(4) a capital expenditure by or on behalf of a health care facility which is associated with the addition or substantial expansion of a health

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service for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(5) the offering of a health service by or on behalf of a health care facility which has not been offered by the facility in the preceding twelve months and for which specific standards or criteria are prescribed in the South Carolina Health Plan;

(6) the acquisition of medical equipment which is to be used for diagnosis or treatment if the total ~~project~~ equipment cost is in excess of ~~that prescribed by regulation~~ two million dollars, as adjusted pursuant to this item. Starting July 1, 2025, and every fifth year thereafter, the department must determine the increase or decrease in the ratio of the Consumer Price Index for all Urban Consumers (CPI-U), Medical Care Commodities in the U.S. City Average, for the prior five-year period published by the United States Department of Labor, and the dollar threshold for the total equipment cost for the acquisition of medical equipment to be used for diagnosis or treatment shall be adjusted accordingly, except that the dollar amount shall never be adjusted below two million dollars. As soon as practicable after this adjustment is calculated, the director of the department shall submit the revised amount to the State Register for publication pursuant to Section 1-23-40(2). The revised amount becomes effective on July first of every fifth year, starting July 1, 2025.

SECTION __. Section 44-7-170(A) of the 1976 Code is amended to read:

“Section 44-7-170. (A) The following are exempt from Certificate of Need review:

(1)(a) the acquisition by a person of medical equipment to be used solely for research, the offering of an institutional health service by a person solely for research, or the obligation of a capital expenditure by a person to be made solely for research if it does not:

(a)(i) affect the charges imposed by the person for the provision of medical or other patient care services other than the services that are included in the research;

(b)(ii) change the bed capacity of a health care facility; or

(c)(iii) substantially change the medical or other patient care services provided by the person.

(b) A written description of the proposed research project must be submitted to the department in order for the department to determine if these conditions are met. A Certificate of Need is required in order to continue use of the equipment or service after the equipment or service is no longer being used solely for research;

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(2) the offices of a licensed private practitioner whether for individual or group practice except as provided for in Section 44-7-160(1) and (6);

(3) the replacement of ~~like~~ equipment, including, but not limited to, computed tomography (CT) scanners, magnetic resonance imaging, positron emission tomography (PET), and PET-CT for which a Certificate of Need has been issued which does not constitute ~~a material change in service or~~ a new service;

(4) crisis stabilization unit facilities. Notwithstanding subsection (C), crisis stabilization unit facilities will not require a written exemption from the department; and

(5) a change in the existing bed complement of a health care facility through the addition of one or more beds if:

(a) in the immediately preceding calendar year, the average occupancy of the total number of beds in the same license category at the health care facility where the beds will be added exceeded seventy-five percent capacity, including beds considered as observational status;

(b) for licensed general acute care hospital beds, the number of beds exempt from review under this section does not exceed fifty beds or ten percent of the total number of licensed general acute care hospital beds, whichever is greater, at the health care facility where the beds will be added;

(c) for beds in license categories other than general acute care hospital beds, the number of beds exempt from review under this section does not exceed ten percent of the total number of beds in the same license category at the health care facility where the beds will be added.”

SECTION __. Section 44-7-210(G) of the 1976 Code is amended to read:

“(G)Notwithstanding any other provision of law, in a contested case arising from the department's decision to grant or deny a Certificate of Need application, grant or deny a request for exemption under Section 44-7-170, or the issuance of a determination regarding the applicability of Section 44-7-160, the Administrative Law Court shall file a final decision no later than eighteen months after the contested case is filed with the Clerk of the Administrative Law Court, ~~unless all parties to the contested case consent to an extension or the court finds substantial cause otherwise.~~ There shall be no judicial review of final decisions issued by the Administrative Law Court for a contested case arising from the department's decision to grant or deny a Certificate of Need application, the department's decision to grant or deny a request for exemption under Section 44-7-170, the department's issuance of a determination

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regarding the applicability of Section 44-7-160, or any other department decisions relating to Article 3, Chapter 7, Title 44.”

SECTION __. The first paragraph of Section 1-23-380 of the 1976 Code, preceding items (1) - (5), is amended to read:

“Section 1-23-380. A party who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision in a contested case is entitled to judicial review pursuant to this article and Article 1, except for a party aggrieved by a final decision in a contested case filed with the Administrative Law Court relating to subject matter contained in Article 3, Chapter 7, Title 44. This section does not limit utilization of or the scope of judicial review available under other means of review, redress, relief, or trial de novo provided by law. A preliminary, procedural, or intermediate agency action or ruling is immediately reviewable if review of the final agency decision would not provide an adequate remedy. Except as otherwise provided by law, an appeal is to the court of appeals.”

SECTION __. Section 44-7-220 of the 1976 Code is repealed.

SECTION __. The repeal or amendment by this act of any law, whether temporary, permanent, civil, or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

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The amendment was withdrawn.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill, as amended, was read the second time, passed and ordered to a third reading.

Recorded Vote

Senator VERDIN desired to be recorded as voting against the second reading of the Bill.

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READ THE SECOND TIME

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--46

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson

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Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--46

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSER explained the Bill.

On motion of Senator GROOMS, the Bill was carried over.

CARRIED OVER

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF

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INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

On motion of Senator MARTIN, the Bill was carried over.

READ THE SECOND TIME

H. 3541 -- Reps. Hixon, Burns and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4035 -- Reps. Hiott, Bailey and Hewitt: A BILL TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin

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Massey	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator CLIMER explained the Resolution.

On motion of Senator CLIMER, the Resolution was carried over.

OBJECTION

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Hembree, Gustafson and Grooms: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME

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ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE “STATE HEALTH FACILITY LICENSURE ACT”.

Senator SCOTT objected to consideration of the Bill.

POINT OF ORDER

H. 3612 -- Reps. Lucas, Allison, M.M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT” BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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ADOPTED

S. 700 -- Senators Alexander and Climer: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

RECALLED

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 27; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer

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Corbin	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--27

NAYS

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Matthews	McLeod	Sabb
Scott	Stephens	Williams

Total--12

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

MADE RULES COMMITTEE SPECIAL ORDER

The motion to make the Bill a Special Order was polled out of the Committee on Rules, as follows:

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE

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CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

Poll of the Rules Committee

Polled 16; Ayes 11; Nays 5; Abstain 0; Not Voting 1

AYES

Massey	Cromer	Leatherman
Martin	Campsen	Corbin
Young	Grooms	Hembree
Shealy	Goldfinch	

Total--11

NAYS

Allen	Kimpson	Sabb
McLeod	Harpootlian	

Total--5

NOT VOTING

Malloy

Total--1

On behalf of the Rules Committee, Senator MASSEY moved to set the Bill for Special Order.

Point of Order

Senator MATTHEWS raised a Point of Order that the motion to set the Bill for Special Order was out of order inasmuch as the Bill had not been on the desk the required amount of time.

Senator MARTIN spoke on the Point of Order.

Senator MATTHEWS spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the motion to make the Bill a Special Order.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
Peeler	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Matthews	McLeod	Sabb
Scott	Stephens	Williams

Total--12

The Bill was made a Special Order.

MOTION ADOPTED

At 4:50 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CONCURRENCE

S. 229 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Gustafson: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS

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INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1), (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator TALLEY explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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On motion of Senator TALLEY, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H. 4100, THE GENERAL APPROPRIATIONS BILL.**

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 66

Senator MALLOY proposed the following amendment (SA\4100C007.NBD.SA21.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IA, Section 78, DEPARTMENT OF INSURANCE, page 199, lines 15 through 32, by deleting the amounts in columns 7 and 8 for subprogram "I. FRAUD" in their entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MALLOY spoke on the amendment.

On motion of Senator MALLOY, the amendment was withdrawn.

Amendment No. 68

Senators CLIMER, ADAMS, CASH, RICE, LOFTIS, KIMBRELL, GARRETT, M. JOHNSON and GUSTAFSON proposed the following amendment (4100R002.SP.WC.DOCX), which was carried over and subsequently withdrawn:

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Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 311, after line 27, by adding an appropriately numbered new proviso to read:

/ 1. . (SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make use of, or carry out standards, curricula, lesson plans, textbooks, instructional materials, or instructional practices that serve to inculcate any of the following concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT took the Point of Order under advisement.

On motion of Senator CLIMER, the amendment was withdrawn.

Amendment No. 45

Senators CASH, ADAMS, RICE and KIMBRELL proposed the following amendment (4100R040.KMM.RJC.DOCX), which was withdrawn:

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Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 340, line 8, by adding an appropriately numbered new proviso to read:

/ 1A. . (SDE-EIA: Same Sex School Athletic Team Participation)

(A) A middle school-level or high school-level interscholastic or intramural athletic team or sport that is sponsored by a public school or a private school, if the school's students or teams compete against a public school, must be expressly designated as one of the following based on biological sex:

(1) 'males', 'men', or 'boys';

(2) 'females', 'women', or 'girls'; or

(3) 'coed' or 'mixed'.

(B) An athletic team or sport that is designated for 'females', 'women', or 'girls' must not be open to students of the male sex. A student's original birth certificate shall be used to determine the student's biological sex.

(C) A school district that allows a school to field a team in violation of this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Amendment No. 71

Senators CASH and RICE proposed the following amendment (4100R052.SP.RJC.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 340, line 8, by adding an appropriately numbered new proviso to read:

/ 1A. . (SDE-EIA: Same Sex School Athletic Team Participation)

(A) A middle school-level or high school-level interscholastic or intramural athletic team or sport that is sponsored by a public school or a private school, if the school's students or teams compete against a public school, must be expressly designated as one of the following based on biological sex:

(1) "males", "men", or "boys";

(2) "females", "women", or "girls"; or

(3) "coed" or "mixed".

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(B) An athletic team or sport that is designated for “females”, “women”, or “girls” must not be open to students of the male sex. An athletic team or sport that is designated for “males”, “men”, or “boys” must not be open to students of the female sex. A student’s original, unamended birth certificate shall be used to determine the student’s biological sex.

(C) If a student is born biologically both male and female, then a committee as set forth in the South Carolina High School League policies shall determine if the student may participate on an athletic team or sport that is designated for the sex that is the opposite of the sex listed on the student’s original birth certificate.

(D) A school district that allows a school to field a team in violation of this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 15; Nays 24

AYES

Allen	Fanning	Gustafson
Harpootlian	Hutto	Jackson
Johnson, Kevin	Kimpson	Matthews
McElveen	McLeod	Rankin
Scott	Setzler	Stephens

Total--15

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Johnson, Michael	Leatherman	Loftis
Martin	Massey	Peeler

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Rice	Shealy	Talley
Turner	Williams	Young

Total--24

The Senate refused to table the amendment.

Senator HUTTO spoke on the amendment.

Objection

Senator MASSEY asked unanimous consent, with Senator HUTTO retaining the floor, that no further amendments be placed on the desk after 11:30 A.M. with the exception of the technical and balancing amendment offered by the Chairman of Finance.

Senator SETZLER objected.

Senator HUTTO continued speaking on the amendment.

Senator HUTTO moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 17; Nays 25

AYES

Allen	Fanning	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Leatherman
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Setzler	Stephens	

Total--17

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	<i>Johnson, Michael</i>
Loftis	Martin	Massey

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Peeler	Rice	Talley
Turner	Verdin	Williams
Young		

Total--25

The Senate refused to table the amendment.

Senator MATTHEWS spoke on the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 18; Nays 25

AYES

Allen	Fanning	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Leatherman
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Setzler	Stephens

Total--18

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	<i>Johnson, Michael</i>
Loftis	Martin	Massey
Peeler	Rice	Talley
Turner	Verdin	Williams
Young		

Total--25

The Senate refused to table the amendment.

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Objection

Senator MASSEY asked unanimous consent, with Senator HUTTO retaining the floor, that no further amendments be placed on the desk after 12:00 Noon with the exception of the technical and balancing amendment offered by the Chairman of Finance.

Senator HARPOOTLIAN objected.

On motion of Senator CLIMER, with unanimous consent, Amendment Nos. 67A and 68 were withdrawn.

Senator SABB spoke on the amendment.

Senator HUTTO asked unanimous consent, with Senator SABB retaining the floor, that Senator CASH be allowed to speak.

Senator CASH spoke on the amendment.

On motion of Senator CASH, with unanimous consent, the amendment was withdrawn.

Motion Adopted

Senator MASSEY asked unanimous consent that no further amendments be placed on the desk after 12:40 P.M. with the exception of the technical and balancing amendment offered by the Chairman of Finance.

Amendment No. 16

Senators CASH and VERDIN proposed the following amendment (4100R032.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 370, after line 33, by adding an appropriately numbered new proviso to read:

/33. (DHHS: Defunding Planned Parenthood) None of the state funds appropriated for family planning may be expended to directly or indirectly subsidize abortion services, procedures, or administrative functions. Furthermore, none of the state funds appropriated herein may be paid or granted to an organization that provides abortion services. An otherwise qualified organization may not be disqualified from the receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization.

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An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in which the life of a mother is at risk and the termination of a pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

On motion of Senate CASH, the amendment was carried over.

RECESS

At 12:40 P.M., on motion of Senator MASSEY, the Senate recessed from business until 1:10 P.M.

At 1:15 P.M., the Senate resumed.

Point of Quorum

At 1:14 P.M., Senator ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	Johnson, Kevin	Johnson, Michael
Leatherman	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley

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Turner
Young

Verdin

Williams

A quorum being present, the Senate resumed.

Decision of the PRESIDENT

The PRESIDENT took up the Point of Order raised by Senator HUTTO on April 28, 2021, that Proviso 117.62 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 117.62 was ruled out of order.

Amendment No. 70A

Senators CAMPSER, RANKIN, HUTTO, ALEXANDER and CLIMER proposed the following amendment (AGM SOLAR PROJECT V.3), which was adopted (#29):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/ (DHEC: Solar Projects) From the funds appropriated to the Department of Health and Environmental Control, and within one hundred and twenty days after the effective date of this act, the department shall submit regulations to guide all South Carolinians invested in, selling, installing, and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under State and Federal law.

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(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

(a) reused, if not damaged or in need of repair, for a similar purpose;

(b) refurbished, if not substantially damaged, and reused for a similar purpose;

(c) recycled with recovery of materials for similar or other purposes;

(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the state's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department must require, as part of a new application or an application pending on July 1, 2021, local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a non-binding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and

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decommission solar energy equipment, facilities, or devices. The department is authorized to, by regulation, establish a more formal or detailed process for receiving the plans submitted pursuant to this provision, to include increased reporting requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2021, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN spoke on the amendment.

The amendment was adopted.

Amendment No. 79

Senators YOUNG and JACKSON proposed the following amendment (DAD NAT GAS RATE STABILIZ), which was adopted (#30):

Amend the bill, as and if amended, Part IB, Section 73, OFFICE OF REGULATORY STAFF, page 434, after line 24, by adding an appropriately numbered new proviso to read:

/ (ORS: Natural Gas Rate Stabilization Act Study) From the funds appropriated and/or authorized to the Office of Regulatory Staff in the current fiscal year, the office shall study the Natural Gas Rate Stabilization Act of 2005 and make recommendations to the General Assembly by December 31, 2021. The study shall include, but is not limited to, examining and recommending any changes to the Natural Gas Rate Stabilization Act of 2005 and determining if the provisions of the Act are in the best interests of the ratepayers and support the provision of safe, reliable, high quality utility service. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG spoke on the amendment.

The amendment was adopted.

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Amendment No. 85

Senator GOLDFINCH proposed the following amendment (4100R014.SP.SLG.DOCX), which was adopted (#31):

Amend the bill, as and if amended, Part IB, Section 81, DEPARTMENT OF LABOR, LICENSING AND REGULATION, page 438, after line 24, by adding an appropriately numbered new proviso to read:

/ 81. (LLR: Mobile Optometry Units) In furtherance of expanding access to health care in unserved and underserved populations, the location and site restriction on services provided by mobile units for optometry in Section 40-37-320(B) of the 1976 Code shall be suspended for Fiscal Year 2020-21. The Department of Labor, Licensing and Regulation and the Board of Examiners in Optometry are directed to process and issue registrations for mobile units that apply to provide optometry services on the site of a Title I public school to students attending the school, provided that the services are rendered as part of a not-for-profit program and are provided by an optometrist licensed to practice in South Carolina. The registration shall be administratively issued by the Board of Examiners in Optometry within ten days after receipt of a registration request and following payment of a ten-dollar registration fee to cover administrative costs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH spoke on the amendment.

The amendment was adopted.

Amendment No. 83

Senators SETZLER and CLIMER proposed the following amendment (AGM STATE PORTS AUTHORITY V.2), which was adopted (#32):

Amend the bill, as and if amended, Part IB, Section 88, STATE PORTS AUTHORITY, page 446, after line 27, by adding an appropriately numbered new proviso to read:

/ (SPA: Intermodal Container Transfer Facility and Waterborne Cargo Infrastructure) Any funds appropriated and/or authorized to the State Ports Authority for the Intermodal Container Transfer Facility or for Waterborne Cargo Infrastructure must be deposited with the Department of Administration. The Ports Authority may request draws on the funds for the amount required to defray the costs of infrastructure as certified by the Secretary of Commerce, South Carolina State Ports

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Authority, and after comment by the Joint Bond Review Committee. In addition, all requests must include a description of the infrastructure for which the funds are being used, and a tentative time schedule setting forth the period of time during which the amount requested is to be expended.

Beginning with the close of the calendar month following disbursement of the funds from the Department of Administration to the State Ports Authority, and continuing through the date of final completion of each facility or component of the project, there must be provided, a monthly, progress reports for the implementation of each facility or component of the project. These reports must also be made publicly available or accessible on the South Carolina State Ports Authority's website.

Annually, the State Ports Authority must provide financial results, operating plans, budgets, capital plans, and performance objectives and results for the project, and each facility or component thereof.

The monthly and annual reports must be made available to the Joint Bond Review Committee, the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the members of the South Carolina General Assembly. The Joint Bond Review Committee must review and provide comment on expenditures, and may prescribe the reporting format and such other informational requirements and reports as it deems useful and necessary, to ensure the financial integrity, accountability, and stewardship of the funds and the ongoing operations of the project. To the extent permitted by federal law, if federal funds become available to the State that can be used for the Intermodal Container Transfer Facility or for Waterborne Cargo Infrastructure, those federal funds must first be used to complete the project. Any remaining state funds appropriated for these projects shall be transferred to a restricted account at the Department of Administration. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

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Amendment No. 40A

Senator CLIMER proposed the following amendment (4100R049.SP.WC.DOCX), which was adopted (#33):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, by striking /review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives/ and inserting /review and/or audit, when requested to do so by the State Fiscal Accountability Authority, a standing committee of the General Assembly, the Speaker of the House of Representatives, the President of the Senate, or not less than five members of the Senate or ten members of the House of Representatives. From the funds an organization receives /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

Amendment No. 18

Senators MASSEY, CLIMER, HARPOOTLIAN and GUSTAFSON proposed the following amendment (4100R033.SP.ASM.DOCX), which was adopted (#34):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.22, beginning at line 28, by striking the proviso in its entirety and inserting

/117.22. (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official business. The Division of Aeronautics and other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, and members of state boards, commissions, and agencies and their invitees for official business only; ~~no~~ No member of the General Assembly, ~~no~~ member of a state board, commission, or committee, ~~and~~ ~~no~~ nor any state official shall use any state-owned or operated aircraft unless the member or official files a sworn statement to the agency providing the flight certifying and describing the official nature of

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his/her trip within twenty-four hours after the completion of the flight with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip; and no. No member of the General Assembly, ~~no~~ member of a state board, commission or committee, ~~and no~~ nor state official ~~shall~~ may be furnished air transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include: routine transportation to and from meetings of the General Assembly ~~or; attending a committee meetings~~ meeting for which mileage is authorized. ~~Official business also does not include; attending a press conference; attending a bill signing; or attending a conference~~ or political function.

Unless a flight is initiated by a cabinet agency, members of the General Assembly may not use state-owned aircraft unless the member receives approval prior to the flight, in writing, from either the President of the Senate or Speaker of the House of Representatives, as appropriate. For flights initiated by cabinet agencies, the head of the initiating agency must certify, in writing, that the member of the General Assembly's attendance on the flight is in furtherance of the official business of the State.

Guests on flights who are unrelated to official state business shall be charged a comparable private commercial rate for like travel on a similar aircraft on a per seat basis for all flights taken. This comparable commercial rate for each aircraft must be established by the State Aeronautics Commission by August first and published on its website. Guests who are subject to this rate must be approved by the agency providing transportation within thirty days. Reimbursement not received within thirty-one days shall be subject to a penalty equal to five percent of the assessed cost of the guest's flight on that day and every subsequent thirty days. If it is determined that a passenger qualifies as a guest and is subject to this charger after a flight is taken, then the guest passenger and the inviting passenger shall be subject to an immediate ten percent penalty of the assessed cost of the guest flight and the aforementioned five percent penalty starting from the date of the flight. The appropriate ethics committee/commission shall be notified of any penalties issued.

Regardless of who initiated the flight, invitees of members of the General Assembly shall be considered guests not related to the official business of the State unless certified, in writing, by the President of the

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Senate or the Speaker of the House of Representatives. This paragraph does not apply to individuals employed by the Senate, the House of Representatives, or other legislative agencies.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as "Confidential Passenger SLED or the Department of Commerce (strike one)" and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

Amendment No. 74

Senators SCOTT, JACKSON and K. JOHNSON proposed the following amendment (DAD 117.21), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, after /Authority/ by inserting /, a standing committee of the General Assembly, the Speaker

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of the House of Representatives, the President of the Senate, or not less than five members of the Senate or ten members of the House of Representatives. /

Amend the bill further, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 26, after /goals./ by inserting:

/ For purposes of this provision, entities that receive funds from the Department of Commerce shall be considered organizations receiving a contribution and shall provide the information required by this provision. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

On motion of Senator SCOTT, the amendment was withdrawn.

Amendment No. 73

Senator BENNETT proposed the following amendment (4100R053.SP.SB.DOCX), which was adopted (#35):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/117. . (GP: Regulatory Review) For the current fiscal year, any agency proposing a new regulation or modification of an existing regulation must also propose two existing regulations to the committee of jurisdiction for deletion./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

The amendment was adopted.

Amendment No. 78

Senator YOUNG proposed the following amendment (AGM PIPELINE COMPANIES), which was adopted (#36):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

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/ (GP: Pipeline Companies) The provisions of Section 58-7-10 and Chapter 2, Title 28 do not apply to private, for-profit pipeline companies, including publicly traded for-profit companies, that are not identified within this title as a public utility. These provisions are extended until June 30, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator YOUNG spoke on the amendment.

The amendment was adopted.

Amendment No. 81

Senator SETZLER proposed the following amendment (AGM QUASI-STATE AGENCIES), which was adopted (#37):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Quasi-State Agency Reports) (A) For purposes of this section:

(1) 'JBRC' means the Joint Bond Review Committee.

(2) 'Committee' or 'committees' means the Senate Finance Committee and the House Ways and Means Committee.

(3) 'Quasi-state agency' includes: the Charleston Naval Complex Redevelopment Authority, the Myrtle Beach Air Force Base Redevelopment Authority, the Patriots Point Development Authority, the South Carolina Education Assistance Authority, the South Carolina State Housing Finance and Development Authority, the South Carolina Jobs-Economic Development Authority, the South Carolina Lottery Commission, the South Carolina Public Railways, the South Carolina Public Service Authority, the South Carolina Research Authority, the South Carolina State Ports Authority, and the South Carolina Transportation Infrastructure Bank.

(B) The Senate Finance Committee and the House Ways and Means Committee shall review and provide fiscal accountability of quasi-state agencies no less frequently than every two years. The committees shall provide a report with findings to the Senate Legislative Oversight Committee and the House Legislative Oversight Committee.

(1) Every two years, or as often as requested by either committee, each agency must submit to the committees:

(a) annual audited financial statements;

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(b) projected and actual annual revenue;

(c) actual annual expenditures;

(d) any debt issuances in the previous five years, whether short-term or long-term;

(e) percent of annual revenues utilized for administration. For purposes of this item, 'administration' includes executive level employees compensation and other operating costs;

(f) organizational flow chart displaying the position titles and name of executive-level employees;

(g) major components of any long-term capital plan, including timing and cost estimates, and financing plan for such capital investments whether paid from operations or debt;

(h) performance objectives and results;

(i) performance measurements used to evaluate program effectiveness;

(j) any outstanding litigation issues; and

(k) planning documents and progress reports, including budgeted and actual expenditures.

(2) Each quasi-state agency must post its annual audited financial report in a conspicuous place on the quasi-state agency's website and distribute the reports to members of the General Assembly.

(3) Any problems or issues of concern that arise during this oversight process may be forwarded to the State Inspector General for investigation after a vote of either committee. The Inspector General is granted the authority to complete the investigation.

(C)(1) Prior to issuing any bonds, notes, or other indebtedness, including any refinancing that does not achieve a savings in total debt service, JBRC must approve, reject, or modify the issuance by the agencies.

(2) If JBRC does not take action on the issuance within sixty days, the issuance is considered approved.

(D)(1) By June 30th of each year, each quasi-state agency shall provide an annual report regarding every transaction involving an interest in real property and executed during the preceding twelve months, including:

(a) a summary of the key terms of all contracts effectuating or related to such transactions; and

(b) parties involved in the transaction, including all entities or persons with any type of ownership interest or authority to control.

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(2) A transfer of any interest in real property by a quasi-state agency, regardless of the value of the transaction, requires approval, rejection, or modification by JBRC.

(3) The reporting and other requirements of this item do not apply to encroachment agreements, rights-of-way, or lease agreements and private individuals for residential use on and near lakes in this State.

(E) JBRC, may adopt instructions which must be followed by the agencies for any submission pursuant to this provision.

(F) Any and all executive compensation and retention programs must be reviewed by the Agency Head Salary Commission. Additionally, any employment contracts or retention contracts that last longer than five years, and all contract extensions, must be reviewed by the Agency Head Salary Commission.

(G) Quasi-state agencies are a public body for purposes of the Freedom of Information Act.

(H) The requirements imposed on a quasi-state agency pursuant to this provision are in addition to any other requirements of law. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

Amendment No. 82

Senator JACKSON proposed the following amendment (SA\4100C028.NBD.SA21.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Vaccination Scholarship) From the funds appropriated in this act and previously appropriated to the Department of Health and Environmental Control (DHEC), DHEC shall transfer \$50,000,000 to the Commission on Higher Education (CHE) to provide a vaccine incentive program that offers a \$250 scholarship to students enrolled in South Carolina four-year public institutions of higher learning and living in on campus housing to get a complete COVID-19 vaccination in the current fiscal year. If the transferred funds are insufficient to provide scholarships to the amount of students vaccinated, then scholarships must be awarded on a first come first-served basis. DHEC shall provide assistance to CHE to determine scholarship eligibility. CHE shall

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transfer any remaining balance of funds to the general fund at the end of the fiscal year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON spoke on the amendment.

On motion of Senator JACKSON, the amendment was carried over.

Amendment No. 84

Senators LEATHERMAN, HEMBREE, MCLEOD, ALLEN, CROMER, HUTTO, BENNETT, CASH, CAMPSER, RICE, SETZLER and GROOMS proposed the following amendment (DAD NR BAL), which was adopted (#38):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 550, proviso 118.18, line 2, item (47), opposite /(d) Waterfowl Areas - Category II/ by striking / \$1; / and inserting / \$250,000; /

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 554, proviso 118.18, line 18, item (83), by striking: / (a) State Accident Fund Claim Assessment/Outside Counsel
\$ 2,820,851; /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.18, line 10, by inserting appropriately numbered items to read:

/ () J020 - Department of Health and Human Services Shoreline Behavioral Health Services Facility Expansion \$1,000,000;

() J020 - Department of Health and Human Services Sea Haven for Youth Health Care for Homeless Youth \$50,000;

() H630 - Department of Education Roper Mountain Science Center \$250,000;

() U120 - Department of Transportation City of Forest Acres Bridge Replacement \$500,000;

() J200 - Department of Alcohol and Other Drug Abuse Services Westview Behavioral Health Services Renovation and Increased Security \$31,000;

() P320 - Department of Commerce Southern Carolina Regional Development Alliance Building Renovation \$100,000;

() P240 - Department of Natural Resources Port Royal Shrimp Dock \$400,000;

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<u>() P160 - Department of Agriculture Berkeley County Agricultural Educational Exhibition Area</u>	<u>\$950,000;</u>
<u>() U200 - County Transportation Fund Pickens County Transportation Commission - Reduce Easley Traffic Congestion with a Traffic Circle and Various Intersection Improvements</u>	<u>\$950,000;</u>
<u>() P280 - Departments of Parks, Recreation, and Tourism Dolly Cooper Park Improvement</u>	<u>\$350,000;</u>
<u>() P280 - Departments of Parks, Recreation, and Tourism Anderson Civic Center Renovations</u>	<u>\$1,005,000;</u>
<u>() P320 - Department of Commerce North Maple Street/Kapstone/Global Trade Center Improvements</u>	<u>\$ 2,820,851;</u>
<u>() L120 - Governor's School for Agriculture at John de la Howe L.S. Brice School Renovation</u>	<u>\$1;</u>
<u>() H510 - Medical University of South Carolina Hospital Authority - SC Children's Hospital Collaborative</u>	<u>\$1;</u>
<u>() J120 - Department of Mental Health Harris Hospital Renovation</u>	<u>\$1;</u>
<u>() L040 - Department of Social Services Infrastructure Integrity</u>	<u>\$1;</u>
<u>() P320 - Department of Commerce SC TAC</u>	<u>\$1;</u>
<u>() U120 - Department of Transportation Infrastructure Maintenance Trust Fund</u>	<u>\$1;</u>
<u>() U120 - Department of Transportation Litter Pickup</u>	<u>\$1;</u>
<u>() (U200) - County Transportation Funds County Transportation Committees</u>	<u>\$1;</u>
<u>() E260 - Department of Veterans' Affairs SC Base Protection Fund</u>	<u>\$1;</u>
<u>() H630 - Department of Education Reading Partners</u>	<u>\$1;/</u>

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator LEATHERMAN spoke on the amendment.

The amendment was adopted.

Amendment No. 88

Senator MALLOY proposed the following amendment (DAD 118.18 M EMANUEL), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 554, proviso 118.18, line 12, by

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striking: / (t) Mother Emanuel Foundation Capital Infrastructure
\$2,000,000 /

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator HUTTO, the amendment was carried over.

Amendment No. 57A

Senators HUTTO, HARPOOTLIAN, K. JOHNSON, JACKSON and SAAB proposed the following amendment (SA\4100C021.NBD.SA21.DOCX), which was not adopted:

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/ (DHEC: Vaccination incentive) From the funds appropriated to the Department of Health and Environmental Control (DHEC) in this act or in previous appropriations, DHEC shall develop a vaccine incentive program that provides incentives of up to \$100 to the first 500,000 South Carolina residents to get a complete COVID-19 vaccination in the current fiscal year. DHEC may consider other such programs in other states. DHEC shall notify the General Assembly of the incentive program to be implemented by August 1, 2021. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO spoke on the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 16; Nays 26

AYES

Alexander	Allen	Harpootlian
Hutto	Jackson	Johnson, Kevin
Kimpson	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Verdin
Williams		

Total--16

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NAYS

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Johnson, Michael
Loftis	Malloy	Martin
Massey	Peeler	Rice
Senn	Shealy	Talley
Turner	Young	

Total--26

Having failed to receive the necessary votes, the amendment failed.

Amendment No. 69

Senator HARPOOTLIAN proposed the following amendment (SA\4100C019.NBD.SA21.DOCX), which was adopted (#39):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, after line 23, by adding an appropriately numbered new proviso to read:

/ (SR: Tax Credits) For the income tax year that ends in the current fiscal year, rehabilitation expenses made at a property that is located within half a mile of a public university with an enrollment of at least 30,000 students in a business district that has a commercial vacancy rate of at least ten percent qualifies for the abandoned buildings tax credit if the building has been unoccupied for at least one year at the time of the filing of notice of intent for the tax credit, and the proposed investment is in excess of \$25 million. Any rehabilitation expenses made in the next income tax year but in the current fiscal year may count towards the credit in the previous income tax year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HARPOOTLIAN spoke on the amendment.

The amendment was adopted.

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Amendment No. 75

Senator SETZLER proposed the following amendment (DAD 118.20 SPA), which was adopted (#40):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.20, line 15, by striking / The \$200,000,000 appropriated to / and by inserting: / Any funds appropriated or authorized for /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 38.29 of Part 1B was out of order inasmuch as it was not germane to the Bill.

38.29. *(DSS: Foster Care Child Placements) With funds appropriated and authorized to the Department of Social Services for Fiscal Year ~~2018-19~~ 2021-22, the department shall ensure that the following provisions are implemented related to child placements. The department shall promulgate any necessary rules or regulations to implement these provisions:*

(A) If a child in foster care has been placed within the same foster home for at least 9 consecutive months and if the foster parents are willing to provide permanency through adoption for the child, the department ~~must~~ may obtain an attachment assessment, as defined through rules or regulations promulgated by the agency, of the child and current foster parents before selecting a different adoptive placement or other alternative setting. The attachment assessment must be conducted by a qualified attachment expert. Qualified attachment experts may include individuals who can demonstrate training and or education in attachment theory, developmental psychology, and other qualifications defined through rules or regulations promulgated by the agency.

(B) If a child's permanency plan includes reunification with a parent or caregiver, the department shall develop a transition plan for the child, with input from the Guardian ad Litem and a child-focused or other appropriate mental health professional. The department's proposed transition plan must include sufficient visitation with the permanent guardian to promote a successful and emotionally healthy transition for the child, facilitate a positive relationship between caregiver and child, and lessen trauma that may result from the move. If the department pursues placement with a natural parent, relative, or other adult with whom the child has never lived, as determined to be in the child's best interest, the department's proposed transition plan must be progressive and include increased overnight visitation with ongoing assessment of the plan and the child's adjustment by the Guardian ad Litem and child focused or other appropriate mental health professional. Modifications to the plan must be driven by the child's adjustment to the transition.

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(C) The department must file a Termination of Parental Rights petition if a child has been in foster care for 15 of the last 22 months unless there are extenuating circumstances as defined in Section 63-7-1710 as follows:

(1) When the child is over the age of 16 and the department has identified another planned permanent living arrangement.

(2) The department asserts to the court that the child may be safely returned to the parent because the parent has remedied the conditions that caused the removal, with or without supervision by the department for up to 12 months.

(3) The department's proposed treatment plan can be extended up to 18 months but only if: (a) the department presents compelling and persuasive evidence of how the parent has demonstrated due diligence in completing the plan; (b) the department can articulate for the court specific reasons to believe the parent will timely remedy the conditions which led to the removal; (c) the department affirms that the return of child to the parent would not cause unreasonable risk of harm; (d) the department has compelling reasons to assert that a Termination of Parental Rights is not in the best interests of the child; (e) the department has compelling reasons to assert the best interests of the child will be served by the extension.

(4) If the department assesses the viability of adoption and determines that adoption is not a viable option and has compelling reasons to assert that Termination of Parental Rights is not in the best interests of the child, then the department may pursue a permanent plan of custody or legal guardianship to relative or other person.

(D) In accordance with Sections 63-7-1640(G) and 1700(E), the department must file the petition for a Termination of Parental Rights within sixty days of the family court order designating the child's permanent plan or concurrent plan as Termination of Parental Rights and adoption.

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

Proviso 38.29 was ruled out of order.

Amendment No. 77

Senators CLIMER, ADAMS, CASH, RICE, LOFTIS, KIMBRELL, GARRETT, M. JOHNSON, GUSTAFSON and CAMPSSEN proposed the following amendment (4100R054.SP.WC.DOCX), which was carried over and subsequently adopted (#42):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 311, after line 27, by adding an appropriately numbered new proviso to read:

/ 1. (SDE: Partisanship Curriculum) For the current fiscal year, of the funds allocated by the Department of Education to school districts, no monies shall be used by any school district or school to provide instruction in, to teach, instruct, or train any administrator, teacher, staff member, or employee to adopt or believe, or to approve for use, make use of, or carry out standards, curricula, lesson plans,

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textbooks, instructional materials, or instructional practices that serve to inculcate any of the following concepts: (1) one race or sex is inherently superior to another race or sex; (2) an individual, by virtue of his race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (3) an individual should be discriminated against or receive adverse treatment solely or partly because of his race or sex; (4) an individual's moral standing or worth is necessarily determined by his race or sex; (5) an individual, by virtue of his race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (6) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex; (7) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by members of a particular race to oppress members of another race; and (8) fault, blame, or bias should be assigned to a race or sex, or to members of a race or sex because of their race or sex. Nothing contained herein shall be construed as prohibiting any professional development training for teachers related to issues of addressing unconscious bias within the context of teaching certain literary or historical concepts or issues related to the impacts of historical or past discriminatory policies./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

Amendment No. 16A

Senator CASH proposed the following amendment (4100R057.SP.RJC.DOCX), which was adopted (#41):

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 370, after line 33, by adding an appropriately numbered new proviso to read:

/33. . (DHHS: Defunding Planned Parenthood) None of the state funds appropriated for family planning may be expended to directly or indirectly subsidize abortion services, procedures, or administrative functions. Furthermore, none of the state funds appropriated herein may be paid or granted to an organization that provides abortion services. An otherwise qualified organization may not be disqualified from the receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that

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provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in which the life of a mother is at risk and the termination of a pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child.

It is not the intent of the State of South Carolina, by enacting this proviso, to put the State in the status of noncompliance with the federal government concerning Medicaid and Medicaid funding; thereby resulting in the interruption of Medicaid funds being disbursed to the State. On or about July 1, 2021, the Director of the South Carolina Department of Health and Human Services (SCDHHS) shall request an official opinion from the appropriate federal agency concerning whether the requirements contained in this proviso would result in an interruption of Medicaid funding being disbursed to the State. In his request for an official opinion, the SCDHHS' Director shall ask that the official opinion be supplemented with a full justification, including, but not limited to, citations to federal law, regulations, and case law relevant to the opinion. This proviso shall be suspended upon SCDHHS receiving official notice from the appropriate federal agency that enforcement of this proviso will result in an interruption of Medicaid funding being disbursed to the State. The suspension shall continue until final disposition of the question of whether this proviso results in the interruption of Medicaid funding being disbursed to the State, whether by a judicial determination or an administrative action. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

The amendment was adopted.

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Amendment No. 82B

Senators JACKSON and HEMBREE proposed the following amendment (SA\4100C030.NBD.SA21.DOCX), which was not adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Vaccination Scholarship) From the funds appropriated in this act and previously appropriated to the Department of Health and Environmental Control (DHEC), DHEC shall transfer \$50,000,000 from COVID-19 related appropriations to the Commission on Higher Education (CHE) in consultation with the State Board for Technical and Comprehensive Education to provide a vaccine incentive program that offers a \$250 scholarship for students enrolled in South Carolina public institutions of higher learning to get a complete COVID-19 vaccination. If the transferred funds are insufficient to provide scholarships to the amount of students vaccinated, then scholarships must be awarded on a first come first-served basis. DHEC shall provide assistance to determine scholarship eligibility. Any remaining balance of funds must be transferred to the general fund at the end of the fiscal year. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON spoke on the amendment.

Senator HEMBREE spoke on the amendment.

Point of Order

Senator CASH raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator HEMBREE continued speaking on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 18; Nays 27

AYES

Allen	Fanning	Harpootlian
Hembree	Hutto	Jackson

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Johnson, Kevin	Kimpson	Leatherman
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--18

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Johnson, Michael
Loftis	Martin	Massey
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

Total--27

Having failed to receive the votes, the amendment failed.

Point of Order

Senator CLIMER raised a Point of Order under Rule 26F that certain line items in H. 4100 contained earmarks and therefore were out of order.

Senator HEMBREE spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Amendment No. 86A

Senators JACKSON and MALLOY proposed the following amendment (4100R058.SP.DJ.DOCX), which was adopted (#43):

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 554, proviso 118.18, after line 14, by inserting:

/(81.1) Funds appropriated to the Department of Parks, Recreation and Tourism in Item (81)(t) for the Mother Emanuel Foundation Capital Infrastructure shall not be expended by the foundation until the remaining balance has been secured by other sources of funding and construction of the memorial is ready to begin. In the event that the memorial is not constructed, the funds shall revert to the general fund./

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Renumber sections to conform.

Amend sections, totals and title to conform.

Senator JACKSON spoke on the amendment.

The amendment was adopted.

Amendment No. 80

Senator HARPOOTLIAN proposed the following amendment (4100R055.SP.RAH.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/117. . (GP: State Flightless Bird) For this fiscal year, the *Raphus cucullatus*, otherwise known as the dodo bird, is the official extinct state flightless bird. Funds shall be appropriated to the appropriate agencies for the purposes of educating the citizens of this State about the characteristics, nature, evolution, and inevitable extinction of the dodo bird./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HARPOOTLIAN spoke on the amendment.

On motion of Senator HARPOOTLIAN, the amendment was withdrawn.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed that the staff of the Senate Finance Committee be allowed to prepare the necessary technical correcting and balancing amendment to be delivered to, and certified by the Clerk, and for the amendment to be adopted upon his certification for inclusion in H. 4100.

Senator LEATHERMAN proposed the following balancing amendment (DAD BAL AM), which was adopted (#44):

Amend the bill, as and if amended, Part IA, Section 113, AID TO SUBDIVISIONS - STATE TREASURER, page 262, by inserting after line 6,

COLUMN 7	COLUMN 8
/RURAL COUNTY STABILIZATION FUND	11/

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Amend the bill further, as and if amended, Part IA, Section 114, AID TO SUBDIVISIONS - DEPARTMENT OF REVENUE, page 263, line 2, opposite /AID TO COUNTIES - HOMESTEAD/ by:

	COLUMN 7	COLUMN 8
/ STRIKING:	19,221,270	19,221,270
and		
INSERTING:	18,648,819	18,648,819/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 346, proviso 3.5, line 9, opposite /*(12) Department of Education--Instructional Materials*/ by striking /\$67,660,413:/ and inserting /\$67,660,412:/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 346, proviso 3.5, after line 19, by inserting an appropriately numbered item to read:

/ () *Office of State Treasurer--Scholarship Trust Fund* \$1: /

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 346, proviso 3.5, line 26, opposite /*(6) Department of Education--Instructional Materials*/ by striking /\$827,525:/ and inserting /\$827,524:/

Amend the bill further, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, page 346, proviso 3.5, after line 27, by inserting an appropriately numbered item to read:

/ () *Office of State Treasurer--Scholarship Trust Fund* \$1: /

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 545, proviso 118.18, line 12, item *(6)* by striking /\$7,380,395:/ and inserting /\$13,216,404:/

Renumber sections to conform.

Amend sections, totals and title to conform.

The amendment was adopted.

There being no further amendments, in accordance with Rule 16, the Senate proceeded to vote on each section of the Bill.

The Senate proceeded to Sect. 1, Part 1A and Part 1B, Dept. of Education.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 1, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 1A, Part 1B, Dept. of Education-EIA.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

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AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 1A, Part 1B, was adopted.

The Senate proceeded to Sect. 3, Part 1A and Part 1B, Lottery Expenditure Account.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 3, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 4, Part 1A, Education Oversight Committee.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 2; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Martin	Massey
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Total--2

ABSTAIN

Hembree	<i>Johnson, Kevin</i>
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Total--2

Section 4, Part 1A, was adopted.

The Senate proceeded to Sect. 5, Part 1A and Part 1B, Wil Lou Gray Opportunity School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Massey

Total--1

Section 5, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 6, Part 1A and Part 1B, School for the Deaf and Blind.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 6, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 7, Part 1A and Part 1B, John de la Howe School.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 7, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 8, Part 1A and Part 1B, Education Television Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 8, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 9, Part 1A and Part 1B, Governor's School for Arts and Humanities.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin

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Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 9, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 10, Part 1A and Part 1B,
Governor's School for Science and Mathematics.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Massey

Total--1

Section 10, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 11, Part 1A and Part 1B,
Commission on Higher Education.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 11, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 12, Part 1A, Higher Education Tuition Grants.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 12, Part 1A, was adopted.

The Senate proceeded to Sect. 13, Part 1A, The Citadel.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 13, Part 1A, was adopted.

The Senate proceeded to Sect. 14, Part 1A, Clemson University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman

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Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael

Total--1

Section 14, Part 1A, was adopted.

The Senate proceeded to Sect. 15 Part 1A and Part 1B, Charleston University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott

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Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 15, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 16, Part 1A, Coastal Carolina University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Massey

Total--1

Section 16, Part 1A, was adopted.

The Senate proceeded to Sect. 17, Part 1A, Francis Marion University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 17, Part 1A, was adopted.

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The Senate proceeded to Sect. 18, Part 1A, Lander University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 18, Part 1A, was adopted.

The Senate proceeded to Sect. 19, Part 1A, S. C. State University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

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Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael Senn

Total--2

Section 19, Part 1A, was adopted.

**The Senate proceeded to Sect. 20A-H, Part 1A and Part 1B,
University of South Carolina.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman

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Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Davis Senn

Total--2

Section 20A-H, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 21, Part 1A, Winthrop University.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 21, Part 1A, was adopted.

The Senate proceeded to Sect. 23, Part 1A and Part 1B, Medical University of South Carolina.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

2708

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ABSTAIN

Senn

Total--1

Section 23, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 24, Part 1A, Area Health Education Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Loftis

Total--1

2709

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Section 24, Part 1A, was adopted.

The Senate proceeded to Sect. 25, Part 1A and Part 1B, Technical and Comprehensive Education Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 25, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 26, Part 1A and Part 1B, Archives and History.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 26, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 27, Part 1A and Part 1B, State Library.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson

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Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 27, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 28, Part 1A and Part 1B, Arts Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Corbin

Massey

Total--2

ABSTAIN

Loftis

Total--1

Section 28, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Museum Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

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Section 29, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 30, Part 1A and Part 1B, Confederate Relic Room and Military Museum.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 30, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 32, Part 1A and Part 1B, Vocational Rehabilitation.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 32, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 33, Part 1A and Part 1B, Health and Human Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 12; Abstain 3

AYES

Alexander	Allen	Bennett
Corbin	Fanning	Gambrell
Garrett	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimpson
Leatherman	Malloy	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott

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Senn	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--31

NAYS

Adams	Cash	Climer
Cromer	Grooms	Kimbrell
Loftis	Martin	Massey
Rice	Talley	Verdin

Total--12

ABSTAIN

Campsen	Davis	Gustafson
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Total--3

Section 33, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 34, Part 1A and Part 1B, Health and Environmental Control (DHEC).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 7

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott

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Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Gustafson	Massey
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Total--2

ABSTAIN

Campsen	Davis	Garrett
Goldfinch	Hutto	Senn
Setzler		

Total--7

Section 34, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 35, Part 1A and Part 1B, Mental Health.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Gustafson	Massey
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Total--2

Section 35, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 36, Part 1A and Part 1B, Disabilities and Special Needs (DDSN).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

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ABSTAIN

Allen

Total--1

Section 36, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 37, Part 1A and Part 1B, Alcohol and Other Drug Abuse Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 37, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 38, Part 1A and Part 1B, Social Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Harpootlian
Hutto	Malloy	Senn
Talley		

Total--7

Section 38, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 39, Part 1A and Part 1B, Commission for the Blind.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 39, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 40, Part 1A and Part 1B, Dept. on Aging.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms

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Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 40, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 41, Part 1A and Part 1B, Dept. of Children's Advocacy.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 41, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 42, Part 1A and Part 1B, Housing Finance and Development.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

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Section 42, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 43, Part 1A and Part 1B, Forestry Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 43, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 44, Part 1A and Part 1B, Dept. of Agriculture.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Davis

Total--1

Section 44, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 45, Part 1A and Part 1B, Clemson University - PSA.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael

Total--1

Section 45, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 46, Part 1A, S. C. State University
- PSA.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael Senn

Total--2

Section 46, Part 1A, was adopted.

The Senate proceeded to Sect. 47, Part 1A and Part 1B, Dept. of Natural Resources.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Johnson, Michael Senn

Total--2

Section 47, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 48, Part 1A and Part 1B, Sea Grants Consortium.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 48, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 49, Part 1A and Part 1B, Parks, Recreation and Tourism.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 49, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 50, Part 1A and Part 1B,
Department of Commerce.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 2; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Climer Massey

Total--2

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ABSTAIN

Setzler

Total--1

Section 50, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 51, Part 1A and Part 1B, Jobs-Economic Development Authority (JEDA).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Climer

Total--1

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Section 51, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 52, Part 1A and Part 1B, Patriots Point Development Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Campsen

Total--1

Section 52, Part 1A and Part 1B, was adopted.

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The Senate proceeded to Sect. 53, Part 1A and Part 1B, S. C. Conservation Bank.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 53, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 54, Part 1A and Part 1B, Rural Infrastructure Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Davis

Total--1

Section 54, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 57, Part 1A and Part 1B, Judicial Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Allen	Campsen	Hembree
Senn	Talley	

Total--5

Section 57, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 58, Part 1A and Part 1B, Administrative Law Court.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 30; Nays 1; Abstain 15

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
McLeod	Peeler	Rice

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Scott	Shealy	Stephens
Turner	Verdin	Williams

Total--30

NAYS

Massey

Total--1

ABSTAIN

Allen	Campsen	Garrett
Goldfinch	Hembree	Hutto
Kimpson	Matthews	McElveen
Rankin	Sabb	Senn
Setzler	Talley	Young

Total--15

Section 58, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 59, Part 1A and Part 1B, Attorney General's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Setzler

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Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Allen	Hembree	Kimpson
Sabb	Senn	

Total--5

Section 59, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 60, Part 1A and Part 1B, Prosecution Coordination.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McLeod	Peeler	Rankin
Rice	Scott	Setzler

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Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Allen	Hembree	McElveen
Sabb	Senn	

Total--5

Section 60, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 61, Part 1A and Part 1B, Indigent Defense.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 1; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

Total--38

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NAYS

Massey

Total--1

ABSTAIN

Allen
Matthews
Talley

Garrett
McElveen

Hutto
Senn

Total--7

Section 61, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 62, Part 1A and Part 1B, State Law Enforcement Division (SLED).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1; Abstain 3

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--42

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NAYS

Massey

Total--1

ABSTAIN

Allen

Senn

Setzler

Total--3

Section 62, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 63, Part 1A and Part 1B,
Department of Public Safety.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

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ABSTAIN

Allen	Goldfinch	Sabb
Senn	Setzler	

Total--5

Section 63, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 64, Part 1A and Part 1B, Law Enforcement Training Council.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

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ABSTAIN

Senn

Total--1

Section 64, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 65, Part 1A and Part 1B,
Department of Corrections.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 2; Abstain 7

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Matthews
McLeod	Peeler	Rankin
Rice	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--37

NAYS

Gustafson	Massey
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Total--2

ABSTAIN

Allen	Goldfinch	Harpootlian
Malloy	McElveen	Sabb
Senn		

Total--7

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Section 65, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 66, Part 1A and Part 1B, Probation, Parole and Pardon Services.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 1; Abstain 13

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Grooms
Gustafson	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Martin
McLeod	Peeler	Rice
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	

Total--32

NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Hutto
Malloy	Matthews	McElveen
Rankin	Sabb	Senn
Young		

Total--13

Section 66, Part 1A and Part 1B, was adopted.

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**The Senate proceeded to Sect. 67, Part 1A and Part 1B,
Department of Juvenile Justice.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 1; Abstain 9

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Grooms
Gustafson	Harpootlian	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Martin	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Goldfinch
Hembree	Hutto	Malloy
Matthews	McElveen	Senn

Total--9

Section 67, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 70, Part 1A and Part 1B, Human
Affairs Commission.**

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Goldfinch

Total--1

Section 70, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 71, Part 1A and Part 1B, Minority Affairs Commission.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Corbin	Massey
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Total--2

Section 71, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 72, Part 1A, Public Service Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian

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Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

NAYS

Massey

Total--1

ABSTAIN

Davis	Garrett	Hutto
Rankin	Senn	

Total--5

Section 72, Part 1A, was adopted.

The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Regulatory Staff.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 1; Abstain 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews

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McElveen	McLeod	Peeler
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Massey

Total--1

ABSTAIN

Garrett	Hutto	Rankin
Senn		

Total--4

Section 73, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 74, Part 1A and Part 1B, Workers' Compensation Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 1; Abstain 17

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Turner	Verdin
Williams		

Total--28

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NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hembree	Hutto
<i>Johnson, Michael</i>	Kimpson	Malloy
Matthews	McElveen	Rankin
Sabb	Senn	Setzler
Talley	Young	

Total--17

Section 74, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 75, Part 1A and Part 1B, State Accident Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 1; Abstain 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	McElveen	McLeod
Peeler	Rice	Scott
Shealy	Stephens	Talley
Turner	Verdin	Williams

Total--33

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hutto	<i>Johnson, Michael</i>
Matthews	Rankin	Sabb
Senn	Setzler	Young

Total--12

Section 75, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 78, Part 1A and Part 1B,
Department of Insurance.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 1; Abstain 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--40

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

ABSTAIN

Climmer
Senn

Garrett
Setzler

Hutto

Total--5

Section 78, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 79, Part 1A and Part 1B, Board of Financial Institutions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

ABSTAIN

Climer

Total--1

Section 79, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 80, Part 1A and Part 1B,
Department of Consumer Affairs.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

2752

THURSDAY, APRIL 29, 2021

ABSTAIN

Allen

Rankin

Total--2

Section 80, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 81, Part 1A and Part 1B, Labor, Licensing and Regulation (LLR).

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 1; Abstain 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Martin	McElveen	McLeod
Peeler	Rankin	Rice
Scott	Shealy	Stephens
Turner	Verdin	Williams

Total--33

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hutto	Malloy
Matthews	Sabb	Senn
Setzler	Talley	Young

Total--12

THURSDAY, APRIL 29, 2021

Section 81, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 82, Part 1A and Part 1B,
Department of Motor Vehicles.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 2; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Grooms	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Martin	McLeod	Peeler
Rankin	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

Total--33

NAYS

Massey	Talley
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Total--2

ABSTAIN

Allen	Davis	Garrett
Goldfinch	Hutto	Malloy
Matthews	McElveen	Sabb
Setzler	Young	

Total--11

Section 82, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

**The Senate proceeded to Sect. 83, Part 1A and Part 1B,
Department of Employment and Workforce (DEW).**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 1; Abstain 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	McLeod
Peeler	Rice	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--34

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Garrett
Hutto	Malloy	Matthews
McElveen	Rankin	Sabb
Senn	Young	

Total--11

Section 83, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

**The Senate proceeded to Sect. 84, Part 1A and Part 1B,
Department of Transportation.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Grooms
Gustafson	Harpootlian	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total--1

ABSTAIN

Davis	Garrett	Goldfinch
Hutto	Malloy	Matthews
Senn	Young	

Total--8

Section 84, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

The Senate proceeded to Sect. 85, Part 1A, Infrastructure Bank Board.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

Section 85, Part 1A, was adopted.

THURSDAY, APRIL 29, 2021

The Senate proceeded to Sect. 86, Part 1A, County Transportation Funds.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 86, Part 1A, was adopted.

The Senate proceeded to Sect. 87, Part 1A and Part 1B, Division of Aeronautics.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Climer	Corbin	Massey
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Total--3

Section 87, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 88, Part 1B, Ports Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott

THURSDAY, APRIL 29, 2021

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 88, Part 1B, was adopted.

The Senate proceeded to Sect. 91A-E, Part 1A and Part 1B, Legislative Department.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

Section 91A-E, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 92A and C, Part 1A and Part 1B,
Governor's Office.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

2761

THURSDAY, APRIL 29, 2021

Section 92A and C, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 92D, Part 1A and Part 1B, Office of Resilience.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 92D, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 93, Part 1A and Part 1B, Dept. of Administration.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

THURSDAY, APRIL 29, 2021

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 93, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 94, Part 1A and Part 1B, Office of Inspector General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson

THURSDAY, APRIL 29, 2021

Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 94, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 96, Part 1A and Part 1B, Secretary of State.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

Section 96, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 97, Part 1A and Part 1B,
Comptroller General.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 97, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

The Senate proceeded to Sect. 98, Part 1A and Part 1B, State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Kimpson Senn

Total--2

Section 98, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

**The Senate proceeded to Sect. 99, Part 1A, Retirement System
Investment Commission.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Kimpson

Total--1

Section 99, Part 1A, was adopted.

THURSDAY, APRIL 29, 2021

The Senate proceeded to Sect. 100, Part 1A and Part 1B, Adjutant General.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 100, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 101, Part 1A and Part 1B, Veterans Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash

THURSDAY, APRIL 29, 2021

Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 101, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 102, Part 1A and Part 1B, Election Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 5; Abstain 6

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Grooms
Harpootlian	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimpson	Leatherman
Loftis	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner

THURSDAY, APRIL 29, 2021

Williams

Young

Total--35

NAYS

Gustafson

Hembree

Kimbrell

Massey

Verdin

Total--5

ABSTAIN

Allen

Garrett

Goldfinch

Hutto

Malloy

Sabb

Total--6

Section 102, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 103, Part 1A and Part 1B, Revenue and Fiscal Affairs.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams

Alexander

Allen

Bennett

Campsen

Cash

Climer

Corbin

Cromer

Davis

Fanning

Gambrell

Garrett

Goldfinch

Grooms

Gustafson

Harpootlian

Hembree

Hutto

Jackson

Johnson, Kevin

Johnson, Michael

Kimbrell

Kimpson

Leatherman

Loftis

Malloy

Martin

Matthews

McElveen

McLeod

Peeler

Rankin

Rice

Sabb

Scott

Senn

Setzler

Shealy

THURSDAY, APRIL 29, 2021

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 103, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 104, Part 1A and Part 1B, State Fiscal Accounting Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

THURSDAY, APRIL 29, 2021

ABSTAIN

Senn

Total--1

Section 104, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 105, Part 1A and Part 1B, State Auditor's Office.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Senn

Total--1

2772

THURSDAY, APRIL 29, 2021

Section 105, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 106, Part 1A and Part 1B, Statewide Employee Benefits.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 106, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 107, Part 1A, Capital and General Reserve Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 107, Part 1A, was adopted.

The Senate proceeded to Sect. 108, Part 1A and Part 1B, Public Employee Benefit Authority.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 8; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimpson	Leatherman
Loftis	Malloy	Matthews

THURSDAY, APRIL 29, 2021

McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--37

NAYS

Cash	Climer	Garrett
Kimbrell	Martin	Massey
Rice	Verdin	

Total--8

ABSTAIN

Senn

Total--1

Section 108, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 109, Part 1A and Part 1B, Department of Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Shealy	Stephens

THURSDAY, APRIL 29, 2021

Talley	Turner	Verdin
Williams		

Total--37

NAYS

Massey

Total--1

ABSTAIN

Allen	Davis	Gambrell
Goldfinch	<i>Johnson, Kevin</i>	Sabb
Setzler	Young	

Total--8

Section 109, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 110, Part 1A and Part 1B, State Ethics Commission.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 37; Nays 1; Abstain 8

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Goldfinch
Grooms	Gustafson	Harpootlian
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Matthews
McElveen	McLeod	Peeler
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams		

Total--37

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NAYS

Massey

Total--1

ABSTAIN

Allen	Garrett	Hembree
Hutto	Malloy	Rankin
Sabb	Young	

Total--8

Section 110, Part 1A and Part 1B, was adopted.

**The Senate proceeded to Sect. 111, Part 1A and Part 1B,
Procurement Review Panel.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

THURSDAY, APRIL 29, 2021

NAYS

Massey

Total--1

ABSTAIN

Sabb

Total--1

Section 111, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 112, Part 1A and Part 1B, Debt Service.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

2778

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Section 112, Part 1A and Part 1B, was adopted.

The Senate proceeded to Sect. 113, Part 1A and Part 1B, Aid to Subdivisions - State Treasurer.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Massey

Total--1

ABSTAIN

Kimpson

Total--1

Section 113, Part 1A and Part 1B, was adopted.

THURSDAY, APRIL 29, 2021

**The Senate proceeded to Sect. 114, Part 1A, Aid to Subdivisions -
Department of Revenue.**

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1; Abstain 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Massey

Total--1

ABSTAIN

Davis *Johnson, Kevin*

Total--2

Section 114, Part 1A, was adopted.

THURSDAY, APRIL 29, 2021

The Senate proceeded to Sect. 115, Part 1A, Tax Relief Trust Fund.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 115, Part 1A, was adopted.

The Senate proceeded to Sect. 117, Part 1B, General Provisions.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

THURSDAY, APRIL 29, 2021

Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 117, Part 1B, was adopted.

The Senate proceeded to Sect. 118, Part 1B, Statewide Revenue.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy

THURSDAY, APRIL 29, 2021

Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Massey

Total--1

Section 118, Part 1B, was adopted.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Cash	Massey	Rice
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Total--3

THURSDAY, APRIL 29, 2021

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Statement by Senator CASH

I am voting against the budget because it funds abortions with state taxpayer money in the State Health Plan and because it funds Planned Parenthood.

READ THE SECOND TIME

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Resolution.

Senator TURNER spoke on the Resolution.

The question then was second reading of the Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 46; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

THURSDAY, APRIL 29, 2021

Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--46

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

H. 4101--Ordered to a Third Reading

On motion of Senator TURNER, with unanimous consent, H. 4101 was ordered to receive a third reading on Friday, April 30, 2021.

Motion to Ratify Adopted

At 4:51 P.M., Senator MASSEY made a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

The motion was adopted and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 4:52 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, April 30, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SCOTT.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4101 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

On motion of Senator TURNER.

ADJOURNMENT

At 11:04 A.M., on motion of Senator SHEALY, the Senate adjourned to meet next Tuesday, May 4, 2021, at 12:00 Noon.

* * *

Tuesday, May 4, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Joshua 24:15

Joshua urged his people to: “ ‘ . . . choose this day whom you will serve. . . ’ and then he declared, ‘as for me and my household, we will serve the Lord.’ ”

Please pray with me: O glorious Lord, it’s almost impossible to calculate how many decisions each one of us must make during the course of a single day. Just consider how often we have to determine which option to select, what direction we need to be going, what response to make to a constituent. And these simple examples don’t really compare with the often far more serious choices that these leaders have to make here in this Senate, dear God. Choices that have -- or often might have -- profound impact on the people of this State. Therefore, we pray today that You will lead each of these servants of the people to choose wisely in those decisions that genuinely matter. And may every South Carolinian and may every institution in this State benefit in meaningful ways. In Your loving name we ask this, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey

TUESDAY, MAY 4, 2021

Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 4952

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-140, 58-37-60, and 58-41-20

SUBJECT: Procedure to Employ, through Contract or Otherwise, Qualified, Independent Third-Party Consultants or Experts

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Judiciary

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted May 4, 2021

Leave of Absence

On motion of Senator FANNING, at 1:59 P.M., Senator JACKSON was granted a leave of absence beginning at 12:59 P.M. until 2:00 P.M.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 508 Sen. Gustafson

S. 584 Sen. Cromer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 778 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. MICHAEL UGINO UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY-NINE YEARS OF DEDICATED SERVICE WITH MIDLANDS

TUESDAY, MAY 4, 2021

ORTHOPAEDICS & NEUROSURGERY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 779 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE THE ROTARY CLUB OF ORANGEBURG UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE CLUB FOR ITS CENTURY OF DEDICATED SERVICE TO THE ORANGEBURG COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 780 -- Senator Goldfinch: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GRIFFIN ALLISON, A LANCE CORPORAL WITH THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR HIS HEROIC ACTIONS TO SAVE THE LIFE OF A DRIVER IN CHARLESTON COUNTY.

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The Senate Resolution was adopted.

S. 781 -- Senator Massey: A BILL TO AMEND SECTION 23-31-215(A)(5), (6), AND (7) OF THE 1976 CODE, RELATING TO REQUIRED SUBMISSIONS FOR THE ISSUANCE OF A CONCEALABLE WEAPON PERMIT, TO REMOVE THE APPLICATION FEE; AND TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3810, TO PROVIDE FOR A REFUNDABLE INDIVIDUAL INCOME TAX CREDIT FOR THE COMPLETION OF A BASIC OR ADVANCED HANDGUN EDUCATION COURSE.

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Read the first time and referred to the Committee on Finance.

S. 782 -- Senator Hembree: A SENATE RESOLUTION PROCLAIM JUNE 21 TO 27, 2021, AS AMATEUR RADIO WEEK AND JUNE 26 AND 27, 2021, AS AMERICAN RADIO RELAY LEAGUE AMATEUR RADIO FIELD DAY THROUGHOUT THE STATE AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE THE MANY CONTRIBUTIONS OF AMATEUR RADIO

TUESDAY, MAY 4, 2021

OPERATORS, INCLUDING EMERGENCY COMMUNICATIONS AND OTHER PUBLIC SERVICE WORK, FOR THE CONTINUED SAFETY OF THE RESIDENTS OF THE PALMETTO STATE.

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The Senate Resolution was adopted.

S. 783 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 784 -- Senators Bennett and Adams: A SENATE RESOLUTION TO RECOGNIZE AND HONOR AUSSIE TALBOTT OF SUMMERVILLE FOR HER TIMELY ACTIONS IN HELPING HER FAMILY ESCAPE THEIR HOME IN AN EARLY MORNING FIRE.

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The Senate Resolution was adopted.

S. 785 -- Senators Talley, Corbin, Kimbrell, Martin and Peeler: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE GORDON G. COOPER UPON THE OCCASION OF HIS RETIREMENT AS SPARTANBURG COUNTY MASTER-IN-EQUITY, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 786 -- Senator Alexander: A BILL TO AMEND ARTICLE 5, CHAPTER 37, TITLE 12 OF THE 1976 CODE, RELATING TO THE LIABILITY FOR TAXES AND RETURNS, BY ADDING SECTION 12-37-716, TO PROVIDE FOR A PROPERTY TAX CREDIT OR REFUND TO THE TRANSFEROR OF A BOAT OR BOAT MOTOR.

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Read the first time and referred to the Committee on Finance.

TUESDAY, MAY 4, 2021

S. 787 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME ST. MARK BOWMAN ROAD IN DORCHESTER COUNTY "CAPTAIN JEROME JONES ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3006 -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J. L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, AND TO PROVIDE THE PROVISIONS OF THIS ACT APPLY TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

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Read the first time and referred to the Committee on Education.

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION

TUESDAY, MAY 4, 2021

PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

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Read the first time and referred to the Committee on Education.

H. 3592 -- Reps. Allison, Lucas and Henderson-Myers: A BILL TO AMEND SECTION 59-18-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE ASSESSMENT PROGRAM TO PROMOTE STUDENT LEARNING AND STUDENT PERFORMANCE, SO AS TO REMOVE SOCIAL STUDIES FROM AMONG THE SUBJECTS ASSESSED IN THIRD GRADE THROUGH EIGHTH GRADE, TO PROVIDE SPECIFIC DIAGNOSTIC INFORMATION THAT THE ASSESSMENTS MUST INCLUDE, AND TO PROVIDE CERTAIN RELATED INFORMATION THAT DISTRICTS AND SCHOOLS SHALL PROVIDE PARENTS OR GUARDIANS OF STUDENTS BEING ASSESSED; AND TO AMEND SECTION 59-18-325, RELATING TO THE PROCUREMENT AND ADMINISTRATION OF CERTAIN ASSESSMENTS BY THE STATE DEPARTMENT OF EDUCATION, SO AS TO REQUIRE THE ADMINISTRATION OF THE ACT WITH THE WRITING ASSESSMENT TO ELEVENTH GRADE STUDENTS BEGINNING WITH THE 2021-2022 SCHOOL YEAR AND FOR FIVE YEARS THEREAFTER, TO PROVIDE FOR THE 2026-2027 SCHOOL YEAR THE DEPARTMENT SHALL PROCURE A COLLEGE READINESS ASSESSMENT PROVIDER THAT INCLUDES CERTAIN SUBJECTS, AND TO PROVIDE THAT BEGINNING WITH THE 2022-2023 SCHOOL YEAR THE DEPARTMENT SHALL EMBED ITEMS IN STANDARDS-BASED ASSESSMENTS TO ADDRESS CERTAIN SOCIAL STUDIES STANDARDS ON THE SC READY READING AND WRITING ASSESSMENTS.

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Read the first time and referred to the Committee on Education.

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH

TUESDAY, MAY 4, 2021

PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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Read the first time and referred to the Committee on Judiciary.

Message from the House

Columbia, S.C., May 4, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 4, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

TUESDAY, MAY 4, 2021

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

AMENDED, CARRIED OVER

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE

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PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (ZW\771C001.NBD.ZW21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. (A) Notwithstanding another provision of law:

(1) on the effective date of this act Bamberg-Ehrhardt School District One (also known as Bamberg School District One) and Denmark-Olar School District Two (also known as Bamberg School District Two), hereinafter referred to as the two present school districts shall commence all prudent and essential preparations necessary to achieve an efficient and well-organized consolidation of the two districts;

(2) effective July 1, 2022, the two present school districts must be abolished. The powers and duties of the two present school districts' respective boards of trustees must be devolved on the board of trustees of the consolidated school district to be known as the Bamberg County School District, which shall consist of the combined geographic area encompassed by the two present school districts as they existed on the effective date of this act; and

(3) pursuant to Section 59-17-100:

(a) the two present school districts are required to submit their 2022 annual audit reports to the State Department of Education on or before December 1, 2022; and

(b) the Bamberg County School District must submit its initial audit report to the State Department of Education on or before December 1, 2023.

(B) In order to facilitate the efficient consolidation of the two present school districts, the members of the districts' respective boards of trustees and their superintendents, administrators, and personnel shall cooperate fully with the Bamberg County Legislative Delegation and delegation staff, the initial nine-member appointed board of trustees for the Bamberg County School District, and the South Carolina Department of Education officials assisting with the consolidation. In addition, after the effective date of this act, the two present school districts may not:

(1) create new full-time or part-time district-level positions;

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(2) approve, award, or authorize any salary increases, raises, bonuses, or severance pay or separation incentives of any type;

(3) create or incur new bonded indebtedness, except as set forth in SECTION 6(C);

(4) approve requests for planned out-of-state travel or requests for reimbursement for planned out-of-state travel, unless the nine-member Bamberg County School District Board of Trustees created pursuant to SECTION 2 of this act has approved the requests, or for matters needing decision prior to that board's creation, approval by the legislative delegation; or

(5) make any significant district purchases unless the nine member Bamberg County School District Board of Trustees created pursuant to SECTION 2 of this act has approved the purchase. For purposes of this item, "significant district purchase" means any district purchase in excess of fifty thousand dollars. The provisions of this item do not apply to essential district purchases directly related to student health or safety.

(C) Any current district-level administrator for either of the two present school districts whose position will be eliminated due to the creation of an equivalent position in the consolidated district has priority consideration for the equivalent position if the administrator remains in his role at the time of hiring for the consolidated district and desires to be considered for the new position. Priority consideration is limited to review of an application for employment, or an interview; however, priority consideration does not mean that a position with the consolidated district must be offered. For purposes of this subsection, "current" means as of the effective date of this act, and "district level administrator" includes superintendents, chief academic officers, associate superintendents, assistant superintendents, and district directors. Position equivalency must be determined based on the position's title and responsibilities.

SECTION 2. (A) The Bamberg County School District must be governed by a board of trustees of nine members to be appointed initially by a majority of the Bamberg County Legislative Delegation. The nine members initially appointed by the legislative delegation after the effective date of this act must be qualified electors of either Bamberg-Ehrhardt School District One or Denmark-Olar School District Two, and these appointed members shall serve on the Bamberg County School District Board of Trustees until their successors are elected in school district elections conducted at the same time as the 2022 General Election and qualify.

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(B) Beginning in 2022, members of the Bamberg County School District Board of Trustees must be elected in nonpartisan elections from single-member election districts to be established by the General Assembly in subsequent legislation following the release of pertinent demographic data obtained in the 2020 decennial census, but prior to the opening of the filing period for the 2022 school district elections. Elections for the Bamberg County School District Board of Trustees must be conducted at the same time as the general election and every four years thereafter, except as provided in this act to stagger the members' terms. Each of these nine members must be a qualified elector of the election district from which he is elected. Members of the consolidated school district board of trustees must be elected for four-year terms and until their successors are elected and qualify; however, in order to stagger the members' terms, of the nine trustees elected in 2022, the trustees elected from the even-numbered election districts shall serve initial two-year terms, and the successors to these members must be elected in school district elections to be conducted at the same time as the 2024 General Election. The trustees elected in the 2024 school district elections and their successors shall serve full four-year terms and until their successors are elected and qualify. The members elected in 2022 from odd-numbered election districts shall serve full four-year terms to expire in November 2026, when their successors elected at the 2026 school district elections qualify and take office. Whenever a vacancy occurs in office, by reason of death, resignation, or removal, the vacancy in office shall be filled by a special election to complete the term of office, which special election shall be held in accordance with Section 7-13-190.

(C) All persons desiring to qualify as a candidate for the Bamberg County School District Board of Trustees shall file written notice of candidacy with the Bamberg County Board of Voter Registration and Elections on forms furnished by the board. The filing period shall open at 12:00 p.m. on August first or, if August first falls on Saturday or Sunday, then 12:00 p.m. on the following Monday and shall run until 12:00 p.m. on August fifteenth or, if August fifteenth falls on Saturday or Sunday, no later than 12:00 p.m. on the following Monday. This notice of candidacy must be a sworn statement and shall include the candidate's name, age, election district in which he resides and from which he seeks election, voting precinct, period of residence in the county and election district, and other information that the board requires. The Bamberg County Board of Voter Registration and Elections shall conduct and supervise the elections for members of the

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Bamberg County School District Board of Trustees in the manner governed by the election laws of this State, *mutatis mutandis*. The county board of voter registration and elections shall prepare the necessary ballots, appoint managers for the voting precincts, and do all things necessary to carry out the elections, including the counting of ballots and declaring the results. The county elections board also shall publish notices of the elections pursuant to Section 7-13-35. The results of the elections must be determined by the nonpartisan plurality method contained in Section 5-15-61. The members of the consolidated school district elected in these nonpartisan elections shall take office one week following certification of their election pursuant to Section 59-19-315.

SECTION 3. (A) The members of the Bamberg County School District Board of Trustees shall elect a chairman and other officers they consider necessary for terms that are coterminous with their appointed or elected terms of office.

(B) The Bamberg County School District Board of Trustees has the power, duty, and responsibility provided by law including to:

- (1) employ a superintendent as the chief executive officer;
- (2) establish other administrative departments upon the recommendation of the superintendent;
- (3) adopt the annual school district budget;
- (4) inquire into the conduct of an office, department, or agency of the school district;
- (5) adopt and modify attendance zones of schools within the school district;
- (6) provide for an independent annual audit of the books and business affairs of the school district and for a general survey of school district business;
- (7) cooperate to establish and maintain a central purchasing system for the purchase of contractual services, equipment, and supplies;
- (8) cooperate to establish and maintain educational consortia;
- (9) be responsible for policymaking action and the review of regulations established to put these policies into operation; and
- (10) set by majority vote of the board a salary that each member shall receive for attending meetings of the board, which may not exceed five hundred dollars per month, with the exception of the chair whose salary may not exceed seven hundred dollars per month, and the vice chair whose salary may not to exceed six hundred dollars per month.

(C) Bamberg County School District Board of Trustees shall be reimbursed for mileage and other related expenses in traveling to conduct district business.

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SECTION 4. The district superintendent is the chief operating officer of the district and is responsible to the board for the proper administration of all affairs of the district and subject to all other provisions of law relating to his duties. He shall:

(1) appoint and, when necessary for the good of the district, remove an appointed officer or employee of the district and fix the salaries of these officers and employees, unless otherwise provided by law and except as he may authorize the head of a department or office to appoint and remove subordinates in the department or office;

(2) prepare the budget annually, submit it to the board, and be responsible for its administration after adoption;

(3) prepare and submit to the board at the end of each fiscal year a complete annual report on the finances and administrative activities of the board for the preceding year and make other financial reports from time to time that may be required by the board or by law;

(4) keep the board advised of the financial condition and future needs of the district and make recommendations that seem desirable;

(5) perform other duties prescribed by law or required of him by the board not inconsistent with the provisions of law; and

(6) centralize all administrative functions including, but not limited to, human resources, accounting, procurement, transportation, school bus services, and maintenance.

SECTION 5. (A)(1) For purposes of determining the 2022 property tax millage levy of the Bamberg County School District upon its creation, the millage levy for the district must be determined and calculated by the Department of Revenue based on the 2021 levy of the two present school districts and the value of a mill in each district. Thereafter, the millage levy for the year 2023 must be the millage levy for the previous year. To the allowed millage levy for 2022 and 2023 may be added any millage determined by the Department of Revenue necessary to comply with educational mandates imposed by federal or state law.

(2) The provisions of this subsection apply for school millages set for years ending in 2023.

(B) Beginning in 2024, the Bamberg County School District is vested with total fiscal autonomy. In order to obtain funds for school purposes the board of trustees is authorized to impose an annual tax levy, exclusive of any millage imposed for bond debt service. Upon certification by the board of trustees to the county auditor of the tax levy to be imposed, the auditor shall levy and the county treasurer shall collect the millage so certified upon all taxable property in the district. The consolidated school

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district may raise its millage by no more than two mills over that levied for the previous year, in addition to any millage needed to adjust for the EFA inflation factor and sufficient to meet the requirements of Section 59-21-1030. An increase above this two mills for operations may be levied only after a majority of the registered electors of the district vote in favor of the millage increase in a referendum called by the district board of trustees and conducted by the county board of voter registration and elections. If the school district calls for the referendum provided for in this subsection to be held at any time other than at the general election conducted pursuant to Section 7-13-10 then the school district shall pay the cost of the referendum. To the extent the provisions of this section relating to increases in school millages conflict with the provisions of Section 6-1-320, relating to the millage rate increase limitation, the provisions of Section 6-1-320 control.

SECTION 6. (A)(1) On July 1, 2022, the assets and liabilities of the two present school districts must be transferred to the Bamberg County School District. The records and employees of the two present school districts must be transferred to and, if applicable, assumed by the consolidated school district.

(2) Any funds under paragraph 1.88(A), Part I(B) of Act 91 of 2019 to support school district consolidation and related purposes in certain specified school districts, which have been distributed to or which are to be made available to the two present school districts must be transferred to or made available to Bamberg County School District to be used for the same purposes.

(B) The constitutional debt limitation on the issuance of general obligation bonds applicable to the Bamberg County School District is to be computed according to the law of this State and based on the assessed value of all taxable property in the district minus that bonded indebtedness of each of the present school districts made a part of the district that was includable against the constitutional debt limit of the present school districts.

(C)(1) During the transition period, which begins on the effective date of this act and runs until July 1, 2022, no new general obligation bonds may be issued against the constitutional debt limitation of the two present school districts unless such general obligation bonds are scheduled to mature and be paid in full prior to July 1, 2022. Bond anticipation notes and tax anticipation notes may be issued during the transition period by the two present school districts only if such notes are scheduled to mature and be paid in full prior to July 1, 2022.

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(2) During the transition period, which begins on the effective date of this act and runs until July 1, 2022, no new general obligation bonds maturing on or after July 1, 2022, may be issued against the constitutional debt limitation of the two presents school districts, except in the case of an emergency. If new general obligation bonds are issued, then the board of trustees of the issuing school district must adopt a resolution declaring the emergency and specifying the necessity of the issue.

SECTION 7. (A) The two present school districts are abolished on July 1, 2022, at which time the Bamberg County School District must be established as provided in this act. The terms of all members of the boards of trustees of the two present school districts of the county will expire on this date. However, the members of the consolidated school district board of trustees appointed after the effective date of this act shall take office on the date they take the oath of office. From this date and until July 1, 2022, the boards shall organize, begin planning for the changeover to the consolidated district, enter into contracts to effectuate these purposes, and perform other related matters, except that the responsibility and authority to manage the schools of the two present school districts rests solely with the individual boards for each of the two present school districts until July 1, 2022, and the appointed consolidated board of trustees may not interfere with this authority.

(B) Funding for the activities of the appointed consolidated board of trustees, from the date the members assume office until July 1, 2022, must be paid from funds provided to the Bamberg County School District by the State Department of Education for this purpose.

(C)(1) After the effective date of this act, a member of one of the two present school districts' governing boards may:

(a) be appointed to the Bamberg County School District Board of Trustees; or

(b) seek election to the Bamberg County School District Board of Trustees in 2022.

(2) If a member of one of the present boards is either appointed or elected to the Bamberg County School District Board of Trustees pursuant to item (1):

(a) prior to assuming his new duties on the consolidated school district board of trustees, he must first resign as a member of the present board; and

(b) notwithstanding another provision of law, the vacancy on the present board must be filled for the remainder of the unexpired term by appointment of the county legislative delegation.

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SECTION 8. All local acts concerning Bamberg-Ehrhardt School District One and Denmark-Olar School District Two inconsistent with the provisions of this act are repealed as of July 1, 2022, it being the intent of the General Assembly to have this act and the general law be the only provisions of law governing the school district of the county.

SECTION 9. If any provision of this act for any reason is held by a court of competent jurisdiction to be unconstitutional or invalid, that holding shall not affect the constitutionality or validity of the remaining portions of this act. The General Assembly declares that it would have passed this act and each and every provision in it, irrespective of the fact that any one or more provisions of it may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 10. This act takes effect thirty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator HUTTO, the Bill was carried over.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO

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APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE, TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

H. 3545 -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: A BILL TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.

H. 3884 -- Rep. Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE

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FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

H. 3541 -- Reps. Hixon, Burns and Forrest: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.

H. 4035 -- Reps. Hiott, Bailey and Hewitt: A BILL TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.

AMENDMENT PROPOSED, CARRIED OVER

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN proposed the following amendment (614R001.KMM.TDC), which was proposed:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act shall be referred to and cited as the "Second Amendment Protection Act".

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SECTION 2. The General Assembly finds that this act ensures that the South Carolina unorganized militia is “a well regulated militia” pursuant to Section 20, Article I of the South Carolina Constitution and the United States Constitution and further ensures that the unorganized militia is imbued with the rights and privileges guaranteed to the militia and its members in the South Carolina Constitution and the United States Constitution.

SECTION 3. Article 1, Chapter 1, Title 25 of the 1976 Code is amended by adding:

“Section 25-1-80. (A) For the purposes of this section, ‘firearm’ shall include, but is not limited to, a rifle; shotgun; handgun; and magazines, clips, components, parts, accessories, or ammunition required for, fitted to, or useable with an authorized rifle, shotgun, or handgun that meets the criteria established in subsection (D)(2).

(B) Pursuant to the provisions of Section 25-1-60, an able-bodied citizen of this State who is at least eighteen years of age and who can legally purchase a firearm is deemed a member of the unorganized militia, unless he is already a member of the National Guard or the organized militia not in National Guard service.

(C) The unorganized militia will be responsive to the Governor, as provided in Section 3, Article XIII of the South Carolina Constitution, and to the Adjutant General and shall be regulated through the actions of the General Assembly.

(D) The rights, powers, duties, and immunities of the unorganized militia and its members include the following:

(1) the unorganized militia may be ordered to active duty pursuant to the provisions of Section 25-1-1890;

(2) an unorganized militia member, at his own expense, has the right to furnish himself with, and maintain at all times in his own possession, or subject to his control:

(a) any firearm that could be legally acquired or possessed by a South Carolina citizen as of December 31, 2020; and

(b) any firearm protected by the Second Amendment to the United States Constitution, including, but not limited to, any firearm that has some reasonable relationship to the preservation or efficiency of a well-regulated militia, that is any part of ordinary military equipment, or that could contribute to the common defense;

(3) the unorganized militia is not subject to any law or regulation, or to the jurisdiction of any person or entity, outside of South Carolina, except that:

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(a) as an instrumentality of this State, the unorganized militia, and its members, are entitled to each exemption, exception, or exclusion for a state and its political subdivisions provided for in the laws of the United States that, in any manner, regulates the manufacture, repair, sale, purchase, possession, transfer, or receipt of a firearm; and

(b) the unorganized militia may be employed in the service of the United States to enforce any statute enacted pursuant to the congressional authority to provide for calling forth the militia to execute the laws of the United States, suppress insurrections, and repel invasions pursuant to Article I, Section 8, Clauses 15 and 16 of the United States Constitution; and

(4) a member of the unorganized militia who has a conscientious objection to the personal possession of a firearm is exempt from the provisions contained in subsection (D)(2).”

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CORBIN explained the amendment.

Senator HARPOOTLIAN spoke on the Bill.

On motion of Senator MARTIN, the Bill was carried over.

READ THE SECOND TIME

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF

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CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

RECOMMITTED

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator MASSEY, the Resolution was recommitted to Committee on Labor, Commerce and Industry.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3957R001.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-5-1705(G) of the 1976 Code is amended to read:

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“(G) It is unlawful for a person to take or possess more than ~~ten~~ five flounder (*Paralichthys* species) taken by means of gig, spear, hook and line, or similar device in any one day, not to exceed ~~twenty~~ ten flounder in any one day on any boat.”

SECTION 2. Section 50-5-1710(B)(2) of the 1976 Code is amended to read:

“(2) flounder (*Paralichthys*) of less than ~~fifteen~~ sixteen inches total length;”

SECTION 3. Section 50-9-540(A) of the 1976 Code is amended to read:

“Section 50-9-540. (A) For the privilege of recreational statewide fishing in saltwater:

(1) a resident must purchase:

(a) a fourteen day temporary saltwater fishing license for ~~five~~ ten dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for ~~ten~~ fifteen dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year saltwater fishing license for ~~thirty~~ forty-five dollars, one dollar of which the issuing sales vendor may retain;

(d) a lifetime statewide saltwater fishing license for three hundred dollars at designated licensing locations; or

(e) any other license which grants saltwater fishing privileges;

(2) a nonresident must purchase:

(a) a fourteen day temporary saltwater fishing license for ~~eleven~~ twenty-five dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for ~~thirty-five~~ fifty dollars, one dollar of which the issuing sales vendor may retain;

(c) a three year saltwater fishing license for ~~one hundred five~~ one hundred fifty dollars, three dollars of which the issuing sales vendor may retain; or

(d) any other license which grants saltwater fishing privileges.”

SECTION 4. Section 50-9-920(C) of the 1976 Code is amended to read:

“(C) Revenue generated from the sale of recreational and commercial marine licenses, permits, and tags shall be deposited to the Marine Resources Fund. Revenue generated from the sale of recreational licenses, permits, and tags must be distributed in accordance with the provisions of Sections 50-9-960 and 50-9-965, provided that a minimum of five dollars from the sale of each recreational saltwater fishing license

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must be used for the development and implementation of a flounder stocking program.”

SECTION 5. SECTION 1 of this act is repealed on June 30, 2024, and the text amended by that SECTION shall revert back to the language contained in the South Carolina Code of Laws as of January 1, 2020.

SECTION 6. The Department of Natural Resources shall furnish a written report to the General Assembly on South Carolina’s stock of flounder by December 31, 2023. The report must provide future projections.

SECTION 7. This act takes effect on July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Cromer

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

On motion of Senator HEMBREE, the Bill was carried over.

READ THE SECOND TIME

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution.

Senator TALLEY explained the Resolution.

The question being the second reading of the Resolution.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Resolution was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3612 -- Reps. Lucas, Allison, M.M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH

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PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

On motion of Senator MARTIN, the Bill was carried over.

OBJECTION

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Senator GROOMS objected to the consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 264 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\264C002.CC.VR21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. A. Chapter 31, Title 43 of the 1976 Code is amended by adding:

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“Article 3

Disabled Self-Employment Development Trust Fund

Section 43-31-310. There is established in the State Treasury the Disabled Self-Employment Development Trust Fund, separate and distinct from the general fund. The fund shall consist of general fund appropriations and donations, contributions, bequests, or other gifts. Earnings and interest on this fund must be credited to it and any balance at the end of the fiscal year carries forward to the fund in the succeeding fiscal year. The fund shall bear all costs and expenses of administering the program established pursuant to Section 43-31-320.

Section 43-31-320. The South Carolina Vocational Rehabilitation Department shall establish and administer the program that awards grants to qualifying residents of this State with physical or mental impairments who start, expand, or acquire a business within this State.

Section 43-31-330. To receive a grant pursuant to this program, an applicant must:

(1) meet the eligibility requirements established by the department in regulation;

(2) not have previously received educational or training equipment through another rehabilitation program when that equipment could be used in the applicant’s proposed business;

(3) have at least fifty-one percent ownership in a for-profit business that is actively owned, operated, and managed in this State;

(4) agree to an approved business plan that will result in self-sufficiency as measured by earnings that equal or exceed eighty percent of substantial gainful activity having first submitted the business plan to the Small Business Administration and providing the administration’s feedback to the department for review. For purposes of this item, ‘earnings’ and ‘substantial gainful activity’ have the same meaning as defined by the Social Security Administration; and

(5) provide documentation to the satisfaction of the department of the applicant’s ability to match dollar-for-dollar the amount of funds requested.

Section 43-31-340. Monies in the Disabled Self-Employment Development Trust Fund must be expended solely to provide business development grants pursuant to this article.

Section 43-31-350. Grants awarded pursuant to the program may in no way reduce, impair, or diminish the benefits to which the beneficiary is otherwise entitled by state law.

Section 43-31-360. Grants may not be awarded:

(1) to support the purchase of real estate;

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(2) to be used as a cash infusion, for personal or business loan repayments, or for personal or business credit card debt; and

(3) to start, expand, or acquire any of the following types of businesses:

(a) a hobby or similar activity that does not produce income at the level required for self-sufficiency;

(b) a business venture that is speculative in nature or considered high risk;

(c) a business registered with the federal Internal Revenue Service as a Section 501(c)(3) entity or other entity set up deliberately to be not-for-profit;

(d) a business that is not fully compliant with all local, state, and federal zoning requirements and all other applicable local, state, and federal requirements; and

(e) any illegal business venture.

Section 43-31-370. The South Carolina Vocational Rehabilitation Department shall adopt rules and may promulgate regulations necessary for the implementation and administration of this article.”

B. Sections 43-31-10 through 43-31-170 of the 1976 Code are designated Article 1, entitled “General Provisions”. /

Amend the bill further, as and if amended, SECTION 3, by striking Section 12-6-5060(A) and inserting;

/ “(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children’s Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans’ Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor’s Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the

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South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, the South Carolina Association of Habitat for Humanity Affiliates, the Disabled Self-Employment Development Trust Fund established pursuant to Section 43-31-310, or the Department of Archives and History and only used by the agency to purchase or preserve collections with significant historical value to the State by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (VR\264C003.CC.VR21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Chapter 31, Title 43 of the 1976 Code is amended by adding:

“Article 3

South Carolinians with Disabilities Self-Employment Development
Trust Fund

Section 43-31-310. There is established in the State Treasury the South Carolinians with Disabilities Self-Employment Development Trust Fund, separate and distinct from the general fund. The fund shall consist of general fund appropriations and donations, contributions, bequests, or other gifts. Earnings and interest on this fund must be credited to it and any balance at the end of the fiscal year carries forward to the fund in the succeeding fiscal year. The fund shall bear all costs and expenses of administering the program established pursuant to Section 43-31-320.

Section 43-31-320. The South Carolina Vocational Rehabilitation Department shall establish and administer the program that awards grants to qualifying residents of this State with physical or mental impairments who start, expand, or acquire a business within this State.

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Section 43-31-330. To receive a grant pursuant to this program, an applicant must:

- (1) meet the eligibility requirements established by the department in regulation;
- (2) not have previously received educational or training equipment through another rehabilitation program when that equipment could be used in the applicant's proposed business;
- (3) have at least fifty-one percent ownership in a for-profit business that is actively owned, operated, and managed in this State;
- (4) agree to an approved business plan that will result in self-sufficiency as measured by earnings that equal or exceed eighty percent of substantial gainful activity having first submitted the business plan to the Small Business Administration and providing the administration's feedback to the department for review. For purposes of this item, 'earnings' and 'substantial gainful activity' have the same meaning as defined by the Social Security Administration; and
- (5) provide documentation to the satisfaction of the department of the applicant's ability to match dollar-for-dollar the amount of funds requested.

Section 43-31-340. Monies in the South Carolinians with Disabilities Self-Employment Development Trust Fund must be expended solely to provide business development grants pursuant to this article.

Section 43-31-350. Grants awarded pursuant to the program may in no way reduce, impair, or diminish the benefits to which the beneficiary is otherwise entitled by state law.

Section 43-31-360. Grants may not be awarded:

- (1) to support the purchase of real estate;
- (2) to be used as a cash infusion, for personal or business loan repayments, or for personal or business credit card debt; and
- (3) to start, expand, or acquire any of the following types of businesses:
 - (a) a hobby or similar activity that does not produce income at the level required for self-sufficiency;
 - (b) a business venture that is speculative in nature or considered high risk;
 - (c) a business registered with the federal Internal Revenue Service as a Section 501(c)(3) entity or other entity set up deliberately to be not-for-profit;
 - (d) a business that is not fully compliant with all local, state, and federal zoning requirements and all other applicable local, state, and federal requirements; and

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(e) any illegal business venture.

Section 43-31-370. The South Carolina Vocational Rehabilitation Department shall adopt rules and may promulgate regulations necessary for the implementation and administration of this article.”

B. Sections 43-31-10 through 43-31-170 of the 1976 Code are designated Article 1, entitled “General Provisions”.

SECTION 2. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3760. There is allowed as a tax credit against income tax liability of a taxpayer imposed by this chapter for contribution to the South Carolinians with Disabilities Self-Employment Development Trust Fund. The credit is equal to one hundred percent of the contribution. The tax credit allowed by this section is nonrefundable and if the amount of the credit exceeds the taxpayer’s liability for the applicable taxable year any unused credit may be carried forward and claimed in the five succeeding taxable years.”

SECTION 3. Section 12-6-5060(A) of the 1976 Code, as last amended by Act 172 of 2020, is further amended to read:

“(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children’s Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans’ Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor’s Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, the South

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Carolina Association of Habitat for Humanity Affiliates, the South Carolinians with Disabilities Self-Employment Development Trust Fund established pursuant to Section 43-31-310, or the Department of Archives and History and only used by the agency to purchase or preserve collections with significant historical value to the State by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

READ THE SECOND TIME

S. 508 -- Senators Shealy, Hutto and Gustafson: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45(A), 44-78-50, AND 44-78-60 OF THE 1976 CODE, ALL RELATING TO DO NOT RESUSCITATE ORDERS, TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (VR\508C001.CC.VR21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. A. Section 44-78-15(7) of the 1976 Code is amended to read:

“(7) ‘Terminal condition’ means an incurable or irreversible condition that within reasonable medical judgment ~~could~~ will cause death within a reasonably short period of time ~~if life sustaining procedures are not used with or without the administration of life-sustaining treatment.~~”

B. Section 44-78-15 of the 1976 Code is amended by adding an appropriately numbered item to read:

“() ‘Child’ means a person under the age of eighteen who is neither married nor judicially emancipated and who is medically eligible for hospice care as a result of a terminal condition.”

SECTION 2. Section 44-78-20 of the 1976 Code is amended to read:

“Section 44-78-20. (A) Except as prohibited in subsections (C) and (D), a patient who has a terminal condition, a surrogate for a patient with a terminal condition under the Adult Health Care Consent Act, ~~or~~ an agent of a ~~person~~ patient with a terminal condition named by the patient in a Health Care Power of Attorney, or a parent or legal guardian with the legal authority to make medical decisions for a child with a terminal

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condition may request a health care provider responsible for the care of the patient to execute a 'do not resuscitate order for emergency services' if ~~the~~:

- (1) the patient has a terminal condition; and
- (2) the terminal condition has been diagnosed by a health care provider and the health care provider's record establishes the time, date, and medical condition which gives rise to the diagnosis of a terminal condition.

(B) At the request of the patient for whom a 'do not resuscitate order' is written, ~~or his the patient's~~ surrogate or agent, or a parent or legal guardian with the legal authority to make medical decisions for the child, the health care provider who executes the 'do not resuscitate order' shall make the order in writing on a form conforming to the requirements of Section 44-78-30(A), and either shall:

- (1) affix to the wrist of the patient a 'do not resuscitate bracelet' that meets the specifications established under Section 44-78-30(B); or
- (2) provide the patient, ~~or his the patient's~~ surrogate or agent, or a parent or legal guardian with the legal authority to make medical decisions for the child with an order form, from a commercial vendor approved by the department pursuant to Section 44-78-30(B), to allow ~~the patient to order~~ a 'do not resuscitate bracelet' to be ordered from the commercial vendor.

(C) Neither parent or legal guardian with the legal authority to make medical decisions for a child shall request a 'do not resuscitate for emergency services order' for the child unless a reasonable attempt has been made to inform, either orally or in writing, the second parent or legal guardian of the child with the legal authority to make medical decisions for the child of the intention of the first parent or legal guardian to request a 'do not resuscitate order', if the second parent or legal guardian is reasonably available. Accordingly, the following shall be entered in the child's medical record:

- (1) the date, time, and mode of communication of the provision of such information, as well as the name of the sender;
- (2) if the second parent or legal guardian of the child does not respond to the provision of such information within forty-eight hours; and
- (3) the nature of the lack of availability of the second parent or legal guardian if an attempt to provide such information is not made.

(D) A 'do not resuscitate order for emergency services order' shall not be requested by either parent or legal guardian with the legal authority to make medical decisions for a child nor executed by a health

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care provider responsible for the care of the child if either parent or legal guardian with the legal authority to make medical decisions for the child explicitly refuses consent, either orally or in writing, for requesting a ‘do not resuscitate order’ for the child, except in accordance with a court order pursuant to subsection (E). Such refusal of consent shall be entered in the child’s medical record.

(E) If the parents or legal guardians of a child with the legal authority to make medical decisions for the child are unable to agree to request a ‘do not resuscitate order for emergency services’ of a health care provider responsible for the care of the child, either parent or legal guardian may institute a proceeding under subsection (F) to resolve the conflict. Pending the final determination of such proceedings, including any appeals, a ‘do not resuscitate order for emergency services’ shall not be requested by either parent or legal guardian nor executed by the health care provider.

(F) A parent or legal guardian with legal authority to make medical decisions for the child may petition the family court or circuit court of the county in which the child resides or in which the child is receiving treatment for an order to a health care provider responsible for the care of the child to execute a ‘do not resuscitate order for emergency services’ for the child, or an order to enjoin a violation of or threat to violate subsection (D). Upon receiving such a petition, the family court or circuit court shall issue an order fixing the date, time, and place of a hearing on the petition and order that notice of the hearing shall be given to such persons as the court shall direct. A preliminary hearing may be held without notice if the court determines that doing so is necessary to prevent imminent danger to the child’s life. In the court’s discretion, a hearing may be conducted in a courtroom, a treatment facility, or at some other suitable place.”

SECTION 3. Section 44-78-30 of the 1976 Code is amended to read:

“Section 44-78-30. (A) A document purporting to be a ‘do not resuscitate order’ for EMS purposes must be in substantially the following form:

NOTICE TO EMS PERSONNEL

This notice is to inform all emergency medical personnel who may be called to render assistance to _____ that he/she has a terminal condition which has been diagnosed by me, and has specifically requested that no resuscitative efforts including artificial stimulation of the cardiopulmonary system by electrical, mechanical, or manual means be made in the event of cardiopulmonary arrest or, if he/she is a child,

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such a request has been specifically made by a parent or legal guardian with the legal authority to make medical decisions for the child.

REVOCATION PROCEDURE

THIS FORM MAY BE REVOKED BY AN ORAL STATEMENT BY THE PATIENT OR, IF THE PATIENT IS A CHILD, BY A PARENT OR LEGAL GUARDIAN WITH THE LEGAL AUTHORITY TO MAKE MEDICAL DECISIONS FOR THE CHILD TO EMS PERSONNEL OR BY MUTILATING, OBLITERATING, OR DESTROYING THE DOCUMENT IN ANY MANNER.

Date: _____

Patient's signature (or surrogate or agent)

Parent or Legal Guardian

Physician's signature

Physician's address

Physician's telephone number

(B) The department may approve a 'do not resuscitate bracelet' developed and distributed by a commercial vendor if the bracelet contains an emblem that displays an internationally recognized medical symbol on the front and the words 'South Carolina Do Not Resuscitate EMS' and the patient's first name and last name on the back. The department may not approve a 'do not resuscitate bracelet' developed and distributed by a commercial vendor if the vendor does not require a health care provider's order for the bracelet before distributing it to a patient.

(C) The cost of obtaining a bracelet must be borne by the patient or, if the patient is a child, the parent or legal guardian of the child and may not be provided by the department at the expense of the department.

(D) The vendor approved by the department shall not fulfill a request for a 'do not resuscitate bracelet' without receiving a health care provider's order for the bracelet with the request."

SECTION 4. Section 44-78-45(A) of the 1976 Code is amended to read:

"Section 44-78-45. (A) A health care provider and an EMS personnel shall follow the request of the patient or, if the patient is a child, the parent or legal guardian with the legal authority to make medical decisions for the child and must not provide resuscitative measures when

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the patient has a 'do not resuscitate order for emergency medical services' or is wearing a 'do not resuscitate bracelet', except where the:

- (1) order is revoked pursuant to Section 44-78-60; or
- (2) bracelet, when applicable, appears to have been tampered with or removed."

SECTION 5. Section 44-78-50 of the 1976 Code is amended to read:

"Section 44-78-50. (A) Nothing in this chapter may be construed to condone, authorize, or approve mercy killing or euthanasia or to permit any affirmative action or deliberate act to end life other than to allow the natural process of dying.

(B) No ~~person under the age of eighteen years~~ child may request or receive a 'do not resuscitate order for emergency medical services' as provided for in this article.

(C) The withholding of resuscitative measures pursuant to this article does not constitute suicide for any purpose."

SECTION 6. Section 44-78-60 of the 1976 Code is amended to read:

"Section 44-78-60. A patient or, if the patient is a child, a parent or legal guardian with the legal authority to make medical decisions for the child, may revoke a 'do not resuscitate order for emergency services' by:

- (1) mutilating, obliterating, or destroying the 'do not resuscitate order for emergency medical services' document in any manner;
- (2) orally expressing to an emergency medical technician, first responder, or to a person who serves as a member of an emergency health care facility's personnel, the desire to be resuscitated, after which the emergency medical technician, first responder, or the member of the emergency health care facility shall disregard the 'do not resuscitate order for emergency medical services' document and, if applicable, promptly remove the bracelet;
- (3) defacing, burning, cutting, or otherwise destroying the bracelet, if applicable; or
- (4) removing the bracelet or asking another person to remove the bracelet."

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3222 -- Reps. Davis, Forrest, Hiott, Cobb-Hunter, Jefferson, R. Williams and J. Moore: A BILL TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

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The Senate proceeded to a consideration of the Bill.

Senator GAMBRELL explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

ADOPTED

S. 768 -- Senators Young, Massey, Setzler and Hutto: A CONCURRENT RESOLUTION TO NOMINATE MR. WILLIAM INMAN TO SERVE ON THE SAVANNAH RIVER SITE RESEARCH AUTHORITY BOARD OF DIRECTORS.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:15 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON

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WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator YOUNG explained the Bill.

Debate interrupted by adjournment.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 4, 2021, at 2:20 P.M. and the following Acts were ratified:

(R41, S. 229) -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Gustafson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT" BY ADDING ARTICLE 24 TO CHAPTER 11, TITLE 63 SO AS TO REQUIRE MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION TO FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310, RELATING TO CHILDREN'S ADVOCACY CENTERS, SO AS TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.
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(R42, S. 241) -- Senator Young: AN ACT TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "COVERED INDIVIDUAL" FOR THE PURPOSES OF TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS, SO AS TO ELIMINATE THE REQUIREMENT THAT A VETERAN OR DEPENDENT ENROLL IN A PUBLIC INSTITUTION OF HIGHER EDUCATION WITHIN THREE YEARS OF THE VETERAN'S DISCHARGE IN ORDER TO RECEIVE EDUCATIONAL ASSISTANCE.
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(R43, S. 467) -- Senators Cromer, Kimbrell and Bennett: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 34-1-150 SO AS TO PROVIDE REQUIREMENTS FOR AN APPLICANT SEEKING PERMISSION TO ORGANIZE A BANK; BY ADDING SECTION 34-1-160 SO AS TO PROVIDE CONDITIONS THAT MUST BE MET IN ORDER TO AUTHORIZE THE ORGANIZATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-170 SO AS TO PROVIDE FOR THE REQUIREMENTS OF THE ARTICLES OF INCORPORATION OF A PROPOSED BANK; BY ADDING SECTION 34-1-180 SO AS TO PROVIDE THE REQUIREMENTS FOR THE BOARD OF FINANCIAL INSTITUTIONS TO APPROVE A CHARTER FOR A PROPOSED BANK; BY ADDING SECTION 34-1-190 SO AS TO PROVIDE THAT THE BOARD SHALL DECIDE WHETHER TO UPHOLD OR OVERTURN ITS APPROVAL OR DENIAL OF AN APPLICATION; BY ADDING SECTION 34-1-200 SO AS TO PROVIDE THE REQUIREMENTS FOR ISSUING A BANK CHARTER; BY ADDING SECTION 34-1-210 SO AS TO PROVIDE THAT A REMOTE SERVICE UNIT IS NOT CONSIDERED A BRANCH OF A BANK; BY ADDING SECTION 34-1-220 SO AS TO ALLOW CERTAIN DELEGATIONS TO THE COMMISSIONER OF BANKING, TO AMEND SECTION 34-3-350, RELATING TO THE REVIEW OF REPORTS OF EXAMINATIONS, SO AS TO PROVIDE THAT THE COMMISSIONER OF BANKING SHALL FORWARD A COPY OF THE REPORT TO THE CHIEF EXECUTIVE; TO AMEND SECTION 34-3-360, RELATING TO THE FORM OF NOTICE TO A CASHIER, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-370, RELATING TO THE FORM OF REPORT TO THE STATE BOARD, SO AS TO REPLACE "STATE BOARD OF BANK CONTROL" WITH "COMMISSIONER OF BANKING" AND TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE"; TO AMEND SECTION 34-3-380, RELATING TO REPORTS OF CONDITION, SO AS TO REPLACE "PRESIDENT OR CASHIER" WITH "CHIEF EXECUTIVE OR CHIEF FINANCIAL OFFICER" AND TO PROVIDE THAT TWO DIRECTORS SHALL VERIFY THE REPORT; TO AMEND SECTION 34-3-810, RELATING TO THE CONVERSION OF A NATIONAL BANK OR NON-SOUTH CAROLINA STATE BANK INTO A SOUTH CAROLINA STATE BANK, SO AS TO PERMIT ANOTHER

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STATE'S BANK TO CONVERT INTO A SOUTH CAROLINA STATE BANK AND TO REQUIRE BOARD APPROVAL AND TO REQUIRE A NATIONAL OR OTHER STATE BANKING CORPORATION TO FILE AN APPLICATION OF CONVERSION; TO AMEND SECTION 34-3-820, RELATING TO THE TIMING OF THE CORPORATE EXISTENCE OF THE STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-830, RELATING TO THE TRANSFER OF ASSETS TO THE SOUTH CAROLINA STATE BANK, SO AS TO INCLUDE REFERENCES TO A NON-SOUTH CAROLINA STATE BANK CONVERTING TO A SOUTH CAROLINA STATE BANK; TO AMEND SECTION 34-3-840, RELATING TO THE DIRECTORS AND ORGANIZATION OF A NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, SO AS TO PROVIDE THAT UNLESS OTHERWISE ELECTED BY THE SHAREHOLDERS OF THE NATIONAL BANKING CORPORATION OR STATE BANKING CORPORATION, THE DIRECTORS AND OFFICERS IN OFFICE AT THE TIME OF ITS DISSOLUTION ARE THE DIRECTORS AND OFFICERS OF THE BANK CREATED; TO AMEND SECTION 34-9-10, RELATING TO THE AMOUNT OF CAPITAL STOCK TO BE PAID IN CASH, SO AS TO PROVIDE PAYMENT OF UNITED STATES CURRENCY AND TO DELETE A PROVISION THAT REQUIRES NO AUTHORIZED BUT UNISSUED CAPITAL STOCK MAY BE ISSUED WITHOUT APPROVAL BY THE BOARD; TO AMEND SECTION 34-9-40, RELATING TO MINIMUM CAPITAL STOCK REQUIREMENTS, SO AS TO PROVIDE THAT A BANKING COMPANY OR CORPORATION MUST HAVE MINIMUM CAPITAL IN THE AMOUNT REQUIRED BY THE STATE BOARD OF FINANCIAL INSTITUTIONS; TO AMEND SECTION 34-11-60, RELATING TO FRAUDULENT CHECKS, SO AS TO REMOVE THE REQUIREMENT THAT A HOME TELEPHONE NUMBER IS NECESSARY TO ESTABLISH PRIMA FACIE EVIDENCE AGAINST A DEFENDANT; TO AMEND SECTION 34-13-140, RELATING TO THE RESTRICTIONS ON LOAN OR DISCOUNT ON OR PURCHASE OF A BANK'S OWN STOCK, SO AS TO PROVIDE AN EXCEPTION TO THE RESTRICTION IF THE PURCHASE IS APPROVED BY THE BOARD OF FINANCIAL INSTITUTIONS OR IF THE BANKING ASSOCIATION HOLDS THE OUTSTANDING SHARES AS TREASURY STOCK; TO

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AMEND SECTION 34-26-350, RELATING TO THE PRINCIPAL PLACE OF BUSINESS OF A CREDIT UNION, SO AS TO PROVIDE THAT THE MAINTENANCE OF THE FACILITY MUST BE REASONABLY NECESSARY TO FURNISH SERVICE TO ITS MEMBERS OR POTENTIAL MEMBERS; TO AMEND SECTION 34-26-530, RELATING TO AN APPLICATION FOR MEMBERSHIP TO A CREDIT UNION, SO AS TO REMOVE A REQUIREMENT FOR MEMBERSHIP OFFICERS TO APPROVE APPLICATIONS; TO AMEND SECTION 34-26-640, RELATING TO BOARD MEETINGS, SO AS TO PROVIDE THAT THE BOARD MUST MEET AT LEAST QUARTERLY; TO AMEND SECTION 34-26-645, RELATING TO THE DUTIES OF THE BOARD, SO AS TO REMOVE THE DUTY TO ESTABLISH TITLES FOR SENIOR MANAGEMENT POSITIONS; TO AMEND SECTION 34-26-1220, RELATING TO THE CONVERSION OF A CREDIT UNION, SO AS TO PROVIDE THAT THE ASSETS AND LIABILITIES OF THE CREDIT UNION WILL VEST IN AND BECOME THE PROPERTY OF THE SUCCESSOR CREDIT UNION; TO REPEAL CHAPTERS 12 AND 27 OF TITLE 34 RELATING TO COUNTY AND MULTICOUNTY CHECK CLEARING HOUSES; TO REPEAL SECTION 34-1-70 RELATING TO THE APPROVAL OF CHARTERS OF BANKS, BUILDING AND LOAN ASSOCIATIONS, SAVINGS AND LOAN ASSOCIATIONS, AND SAVINGS BANKS; TO REPEAL SECTION 34-3-60 RELATING TO BRANCH BANK IDENTIFICATION; TO REPEAL SECTION 34-9-70 RELATING TO CERTAIN PAID-IN CAPITAL REQUIREMENTS AND EXCEPTIONS; TO REPEAL SECTION 34-9-80 RELATING TO THE ISSUANCE OF PREFERRED STOCK; TO REPEAL SECTION 34-11-40 RELATING TO THE DUPLICATE FOR LOST OR DESTROYED TIME CERTIFICATE OF DEPOSITS; AND TO REPEAL SECTION 34-11-50 RELATING TO THE DUPLICATE FOR ANY LOST OR DESTROYED CERTIFICATE OF DEPOSIT OR SAVINGS ACCOUNT BOOK.

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(R44, S. 510) -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson,

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Cash, Allen and Malloy: AN ACT TO AMEND SECTION 56-15-10, AS AMENDED CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO REVISE THE DEFINITION OF CERTAIN TERMS AND PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; BY ADDING SECTION 56-15-35, SO AS TO PROVIDE FOR THE HANDLING OF CERTAIN CONSUMER DATA BY FRANCHISORS, MANUFACTURERS, DISTRIBUTORS, OR THIRD PARTY AFFILIATES; TO AMEND SECTION 56-15-40, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES REGARDING MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO DEFINE CERTAIN TERMS, REVISE THE PROVISIONS RELATING TO CERTAIN ENTITIES TAKING ADVERSE ACTIONS AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS, TERMINATING OR CANCELING A FRANCHISE OR SELLING AGREEMENTS TO A DEALER WITHOUT DUE CAUSE, AND PROVIDE THAT CERTAIN ADDITIONAL CONDUCT CONSTITUTES A VIOLATION OF THIS SECTION; TO AMEND SECTION 56-15-45, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURERS OR FRANCHISORS, SO AS TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO PROVIDE A MANUFACTURER MAY NOT LEASE OR ENTER INTO SUBSCRIPTION AGREEMENTS EXCEPT TO A NEW DEALER HOLDING FRANCHISES IN THE LINE MAKE THAT INCLUDES THE VEHICLES; TO AMEND SECTION 56-15-46, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIPS, SO AS TO REVISE THE RADIUS THAT PERTAINS TO THE AREA IN WHICH FRANCHISORS INTEND TO ESTABLISH NEW DEALERSHIPS NEAR AN EXISTING DEALERSHIP, ADD A TIME REQUIREMENT FOR NOTICE, AND REVISE THE CIRCUMSTANCES FOR WHICH THIS SECTION DOES NOT APPLY; TO AMEND SECTION 56-15-50, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY

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DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, SO AS TO PROVIDE MANUFACTURERS AND FRANCHISORS SHALL INDEMNIFY AND HOLD HARMLESS ITS FRANCHISED DEALERS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-15-60, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALER'S CLAIMS FOR COMPENSATION, SO AS TO REVISE THE PROVISIONS RELATING TO WARRANTY AGREEMENTS THAT AFFECT CERTAIN MOTOR VEHICLE MANUFACTURERS, DEALERS, DISTRIBUTORS, FACTORY BRANCHES, AND DISTRIBUTOR BRANCHES; TO AMEND SECTION 56-15-65, RELATING TO REQUIREMENTS FOR CHANGES OF LOCATION OR ALTERATION OF DEALERSHIPS, SO AS TO PROVIDE CERTAIN CONDUCT BY MANUFACTURERS, DISTRIBUTORS, FACTORY REPRESENTATIVES, OR DISTRIBUTOR REPRESENTATIVES IS A VIOLATION OF THIS SECTION; TO AMEND SECTION 56-15-70, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, SO AS TO PROVIDE ADDITIONAL RESTRICTIONS THAT ARE UNLAWFUL; TO AMEND SECTION 56-15-90, RELATING TO THE FAILURE TO RENEW, THE TERMINATION OR RESTRICTION OF TRANSFERS OF A FRANCHISE, AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF DEALERSHIP FRANCHISES, SO AS TO REVISE THE PROVISIONS RELATING TO THE DETERMINATION OF FAIR AND REASONABLE COMPENSATION FOR BUSINESSES; AND TO AMEND SECTION 56-15-140, RELATING TO VENUE FOR ACTIONS RELATING TO THE REGULATION OF VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, SO AS TO PROVIDE THE VENUE IS IN THE STATE COURTS IN SOUTH CAROLINA.

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(R45, S. 607) -- Senators Hembree and Hutto: AN ACT TO AMEND SECTION 59-40-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF CHARTER SCHOOL DISTRICT BOARD MEMBERS FOR CAUSE OR DUE TO INCAPACITY, SO AS TO REVISE THE GROUNDS FOR REMOVAL, TO PROVIDE RESULTING MEMBERSHIP VACANCIES MUST BE FILLED PURSUANT TO CERTAIN

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BYLAWS OF THE CHARTER SCHOOL, AND TO REMOVE THE SOUTH CAROLINA CHARTER SCHOOL DISTRICT FROM THESE PROVISIONS.

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(R46, S. 623) -- Senator Gambrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-73-905 SO AS TO ALLOW FOR RATE INCREASES FOR CERTAIN TYPES OF INSURANCE WITHOUT PRIOR APPROVAL; AND TO AMEND SECTION 38-73-910, RELATING TO REQUIREMENTS FOR A PREMIUM RATE INCREASE, SO AS TO DIFFERENTIATE THE REQUIREMENTS FOR A PREMIUM RATE INCREASE FOR CERTAIN TYPES OF INSURANCE.

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(R47, S. 667) -- Senators Grooms, Verdin and Climer: AN ACT TO AMEND SECTION 57-25-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RELOCATION AND ADJUSTMENT OF SIGNS BY THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE OPTIONS AND PARAMETERS TO ADJUST OR RELOCATE OUTDOOR ADVERTISING SIGNS TO RESTORE VISIBILITY, AND PROVIDE FOR THE COSTS OF ADJUSTMENT OR RELOCATION.

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(R48, S. 685) -- Senators Hembree, Kimpson, Setzler, Scott, Turner, Malloy, Matthews and Jackson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 158 TO TITLE 59 SO AS TO PROVIDE FOR THE COMPENSATION OF INTERCOLLEGIATE ATHLETES FOR THE USE OF THEIR NAME, IMAGE, OR LIKENESS; TO AMEND SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 59-102-70, RELATING TO MEASURES THE DEPARTMENT OF CONSUMER AFFAIRS MAY TAKE AGAINST REGISTERED ATHLETE AGENTS FOR CERTAIN CONDUCT, SO AS TO REQUIRE CERTAIN CONTINUING EDUCATION FOR ATHLETE AGENTS; BY ADDING SECTION 59-102-85 SO AS TO PROVIDE THE DEPARTMENT SHALL MAINTAIN A PUBLIC DIRECTORY OF ALL REGISTERED ATHLETE AGENTS IN GOOD STANDING; TO AMEND SECTION 59-102-90, RELATING TO REGISTRATION AND RENEWAL APPLICATION FEES, SO AS TO

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REVISE THE FEES; TO AMEND SECTION 59-102-100, RELATING TO ATHLETE AGENCY CONTRACTS, SO AS TO PROVIDE LIMITS ON AGENCY COMPENSATION FOR INTERCOLLEGIATE ATHLETE NAME, IMAGE, OR LIKENESS COMPENSATION CONTRACTS; TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE FOR EACH INSTITUTION OF HIGHER LEARNING UPON THE EARLIER OF JULY 1, 2022, OR CERTIFICATION BY THE ATTORNEY GENERAL TO THE GOVERNOR OF THE ENACTMENT OF RULES CONSISTENT WITH THE PROVISIONS CONTAINED IN THIS ACT BY THE COLLEGIATE GOVERNING BODY OF THE INSTITUTION OF HIGHER LEARNING; AND TO PROVIDE UPON CERTIFICATION BY THE ATTORNEY GENERAL THE PROVISIONS OF THIS ACT ARE SUSPENDED UNTIL THE GENERAL ASSEMBLY TAKES FURTHER ACTION.

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(R49, H. 3017) -- Reps. Davis, Atkinson, B. Newton, Magnuson, Fry, Daning, Felder, May, Long, Pope, Forrest, Oremus, M.M. Smith, Yow, McGinnis, Govan, Brawley, Willis, Henderson-Myers, Jones and McDaniel: AN ACT TO AMEND SECTION 59-104-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR PALMETTO FELLOWS SCHOLARSHIPS, SO AS TO INCLUDE TWO-YEAR INSTITUTIONS OF HIGHER LEARNING AND TECHNICAL COLLEGES AMONG INSTITUTIONS OF HIGHER LEARNING WHOSE STUDENTS MAY BE ELIGIBLE FOR THE SCHOLARSHIPS; AND TO AMEND SECTION 59-149-60, RELATING TO THE DURATION OF LIFE SCHOLARSHIPS, SO AS TO PROVIDE STUDENTS MAY NOT RECEIVE LIFE SCHOLARSHIPS FOR MORE THAN SIX SEMESTERS FOR THREE-YEAR DEGREE PROGRAMS.

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(R50, H. 3689) -- Rep. Allison: AN ACT TO AMEND SECTION 56-3-376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF A SYSTEM OF MOTOR VEHICLE REGISTRATION, SO AS TO REVISE THE WEIGHT LIMITATION FOR VEHICLES FOR WHICH THE BIENNIAL REGISTRATION FEE IS ONE HUNDRED SIXTY DOLLARS OR MORE; TO AMEND SECTION 56-3-660, RELATING TO THE REGISTRATION OF SELF-PROPELLED PROPERTY CARRYING VEHICLES, SO AS TO PROVIDE A MOTOR CARRIER

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SELECTING SOUTH CAROLINA AS ITS BASE JURISDICTION FOR REGISTERING A VEHICLE UNDER THE INTERNATIONAL REGISTRATION PLAN MUST OWN OR LEASE REAL PROPERTY USED DIRECTLY IN THE TRANSPORTATION OF FREIGHT OR PERSONS WITHIN THE STATE, AND TO REVISE THE PROCESS FOR PAYMENT OF REGISTRATION FEES FOR LARGE COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 56-3-190, RELATING TO THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, SO AS TO PROVIDE FOR THE REGISTRATION OF COMMERCIAL MOTOR VEHICLES THAT ARE REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN; TO AMEND SECTION 56-3-195, RELATING TO THE PROCESSING OF MOTOR VEHICLE REGISTRATIONS AND LICENSING RENEWALS BY COUNTIES, SO AS TO PROVIDE FOR THE PAYMENT OF REGISTRATION AND LICENSING RENEWAL FEES BY OWNERS OF LARGE COMMERCIAL MOTOR VEHICLES; TO AMEND SECTION 12-37-2650, RELATING TO THE ISSUANCE OF VEHICLE TAX NOTICES AND PAID RECEIPTS, SO AS TO LIMIT THE TYPES OF TAX NOTICES PREPARED BY A COUNTY AUDITOR, AND PROVIDE THE DEPARTMENT OF MOTOR VEHICLES SHALL MAIL A NOTICE TO REGISTRANTS OF LARGE COMMERCIAL MOTOR VEHICLES WHO DO NOT RECEIVE BILLS FROM COUNTIES CONTAINING CERTAIN INFORMATION; TO AMEND SECTION 12-37-2810, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "MOTOR CARRIER"; TO AMEND SECTIONS 12-37-2840 AND 12-37-2850, BOTH RELATING TO ROAD USE FEES, SO AS TO PROVIDE A MOTOR CARRIER REGISTERING A LARGE COMMERCIAL MOTOR VEHICLE OR BUS MUST PAY THE ROAD USE FEE TO THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE QUARTERLY INSTALLMENT PAYMENTS MUST BE MADE AVAILABLE TO CUSTOMERS, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 12-37-2860, RELATING TO CERTAIN PROPERTY TAX EXEMPTIONS, SO AS TO MAKE TECHNICAL CHANGES AND TO REVISE THE AMOUNT OF REGISTRATION FEES THAT MAY BE PAID ON AN INSTALLMENT BASIS; TO AMEND SECTION 12-37-2880, RELATING TO THE FAIR MARKET VALUE OF A LARGE COMMERCIAL MOTOR VEHICLE SUBJECT TO A ROAD USE FEE, SO AS TO DELETE REFERENCES TO THE

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INTERNATIONAL REGISTRATION PLAN AND SECTION 56-3-190, AND PROVIDE COUNTIES SHALL MAIL BILLS FOR ROAD USE FEES AND REGISTRATION TO CERTAIN LARGE COMMERCIAL MOTOR VEHICLES DURING A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-3-240, RELATING TO THE CONTENT OF AN APPLICATION FOR A VEHICLE REGISTRATION AND LICENSE, SO AS TO REVISE THE CONTENTS OF AN APPLICATION RELATING TO LARGE COMMERCIAL MOTOR VEHICLES; AND TO AMEND SECTION 56-3-355, RELATING TO THE SUSPENSION OR REVOCATION OF COMMERCIAL VEHICLE REGISTRATION CARDS AND LICENSE PLATES, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES FOR WHICH THE DEPARTMENT OF MOTOR VEHICLES MUST SUSPEND OR REVOKE A REGISTRATION CARD OR LICENSE PLATE FOR CERTAIN COMMERCIAL MOTOR VEHICLES.

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(R51, H. 3805) -- Reps. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 149 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144 OF CHAPTER 3, TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, NORMANDY INVASION, AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II VETERANS, GOLD STAR FAMILY

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OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF THE NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

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(R52, H. 4064) -- Reps. G.M. Smith, Sandifer and Weeks: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO CLARIFY THAT MANUFACTURING PROPERTY OWNED OR LEASED BY A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION DOES NOT QUALIFY FOR A 14.2857 PERCENT EXEMPTION REGARDLESS OF WHETHER THE PROPERTY IS USED FOR MANUFACTURING; AND TO APPROPRIATE FUNDS FROM THE FISCAL YEAR 2019-2020 CONTINGENCY RESERVE FUND TO THE TRUST FUND FOR TAX RELIEF.

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Motion Adopted

On motion of Senator MASSEY, with unanimous consent, and Senator YOUNG retaining the floor, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:45 A.M.

Motion Adopted

On motion of Senator YOUNG, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:25 P.M., on motion of Senator YOUNG, with unanimous consent and Senator YOUNG retaining the floor on H. 3094, the Senate adjourned to meet tomorrow at 11:45 A.M.

* * *

Wednesday, May 5, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:45 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Daniel 12:3

We read in the Book of Daniel: “Those who are wise shall shine like the brightness of the sky, and those who lead many to righteousness, like the stars forever and ever.”

Let us pray: Dear God, South Carolina has been so richly blessed throughout the years with leaders who have wisely provided beneficial and often historically positive guidance. Many of the portraits surrounding us in this Chamber honor some of those individuals, and we are grateful for the worthy service each of those servants gave to and for the people of South Carolina. And we ask today, O Lord, that each of these Senators currently serving here will know clearly how we value their own service, and how very much we pray that they will each continue in the rich tradition that many of their predecessors followed: putting the well-being of our citizens uppermost in all that they determine. May it ever be so, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Calhoun County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Joseph David Teague, Sr., 255 Boone Lane, Swansea, SC 29160 *VICE*
Hon. Daniel Rickenbaker, Sr. (resigned)

WEDNESDAY, MAY 5, 2021

Reappointment, Greenville County Master-in-Equity, with the term to commence January 1, 2021, and to expire December 31, 2027

Charles B. Simmons, Jr., 11 West Hillcrest Drive, Greenville, SC 29609

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Stephanie Bess, 520 Wild Hickory Lane, Columbia, SC 29216-8038

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Latonya B. Derrick, 105 Hyer Court, Columbia, SC 29223-4611 *VICE* Ethel Brewer

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Paulette Edwards, 471 Guard Tower Lane, Columbia, SC 29209-3174 *VICE* Roger Myers

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christina Pope, 216 Elders Pond Dr., Columbia, SC 29229

Initial Appointment, Spartanburg County Master-in-Equity, with the term to commence June 30, 2021, and to expire June 30, 2027

Shannon M. Phillips, 251 Coggins Shore Road, Inman, SC 29349

Reappointment, York County Master-in-Equity, with the term to commence June 30, 2021, and to expire June 30, 2027

Teasa Kay Weaver, 917 Snow Prince Lane, York, SC 29745

REGULATION WITHDRAWN

The following was received:

Document No. 4988

Agency: Public Service Commission

Chapter: 103

Statutory Authority: 1976 Code Sections 58-3-60, 58-3-140, and 58-41-20

SUBJECT: Role of the Qualified Independent Third-Party Consultant and Expert and the Commissioners' Reliance on the Contents of the Qualified Independent Third-Party Consultant and Expert's Report

WEDNESDAY, MAY 5, 2021

Received by Lieutenant Governor January 12, 2021
Referred to Committee on Judiciary
Legislative Review Expiration: Permanently Withdrawn
Permanently Withdrawn May 5, 2021

Doctor of the Day

Senator HARPOOTLIAN introduced Dr. Patricia Witherspoon of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator TURNER, at 11:50 A.M., Senator VERDIN was granted a leave of absence until 1:30 P.M.

Leave of Absence

At 6:33 P.M., Senator JACKSON requested a leave of absence for the balance of the day.

Leave of Absence

At 6:34 P.M., Senator LEATHERMAN requested a leave of absence for the balance of the day.

Leave of Absence

At 6:54 P.M., Senator K. JOHNSON requested a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 295 Sen. Bennett
S. 689 Sen. Campsen

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 788 -- Senator Verdin: A SENATE RESOLUTION TO RECOGNIZE MAY 2021 AS "CYSTIC FIBROSIS AWARENESS MONTH" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

WEDNESDAY, MAY 5, 2021

S. 789 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND D'ANDRE HICKS OF COLLETON COUNTY HIGH SCHOOL UPON BEING ELECTED AS THE THIRTY-FOURTH GOVERNOR OF THE SOUTH CAROLINA YMCA YOUTH IN GOVERNMENT PROGRAM.

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The Senate Resolution was adopted.

S. 790 -- Senator Matthews: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 8 AND TUESDAY, NOVEMBER 9 AND MONDAY, NOVEMBER 15 AND TUESDAY, NOVEMBER 16, 2021; HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

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The Senate Resolution was introduced and referred to the Committee on Operations and Management.

S. 791 -- Senators Grooms and Jackson: A SENATE RESOLUTION TO CONGRATULATE ADDISON "JACK" GREENE ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 792 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE JUNE 6-13, 2021, AS SOUTH CAROLINA BOATING AND FISHING WEEK AND TO COMMEND THE SOUTH CAROLINA BOATING AND FISHING ALLIANCE ON A SUCCESSFUL START TO ITS ORGANIZATION.

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On motion of Senator ALEXANDER, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

WEDNESDAY, MAY 5, 2021

S. 793 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE THAT AN EMPLOYER MAY NOT INQUIRE, CONSIDER, OR REQUIRE DISCLOSURE OF THE CRIMINAL RECORD OR CRIMINAL HISTORY OF AN APPLICANT FOR EMPLOYMENT UNTIL THE APPLICANT IS SELECTED FOR AN INTERVIEW BY THE EMPLOYER OR BEFORE A CONDITIONAL OFFER OF EMPLOYMENT IS MADE TO THE APPLICANT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE RELATED DEFINITIONS AND PROCEDURES, AMONG OTHER THINGS; AND BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT TO EMPLOYERS WHO HIRE A QUALIFIED EX-FELON, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 794 -- Senators Goldfinch and Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME APPROXIMATELY FIFTEEN MILES OF PLEASANT HILL DRIVE FROM ITS INTERSECTION WITH COUNTY LINE ROAD TO ITS INTERSECTION WITH NORTH FRASER STREET IN GEORGETOWN COUNTY "A. LANE CRIBB HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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On motion of Senator GOLDFINCH, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 795 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-435 SO AS TO PROVIDE THAT PROBATION OFFICERS, COURT PERSONNEL, COUNTY AND MUNICIPAL PERSONNEL, PUBLIC OFFICIALS, AND PRIVATE VOLUNTEERS WHO PARTICIPATE IN CERTAIN COMMUNITY SERVICE PROGRAMS IN WHICH A PROBATIONER IS COMPLETING COMMUNITY SERVICE AS A CONDITION OF PROBATION ARE NOT LIABLE FOR CIVIL DAMAGES UNLESS AN INJURY OR DAMAGES RESULT FROM THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MISCONDUCT OF THESE PERSONS, AND TO

WEDNESDAY, MAY 5, 2021

PROVIDE THAT IMMUNITY IS NOT GRANTED TO CERTAIN DRIVERS OR MOTORISTS, WHO BY THEIR NEGLIGENCE, INJURES A PROBATIONER ON COMMUNITY SERVICE.

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Read the first time and referred to the Committee on Corrections and Penology.

S. 796 -- Senator Matthews: A SENATE RESOLUTION TO CONGRATULATE ALLEN CHAPEL AFRICAN METHODIST EPISCOPAL CHURCH OF BEAUFORT COUNTY ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY IN 2019 AND TO COMMEND THE CHURCH FOR MORE THAN A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.

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The Senate Resolution was adopted.

H. 3416 -- Reps. Yow, Henegan, B. Newton, Gilliam, Hardee, Crawford, McGinnis, J. E. Johnson, Fry, Bailey, Hewitt, Allison, Atkinson, McGarry, Taylor, Pope, Weeks, Bennett, Garvin, McCabe and Dabney: A BILL TO AMEND SECTION 25-11-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO DESIGNATE COUNTY VETERANS' AFFAIRS OFFICERS AS COUNTY EMPLOYEES AND TO PROVIDE THAT THEY MAY BE REMOVED BY THE COUNTY LEGISLATIVE DELEGATION.

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Read the first time and referred to the Committee on Family and Veterans' Services.

H. 4314 -- Reps. J. L. Johnson, Brawley, Henegan, Garvin, Jefferson, Hosey, Robinson, Clyburn and Gilliard: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SARAH MAE FLEMMING, WHOSE COURAGEOUS ACTIONS ON A SEGREGATED COLUMBIA CITY BUS FOREVER CHANGED THE FACE OF CIVIL RIGHTS IN THE SOUTH, AND TO DECLARE JUNE 22, 2021, AS "SARAH MAE FLEMMING DAY" IN SOUTH CAROLINA.

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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

WEDNESDAY, MAY 5, 2021

REPORTS OF STANDING COMMITTEES

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice and Hembree: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 224 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Adams: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION, TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING, AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION IF THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 OF THE 1976 CODE, RELATING TO PROSTITUTION VIOLATIONS.

Ordered for consideration tomorrow.

WEDNESDAY, MAY 5, 2021

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

S. 230 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

S. 591 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, AND SECTION 20-1-260 RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF

WEDNESDAY, MAY 5, 2021

AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3482 -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable report on:

H. 3605 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3620 -- Reps. Gilliard, W. Newton, Bernstein, Hyde, Simrill, Rutherford, Lucas, Dillard, Erickson, Hart, Kimmons, Pope, Stavrinakis, Thigpen, Wheeler, Bradley, Alexander, Kirby, Henegan, Pendarvis,

WEDNESDAY, MAY 5, 2021

Herbkersman, Collins, McDaniel, Ott, Cobb-Hunter, R. Williams, Murray, Brawley, Govan, Henderson-Myers, Carter, Rose, Tedder, J.L. Johnson, Wetmore, Weeks, Matthews, Rivers, Anderson, Jefferson, Garvin, Hosey and Clyburn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Ordered for consideration tomorrow.

Senator CAMPSER from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V.S. Moss, Lowe, Bryant, Forrest and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO

WEDNESDAY, MAY 5, 2021

INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES
IN THE FIRST AND SIXTEENTH CIRCUITS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance polled out
H. 3786 favorable:

H. 3786 -- Reps. G.M. Smith, Murphy and Weeks: A BILL TO
AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF
SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL
SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO
PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023
SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS
MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY
HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY;
TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY
HEAD SALARY COMMISSION AND SALARY INCREASES FOR
AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY
HEAD SALARY COMMISSION MUST MAKE
RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE
SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO
AMEND SECTION 8-11-165, RELATING TO SALARY AND
FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT
SALARY SURVEYS BE CONDUCTED FOR STATE
CONSTITUTIONAL OFFICERS.

Poll of the Committee on Finance
Polled 23; Ayes 23; Nays 0

AYES

Leatherman	Peeler	Setzler
Alexander	Grooms	Verdin
Cromer	Jackson	Williams
Davis	Martin	Scott
Allen	Bennett	Corbin
Hembree	<i>Kevin Johnson</i>	McElveen
Shealy	Turner	Gambrell
Fanning	Goldfinch	

Total--23

WEDNESDAY, MAY 5, 2021

NAYS

Total--0

Ordered for consideration tomorrow.

Senator CAMPSSEN from the Committee on Fish, Game and Forestry submitted a favorable with amendment report on:

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 3899 -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

Ordered for consideration tomorrow.

WEDNESDAY, MAY 5, 2021

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

H. 4006 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a favorable with amendment report on:

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

Ordered for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to recede at 11:55 A.M. for the purpose of attending the Joint Assembly and at the conclusion of the Joint Assembly, the Senate would reconvene at 1:30 P.M.

RECESS

At 11:55 A.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

JOINT ASSEMBLY

Elections

At 12:00 P.M., the Senate appeared in the Hall of the House.

The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

WEDNESDAY, MAY 5, 2021

S. 699 -- Senators Peeler, Alexander, Scott and Verdin: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MAY 5, 2021, AT NOON AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES TO ELECT ONE MEMBER OF THE LEGISLATIVE AUDIT COUNCIL, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF COASTAL CAROLINA UNIVERSITY FROM THE SECOND CONGRESSIONAL DISTRICT, SEAT 2, FOR A TERM TO EXPIRE JUNE 30, 2025; A MEMBER FROM THE FOURTH CONGRESSIONAL DISTRICT, SEAT 4, FOR A TERM TO EXPIRE JUNE 30, 2025; FROM THE SIXTH CONGRESSIONAL DISTRICT, SEAT 6, FOR A TERM TO EXPIRE JUNE 30, 2025, AND MEMBERS, AT-LARGE, FROM SEATS 8, 10, 12, 14, AND 15, RESPECTIVELY, ALL FOR TERMS TO EXPIRE JUNE 30, 2025; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY, AT-LARGE, SEAT 10, FOR A TERM TO EXPIRE JUNE 30, 2027; TO ELECT ONE MEMBER TO THE COMMISSION OF THE OLD EXCHANGE BUILDING, AT-LARGE, WHOSE TERM WILL EXPIRE JUNE 30, 2027; AND TO ELECT FOUR MEMBERS, AT-LARGE, OF THE BOARD OF TRUSTEES OF THE WIL LOU GRAY OPPORTUNITY SCHOOL, ALL FOR TERMS TO EXPIRE JUNE 30, 2025.

Election to the Legislative Audit Council

At-Large Seat

The PRESIDENT announced that nominations were in order to elect the Legislative Audit Council, at-large Seat.

Senator ALEXANDER indicated that Dennis Caldwell had been screened and found qualified to serve and his name was placed in nomination.

Senator ALEXANDER moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Dennis Caldwell was elected to the Legislative Audit Council, at-large Seat for the term to expire June 30, 2027.

WEDNESDAY, MAY 5, 2021

**Election to the Old Exchange Building Commission
One At-Large Seat**

The PRESIDENT announced that nominations were in order to elect a successor to the one at-large Seat on the Old Exchange Building Commission.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Greg Ohanesian had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the PRESIDENT announced that the Honorable Greg Ohanesian was elected to the one at-large Seat on the Old Exchange Building Commission for the terms to expire June 30, 2027.

**Election to the Board of Trustees for the
Wil Lou Gray Opportunity School
Four At-Large Seats**

The PRESIDENT announced that nominations were in order to elect successors to positions on the Board of Trustees for the Wil Lou Gray Opportunity School, four at-large Seats.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that D. Stewart Cooner, Cheryl H. Fralick, Michael D. Moss, Micheal J. Pryor and Gregory Vaughn had been screened and found qualified to serve and placed their names in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Stewart Cooner:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice

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Sabb	Scott	Setzler
Shealy	Stephens	Turner
Williams	Young	

Total--38

The following named Senators voted for Cheryl Fralick:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

Total--39

The following named Senators voted for Michael Moss:

Adams	Alexander	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Grooms	Hembree
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Peeler	Rankin
Rice	Setzler	Shealy
Talley	Turner	Williams
Young		

Total--25

The following named Senators voted for Micheal Pryor:

Allen	Fanning	<i>Johnson, Kevin</i>
Kimpson	Malloy	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

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Total--12

The following named Senators voted for Gregory Vaughn:

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Grooms
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Peeler	Rankin
Rice	Shealy	Young

Total--21

The Reading Clerk of the House called the roll of the House, and the Representatives voted *viva voce* as their names were called.

The following named Representatives voted for Stewart Cooner:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	B. Cox	Crawford
Dabney	Daniny	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliard	Haddon	Hardee
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Huggins	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
K. O. Johnson	Kimmons	King
Kirby	Ligon	Long
Lucas	Magnuson	Martin
May	McCabe	McCravy
McDaniel	McGarry	McGinnis
McKnight	J. Moore	T. Moore
Morgan	D. C. Moss	V. S. Moss

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Murphy	W. Newton	Nutt
Oremus	Pendarvis	Pope
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Trantham	West	Wetmore
Whitmire	R. Williams	Willis
Wooten		

Total--97

The following named Representatives voted for Cheryl Fralick:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brittain	Bryant	Burns
Bustos	Calhoon	Carter
Caskey	Chumley	Clyburn
Cobb-Hunter	Cogswell	B. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliard
Haddon	Hardee	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	K. O. Johnson	Kimmons
Kirby	Ligon	Long
Lucas	Magnuson	Martin
Matthews	May	McCabe
McCravy	McDaniel	McGarry
McGinnis	McKnight	J. Moore
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray
W. Newton	Nutt	Oremus
Pendarvis	Pope	Robinson

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Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stavrinakis	Stringer	Taylor
Tedder	Thayer	Thigpen
Trantham	West	Wetmore
Whitmire	R. Williams	Willis
Wooten		

Total--103

The following named Representatives voted for Michael Moss:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Caskey
Chumley	Clyburn	Cobb-Hunter
Cogswell	B. Cox	Crawford
Dabney	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Fry
Gagnon	Garvin	Gatch
Gilliam	Gilliard	Haddon
Hardee	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	K. O. Johnson
Kimmons	King	Kirby
Ligon	Long	Lucas
Magnuson	Martin	May
McCabe	McCravy	McDaniel
McGarry	McGinnis	McKnight
J. Moore	T. Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
W. Newton	Nutt	Oremus
Pendarvis	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor

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Thayer	Thigpen	Trantham
West	White	Whitmire
S. Williams	Willis	Wooten

Total--99

The following named Representatives voted for Micheal Pryor:

Atkinson	Brawley	Cobb-Hunter
Dillard	Garvin	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Hosey	Howard
Jefferson	J. L. Johnson	K. O. Johnson
King	Matthews	McDaniel
McKnight	J. Moore	Murray
Pendarvis	Rivers	Robinson
Stavrinakis	Tedder	Thigpen
S. Williams		

Total--28

The following named Representatives voted for Gregory Vaughn:

Alexander	Allison	Anderson
Bailey	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brittain	Bryant
Burns	Bustos	Calhoon
Carter	Caskey	Chumley
Clyburn	Cogswell	B. Cox
W. Cox	Crawford	Dabney
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Gatch	Haddon	Hardee
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Hyde	J. E. Johnson	Kimmons
Kirby	Ligon	Long
Lucas	Magnuson	Martin
May	McCabe	McCravy
McGarry	McGinnis	T. Moore
Morgan	D. C. Moss	V. S. Moss

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Murphy	W. Newton	Nutt
Oremus	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. M. Smith	G. R. Smith
M. M. Smith	Stringer	Taylor
Thayer	Trantham	West
White	Whitmire	R. Williams
Willis	Wooten	

Total--83

RECAPITULATION

Total number of Senators voting	39
Total number of Representatives voting.....	<u>111</u>
Grand Total.....	150
Necessary to a choice	76
Of which Stewart Cooner received	135
Of which Cheryl Fralick received	142
Of which Michael Moss received	124
Of which Micheal Pryor received	40
Of which Gregory Vaughn received	104

Whereupon, the PRESIDENT announced that the Honorable D. Stewart Cooner, the Honorable Cheryl H. Fralick, the Honorable Michael D. Moss and the Honorable Gregory Vaughn were elected to positions on the Board of Trustees for the Wil Lou Gray Opportunity School, four at-large Seats for the term to expire June 30, 2025.

**Election to the Board of Trustees for
Winthrop University, At-Large, Seat 10**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Winthrop University, at-large, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Glenn A. McCall had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

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Whereupon, the PRESIDENT announced that the Honorable Glenn A. McCall was elected to a position on the Board of Trustees for Winthrop University, at-large, Seat 10 for a term to expire June 30, 2027.

Election to the Board of Trustees for

Coastal Carolina University, 2nd Congressional District, Seat 2

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 2nd Congressional District, Seat 2.

Representative Whitmire Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Oran P. Smith had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Oran P. Smith was elected to a position on the Board of Trustees for Coastal Carolina University, 2nd Congressional District, Seat 2 for the term to expire June 30, 2025.

Election to the Board of Trustees for

Coastal Carolina University, 4th Congressional District, Seat 4

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 4th Congressional District, Seat 4.

Representative Whitmire Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Brad Poston had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Brad Poston was elected to a position on the Board of Trustees for Coastal Carolina University, 4th Congressional District, Seat 4 for the term to expire June 30, 2025.

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Election to the Board of Trustees for

Coastal Carolina University, 6th Congressional District, Seat 6

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, 6th Congressional District, Seat 6.

Representative Whitmire Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that John H. Bartell had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable John H. Bartell was elected to a position on the Board of Trustees for Coastal Carolina University, 6th Congressional District, Seat 6 for the term to expire June 30, 2025.

Election to the Board of Trustees for

Coastal Carolina University, At-Large, Seat 8

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 8.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Jason Repak had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Jason Repak was elected to the position on the Board of Trustees for Coastal Carolina University, at-large, Seat 8 for the term to expire June 30, 2025.

Election to the Board of Trustees for

Coastal Carolina University, At-Large, Seat 10

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 10.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Mark S.

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Kelley and Robert L. O'Brien had been screened and found qualified to serve and placed their names in nomination.

On motion of Representative Whitmire with unanimous consent, the name of Robert L. O'Brien was withdrawn from consideration.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Mark S. Kelley was elected to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 10 for the term to expire June 30, 2025.

**Election to the Board of Trustees for
Coastal Carolina University, At-Large, Seat 12**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 12.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Brett C. Porterfield and H. Delan Stevens had been screened and found qualified to serve and placed their names in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Brett Porterfield:
Alexander McLeod

Total--2

The following named Senators voted for Delan Stevens:

Adams	Allen	Bennett
Campsen	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Kevin</i>
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb

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Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--31

On the motion of Representative Hiott, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Brett Porterfield:

Bernstein	Govan	Henderson-Myers
Hosey	J. L. Johnson	King
McDaniel	Rivers	

Total--8

The following named Representatives voted for Delan Stevens:

Alexander	Allison	Anderson
Atkinson	Bailey	Ballentine
Bannister	Bennett	Blackwell
Bradley	Brawley	Brittain
Bryant	Burns	Bustos
Calhoon	Carter	Chumley
Clyburn	Cogswell	B. Cox
Crawford	Dabney	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Fry	Gagnon
Garvin	Gatch	Gilliam
Gilliard	Haddon	Hardee
Hayes	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Howard	Huggins
Hyde	Jefferson	J. E. Johnson
K. O. Johnson	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Magnuson
Martin	McCabe	McCravy
McGarry	McGinnis	McKnight
T. Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	Murray

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B. Newton	W. Newton	Nutt
Oremus	Pope	Robinson
Rose	Rutherford	Sandifer
Simrill	G. R. Smith	M. M. Smith
Stringer	Taylor	Tedder
Thayer	Trantham	West
Wetmore	Wheeler	White
Whitmire	R. Williams	Willis
Wooten		

Total--97

The following named Representatives voted against Delan Stevens:
Rivers

Total--1

RECAPITULATION

Total number of Senators voting	33
Total number of Representatives voting.....	<u>106</u>
Grand Total.....	139
Necessary to a choice	70
Of which Brett Porterfield received	10
Of which Delan Stevens received	128

Whereupon, the PRESIDENT announced that the Honorable H. Delan Stevens was elected to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 12 for the term to expire June 30, 2025.

**Election to the Board of Trustees for
Coastal Carolina University, At-Large, Seat 14**

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 14.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Joe N. Jarrett, Jr. had been screened and found qualified to serve and placed his name in nomination.

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Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Joe N. Jarrett, Jr. was elected to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 14 for the term to expire June 30, 2025.

Election to the Board of Trustees for Coastal Carolina University, At-Large, Seat 15

The PRESIDENT announced that nominations were in order to elect a successor to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 15.

Representative Whitmire, Chairman of the Committee to Screen Candidates for State Colleges and Universities, indicated that Patrick Sparks had been screened and found qualified to serve and placed his name in nomination.

Representative Whitmire moved that nominations be closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Patrick Sparks was elected to a position on the Board of Trustees for Coastal Carolina University, at-large, Seat 15 for the term to expire June 30, 2025.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Harpootlian
Hembree	<i>Johnson, Kevin</i>	Kimpson
Loftis	Malloy	Martin
Massey	McLeod	Peeler

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Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Young		

At 1:33 P.M., the Senate resumed.

Appointments Reported

Senator CAMPSEN from the Committee on Fish, Game and Forestry submitted a favorable report on:

Statewide Appointments

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

Chairman, 4th Congressional District:

Norman F. Pulliam, 812 East Main Street, Spartanburg, SC 29302-2000

Received as information.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

6th Congressional District:

Duane M. Swygert, P. O. Box 486, Hardeeville, SC 29927-0486

Received as information.

Message from the House

Columbia, S.C., May 4, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25,

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RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it reconsidered the vote whereby they concurred in the Senate amendments to H. 3539 and has recalled the Bill from Legislative Council to be placed on the Calendar.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO

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REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES
CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE
SANTEE AND COOPER RIVER SYSTEMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has
returned the following Bill to the Senate with amendments:

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A
BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE
1976 CODE, RELATING TO DUTIES AND PROCEDURES OF
INVESTIGATIVE ENTITIES CONCERNING ADULT
PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE
BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL
TRANSACTION REQUESTS IN CASES OF THE SUSPECTED
FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND
TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has
returned the following Bill to the Senate with amendments:

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF
LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION
38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE
DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES
TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND
SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS
APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION

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OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 5, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED

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MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments to H. 3194 and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS

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BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator HUTTO.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, READ THE SECOND TIME

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy,

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Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator YOUNG explained the Bill.

Amendment No. 1A

Senators MASSEY, RICE, TALLEY, TURNER, CASH and GUSTAFSON proposed the following amendment (3094R026.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking SECTION 4 and SECTION 5 in their entirety and inserting:

/SECTION 4. Section 23-31-220 of the 1976 Code is amended to read:

"Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating 'No Concealable Weapons

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Allowed' shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the work place. A person who brings a concealable weapon, whether concealed or openly carried, onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).

(C) In addition to the provisions of subsection (B), a public or private employer or the owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business."

SECTION 5. Section 23-31-235 of the 1976 Code is amended to read:

"Section 23-31-235. (A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable weapon, whether concealed or openly carried, upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

(B) All signs must be posted at each entrance into a building where a concealable weapon permit holder is prohibited from carrying a concealable weapon, whether concealed or openly carried, and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words 'NO CONCEALABLE WEAPONS ALLOWED' in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;
- (5) a diameter of a circle; and
- (6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

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- (1) thirty-six inches wide by forty-eight inches tall in size;
- (2) contain the words 'NO CONCEALABLE WEAPONS ALLOWED' in black three-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;
- (4) placed not less than forty inches and not more than ninety-six inches above the ground;
- (5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.

(D) Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.” /

Amend the bill further, as and if amended, by striking SECTION 7 in its entirety and inserting:

/SECTION 7. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

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(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the school property pursuant to this section.” /

Amend the bill further, as and if amended, by adding and appropriately numbered new SECTION to read:

/ /SECTION __. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-250. (A) The State of South Carolina, and its political subdivisions, can not be compelled by the federal government to take any legislative or executive action to implement or enforce a federal law, treaty, executive order, rule, or regulation related to an individual’s right to keep and bear arms enshrined in the Second Amendment to the United States Constitution that limits or proscribes carrying concealable weapons, whether concealed or openly carried, as provided in this chapter.

(B) Any federal law, treaty, executive order, rule, or regulation related to limiting or proscribing the carry of concealable weapons must be evaluated by the Attorney General. The Attorney General shall issue a written opinion of whether the law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A).

(C) If the Attorney General renders an opinion that a federal law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A), then:

(1) no public funds of this State, or any political subdivision of this State, shall be allocated for the implementation or enforcement of that federal law, treaty, executive order, rule, or regulation;

(2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation or enforcement of that federal law, treaty, executive order, rule, or regulation; and

(3) no official, agent, or employee of the State of South Carolina, or any political subdivision of it, shall implement, attempt to implement, enforce, or attempt to enforce that federal law, treaty, executive order, rule, or regulation.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

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Senator K. JOHNSON spoke on the amendment.

Senator MASSEY spoke on the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 21 that the amendment had been under debate less than 10 minutes and therefore a motion could be made to recommit the Bill to the Committee on Judiciary.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator MATTHEWS moved that the Bill be recommitted to the Committee on Judiciary.

Senator CLIMER moved to table the motion to recommit the Bill to the Committee on Judiciary.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 14

AYES

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Malloy	Matthews	McLeod
Sabb	Scott	Setzler

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Stephens

Williams

Total--14

The motion to recommit was tabled.

The question then was the adoption of the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 14; Nays 28

AYES

Allen	Fanning	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimpson
Malloy	Matthews	McLeod
Sabb	Scott	Setzler
Stephens	Williams	

Total--14

NAYS

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	Peeler
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

Total--28

The motion to table failed.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

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Senator MASSEY spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 2B

Senators MASSEY, MALLOY, CAMPSER, HEMBREE, RICE, DAVIS, WILLIAMS and GUSTAFSON proposed the following amendment (JUD3094.007), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __.A. Section 14-17-325 of the 1976 Code is amended to read:

“Section 14-17-325. (A) Every clerk of court shall report the disposition of each case in the Court of General Sessions to the State Law Enforcement Division within ~~thirty~~ five days of disposition, weekends and holidays excluded.

(B) Every clerk of court shall also report to the State Law Enforcement Division, within five days, the issuance, rescission, or termination of any:

- (1) criminal indictments;
- (2) permanent restraining orders;
- (3) orders of state firearms prohibition pursuant to Section 16-25-30; and

(4) other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

~~(C) The disposition report reporting required by this section must be in a format approved by representatives of the State Law Enforcement Division and the office of court administration Court Administration. With the approval of the State Law Enforcement Division and the office of court administration, this reporting requirement may be satisfied by~~

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~~use of General Sessions docket information transmitted to the office of the court administration.”~~

B. Chapter 1, Title 22 of the 1976 Code is amended by adding:

“Section 22-1-200. (A) Magistrates shall report the disposition of each criminal case to the State Law Enforcement Division within five days, weekends and holidays excluded.

(B) Magistrates shall also report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

- (1) restraining orders and emergency restraining orders;
- (2) magistrate court orders of protection from domestic abuse act orders;
- (3) orders of state firearms prohibition pursuant to Section 16-25-30; and

(4) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate magistrate. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the magistrate may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

(C) The reporting required by this section must be in a format approved by the State Law Enforcement Division and Court Administration.”

C. Article 1, Chapter 25, Title 14 of the 1976 Code is amended by adding:

“Section 14-25-250. (A) Each municipal judge shall report the disposition of each criminal case to the State Law Enforcement Division within five days, weekends and holidays excluded.

(B) A municipal judge shall also report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

- (1) restraining orders and emergency restraining orders;
- (2) municipal court orders of protection from domestic abuse act orders;
- (3) orders of state firearms prohibition pursuant to Section 16-25-30; and

(4) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the

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appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

(C) The reporting required by this section must be in a format approved by the State Law Enforcement Division and Court Administration.”

D. Article 5, Chapter 3, Title 63 of the 1976 Code is amended by adding:

“Section 63-3-545. (A) The clerk of the family court shall report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

(1) permanent restraining orders;

(2) family court orders of protection from domestic abuse act orders; or

(3) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, including any and all orders referenced in Section 16-25-30, but only upon being directed to transmit such orders by the appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select when appropriate to order the clerk to transmit the appropriate information to SLED.

(B) The reporting required by this section must be made in a format approved by the State Law Enforcement Division and Court Administration.”

E. The provisions of this SECTION take effect October 1, 2021. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

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Amend the bill further, as and if amended, page 6, lines 13 and 14, by striking SECTION 9, in its entirety and inserting:

/ SECTION 9. Unless otherwise provided, this act takes effect sixty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

Senator HARPOOTLIAN spoke on the amendment.

Senator HARPOOTLIAN moved to carry over the amendment.

Senator MALLOY moved to table the motion to carry over the amendment.

The motion to carry over the amendment was tabled.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 3B

Senators MARTIN, VERDIN, CASH, KIMBRELL, ADAMS, CORBIN and RICE proposed the following amendment (3094R037.KMM.SRM), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. This act must be known and may be cited as the "South Carolina Constitutional Carry Act of 2021".

SECTION 2. Section 10-11-320 of the 1976 Code is amended to read:

"Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to a person who possesses a ~~concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23~~ firearm and is authorized to park on the capitol grounds or in the parking

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garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds."

SECTION 3. Section 16-23-20 of the 1976 Code is amended to read:

"Section 16-23-20. (A) It is unlawful, whether or not a person has a concealed weapon permit, for anyone the person to carry about the his person any handgun, whether concealed or not, ~~except as follows,~~ unless otherwise specifically ~~prohibited~~ authorized by law, into a:

(1) ~~regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers employed as private detectives or private investigators;~~

(2) ~~members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;~~

(3) ~~members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;~~

(4) ~~licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;~~

(5) ~~a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;~~

(6) ~~guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;~~

(7) ~~members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;~~

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(8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;

(9) a person in a vehicle if the handgun is:

(a) ~~secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or~~

(b) ~~concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;~~

(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;

(11) a prison guard while engaged in his official duties;

(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);

(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;

(14) a person engaged in firearms related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);

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~~(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.~~

~~(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.~~

- (1) law enforcement, correctional, or detention facility;
- (2) courthouse or courtroom;
- (3) polling place on election day;
- (4) business meeting or office of the governing body of a county, public school district, municipality, or special purpose district;
- (5) school or college athletic event not related to firearms;
- (6) daycare facility or preschool facility;
- (7) place where the carrying of firearms is prohibited by federal law;
- (8) church or other established religious sanctuary;
- (9) medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer;
- (10) residence or dwelling place of another person; or
- (11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, may only be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

- (1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, or law enforcement officers or other authorized personnel of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, or retired commissioned law enforcement officers employed as private detectives or private investigators;
- (2) employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course of their employment and where the employment requires the possession of a firearm;
- (3) members of the armed forces of the United States, National Guard, organized reserves, or State Militia when on duty;

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(4) subject to the limitations of Section 23-31-600(D), a person who meets the definition of ‘qualified retired law enforcement officer’ contained in Section 23-31-600;

(5) a person carrying as authorized by Section 23-31-240; or

(6) a person given permission to carry a firearm by a property owner or person in control of a premises or an agent of the owner or person in control of the premises with the authority to give such permission, whether or not the property is posted pursuant to Section 23-31-235.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.”

SECTION 4. Section 16-23-50(A)(2) of the 1976 Code is amended to read:

“(2) A person violating the provisions of Section 16-23-20, except for a violation of Section 16-23-20(A)(11), is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.”

SECTION 5. Section 16-23-420 of the 1976 Code is amended to read:

“Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the ~~weapon~~ firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

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(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a ~~weapon~~ firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms ‘premises’ and ‘property’ do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23~~ when upon any premises, property, or building that is part of an interstate highway rest area facility.”

SECTION 6. Section 16-23-430 of the 1976 Code is amended to read:

“Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

(B) This section does not apply ~~to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23~~ when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.”

SECTION 7. Section 16-23-465 of the 1976 Code is amended to read:

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“Section 16-23-465. (A)(1) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, ~~16-23-460~~, 23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor, and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

(2) In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person otherwise lawfully carrying a ~~concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23~~; however, the person shall firearm who does not consume alcoholic liquor, beer, or wine while carrying the ~~concealable weapon~~ firearm on the business’ premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a ‘NO CONCEALABLE WEAPONS ALLOWED’ sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business’ premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business’ premises, or any portion of the premises. A person carrying a concealable weapon who refuses to leave a business’ premises or portion of the premises when requested or refuses to remove the concealable weapon from a business’ premises or portion of the premises when requested may be charged with a violation of subsection (A).”

SECTION 8. A. Section 23-31-215(K), (M), and (O) of the 1976 Code is amended to read:

“(K) ~~A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

(1) ~~identifies himself as a law enforcement officer; and~~

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~~(2) requests identification or a driver's license from a permit holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars."

~~"(M)(1) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:~~ any place listed in Section 16-23-20(A) except as otherwise permitted by law

~~(1) law enforcement, correctional, or detention facility;~~
~~(2) courthouse or courtroom;~~
~~(3) polling place on election days;~~
~~(4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~
~~(5) school or college athletic event not related to firearms;~~
~~(6) daycare facility or preschool facility;~~
~~(7) place where the carrying of firearms is prohibited by federal law;~~

~~(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~

~~(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or~~

~~(10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

(2) Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a

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violation of Section 16-23-20 and, in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.

(3) Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, 50-9-830, and 51-3-145.”

“(O)(1) A permit issued pursuant to this article is not required for a person:

(1) ~~specified in Section 16-23-20, items (1) through (5) and items (7) through (11);~~

(2)(a) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as ‘pepper gas’; or

(3)(b) carrying a concealable weapon in a manner not prohibited by law.

(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one’s person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.”

B. Section 23-31-215(U) of the 1976 Code is deleted.

SECTION 9. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is ~~licensed under this article~~ otherwise not prohibited by law from possessing a handgun from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable Weapons Allowed’ shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who knowingly brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of

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Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, ~~item(B)(1).~~”

SECTION 10. Section 23-31-235(B) of the 1976 Code is amended to read:

“(B) All signs must be posted at each entrance into a building where carrying by a concealable weapon permit holder is prohibited ~~from carrying a concealable weapon~~ and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words ‘NO CONCEALABLE WEAPONS ALLOWED’ in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;
- (5) a diameter of a circle; and
- (6) placed not less than forty inches and not more than sixty inches from the bottom of the building’s entrance door.”

SECTION 11. Sections 16-23-460, 23-31-225, and 23-31-230 of the 1976 Code are repealed.

SECTION 12. The provisions contained in this act shall not be construed to repeal Article 4, Chapter 31, Title 23, relating to concealed weapon permits. Rather, the provisions of this act are to be construed to allow for a person to openly carry a firearm as provided herein or to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23, as amended by this act.

SECTION 13. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-232. (A) “Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, an individual may carry about his person a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities. If the weapon the individual is carrying is concealed, then he must have a valid permit issued pursuant to this article.

- (1) The provisions contained in this section apply:

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(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the district that persons are, or may be, carrying concealable weapons on the property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the property pursuant to this section.”

SECTION 14. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-250. (A) The State of South Carolina, and its political subdivisions, can not be compelled by the federal government to take any legislative or executive action to implement or enforce a federal law, treaty, executive order, rule, or regulation related to an individual’s right to keep and bear arms enshrined in the Second Amendment to the United States Constitution that limits or proscribes carrying concealable weapons, whether concealed or openly carried, as provided in this chapter.

(B) Any federal law, treaty, executive order, rule, or regulation related to limiting or proscribing the carry of concealable weapons must be evaluated by the Attorney General. The Attorney General shall issue a written opinion of whether the law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A).

(C) If the Attorney General renders an opinion that a federal law, treaty, executive order, rule, or regulation purports to compel legislative or executive action prohibited pursuant to subsection (A), then:

(1) no public funds of this State, or any political subdivision of this State, shall be allocated for the implementation or enforcement of that federal law, treaty, executive order, rule, or regulation;

(2) no personnel or property of this State, or any political subdivision of this State, shall be allocated to the implementation or

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enforcement of that federal law, treaty, executive order, rule, or regulation; and

(3) no official, agent, or employee of the State of South Carolina, or any political subdivision of it, shall implement, attempt to implement, enforce, or attempt to enforce that federal law, treaty, executive order, rule, or regulation.”

SECTION 15. A. Section 14-17-325 of the 1976 Code is amended to read:

“Section 14-17-325. (A) Every clerk of court shall report the disposition of each case in the Court of General Sessions to the State Law Enforcement Division within ~~thirty~~ five days of disposition, weekends and holidays excluded.

(B) Every clerk of court shall also report to the State Law Enforcement Division, within five days, the issuance, rescission, or termination of any:

(1) criminal indictments;

(2) permanent restraining orders;

(3) orders of state firearms prohibition pursuant to Section 16-25-30; and

(4) other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

~~(C) The disposition report reporting required by this section must be in a format approved by representatives of the State Law Enforcement Division and the office of court administration~~ Court Administration. ~~With the approval of the State Law Enforcement Division and the office of court administration, this reporting requirement may be satisfied by use of General Sessions docket information transmitted to the office of the court administration.”~~

B. Chapter 1, Title 22 of the 1976 Code is amended by adding:

“Section 22-1-200. (A) Magistrates shall report the disposition of each criminal case to the State Law Enforcement Division within five days, weekends and holidays excluded.

(B) Magistrates shall also report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

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- (1) restraining orders and emergency restraining orders;
- (2) magistrate court orders of protection from domestic abuse act orders;
- (3) orders of state firearms prohibition pursuant to Section 16-25-30; and
- (4) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate magistrate. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the magistrate may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

(C) The reporting required by this section must be in a format approved by the State Law Enforcement Division and Court Administration.”

C.Article 1, Chapter 25, Title 14 of the 1976 Code is amended by adding:

“Section 14-25-250. (A) Each municipal judge shall report the disposition of each criminal case to the State Law Enforcement Division within five days, weekends and holidays excluded.

(B) A municipal judge shall also report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

- (1) restraining orders and emergency restraining orders;
- (2) municipal court orders of protection from domestic abuse act orders;
- (3) orders of state firearms prohibition pursuant to Section 16-25-30; and
- (4) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select, when appropriate, to order the clerk to transmit the appropriate information to SLED.

(C) The reporting required by this section must be in a format approved by the State Law Enforcement Division and Court Administration.”

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D. Article 5, Chapter 3, Title 63 of the 1976 Code is amended by adding:

“Section 63-3-545. (A) The clerk of the family court shall report to the State Law Enforcement Division, within five days, weekends and holidays excluded, the issuance, rescission, or termination of any:

(1) permanent restraining orders;
(2) family court orders of protection from domestic abuse act orders; or

(3) any other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, including any and all orders referenced in Section 16-25-30, but only upon being directed to transmit such orders by the appropriate judge. For any form orders provided by Court Administration that may require transmission pursuant to this subsection, Court Administration shall include within the form order a checked box option that the judge may select when appropriate to order the clerk to transmit the appropriate information to SLED.

(B) The reporting required by this section must be made in a format approved by the State Law Enforcement Division and Court Administration.”

E. The provisions of this SECTION take effect October 1, 2021.

SECTION 15. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 16. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs,

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sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 17. This act takes effect ninety days after the approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator ALEXANDER assumed the Chair.

Senator MARTIN continued speaking on the amendment.

PRESIDENT PRESIDES

At 4:26 P.M., the PRESIDENT assumed the Chair.

Senator MARTIN continued speaking on the amendment.

Senator MASSEY spoke on the amendment.

Senator VERDIN spoke on the amendment.

Senator CAMPSSEN spoke on the amendment.

Senator MALLOY spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 25; Nays 21

AYES

Allen	Bennett	Campsen
Fanning	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimpson
Leatherman	Malloy	Massey
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Senn	Setzler	Stephens
Williams		

Total--25

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NAYS

Adams	Alexander	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Kimbrell
Loftis	Martin	Peeler
Rice	Shealy	Talley
Turner	Verdin	Young

Total--21

The amendment was laid on the table.

Amendment No. 5

Senators MASSEY, TURNER and TALLEY proposed the following amendment (3094R008.KMM.ASM), which was ruled out of order:

Amend the bill, as and if amended, page 6, by adding an appropriately numbered new SECTION to read:

/SECTION __. A. Section 23-31-215(A)(5), (6), and (7) of the 1976 Code is amended to read:

“(5) proof of training; and

~~(6) payment of a fifty-dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and~~

~~(7)~~ a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.”

B. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3810. A resident taxpayer is allowed a refundable individual income tax credit of no more than one hundred dollars for successfully completing a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety that is

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sufficient to satisfy the training requirements for a concealable weapon permit pursuant to Article 4, Chapter 31, Title 23 of the 1976 Code.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

Point of Order

Senator HARPOOTLIAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HARPOOTLIAN spoke on the Point of Order.

Senator MASSEY spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 6

Senators ALEXANDER and CROMER proposed the following amendment (JUD3094.008), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/ SECTION __. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, ~~when carrying out the duties of their office:~~

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors; and
- (12) active workers' compensation commissioners.” /

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Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER spoke on the amendment.

The amendment was adopted.

Amendment No. 7A

Senator SENN proposed the following amendment (3094R033.KM.SS), which was carried over:

Amend the bill, as and if amended, by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Section 23-31-520 of the 1976 Code is amended to read:

“Section 23-31-520. (A) This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.

(B) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm at a public protest, demonstration, picket line, rally, fair, parade, festival, or other organized event. A person or entity hosting a public protest, demonstration, picket line, rally, fair, parade, festival, or other organized event must post signs, either approved or provided by the governing body, at the event when open carrying is allowed or not allowed at the event.

(C) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event.

(D) A governing body may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.” /

Renumber sections to conform.

Amend title to conform.

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Senator SENN spoke on the amendment.

On motion of Senator SENN, the amendment was carried over.

Amendment No. 8

Senator SENN proposed the following amendment (3094R020.KM.SS), which was adopted:

Amend the bill, as and if amended, by striking SECTION 9 in its entirety and inserting:

/SECTION 9. This act takes effect ninety days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Michael</i>	Kimpson
Malloy	Massey	Matthews
McElveen	McLeod	Rankin
Rice	Sabb	Scott
Senn	Setzler	Stephens
Williams	Young	

Total--32

NAYS

Climer	Corbin	Grooms
Kimbrell	Loftis	Martin
Peeler	Shealy	Talley
Turner	Verdin	

Total--11

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The amendment was adopted.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Bill was read the second time, carrying over all amendments, and the provisions of Rule 26B were waived in order to allow amendments to be considered on third reading.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Spartanburg County Master-in-Equity, with the term to commence June 30, 2021, and to expire June 30, 2027

Shannon M. Phillips, 251 Coggins Shore Road, Inman, SC 29349

Reappointment, York County Master-in-Equity, with the term to commence June 30, 2021, and to expire June 30, 2027

Teasa Kay Weaver, 917 Snow Prince Lane, York, SC 29745

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Paulette Edwards, 471 Guard Tower Lane, Columbia, SC 29209-3174
VICE Roger Myers

Reappointment, Greenville County Master-in-Equity, with the term to commence January 1, 2021, and to expire December 31, 2027

Charles B. Simmons Jr., 11 West Hillcrest Drive, Greenville, SC 29609

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Christina Pope, 216 Elders Pond Dr., Columbia, SC 29229

Reappointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Stephanie Bess, 520 Wild Hickory Lane, Columbia, SC 29216-8038

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Initial Appointment, Calhoun County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Joseph David Teague, Sr., 255 Boone Lane, Swansea, SC 29160 *VICE*
Hon. Daniel Rickenbaker, Sr. (resigned)

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Latonya B. Derrick, 105 Hyer Court, Columbia, SC 29223-4611 *VICE*
Ethel Brewer

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 7:18 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 6, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Genesis 18:12a

In the wonderful Genesis story about Sarah and Abraham, being told that they are to have a child in their old age, we read: "So Sarah laughed to herself."

Join me as we pray: O God, the genuinely delightful story about two of Your servants, Sarah and Abraham, points out how very much You care for Your people. So here on this National Day of Prayer we praise You, Lord, not just for Your many promises found in Scripture, but surely for the gifts you grant to us in our own lives. By Your grace lead each of us not only to relish the very real gift of laughter, as did Sarah, but also allow a measure of joy to embrace us every moment of our lives, no matter what problems might confront us. And may the heart of each Senator and every staff member in this place always be full of thanksgiving for your wondrous blessings and Your gifts. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander	Allen	Campsen
Cash	Climer	Corbin
Cromer	Davis	Fanning
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimpson	Leatherman	Martin
Massey	Matthews	McElveen
Peeler	Rice	Sabb

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Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Leave of Absence

On motion of Senator FANNING, at 11:20 A.M., Senator McLEOD was granted a leave of absence until 11:45 A.M.

Leave of Absence

On motion of Senator STEPHENS, at 12:56 P.M., Senator JACKSON was granted a leave of absence until 2:30 P.M.

Leave of Absence

At 2:00 P.M., Senator LEATHERMAN requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 3:28 P.M., Senator KIMPSON was granted a leave of absence for the balance of the day.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:
S. 792 Sens. Campsen and Kimbrell

RECALLED

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J.L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE

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PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Senator ALEXANDER asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 450 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 IN CHARLESTON COUNTY FROM A POINT ONE AND ONE-QUARTER MILES EAST OF OLD JACKSONBORO ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 7 "CURTIS B. INABINETT, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

S. 787 -- Senator Stephens: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME ST. MARK BOWMAN ROAD IN DORCHESTER COUNTY "CAPTAIN JEROME JONES ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

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The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 797 -- Senators Young, Setzler and Massey: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 1 FROM ITS INTERSECTION WITH I-20 TO HIGHWAY 78 (RICHLAND AVENUE) IN AIKEN COUNTY "VETERANS MEMORIAL HIGHWAY", NAME THE PORTION OF HIGHWAY 25 FROM THE EDGEFIELD COUNTY LINE TO THE NORTH AUGUSTA CITY LIMITS IN AIKEN COUNTY "VETERANS HIGHWAY", NAME THE PORTION OF HIGHWAY 78 (RICHLAND AVENUE) FROM ITS INTERSECTION WITH HIGHWAY 1 (YORK STREET) EAST TO THE AIKEN COUNTY LINE IN AIKEN COUNTY "GOLD STAR FAMILIES MEMORIAL HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS AT THESE LOCATIONS CONTAINING THE DESIGNATIONS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 798 -- Senators Stephens, Matthews and Grooms: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE AT INTERSTATE 95 AND UNITED STATES HIGHWAY 178 IN DORCHESTER COUNTY "PATSY G. KNIGHT INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was adopted, ordered sent to the House.

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H. 3873 -- Reps. R. Williams, Henegan, Anderson, Jefferson, Kirby, Alexander, S. Williams, Rivers, Lowe and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOCIETY HILL ROAD IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH GREENFIELD ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 "COLONEL CHRISTOPHER N. WILLIAMSON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4041 -- Reps. Anderson and McKnight: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD GEORGETOWN ROAD IN WILLIAMSBURG COUNTY FROM ITS INTERSECTION WITH BARTELLS ROAD TO ITS INTERSECTION WITH BURLINGTON ROAD "WILLIAM 'TOON' AND MARY 'BOY' COOPER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4125 -- Reps. Rose, Howard and Rutherford: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT A SIGN IN RICHLAND COUNTY ON THE CORNER OF GERVAIS STREET WHERE IT INTERSECTS WITH MCDUFFIE STREET IN THE CITY OF COLUMBIA'S LYONS STREET NEIGHBORHOOD CONTAINING THE WORDS "IN MEMORY OF MARVIN HELLER LONGTIME LYON STREET NEIGHBORHOOD PRESIDENT AND COMMUNITY ACTIVIST".

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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H. 4181 -- Rep. Calhoon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGES IN LEXINGTON COUNTY THAT CROSS HORSE AND HOLLOW CREEKS ALONG UNITED STATES HIGHWAY 378 WESTBOUND LANE "THE TWIN BRIDGES - WEST" AND NAME THE BRIDGES THAT CROSS HOLLOW AND HORSE CREEKS ALONG UNITED STATES HIGHWAY 378 EASTBOUND LANE "THE TWIN BRIDGES - EAST" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE APPROACHES TO EACH RESPECTIVE LOCATION CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4182 -- Rep. Jones: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION ERECT A SIGN CONTAINING THE WORDS "IN MEMORY OF SAM JEROME MCCALL, JR." ALONG SOUTH CAROLINA HIGHWAY 72 IN LAURENS COUNTY BETWEEN ITS INTERSECTIONS WITH LONG VIEW ROAD AND CRYSTAL BAY DRIVE.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4218 -- Reps. McDaniel and Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE CITY OF CHESTER IN CHESTER COUNTY FROM ITS INTERSECTION WITH HUDSON STREET TO ITS INTERSECTION WITH CEMETERY STREET "CHRISTOPHER KING, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4281 -- Rep. Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH OLD RIVER ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH BASSWOOD ROAD

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TO ITS INTERSECTION WITH DELTA MILL ROAD "JUDGE TAFT GUILLES, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4295 -- Rep. Howard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION AT TWO NOTCH ROAD WHERE IT INTERSECTS WITH CUSHMAN DRIVE IN RICHLAND COUNTY "BISHOP C.L. LORICK, SR. MEMORIAL INTERSECTION" AND ERECT AN APPROPRIATE SIGN OR MARKER AT THIS LOCATION CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4315 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4320 -- Reps. G. R. Smith, Trantham and Willis: A BILL TO AMEND SECTION 7-7-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENVILLE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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Read the first time and referred to the Committee on Judiciary.

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Appointments Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Suzanne S. Prosser, 697 Wedgewood Dr., Murrells Inlet, SC 29576

Received as information.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Cindy Risher, 1061 Blue Bird Court, Summerton, SC 29148-7276
VICE Barbara W. Mishoe - resigned

Received as information.

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointments

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205

Received as information.

Initial Appointment, South Carolina State Board of Podiatry Examiners, with the term to commence December 21, 2018, and to expire December 21, 2022

Upper District:

William Harris IV, 1885 Overbrook Dr., Rock Hill, SC 29732-1536
VICE Dr. Bradley A. Lindstrom

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Received as information.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

At-Large:

Thomas F. Dougall, 209 Redbay Road, Elgin, SC 29045-8651 *VICE*
Elizabeth Walker

Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

Received as information.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Lay Member:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-6617

Received as information.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Low Country - Recipient/Donor/Family:

Michael F. Cuenin, 1513 Appling Drive, Mount Pleasant, SC 29464-4689 *VICE* Debra Yasenka

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2021, and to expire June 30, 2027

2nd Congressional District:

Mary Douglas Smith, 1013 Trillie Lane, Chapin, SC 29036-8984
VICE James Addison Livingston

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Received as information.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2020, and to expire April 6, 2026

4th Congressional District:

George Scott Bryant, 415 Grazing Ridge Lane, Moore, SC 29369-9042 *VICE* Katherine Ann George

Received as information.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS

THURSDAY, MAY 6, 2021

UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 427 -- Senators Alexander, Hutto and Scott: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE

THURSDAY, MAY 6, 2021

MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD;
AND TO REPEAL SECTION 50-9-655 RELATING TO PIG
TRANSPORT AND RELEASE PERMITS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

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asks for a Committee of Conference, and has appointed Reps. Reps. Lucas, G.M. Smith and Rutherford to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

H. 3194--CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators RANKIN, MASSEY and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4027 -- Rep. Burns: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA AND TO REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Appointment, Spartanburg County Master-in-Equity, with term to commence July 01, 2021, and to expire June 30, 2027:

Shannon M. Phillips, 251 Coggins Shore Road Inman, S.C. 29349

Very respectfully,

THURSDAY, MAY 6, 2021

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Appointment, Greenville County Master-in-Equity, with term to commence January 01, 2021, and to expire December 31, 2027:

The Honorable Charles B. Simmons, Jr. 11 West Hillcrest Drive, Greenville, S.C. 29609

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 6, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Appointment, York County Master-in-Equity, with term to commence July 01, 2021, and to expire June 30, 2027:

The Honorable Teasa Kay Weaver 917 Snow Prince Lane, York, S.C. 29745

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 569 -- Senator Adams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 52 RIVERS AVENUE FROM ITS INTERSECTION WITH MALL DRIVE TO ITS INTERSECTION WITH MCMILLAN AVENUE IN CHARLESTON COUNTY "ROBERT ANTHONY 'TONY' WAY

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ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 668 -- Senators Goldfinch and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NICHOLS HIGHWAY FROM ITS INTERSECTION WITH SARVIS ROAD TO ITS INTERSECTION WITH TRULUCK JOHNSON ROAD IN HORRY COUNTY “BRENDA COOK MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 696 -- Senators Setzler and Shealy: A CONCURRENT RESOLUTION TO SEEK TO DESTIGMATIZE SUBSTANCE USE DISORDER, SHARE REAL STORIES OF HOPE AND RECOVERY, AND INSPIRE LEXINGTON COUNTY RESIDENTS TO SEEK HELP AND SUPPORT BY CHOOSING #COURAGEOVERSTIGMA.

Returned with concurrence.

Received as information.

S. 701 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF HIGHWAY 45 FROM BETAW ROAD EXTENDING 1.5 MILES TO ARROWHEAD TURN “HARVEY MIDDLETON ROAD” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 728 -- Senator Rice: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME SC 135 (NORTH A STREET) FROM S-183 (NE MAIN STREET) TO ITS INTERSECTION WITH S-221 (FLEETWOOD DRIVE/OLIVE STREET) IN THE TOWN OF EASLEY AND PICKENS COUNTY “PROFESSOR JOHN T. SIMPSON MEMORIAL DRIVE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

THURSDAY, MAY 6, 2021

S. 768 -- Senators Young, Massey, Setzler and Hutto: A CONCURRENT RESOLUTION TO NOMINATE MR. WILLIAM INMAN TO SERVE ON THE SAVANNAH RIVER SITE RESEARCH AUTHORITY BOARD OF DIRECTORS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT

THURSDAY, MAY 6, 2021

SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

On motion of Senator HUTTO.

**AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED**

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Senate proceeded to a consideration of the Bill.

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Senators CAMPSSEN, McELVEEN, HUTTO, CLIMER, HARPOOTLIAN and GOLDFINCH proposed the following amendment (JUD3056.001), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 15, Title 50 of the 1976 Code is amended by adding:

“Article 6

Non-native Venomous Reptiles

Section 50-15-600. (A) For purposes of this section ‘non-native venomous reptile’ means all non-native members of the class Reptilia including their taxonomic successors, subspecies, or any hybrid thereof, regardless of surgical alteration, determined to have the potential to cause serious human injury due to the toxic effects of its venom or poison, and includes all non-native venomous reptiles of the class Reptilia belonging to the families Elapidae, Crotalidae, Viperidae, and Hydrophiidae; all non-native venomous reptiles in the genus Heloderma; and all non-native venomous reptiles in the family Colubridae belonging to the genera: Rhabdophis, Boiga, Dispholidus, Thelatornis, and Atractapsi.

(B) Except as otherwise provided in this section, it is unlawful for a person to possess, sell, barter, trade, ship, or bring into this State, or attempt to possess, sell, barter, trade, ship, or bring into this State non-native venomous reptiles.

(C) Non-native venomous reptiles are hereby considered contraband per se and must be confiscated and may be euthanized in the discretion of the department.

(D)(1) A person who possesses less than ten non-native venomous reptiles in violation of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars, be imprisoned not more than 30 days, or both.

(2) A person who possesses ten or more non-native venomous reptiles in violation of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, be imprisoned not more than five years, or both.

(E) This section does not apply to an Association of Zoos and Aquariums accredited facility, licensed medical facilities, institutions of higher learning, other similar institutions, or any business engaged in the public exhibition of non-native venomous reptiles. The exhibition must be at a non-traveling, fixed facility that is open to the public for a time no less than thirty hours per week for at least six months each year.”

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SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House with amendments.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

ORDERED ENROLLED FOR RATIFICATION

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4098 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

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S. 508 -- Senators Shealy, Hutto and Gustafson: A BILL TO AMEND SECTIONS 44-78-15, 44-78-20, 44-78-30, 44-78-45(A), 44-78-50, AND 44-78-60 OF THE 1976 CODE, ALL RELATING TO DO NOT RESUSCITATE ORDERS, TO ALLOW A PARENT OR LEGAL GUARDIAN OF A MEDICALLY ELIGIBLE CHILD TO REQUEST AND REVOKE A DO NOT RESUSCITATE ORDER FOR EMERGENCY SERVICES FOR THE CHILD, AND FOR OTHER PURPOSES; AND TO DEFINE NECESSARY TERMS.

CARRIED OVER

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT explained the Bill.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Senator TALLEY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, OBJECTION**

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

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The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3024R001.KMM.TCA), which was adopted:

Amend the bill, as and if amended, by striking page 2 in its entirety and inserting:

/ (C) In order to operate a mobile barbershop, a registered barber shall apply to the board for a mobile barbershop permit. The registered barber shall submit a permit application and fee in the form and manner prescribed by the board in regulation.

(D)(1) Before a mobile barbershop permit may be issued, an inspection of the mobile barbershop must be conducted by a representative of the board pursuant to Sections 40-7-320 and 40-7-330. Upon a satisfactory inspection, the board shall issue the applicant a mobile barbershop biennial permit to be affixed within the mobile barbershop as prescribed by the board. The board shall also issue a permit card to be carried by the registered barber when practicing barbering through a portable barber operation.

(2) A mobile barbershop permit must be annually renewed, and a renewal fee paid, as prescribed by the board in regulation.

(3) A mobile barbershop is subject to unannounced inspections and must be annually inspected before a permit may be renewed.

(E)(1) A mobile barbershop permittee shall maintain an official business address, which must be indicated on the permit application and which must not be a post office box. If an address different from the official business address is used for official business, then that address must also be provided. Permit applications must also include the home address of the applicant. The inclusion of the applicant's home address on the application does authorize the applicant to conduct business at his home address if the applicant is issued a license.

(2) A mobile barbershop permittee shall maintain an official telephone number, which must be indicated on the application. If other phones are used for official business, then those phone numbers must also be provided.

(3) The board must be notified within thirty days of any change in the official business address or telephone number as indicated on the permit application or as otherwise provided to the board.

(F) A mobile barbershop permittee shall comply with all applicable federal, state, and local laws, regulations, and ordinances pertaining to the practice of barbering and with all applicable flammability, construction, sanitation, zoning, or infectious waste management

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guidelines; Occupational Safety and Health Administration guidelines; and federal Centers for Disease Control and Prevention guidelines. The permittee shall maintain any applicable county and city licenses or permits, including business licenses, to operate the mobile barbershop at the location where barbering services will be provided.

(G) A mobile barbershop permittee shall maintain a written or an electronic record of the street addresses where barbering services will be provided during any two-week period. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator SETZLER proposed the following amendment (3024NS), which was proposed:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION _____. A mobile barbershop is prohibited from operating within eyesight of the nearest registered barbershop.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

Senator SENN objected to further consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION",

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AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (3244R001.KMM.TCA), which was adopted:

Amend the bill further, as and if amended, on page 2, by striking lines 1 through 4 and inserting:

/ (b) for which an individual is compensated at or above the minimum wage, but not less than the customary wage. /

Amend the bill further, as and if amended, by striking Section 41-5-150(A), and inserting:

/ Section 41-5-150. (A) There is hereby established the 'South Carolina Employment First Oversight Commission' consisting of nine members appointed by the Governor; five of whom must have a disability or have substantial knowledge of disability issues, and four of whom must be from the business community. /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

Senator MARTIN proposed the following amendment (VR\3244C001.CC.VR21), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 4, after line 22, by adding:

/ Section 41-5-190. (A) There is established in the State Treasury the Disabled Self-Employment Development Trust Fund, separate and distinct from the general fund. The fund shall consist of general fund appropriations and donations, contributions, bequests, or other gifts. Earnings and interest on this fund must be credited to it and any balance at the end of the fiscal year carries forward to the fund in the succeeding fiscal year. The fund shall bear all costs and expenses of administering the program established pursuant to subsection (B).

(B) The South Carolina Employment First Commission shall establish and administer the program that awards grants to qualifying residents of this State with physical or mental impairments who start, expand, or acquire a business within this State.

(C) To receive a grant pursuant to this program, an applicant must:

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(1) meet the eligibility requirements established by the commission in regulation;

(2) not have previously received educational or training equipment through another rehabilitation program when that equipment could be used in the applicant's proposed business;

(3) have at least fifty-one percent ownership in a for-profit business that is actively owned, operated, and managed in this State;

(4) agree to an approved business plan that will result in self-sufficiency as measured by earnings that equal or exceed eighty percent of substantial gainful activity, having first submitted the business plan to the Small Business Administration and providing the administration's feedback to the commission for review. For purposes of this item, 'earnings' and 'substantial gainful activity' have the same meaning as defined by the Social Security Administration; and

(5) provide documentation to the satisfaction of the commission of the applicant's ability to match dollar-for-dollar the amount of funds requested.

(D) Monies in the Disabled Self-Employment Development Trust Fund must be expended solely to provide business development grants pursuant to this section.

(E) Grants awarded pursuant to the program may in no way reduce, impair, or diminish the benefits to which the beneficiary is otherwise entitled by state law.

(F) Grants may not be awarded:

(1) to support the purchase of real estate;

(2) to be used as a cash infusion, for personal or business loan repayments, or for personal or business credit card debt; and

(3) to start, expand, or acquire any of the following types of businesses:

(a) a hobby or similar activity that does not produce income at the level required for self-sufficiency;

(b) a business venture that is speculative in nature or considered high risk;

(c) a business registered with the federal Internal Revenue Service as a Section 501(c)(3) entity or other entity set up deliberately to be not-for-profit;

(d) a business that is not fully compliant with all local, state, and federal zoning requirements and all other applicable local, state, and federal requirements; and

(e) any illegal business venture.

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(G) The commission shall adopt rules and may promulgate regulations necessary for the implementation and administration of this section.” /

Amend the bill further, as and if amended, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3760. There is allowed as a tax credit against income tax liability of a taxpayer imposed by this chapter for contribution to the Disabled Self-Employment Development Trust Fund. The credit is equal to one hundred percent of the contribution. The tax credit allowed by this section is nonrefundable and if the amount of the credit exceeds the taxpayer’s liability for the applicable taxable year any unused credit may be carried forward and claimed in the five succeeding taxable years.”

SECTION __. Section 12-6-5060(A) of the 1976 Code, as last amended by Act 172 of 2020, is further amended to read:

“(A) Each taxpayer required to file a state individual income tax return may contribute to the War Between the States Heritage Trust Fund established pursuant to Section 51-18-115, the Nongame Wildlife and Natural Areas Program Fund established pursuant to Section 50-1-280, the Children’s Trust Fund of South Carolina established pursuant to Section 63-11-910, the Eldercare Trust Fund of South Carolina established pursuant to Section 43-21-160, the First Steps to School Readiness Fund established pursuant to Section 63-11-1750, the South Carolina Military Family Relief Fund established pursuant to Article 3, Chapter 11, Title 25, the Donate Life South Carolina established pursuant to Section 44-43-1310, the Veterans’ Trust Fund of South Carolina established pursuant to Chapter 21, Title 25, the South Carolina Litter Control Enforcement Program (SCLCEP) and used by the Governor’s Task Force on Litter only for the SCLCEP Program, the South Carolina Law Enforcement Assistance Program (SCLEAP) and used as provided in Section 23-3-65, the South Carolina Department of Parks, Recreation and Tourism for use in the South Carolina State Park Service in the manner the General Assembly provides, the South Carolina Forestry Commission for use in the state forest system, the South Carolina Department of Natural Resources for use in its programs and operations, K-12 public education for use in the manner the General Assembly provides by law, South Carolina Conservation Bank Trust Fund established pursuant to Section 48-59-60, the Financial Literacy Trust Fund established pursuant to Section 59-29-510, the South Carolina Association of Habitat for Humanity Affiliates, the Disabled

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Self-Employment Development Trust Fund established pursuant to Section 41-5-190(A), or the Department of Archives and History and only used by the agency to purchase or preserve collections with significant historical value to the State by designating the contribution on the return. The contribution may be made by reducing the income tax refund or by remitting additional payment by the amount designated.” /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3612 -- Reps. Lucas, Allison, M.M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

Senator RANKIN objected to consideration of the Bill

READ THE SECOND TIME

H. 3222 -- Reps. Davis, Forrest, Hiott, Cobb-Hunter, Jefferson, R. Williams and J. Moore: A BILL TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator GAMBRELL explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

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AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
AMENDED, READ THE SECOND TIME**

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice and Hembree: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR

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UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\152C002.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. This act must be known and may be cited as the “County Green Space Sales Tax Act”.

SECTION 2. Chapter 10, Title 4 of the 1976 Code is amended by adding:

“ARTICLE 10

County Green Space Sales Tax

Section 4-10-1010. (A) For the purposes of this article, ‘preservation procurements’ means procuring open lands or green space for preservation, by and through the acquisition of interests in real property, including:

- (1) the acquisition of fee simple titles;
- (2) conservation easements;
- (3) development rights;
- (4) rights of first refusal;
- (5) options;
- (6) leases with options to purchase; and
- (7) any other interests in real property.

(B)(1) Subject to the requirements of this article, a county’s governing body may impose a sales and use tax by ordinance, subject to a referendum, within the county area for preservation procurements.

(2) Revenues collected pursuant to this article may be used to defray debt service on bonds issued to pay for preservation procurements authorized in this article. This authorization is in addition to any other locally imposed sales and use taxes.

Section 4-10-1020. (A) The sales and use tax authorized by this article may be imposed by an enacting ordinance of a county’s governing body, subject to referendum approval in the county. An enacting ordinance must specify:

(1) the purpose for which the proceeds of the tax are to be used, which may include preservation procurements located within or without, or both within and without, the boundaries of the local governmental entities, including the county, municipalities, and special purpose districts located in the county area;

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(2) if the county proposes to issue bonds to provide for the payment of any costs of the preservation procurements, the maximum amount of bonds to be issued, whether the sales tax proceeds are to be pledged to the payment of the bonds and, if other sources of funds are to be used for the preservation procurements, a list of the other sources;

(3) the maximum cost of the preservation procurements, to be funded from the proceeds of the tax or bonds issued as provided in this article and the maximum amount of net proceeds expected to be used to pay the cost or debt service on the bonds, as the case may be; and

(4) the fact that preservation procurements may pertain to real property situated outside of the boundaries of the taxing jurisdiction.

(B)(1) Upon receipt of an ordinance, a county's election commission must conduct a referendum on the question of imposing the sales and use tax in the area of the county that is to be subject to the tax. A referendum for imposition or reimposition of the tax must be held at the time of the next general election. Subject to item (2), two weeks before a referendum, a county's election commission must publish in a newspaper of general circulation the question that is to appear on the ballot, with a description of the methods by which the county's governing body intends to procure open lands and green space for preservation. If the proposed question includes the use of sales taxes to defray debt service on bonds issued to pay the costs of any preservation procurements, then the notice must include a statement indicating the principal amount of the bonds proposed to be issued for the purpose and, if the issuance of the bonds is to be approved as part of the referendum, stating that the referendum includes the authorization of the issuance of bonds in that amount. This notice is in lieu of any other notice otherwise required by law.

(2) If a referendum on the question of imposing the sales and use tax is conducted in an odd-numbered year, and it is the only matter being considered at the general election, then six weeks before the referendum, the county's election commission must publish in a newspaper of general circulation the question that is to appear on the ballot, with a description of the methods by which the county's governing body intends to procure open lands and green space for preservation.

(C) The referendum question to be on the ballot must read substantially as follows:

‘Must a special one percent sales and use tax be imposed in [county] for not more than [time] to raise the amounts specified for preservation procurements for the purpose of procuring open lands and green space

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by and through the acquisition of interests in real property, such interests to include:

- (a) the acquisition of fee simple titles;
- (b) conservation easements;
- (c) development rights;
- (d) rights of first refusal;
- (e) options;
- (f) leases with options to purchase; or
- (g) any other interests in real property?

Yes ☐

No ☐

If the referendum includes the issuance of bonds, then the question must be revised to include the principal amount of bonds proposed to be authorized by the referendum and the sources of payment of the bonds if the sales tax approved in the referendum is inadequate for the payment of the bonds.

(D) All qualified electors desiring to vote in favor of imposing the tax for the stated purposes shall vote 'yes', and all qualified electors opposed to levying the tax shall vote 'no'. If a majority of the votes cast are in favor of imposing the tax, then the tax is imposed as provided in this article and the enacting ordinance. Any subsequent referendum on this question must be held on the date prescribed in subsection (B). The election commission shall conduct the referendum under the election laws of this State, mutatis mutandis, and shall certify the result no later than November thirtieth to the county governing body and to the Department of Revenue. Expenses of the referendum must be paid by the governmental entities that would receive the proceeds of the tax in the same proportion as those entities would receive the net proceeds of the tax.

(E) Upon receipt of the returns of a referendum, a county's governing body must, by resolution, declare the results thereof. In such event, the results of the referendum, as declared by resolution of the county's governing body, are not open to question except by a suit or proceeding instituted within thirty days from the date such resolution is adopted.

Section 4-10-1030. (A) If the sales and use tax is approved in a referendum, then the tax shall be imposed on the first of May following the date of the referendum. If the reimposition of an existing sales and use tax imposed pursuant to this article is approved in a referendum, then the new tax is imposed immediately following the termination of the earlier imposed tax, and the reimposed tax terminates on the applicable thirtieth of April, not to exceed seven years from the date of reimposition.

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If the certification is not timely made to the Department of Revenue, then the imposition is postponed for twelve months.

(B) The tax terminates the final day of the maximum time period specified for the imposition.

(C)(1) Amounts collected in excess of the required net proceeds must first be applied, if applicable, to complete the preservation procurements for which the tax was imposed.

(2) If funds still remain after first using the funds as described in item (1) and the tax is not reimposed, then the remaining funds must be used for the purposes set forth in Section 4-10-330(A)(1). These remaining funds may only be expended for the purposes set forth in Section 4-10-330(A)(1) following an ordinance specifying the authorized purpose or purposes for which the funds will be used.

Section 4-10-1040. (A) The tax levied pursuant to this article must be administered and collected by the Department of Revenue in the same manner that other sales and use taxes are collected. The Department of Revenue may prescribe amounts that may be added to sales prices because of the tax.

(B) The tax authorized by this article is in addition to all other local sales and use taxes and applies to the gross proceeds of sales in the applicable area that is subject to the tax imposed by Chapter 36, Title 12 and the enforcement provisions of Chapter 54, Title 12. The gross proceeds of the sale of items subject to a maximum tax in Chapter 36, Title 12 are exempt from the tax imposed by this article. Unprepared food items eligible for purchase with United States Department of Agriculture food coupons are exempt from the tax imposed pursuant to this article. The tax imposed by this article also applies to tangible personal property subject to the use tax in Article 13, Chapter 36, Title 12.

(C) A taxpayer required to remit taxes under Article 13, Chapter 36 of Title 12 must identify the county in which the personal property purchased at retail is stored, used, or consumed in this State.

(D) A utility is required to report sales in the county in which the consumption of the tangible personal property occurs.

(E) A taxpayer subject to the tax imposed by Section 12-36-920, who owns or manages rental units in more than one county, must separately report in his sales tax return the total gross proceeds from business done in each county.

(F) The gross proceeds of sales of tangible personal property delivered after the imposition date of the tax levied under this article in a county, either under the terms of a construction contract executed

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before the imposition date, or a written bid submitted before the imposition date, culminating in a construction contract entered into before or after the imposition date, are exempt from the sales and use tax provided in this article if a verified copy of the contract is filed with the Department of Revenue within six months after the imposition date of the sales and use tax provided for in this article.

(G) Notwithstanding the imposition date of the sales and use tax authorized pursuant to this chapter, with respect to services that are billed regularly on a monthly basis, the sales and use tax authorized pursuant to this article is imposed beginning on the first day of the billing period beginning on or after the imposition date.

Section 4-10-1050. The Department of Revenue shall furnish data to the State Treasurer and to the county treasurers receiving revenues for the purpose of calculating distributions and estimating revenues. The information that must be supplied to counties and municipalities upon request includes, but is not limited to, gross receipts, net taxable sales, and tax liability by taxpayers. Information about a specific taxpayer is considered confidential and is governed by the provisions of Section 12-54-240. A person violating this section is subject to the penalties provided in Section 12-54-240.

Section 4-10-1060. Annually, and only in the month of June, funds collected by the Department of Revenue from the county green space sales tax, which are not identified as to the governmental unit due the tax, must be transferred, after reasonable effort by the Department of Revenue to determine the appropriate governmental unit, to the State Treasurer's Office. The State Treasurer shall distribute these funds to the county treasurer in the county area in which the tax is imposed, and the revenues must be only used for the purposes stated in the enacting ordinance. The State Treasurer shall calculate this supplemental distribution on a proportional basis, based on the current fiscal year's county area revenue collections."

SECTION 3. This act takes effect upon approval by the Governor. /

Amend the bill further, beginning on page 1, by striking line 26 through line 12 on page 3, and inserting:

/ Whereas, South Carolina is blessed with a broad array of natural resources, from the Blue Ridge Escarpment in the Upstate, to the sandhills of the Midlands, to the farmland and woodlands of the Pee Dee, and to the iconic shoreline and marshes of the coastal plain; and

Whereas, South Carolina's coastal geography consists of 187 miles of oceanfront shoreline and 2,876 miles of tidal shorelines, and includes 500,000 acres of salt marshes that represent twenty percent of all the salt

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marshes on the United States' Atlantic coast, all of which underpin extensive recreational and commercial fisheries, thriving coastal tourism, important maritime industries, and critical natural defenses for people against storms; and

Whereas, South Carolina's Upstate consists of the 10,000 acre Mountain Bridge Wilderness Area that encompasses the Blue Ridge Escarpment and its vast array of waterfalls, hardwood forests, headwaters, and mountain streams, as well as a diversity of plant and animal life, including the exceptionally rare and endangered bunched arrowhead; and

Whereas, South Carolina's Midlands region is home to the sandhills and longleaf pine habitat, which supports over 30 threatened or endangered plant and animal species, including red-cockaded woodpecker; and

Whereas, South Carolina's Pee Dee is a region with rich geographic variations, including deep woodlands, a patchwork of timber forests and agricultural fields, black-water swamps and creeks that intermingle with red rivers and high bluffs, historic sites, and one of the most productive agricultural areas in the state; and

Whereas, the quality of life of all South Carolinians is tied to conservation, with homes, businesses, and recreation being drawn to areas with abundant and accessible green space and natural areas; and

Whereas, according to the Census Bureau, South Carolina is the tenth-fastest-growing state in the nation, and in particular, the State contains a number of the fastest-growing metropolitan areas in the nation, including Myrtle Beach, York County, and Charleston, and is projected in the coming years to continue experiencing steady population growth and the expansion of urban and suburban land uses; and

Whereas, studies conducted by City Explained suggest that the amount of developed land in some regions of South Carolina will increase by 250% by 2040 if current development trends continue; and

Whereas, although this rapid growth will bring prosperity and new opportunities to South Carolina, it will also put additional pressures on our State's lands and waters, in that the development and the accompanying infrastructure will result in the destruction of natural wetlands, marshes, headwaters, and other waterways, thereby hampering the functioning of these systems and eliminating valuable and effective natural storm protection and flood abatement, and fish and wildlife habitat; and

Whereas, this growth increases the amount of impervious surfaces throughout our State, which in turn creates new runoff and carries

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pollutants into our waterways. For example, a 2019 study found that development in the Town of Bluffton has increased levels of fecal coliform in the May River 3,150% since 1999 and Upstate studies found that sediment from land development is a leading cause of water quality degradation, resulting in flooding, increased costs for drinking water treatment, and harm to aquatic life; and

Whereas, there are significant economic benefits that result from protecting land, including tourism and recreation; and

Whereas, farmland protection helps promote agritourism and boost the local food economy, as demonstrated by a 2013 SC Department of Agriculture study that found that if every South Carolina resident purchased \$5 worth of food each week directly from a farmer in the State the potential impact would be about \$1.2 billion; and

Whereas, the Southeast United States coast has experienced some of the highest rates of sea-level rise and coastal flooding in the world, with some areas losing as much as three feet of bank each year, and additional sea-level rises and coastal flooding will adversely impact existing residential and commercial uses on our State's coast and has been cited by the United States Department of Defense as a threat to the viability of the Marine Corps Recruit Depot Parris Island, which employs 6,100 people and has an annual economic impact of \$739.8 million; and

Whereas, flooding has significantly affected South Carolina's inland communities, with over 80 dam failures from 2015 to 2018 resulting from extreme weather and flooding that our riverine systems and floodplains were unable to attenuate, leading to significant impacts on transportation and drinking water infrastructure and the loss of homes, livelihoods, and lives; and

Whereas, the topography of our state, whether the low-lying topography of our coastal areas or the small incised streams of the Upstate prone to flash flooding and erosion, our State's development patterns makes our communities highly vulnerable to inland and riverine flooding if the flow of rainwater runoff is greater than the carrying capacities of the natural drainage systems, and over the past six years, major flooding and storm events have caused over one billion dollars in total damages to residential and commercial properties and have imposed substantial burdens on South Carolina taxpayers through General Fund disbursements; and

Whereas, an effective way to avoid incurring such liabilities is to limit development within the floodplain and in areas that are at significant risk from sea level rise and flooding, and there is a need to empower local governments to undertake land preservation efforts that are supportive

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of, respectful to, and consistent with the principle of private property rights, as opposed to limiting them to the use of traditional land use regulations, which, in order to attain the necessary level of relief, could give rise to inverse condemnation claims; and

Whereas, counties in South Carolina have implemented local land conservation programs, including, but not limited to, Beaufort County's Rural and Critical Lands Program, Charleston County's Greenbelt Program, Greenville County's Historic and Natural Resources Trust Initiative, the Oconee County Conservation Bank, and extensive parks and greenspace funding efforts in York County, indicating that such programs enjoy overwhelming public support in all corners of the State. Now, therefore, /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (DG\152C004.NBD.DG21), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 4-10-1030(C) and inserting:

/ (C) Amounts collected in excess of the required net proceeds must first be applied, if applicable, to complete the preservation procurements for which the tax was imposed. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams
Bennett

Alexander
Campsen

Allen
Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

Total--43

NAYS

Verdin

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

S. 224 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Adams: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION, TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING, AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION IF THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 OF THE 1976 CODE, RELATING TO PROSTITUTION VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

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Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Adams

Total--1

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

CARRIED OVER

S. 230 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO

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UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0230.001), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 16-3-2010(7) of the 1976 Code is amended to read:

“(7) ‘Sex trafficking’ means the recruitment, harboring, transportation, provision, or obtaining of a person for one of the following when it is induced by force, fraud, or coercion or the person performing the act is under the age of eighteen years and anything of value is given, promised to, or received, directly or indirectly, by any person:

- (a) criminal sexual conduct pursuant to Section 16-3-651;
- (b) criminal sexual conduct in the first degree pursuant to Section 16-3-652;
- (c) criminal sexual conduct in the second degree pursuant to Section 16-3-653;
- (d) criminal sexual conduct in the third degree pursuant to Section 16-3-654;
- (e) criminal sexual conduct with a minor pursuant to Section 16-3-655;
- (f) engaging a child for sexual performance pursuant to Section 16-3-810;
- (g) producing, directing, or promoting sexual performance by a child pursuant to Section 16-3-820;
- (h) sexual battery pursuant to Section 16-3-651;
- (i) sexual conduct pursuant to Section 16-3-800; ~~or~~
- (j) sexual performance pursuant to Section 16-3-800;
- (k) sexual exploitation of a minor pursuant to Section 16-15-395, 16-15-405, or 16-15-410; or
- (l) promoting or participating in prostitution of a minor pursuant to Section 16-15-415 or 16-15-425.”

SECTION 2. Sections 16-3-2020(F) and (G) of the 1976 Code are amended to read:

“(F) In a prosecution or adjudication of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under

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duress or coerced into committing the offenses for which he is subject to prosecution or adjudication, if the offenses were committed as a direct result of, or incidental or related to, trafficking. A victim of trafficking in persons convicted or adjudicated delinquent of a violation of this article, ~~or prostitution, or any other non-violent offense~~ may motion the court to vacate the conviction or adjudication and expunge the record of the conviction or adjudication for an offense committed as a direct result of, or incidental or related to, trafficking. The court may grant the motion on a finding ~~that the person's participation in the offense was a direct result of being a victim~~ by a preponderance of the evidence that the person's participation in the offense was a direct result of, or incidental to, being a victim of trafficking. For any hearing scheduled pursuant to this subsection, the alleged victim of trafficking must file reasonable notice with the original prosecuting agency for the underlying offense and reasonable notice must be given or attempted to be given to any victims pursuant to the Victim's Bill of Rights.

(G) If the victim was a minor at the time of the offense, the victim of trafficking in persons may not be prosecuted in court or adjudicated delinquent pursuant to this article or a prostitution offense, ~~if it is determined after investigation that the victim committed the offense as a direct result of, or incidental or related to, trafficking.~~

SECTION 3. The rights delineated under SECTION 2 of this act shall apply retroactively.

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

OBJECTION

S. 591 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF

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THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, AND SECTION 20-1-260 RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT.

The Senate proceeded to a consideration of the Bill.

Senator SENN explained the Bill.

Senator GROOMS objected to further consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3354C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Section 12-37-220(B)(11)(e) of the 1976 Code, as last amended by Act 145 of 2020, is amended further to read:

“(e) all property of nonprofit housing corporations or instrumentalities of these corporations when the property is devoted to providing housing to low or very low income residents. A nonprofit housing corporation or its instrumentality must satisfy the safe harbor provisions of Revenue Procedure 96-32 issued by the Internal Revenue Service for this exemption to apply. For purposes of this subitem, property of nonprofit housing corporations or instrumentalities of these corporations includes all leasehold interests in ~~and improvements to~~ property owned by an entity that provides housing accommodations to

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persons of low or very low income, and in which a wholly owned affiliate or wholly owned instrumentality of a nonprofit housing corporation is the general partner, managing member, or the equivalent. However, the exemption allowed by this subitem only applies if the property of nonprofit housing corporations or instrumentalities of these corporations satisfies the safe harbor provisions of Revenue Procedure 96-32 issued by the Internal Revenue Service;" /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the Bill.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 3482 -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Senator MALLOY objected to further consideration of the Bill

READ THE SECOND TIME

H. 3605 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto

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Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Rice

Total--1

The Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V.S. Moss, Lowe, Bryant, Forrest and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

The Senate proceeded to a consideration of the Bill.

The Committee on Fish, Game and Forestry proposed the following amendment (3694R001.GEC), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-11-430(B) of the 1976 Code is amended to read:

“(B) In Game Zones 2, 3, and 4 where the department declares an open season, the department shall determine an appropriate quota of ~~tags to be issued~~ bears to be harvested in each game zone, or county within a game zone, and shall further promulgate regulations necessary to properly

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control the harvest of bear. The department may close an open season at any time, provided that the department gives at least twenty-four hours' notice to the public of the closure."

SECTION 2. Section 50-11-430(D) of the 1976 Code is amended to read:

~~"(D) In order to properly implement the provisions of subsections (B) and (C), any~~ Any bear taken must be tagged with a valid bear tag and reported by midnight of the day of the harvest to the department as prescribed. The tag must be attached to the bear as prescribed by the department before being moved from the point of kill."

SECTION 3. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

"Section 50-11-450. (A) For the purposes of this section, 'unprocessed bait' means any natural food item harvested from a plant crop that is not modified from its raw components. Unprocessed bait includes unmodified grains, fruits, nuts, and vegetables.

(B) Notwithstanding Section 50-11-430(E)(8) and Section 50-11-440, a person may take a bear with the aid or use of unprocessed bait, including over an area with unprocessed bait, on private land in Game Zone 4."

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>

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<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

OBJECTION

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

Senator HEMBREE objected to consideration of the Bill.

READ THE SECOND TIME

H. 3786 -- Reps. G.M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS

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MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion under Rule 26B

Senator CROMER asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B. There was no objection.

**COMMITTEE AMENDMENT ADOPTED
AMENDMENT PROPOSED, CARRIED OVER**

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

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The Committee on Fish, Game and Forestry proposed the following amendment (3865R001.GEC), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 10 through 26 and inserting:

/ (C)(1) A local government may adopt an ordinance requiring a permit for a watercraft or floating structure to remain moored, anchored, or otherwise located in any one five-mile radius on public waters within its local jurisdiction for more than fourteen consecutive days. The cost of a permit required by a local government may not exceed fifteen dollars. An ordinance adopted pursuant to this subsection must not apply to watercraft:

(a) moored to a dock or marina berth with permission from the dock or berth owner;

(b) moored to a mooring buoy that is permitted by the Department of Health and Environmental Control with permission from the buoy owner, or

(c) moored to a mooring buoy with permission from the buoy owner, provided that the buoy is in the location as it existed on public waters on June 30, 2021.

(2) Notwithstanding Section 5-7-140(B), the corporate limits of any municipality bordering on the high-water mark of a navigable body of water, other than the Atlantic Ocean, are extended to the center of the channel of the navigable body of water for the sole purpose of enforcing an ordinance adopted pursuant to this subsection. /

Amend the bill further, as and if amended, by striking SECTION 2 in its entirety and inserting:

/SECTION 2. This act takes effect on July 1, 2021. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senator KIMBRELL proposed the following amendment (3865R002.SP.JK), which was proposed:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 50-23-20 of the 1976 Code is amended to read:

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“Section 50-23-20. Any watercraft ~~or~~ and outboard motor, ~~or both,~~ held or principally used in this State must be dually titled by the department. An owner of a watercraft ~~or~~ and outboard motor titled in this State must notify the department within thirty days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.”

SECTION __. Section 50-23-35 of the 1976 Code is amended to read:

“Section 50-23-35. (A) No dual title for a watercraft ~~or~~ and outboard motor may be issued by the department if currently titled in this State or titled or registered in another state unless it is accompanied by a receipt from the applicant's appropriate county official stating payment of ad valorem taxes due for the tax year in which the ownership was initiated has been paid. Applications submitted more than one year after ownership was initiated must be accompanied by paid tax receipts for all subsequent years up to the date the application was accepted by the department.

(B) A dual title for a watercraft ~~or~~ and outboard motor sold by a permitted marine dealer is exempt from the requirement for a paid tax receipt and may be titled by the department without the receipt indicating ad valorem taxes have been paid. The department must transmit daily a list of the titles and certificates of registration issued under this exemption to the respective county official for collection of ad valorem taxes.

(C) No receipt is required for a watercraft ~~or~~ and outboard motor designated as exempt from ad valorem taxes by the appropriate county official, provided that each county makes such a determination when a watercraft ~~or~~ and outboard motor is dually titled in their respective county.”

SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

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Senator KIMBRELL explained the amendment.

On motion of Senator GROOMS, the Bill was carried over.

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

H. 3899 -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\3899C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking lines 31-34 and inserting:

/ (5) By January fifteenth of each year, the ~~department~~ public charity shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor: /

Renumber sections to conform.

Amend title to conform.

The question being the second reading of the Bill.

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

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Motion under Rule 26B

Senator BENNETT asked unanimous consent to make a motion to give the Bill a second reading and to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

OBJECTION

H. 4006 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the amendment.

Senator HARPOOTLIAN objected to further consideration of the Bill.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

ADOPTED

S. 792 -- Senators Alexander, Campsen and Kimbrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE JUNE 6-13, 2021, AS SOUTH CAROLINA BOATING AND FISHING WEEK AND TO COMMEND THE SOUTH

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CAROLINA BOATING AND FISHING ALLIANCE ON A SUCCESSFUL START TO ITS ORGANIZATION.

The Resolution was adopted, ordered sent to the House.

S. 794 -- Senators Goldfinch and Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME APPROXIMATELY FIFTEEN MILES OF PLEASANT HILL DRIVE FROM ITS INTERSECTION WITH COUNTY LINE ROAD TO ITS INTERSECTION WITH NORTH FRASER STREET IN GEORGETOWN COUNTY "A. LANE CRIBB HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Resolution was adopted, ordered sent to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

RECALLED

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Hosey, Caskey, McGinnis, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J.E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M.M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

Senator MASSEY asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

MOTION ADOPTED

At 12:42 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF
REPORTS OF COMMITTEES OF CONFERENCE AND FREE
CONFERENCE.**

**H. 3011--FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF FREE CONFERENCE
ADOPTED**

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

On motion of Senator BENNETT, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator BENNETT spoke on the report.

**H. 3011--Free Conference Powers Granted
Free Conference Committee Appointed**

Senator BENNETT asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

Free Conference Powers were granted.

Whereupon, Senators BENNETT, McELVEEN and TURNER were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 1

AYES

Alexander	Allen	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Adams

Total--1

On motion of Senator BENNETT, the Report of the Committee of Free Conference to H. 3011 was adopted, as follows:

H. 3011--Free Conference Report

The General Assembly, Columbia, S.C., May 5, 2021

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON

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A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 13, Chapter 5, Title 56 of the 1976 Code is amended by adding:

“Section 56-5-1885. (A) A vehicle may not be driven in the farthest left-hand lane of a controlled access highway except when overtaking and passing another vehicle.

(B) Subsection (A) of this section does not apply:

(1) when no other vehicle is directly behind the vehicle in the left lane;

(2) when traffic conditions and congestion make it impractical to drive in the right lane;

(3) when snow and other inclement weather conditions make it safer to drive in the left lane;

(4) when obstructions or hazards exist in the right lane;

(5) when, because of highway design, a vehicle must be driven in the left lane when preparing to exit;

(6) to law enforcement vehicles, ambulances, or other emergency vehicles engaged in official duties and vehicles engaged in highway maintenance and construction operations;

(7) when a driver of a tractor-trailer commercial motor vehicle combination is unable to move into the right lane safely due to another vehicle overtaking or passing his vehicle to the right; or

(8) when a driver of a vehicle requiring a commercial motor vehicle license to operate is unable to move into the right lane safely due to a highway grade or another vehicle overtaking or passing his vehicle on the right.

(C) Nothing in this section shall limit the Department of Transportation's ability to establish and delineate lane restrictions for certain types of vehicles.

(D) The Department of Transportation must place signs along interstate highways directing slower traffic to move to the right. The signs must be placed at intervals of no more than thirty-five miles.

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(E)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty-five dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for a failure to appear in court when summoned or for a failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56-1-640, a violation of this section must not be:

(a) included in the offender's motor vehicle records maintained by the Department of Motor Vehicles;

(b) included in the criminal records maintained by SLED; or

(c) reported to the offender's motor vehicle insurer.

(2) A violation of this section is not negligence per se, or contributory negligence, and is not admissible as evidence in a civil action.

(3) A law enforcement officer must not search, and may not request consent to search, a vehicle, or the driver or occupant of the vehicle, solely because of a violation of this section.

(4) A person charged with a violation of this section may admit or deny the violation, enter a plea of nolo contendere, or be tried before either a judge or a jury. If the trier of fact is convinced beyond a reasonable doubt that the person violated the provisions of this section, then the penalty is a civil fine pursuant to item (1) of this subsection. If the trier of fact determines that the State has failed to prove beyond a reasonable doubt that the person violated the provisions of this section, then no penalty shall be assessed.

(5) A person found to be in violation of this section may bring an appeal to the court of common pleas."

SECTION 2. This act takes effect ninety days after approval by the Governor. For a period of ninety days after the effective date of this act, only warning tickets may be issued for a violation of the provisions of this act. /

Amend title to conform.

/s/Sen. Sean M. Bennett

/s/Sen. J. Thomas McElveen III

/s/Sen. Clarence Ross Turner III

On Part of the Senate.

/s/Rep. Adam Michael Morgan

/s/Rep. John Taliaferro "Jay" West
IV, Ph.D.

/s/Rep. Rosalyn Henderson-Myers

On Part of the House.

, and a message was sent to the House accordingly.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CARRIED OVER

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

On motion of Senator RANKIN, the Bill was carried over.

**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (201R010.SP.GH), which was adopted:

Amend the bill, as and if amended, on page 5, by striking line 36 and inserting:

/consecutive years; /
Renumber sections to conform.
Amend title to conform.

Senator HEMBREE explained the amendment.

The question then was the adoption of the amendment.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 1

AYES

Adams	Alexander	Allen
Campsen	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Stephens

Total--1

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

CONCURRENCE

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH

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OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

The question being concurrence in the House amendments.

Senator CAMPSSEN explained the amendments.

Senator GROOMS spoke on the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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On motion of Senator CAMPSSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator ALEXANDER explained the House amendments.

Senator ALEXANDER proposed the following amendment (425R005.SP.TCA), which was adopted:

Amend the bill, as and if amended, on page 4, by striking line 15 and inserting:

/qualified individual shall promptly notify the agencies. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams
Bennett

Alexander
Campsen

Allen
Cash

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Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

There being no further amendments, the Bill, as amended, was ordered returned to the House of Representatives with amendments.

CONCURRENCE

S. 435 -- Senator Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO

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ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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On motion of Senator BENNETT, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

S. 545 -- Senator Goldfinch: A BILL TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSSEN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

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NAYS

Total--0

On motion of Senator CAMPSSEN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CONCURRENCE

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen

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McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

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The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Amendment No. 9

Senator KIMPSON proposed the following amendment (DG\3094C001.NBD.DG21), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Chapter 31, Title 23 of the 1976 Code is amended by adding:

“ARTICLE 11

Background Checks for Firearm Sales and Transfers

Section 23-31-1110. As used in this article:

(1) ‘Firearm’ means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) ‘Licensed dealer’ means the holder of any federal firearms license under 18 U.S.C. Section 923(a).

(3) ‘Transfer’ means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) ‘Transferee’ means a person who receives or intends to receive a firearm in a sale or transfer.

Section 23-31-1120. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, a licensed gun dealer may not deliver a firearm to any transferee unless the NICS provides the licensed dealer with a unique identification number or five days have elapsed from the date the licensed dealer contacted the NICS and the NICS has not notified the licensed dealer that a sale or transfer to such person would violate state or federal law.

Section 23-31-1130. A person who violates the provisions of this article is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than one thousand dollars, or both.”/

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

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Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill. Senator KIMPSON spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 10

Senator KIMPSON proposed the following amendment (DG\3094C002.NBD.DG21), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 2

South Carolina Background Completion Act

Section 23-31-100. (A) For the purposes of this article, ‘firearm’ means a weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of such weapon; a firearm muffler or firearm silencer; or a destructive device; but the term does not include an antique firearm. In the case of a licensed collector, the term means only curios and relics.

(B) It is unlawful for any person, or any federally licensed importer, manufacturer, or dealer, to sell, exchange, or transfer a firearm to any other person before completion of a background check through SLED and the National Instant Criminal Background Check System (NICS) established pursuant to the Section 103 of the Brady Handgun Violence Protection Act of 1993.

(C) Any person, or federally licensed importer, manufacturer, or dealer who knowingly violates subsection (B) is guilty of a felony, and upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

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Point of Quorum

At 1:45 P.M., Senator MATTHEWS made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

Senator KIMPSON continued speaking on the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill. The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

RECESS

At 2:00 P.M., on motion of Senator MASSEY, the Senate recessed from business until 2:30 P.M.

At 2:35 P.M., the Senate resumed.

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Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Amendment No. 11

Senator KIMPSON proposed the following amendment (DG\3094C005.NBD.DG21), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION. ____ . A.Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Article 9

Background Checks for Firearm Sales and Transfers

Section 16-23-910. As used in this article:

(1) ‘Firearm’ means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such weapon, a firearm muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) ‘Licensed dealer’ means the holder of any federal firearms license under 18 U.S.C. Section 923(a).

(3) ‘Transfer’ means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

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(4) ‘Transferee’ means a person who receives or intends to receive a firearm in a sale or transfer.

Section 16-23-920. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, a licensed gun dealer may not deliver a firearm to any transferee unless the NICS provides the licensed dealer with a unique identification number or five days have elapsed from the date the licensed dealer contacted the NICS and the NICS has not notified the licensed dealer that a sale or transfer to such person would violate state or federal law.

Section 16-23-930. A person who violates the provisions of this article is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years or fined not more than one thousand dollars, or both.”

B. The provisions of this SECTION are repealed upon the submission of a report by the Judicial Criminal Information Technology Committee to the General Assembly detailing recommendations for the implementation of a centralized court reporting system for all courts of the State and funds for its implementation are appropriated by the General Assembly in the annual appropriations act, however, notwithstanding when the report is submitted, this SECTION is repealed two years from the effective date of this act./

Renumber sections to conform.

Amend title to conform.

Senator KIMPSON spoke on the amendment.

Point of Order

Senator MARTIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMPSON spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 16

Senator HARPOOTLIAN proposed the following amendment (3094R025.KMM.RAH), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

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/SECTION __. Section 23-31-215(K) of the 1976 Code is amended to read:

“(K)(1) A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must also carry a duplicate copy of his permit identification card on his person in such a manner and in such a form that the permit identification card is visible and readable from ten feet away. The duplicate copy must include a picture of the permit holder that is visible and recognizable from ten feet away.

(2) When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:

(1)(a) identifies himself as a law enforcement officer; and

(2)(b) requests identification or a driver's license from a permit holder.

(3) A permit holder immediately must report the loss or theft of a permit identification card to SLED headquarters. A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.” /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 15; Nays 28

AYES

Allen	Fanning	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

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NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--28

The amendment failed.

Amendment No. 22

Senator HARPOOTLIAN proposed the following amendment (3094R034.SP.RAH), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. A. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. (A) Notwithstanding any provision of law to the contrary, nothing ~~Nothing~~ contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable Weapons Allowed’ shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section

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16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).” /

B. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) ~~carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon;~~
~~or~~

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not ~~apply to prohibit~~ a person who possesses a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 from carrying or having readily accessible a firearm upon the capitol grounds or within the capitol building and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds. A person lawfully carrying a firearm is permitted to sit in the balconies of both legislative chambers while the General Assembly is in session.” /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 14; Nays 30

AYES

Adams	Alexander	Allen
Climer	Cromer	Fanning
Grooms	Harpootlian	Martin

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Massey	Matthews	McElveen
Senn	Shealy	

Total--14

NAYS

Bennett	Campsen	Cash
Corbin	Davis	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Stephens	Talley	Turner
Verdin	Williams	Young

Total--30

The amendment failed.

Amendment No. 23

Senator CORBIN proposed the following amendment (3094R021.KM.TDC), which was adopted:

Amend the bill, as and if amended, on page 6, by striking lines 3 through 8 and inserting:

/ (B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event. The duration of an event may not be scheduled for such a length of time as to frustrate the intent of this section. /

Renumber sections to conform.

Amend title to conform.

Senator CORBIN spoke on the amendment.

The amendment was adopted.

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Amendment No. 24

Senator GAMBRELL proposed the following amendment (3094R035.SP.MWG), which was adopted:

Amend the bill, as and if amended, on page 4, by striking lines 30 through 31, and inserting:

/ (iv) the actual firing of the handgun in the presence of the instructor, provided that no more than twenty-five rounds may be fired;

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL spoke on the amendment.

Point of Order

Senator MATTHEWS raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator GAMBRELL spoke on the Point of Order.

Senator MARTIN spoke on the Point of Order.

Senator YOUNG spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 9

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Young		

Total--34

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NAYS

Fanning	Jackson	<i>Johnson, Kevin</i>
Matthews	McLeod	Sabb
Scott	Stephens	Williams

Total--9

The amendment was adopted.

OBJECTION

Senator MASSEY asked unanimous consent that no further amendments be placed on the desk after 3:55 P.M.

Senator MATTHEWS objected.

Amendment No. 25

Senator KIMBRELL proposed the following amendment (3094R038.SP.JK), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, on page 2, by striking line 22 and inserting:

/ (1) the right of a ~~public or~~ private employer to prohibit a /

Amend the bill further, as and if amended, on page 3, by striking line 3 and inserting:

/ (C) In addition to the provisions of subsection (B), a /

Amend the bill further, as and if amended, on page 4, by striking line 10 and inserting:

/ (D) Nothing in this section prevents a private employer /

Amend the bill further, as and if amended, on page 5, by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Section 23-31-520 of the 1976 Code is repealed. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) ~~carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon;~~
~~or~~

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

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(B) This section does not ~~apply to prohibit~~ a person who possesses a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 from carrying or having readily accessible a firearm upon the capitol grounds or within the capitol building and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds." /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL spoke on the amendment.

On motion of Senator KIMBRELL, the amendment was withdrawn.

Motion Adopted

Senator MASSEY asked unanimous consent that no further amendments be placed on the desk after 4:15 P.M.

Amendment No. 26

Senator HEMBREE proposed the following amendment (3094R029.KMM.GH), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Section 16-23-50(A)(1) of the 1976 Code is amended to read:

"Section 16-23-50. (A)(1) A person, including a dealer, who violates the provisions of this article, except Section 16-23-20, for a first offense is guilty of a felony and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than five years, or both. For a second offense, the person is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, imprisoned not more than ten years, or both. For a third or subsequent offense, the person is guilty of a felony and, upon conviction, must be fined not more than ten thousand dollars, imprisoned not more than fifteen years, or both." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

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Point of Order

Senator CORBIN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill. Senator HEMBREE spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 27A

Senator HEMBREE proposed the following amendment (3094R051.KM.GH), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Section 23-31-520 of the 1976 Code is amended to read:

~~“Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) A governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property when a governing body issues a permit to allow a public protest, rally, fair, parade, festival, or other organized event. However, if a permit is not applied for and issued prior to an event as described in this subsection, then a governing body may not exercise the provisions of this subsection. Nothing in this item prevents a person or entity hosting a public protest, rally, fair, parade, festival, or other organized event from prohibiting the open carrying of a firearm during the event. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs at the event if open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be event-specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond

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the beginning and conclusion of the event or beyond the location of the event.

(C) Nothing in this section shall in any way be construed to limit, diminish, or otherwise infringe upon the exercise of a governing body's authority as provided for in Section 23-31-220 or to preempt the enforcement of the provisions of Sections 23-31-215 and 16-23-20.

(D) A governing body may temporarily take possession of a firearm or ammunition for a violation of this section if necessary for public or officer safety. The law enforcement agency shall notify the owner when the firearm is available for release. If the owner fails to recover the firearm within thirty days after the notification, then the law enforcement agency may dispose of the firearm. Nothing in this item shall in any way limit the exercise by law enforcement of the seizure and confiscation of a weapon incident to a lawful arrest." /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

On motion of Senator HEMBREE, the amendment was withdrawn.

Amendment No. 28

Senator HEMBREE proposed the following amendment (3094R027.KMM.GH), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. A.Section 23-31-215(M) of the 1976 Code is amended to read:

"(M)(1) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into a:

~~(1)(a)~~ law enforcement, correctional, or detention facility;

~~(2)(b)~~ courthouse or courtroom;

~~(3)(c)~~ polling place on election days;

~~(4)(d)~~ office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;

~~(5)(e)~~ school or college athletic event not related to firearms;

~~(6)(f)~~ daycare facility or preschool facility;

~~(7)(g)~~ place where the carrying of firearms is prohibited by federal law;

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~~(8)(h)~~ church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

~~(9)(i)~~ hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed unless expressly authorized by the employer; or

~~(10)(j)~~ place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. ~~A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~(2)~~ Except as provided for in item ~~(10)~~, a A person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for ~~five years~~ one year.

~~(3)~~ Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, 50-9-830, and 51-3-145.”

B. Section 23-31-220 of the 1976 Code is amended to read:

“Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable weapon upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating ‘No Concealable Weapons Allowed’ shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable weapons not be brought upon the premises or into the work place. ~~A person who brings a concealable weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section~~

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~~16-11-620. A person who willfully brings a concealable weapon onto a premises or work place in violation of a posting pursuant to this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars, imprisoned not more than one year, or both, at the discretion of the court, and have his concealable weapon permit revoked for one year. In addition to other penalties provided herein, a person convicted of a second or subsequent violation of willfully bringing a concealable weapon onto a premises or work place in violation of a posting pursuant to this section must have his concealable weapon permit revoked for a period of one year. A posting that prohibits bringing a concealable weapon onto a premises or work place pursuant to this section does not apply to persons specified in Section 16-23-20(1). In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1)."~~ /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator CORBIN spoke on the amendment.

Senator MATTHEWS moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Fanning	Harpootlian	Hembree
McElveen	Senn	

Total--5

The amendment was laid on the table.

Amendment No. 29

Senator McLEOD proposed the following amendment (AHB\3094C009.BH.AHB21), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION ____ . Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-245. (A) Within one year after the effective date of this section, the South Carolina Criminal Justice Academy shall create and implement a statewide law enforcement training program on interacting with citizens carrying weapons under this article.

(B) Each local law enforcement agency shall submit proof to the Criminal Justice Academy that its certified law enforcement officers have completed this program.” /

Renumber sections to conform.

Amend title to conform.

Senator McLEOD spoke on the amendment.

Remarks by Senator McLEOD

We have been here a long time today. I do not plan to keep you long. I just want to talk briefly about an incident that occurred in my district this morning. Senator KIMPSON mentioned earlier that a Fort Jackson soldier hijacked a Richland County school bus at gunpoint. That school bus was full with elementary school students. Luckily, the bus driver and the students were not physically hurt. However, this incident could have ended very differently. Incidents like this are becoming a lot more common because we are still not even attempting to address real issues,

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such as mental health within our military, law enforcement, in our homes, and in our communities across the State. This soldier, though, was carrying a gun legally and openly. While we do not know the state of this soldier's mental health, I think it is safe to assume that he obviously had some challenges. In addition, it saddens me to think that we do not hesitate to put our brave young men and women on the front lines to fight for us but constantly refuse to fight for them. If this Bill passes, I am concerned that law enforcement at face value will not be able to tell the good people from the bad people.

Yesterday, a student shot himself in the head, while taking the life of another schoolmate, outside of his school. The student committed this act in front of the principal and staff members. Clearly, gun violence is at an all time high. Not just in my district but all across South Carolina. I am sure those who do not look like me have probably never gotten a voice mail that sounds like this: "I think it is a thousand to one of blacks attacking whites. Amidst that, do you realize how white women are afraid to go wandering around? They are afraid that they are going to be raped. White women live with this fear all the time. This is nothing new. They stay out of neighborhoods where this could happen and you do not go to certain streets because that is where the blacks live. Whites are noticing that the blacks are shooting at each other right down the street and shooting into homes where children are. They shoot people in their own yards, and if you will look at the newspapers, usually it is about two white people, a crime, and black people. I do not know why that man was in there -- the one you were talking about in a white neighborhood. However, it does concern me when the blacks show up in your neighborhood; what they are doing there. White people are robbed all the time. We have friends that live in howls, and we live in the ghetto. Blacks come in here, rob, just break-in, and rob. There is nothing that the police can do about it. You are just -- you are out of luck. Just look at how the white people look at it. They live in fear, they are afraid of black people, and they do not go down the street where the blacks are shooting each other because they are afraid they might get in the crossfire. It is ridiculous, and in Chicago, they kill each other unbelievably. Forty shot in one weekend. You do not say anything about. That is perfectly okay. I mean, it does not make sense today the way these blacks shoot each other and kill each other like every night, and the black people just go oh well. You know, that is the way they live and it is okay. However, white people do not live like that. I know you said well whites shoot each other. We do not do that kind of -- you need to understand the difference

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between black and white. It is a shame that man -- that the black man was accosted but I do not know what he was doing in the neighborhood.”

I just wanted to share with you the voicemail message that I received after I responded publicly to an incident that happened in the Summit and in my district. There are at least two factors that we always fail to consider when we debate Bills like this, or when we debate Bills like constitutional and open carry -- but race and mental illness, two of the biggest across our State and across our country. Instead of dealing with the challenges people are actually facing we would rather debate unorganized militia and open carry. We have three legislative days left, and still have not passed anything on Medicaid expansion, education and tax reform, medical marijuana, wages folks can live on, or any of the systemic reforms we need. Just few minutes ago, the Governor announced that he is cutting all federal pandemic unemployment assistance benefits to folks who continue to struggle, recover and keep food on their tables. In fact, working South Carolinians who are unemployed during this pandemic, through no fault of their own and can least afford it, are being wrongly penalized -- expanding access to guns right now, as if our State is already not safe enough, especially for people of color. For the next few minutes, I want us to get comfortable talking about issues that, frankly, make too many of us uncomfortable. That issue is race. That is always the biggest elephant in the room. Recently in my district, a 15 year old and another teenager were friends -- until they lured her out of her Richland County home and into the woods of neighboring Lexington County, and brutally popped a barrage of bullets into her body, killing her. Yes, this horrific incident originated in my district, but tragically ended in someone else's. That will be the case many times over when this Bill passes. This incident happened here in South Carolina so it affects all of us. Where is the outrage? Do all lives matter? How can we forget who walked into Mother Emmanuel and gunned down our colleague and eight of his parishioners during their Bible study? Or the citizen vigilantes who took to the streets of Georgia, probably with their CWP's, to hunt down and shoot Ahmaud Arbery in broad daylight as he jogged in his own neighborhood? Or the officers that pulled up at a park and shot 12 year old. Tamir Rice from their patrol cars within seconds after they arrived and confirmed reports that a kid was playing in the park with what looked like a toy gun? Or Philando Castile, who informed the officer that he was in fact caring a weapon with a CWP -- within seconds even after assuring the officer that he would not reach for the weapon, the law enforcement officer shot him seven times at close range hitting him five of those times and killing him.

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Or like Andrew Brown, who was recently laid to rest in North Carolina after police shot him in the back of his head in his car. Or Walter Scott in North Charleston, who was stopped by a white officer because of a broken tail light, only to be shot from behind and killed when he attempted to run away from the scene. Eight shots, five hits -- another dead, unarmed, black man. The list of unarmed black men and women who have been murdered by white cops and citizen vigilantes are too numerous to count here. However, it happens almost daily. Yet, there is no real appetite for accountability and never any outrage from those who want to protect and save innocent lives at all costs. In fact, these incidents actually gave birth to the Black Lives Matter movement. Yes, those who claim to care so much about when life begins and quickly counter with "All Lives Matter" have consistently refused to say with their mouths or affirm with their actions that black lives matter too. Former NFL player, Philip Adams, showed up at Dr. Leslie's York County home a few weeks ago. In broad daylight, Adams shot Dr. Leslie, his wife, their two young beautiful grandchildren, two service contractors, and himself. Reverse racism and race based rhetoric was used to instill racially charged fear in the suburbs, that all black men are thugs. Like Mr. Adams, black men are going to shoot up your neighborhoods, destroy your property values, rob your homes, and rape your wives. So how do we respond? Not with sound policies, common sense reforms -- go for the big guns, pro death legislation as if death by electric chair, firing squads, and lethal injection drugs are not available. No time, money or interest in making mental health or race-based hate a priority. Do not think our policies have an impact on race and the escalation of racial tension in this State simply by hearing the voicemail I just received. After simply speaking out about a racially charged incident in my district, where the victim just happened to be a young black man. These are the types of people we want to carry guns openly -- using their implicit and explicit biases as the ammunition. Last week Senator Tim Scott said kids are being taught that if you are white, you are the oppressor. He also said America is not a racist country. All of us know that neither one of those statements is true. He then went onto tell other divisive inflammatory points on reverse racism by insinuating that white people are the real victims of the very policies, procedures and practices they have put in place. This racist rhetoric fans the flames of hatred for people who look like me at a time when we need to be quenching those fires. Here is the thing -- black people have been oppressed in America and by America since our ancestors were enslaved. Too many have just been marginalized, blind, and murdered at the hands of racist -- an individual who happen to be white -- not all white people,

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but yes, by some white people. And yet we continue to be oppressed through the systemic policies, practices and policing tactics that were created, instituted, and sustained by the majority white government that have failed to acknowledge, adjust or fix the disproportion of systemic imbalance and injustices that continue to keep the government on the necks of people of color. Race and racism have always been the biggest elephant in the room. Just because a black man says in one breath that he has been racially profiled and discriminated against because of his race -- but then quickly changes his partisan talking point, in the next breath, by saying America is not a racist country, does not make his statements true. Does not make them right or any less offensive. They are wrong. They are deceptive. Those statements are hurtful to suggest racism is not alive in America or in the great State of South Carolina, which deliberately denies the truth. In addition, it denies all of us the opportunity to acknowledge and address the obvious, so that we can begin to heal and move forward. A majority toward common ground that Senator Scott talked about starts with the truth. If you do not like the actions of your ancestors who enslaved my ancestors, change them. You have the power. Look in the mirror. Awful that I should ask, I know. Ask ourselves if we bear any responsibility and whether our actions bring us closer or further from racial reconciliation. Should we really be debating open carry or any other expansive gun Bills at a time when racial tensions are so high? Here is a postcard I just got. It states and it is very short, I will be brief. "Let's look at the true story of Sergeant Pinlannan and how you're using it for your own radical socialist agenda. Your little friend with his accompanying camera woman went looking for trouble for at least the third time. One bit and the rest is history. You equate this with your own sons. Stereotype -- you have no husband, just little gang bangers that you are unable to use for your own left wing feminist agenda. The goal is the destruction of the white male power structure."

Now the authorities sent me this typewritten rant, and the anonymous call here who shared her true raw racist belief, are undoubtedly a very accurate depiction of the position of our State, -- that is related to race. And because of this demeaning postcard, racism will continue to run ramped in South Carolina. My sons are not thugs. Never have been or will be. Neither was the young black man who was victimized this summer. It was only a hoodie that got him killed? What do we think caring a gun will do? In addition, for folks who believe like the ignorant author of this postcard does, that the destruction of the white male power structure is our goal, let me ensure all of you who are listening, those house members are on the receiving end of this kind of venom. That

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voice mail that you heard -- you do not have that kind of power. Truth be told, our goals tend to center more on protecting our basic human rights, like making sure our sons and daughters come home safely every day. We are trying to survive a simple encounter with a racist cop. We are trying to have access to equal opportunities, equal pay, equitable education, and healthcare. Finding the common ground that Senator Scott talks about starts with longing for the day when all of us hold these truths to be self-evident, and all of us are created and endowed, by our creator, with certain unalienable rights. I hope that I do put us on a path of mutual understanding and respect and one of these days, we will not be stalked and hunted as prey. As a CWP holder myself, I want responsible gun owners to have the rights and freedoms that the Second Amendment provides. I want all of us to be trained to use our guns responsibly. I want white people to refute implicit biases and preconceived notions about black people, vice versa.

I want to be judged based on our character, not just the color of our skin. I want whites to not be fueled or ignited by the unwarranted, inaccurate, racially, charged rhetoric they hear or see or read. I want them to rise above the hatred -- skewed by disgraced, defeated, want to be dictators. Then, reality reminds me that the racist that sent me this postcard, the racist who left that voice mail, they probably have CWP's too. None of us are considered equal when privilege allows people to boldly brandish their firearms on their person like predators while people of color are relegated to being their prey. Bills like these are easy to pass because you will not be on the receiving end of hatred. You will not have to worry about someone shooting you first and asking questions later. However, I will. My sons will. At least a third of the population of this State will. To debate a Bill like this at a time like this with or without training is not only inconceivable but grossly irresponsible. This amendment pro law enforcement, pro citizen amendment states that all of us are going to need training and guidance to help navigate a new environment that we are creating. I am just trying to figure out why this, why now -- how we can work together? To ensure open carry does not mean open season on the rest of us. I move for adoption.

On motion of Senator FANNING, with unanimous consent, the remarks of Senator McLEOD, were ordered printed in the Journal.

Senator MASSEY moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 29; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--29

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McLeod
Sabb	Stephens	Williams

Total--12

The amendment was laid on the table.

Amendment No. 30

Senator McLEOD proposed the following amendment (DG\3094C007.NBD.DG21), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . A. Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23-23-45. (A) As a condition to becoming a certified law enforcement officer after the effective date of this section, a person must undergo a mental health evaluation that must include an assessment of implicit bias. He must undergo this mental health evaluation every three years after becoming certified.

(B) As a condition to be recertified as a law enforcement officer after the effective date of this section, an officer must undergo a mental health

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evaluation that must include an assessment of implicit bias. He must undergo this mental health evaluation every three years after each evaluation.

(C) The evaluation must be conducted under the direction of the Law Enforcement Training Council.”

B. Section 23-23-60 of the 1976 Code is amended to read:

“Section 23-23-60. (A) At the request of any public law enforcement agency of this State the council is hereby authorized to issue certificates and other appropriate indicia of compliance and qualification to law enforcement officers or other persons trained under the provisions of this chapter. Members of the council may individually or collectively visit and inspect any training school, class, or academy dealing with present or prospective law enforcement officers, and are expected to promote the most efficient and economical program for police training, including the maximum utilization of existing facilities and programs for the purpose of avoiding duplication. The council may make recommendations to the director, the General Assembly, or to the Governor regarding the carrying out of the purposes, objectives, and intentions of this chapter or other acts relating to training in law enforcement.

(B) All city and county police departments, sheriffs' offices, state agencies, or other employers of law enforcement officers having such officers as candidates for certification shall submit to the director, for his confidential information and subsequent safekeeping, the following:

(1) an application under oath on a format prescribed by the director;

(2) evidence satisfactory to the director that the candidate has completed high school and received a high school diploma, equivalency certificate (military or other) recognized and accepted by the South Carolina Department of Education or South Carolina special certificate;

(3) evidence satisfactory to the director of the candidate's physical fitness to fulfill the duties of a law enforcement officer including:

(a) a copy of his medical history compiled by a licensed physician or medical examiner approved by the employer;

(b) a certificate of a licensed physician that the candidate has recently undergone a complete medical examination and the results thereof;

(4) evidence satisfactory to the director that the applicant has not been convicted of any criminal offense that carries a sentence of one year or more or of any criminal offense that involves moral turpitude. Forfeiture of bond, a guilty plea, or a plea of nolo contendere is considered the equivalent of a conviction;

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(5) evidence satisfactory to the director that the applicant does not pose a threat to law enforcement with regard to infiltration or recruitment by white supremacist groups. The director must consider evidence including, but not limited to, a review of the applicant's social media activity, in order to determine any potential risk of investigative breaches or any potential threat to the safety of law enforcement sources and personnel, restricted areas vulnerable to sabotage, and elected officials or protected persons;

(6)(a) evidence satisfactory to the director that the candidate is a person of good character. This evidence must include, but is not limited to:

~~(a)~~(i) certification by the candidate's employer that a background investigation has been conducted and the employer is of the opinion that the candidate is of good character;

~~(b)~~(ii) evidence satisfactory to the director that the candidate holds a valid current state driver's license with no record during the previous five years for suspension of driver's license as a result of driving under the influence of alcoholic beverages or dangerous drugs, driving while impaired (or the equivalent), reckless homicide, involuntary manslaughter, or leaving the scene of an accident. Candidates for certification as state or local correctional officers may hold a valid current driver's license issued by any jurisdiction of the United States;

~~(c)~~(iii) evidence satisfactory to the director that a local credit check has been made with favorable results;

~~(d)~~(iv) evidence satisfactory to the director that the candidate's fingerprint record as received from the Federal Bureau of Investigation and South Carolina Law Enforcement Division indicates no record of felony convictions.

(b) In the director's determination of good character, the director shall give consideration to all law violations, including traffic and conservation law convictions, as indicating a lack of good character. The director shall also give consideration to the candidate's prior history, if any, of alcohol and drug abuse in arriving at a determination of good character;

~~(6)~~(7) a copy of the candidate's photograph;

~~(7)~~(8) a copy of the candidate's fingerprints;

~~(8)~~(9) evidence satisfactory to the director that the candidate's present age is not less than twenty-one years. This evidence must include a birth certificate or another acceptable document;

~~(9)~~(10) evidence satisfactory to the director of successful completion of a course of law enforcement training as established and

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approved by the director, and conducted at an academy or institution approved by the director, this evidence to consist of a certificate granted by the approved institution.

(C)(1) A certificate as a law enforcement officer issued by the council will expire three years from the date of issuance or upon discontinuance of employment by the officer with the employing entity or agency.

(2) Notwithstanding the provisions of item (1), a certificate may not expire if employment is discontinued because of the officer's absence from work due to a disability he sustained in that employment for which he receives workers' compensation benefits and from which he has not been authorized to return to work without restriction; provided, however, that before he may resume employment for which the certificate is required, he must complete all continuing education requirements for the period of time in which he was receiving workers' compensation benefits and had not been authorized to return to work. Additionally, the three-year duration of a certificate is tolled during such an absence from employment, and begins running when the officer is authorized to return to work without restriction.

(3) Prior to the expiration of the certificate, the certificate may be renewed upon application presented to the director on a form prescribed by the director. The application for renewal must be received by the director at least forty-five days prior to the expiration of the certificate.

(4) If the officer's certificate has lapsed, the council may reissue the certificate after receipt of an application and if the director is satisfied that the officer continues to meet the requirements of subsection (B)(1) through ~~(9)~~(10).

(D) The director may accept for training as a law enforcement officer an applicant who has met requirements of subsection (B)(1) through ~~(8)~~(9)." /

Renumber sections to conform.

Amend title to conform.

Senator McLEOD spoke on the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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Amendment No. 31

Senator McLEOD proposed the following amendment (CM\3094C004.GT.CM21), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION to read:

/SECTION ____ Chapter 23, Title 23 of the 1976 Code is amended by adding:

“Section 23-23-35. (A) The Race Relations Advisory Committee to the South Carolina Law Enforcement Training Council is hereby created and shall consist of five members who shall serve a one-year term that is concurrent with the terms of the eleven member Law Enforcement Training Council. Committee members may be reelected up to four consecutive years.

(B) Membership on the Race Relations Advisory Committee shall consist of the following and where possible, represent each of the state’s four geographical regions:

(1) a South Carolina attorney who is an active member of the South Carolina Bar and has a minimum of seven years’ experience in civil rights law;

(2) a former South Carolina judge or justice of the Circuit Court, Appellate Court or Supreme Court, with extensive experience in civil rights cases;

(3) a racial or ethnic minority community member;

(4) a racial or ethnic minority member of a rural community;

(5) a Chief Diversity Officer of a South Carolina public university

(C) Members shall be appointed by Speaker of the House of Representatives, and may be removed for cause by the Speaker of the House.

(D) The first meeting of the Race Relations Advisory Committee shall commence within ninety days of the enactment of this law; members shall elect a chair and vice chair to begin serving on January 1, 2022. The committee shall meet at the call of the chair or at the call of the majority of the members, and shall meet no fewer than six times per year.

(E) Members shall not receive compensation, but may receive the mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

(F) The Committee shall conduct an independent study of current attitudes and actions of law enforcement and how these attitudes and actions are perceived by communities of color in each county or region of the State. Disparities and inconsistencies in enforcement, racial

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profiling practices or propensities, disparate treatment of minorities and de-escalation techniques of law enforcement also will be studied and assessed annually by the Race Relations Advisory Committee. The committee's findings, along with joint recommendations of the council and committee, will be reported to the South Carolina House of Representatives no later than January thirty-first of the following year."/

Renumber sections to conform.

Amend title to conform.

Senator McLEOD spoke on the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 32

Senators GOLDFINCH, MALLOY and CAMPSSEN proposed the following amendment (3094R042.SP.SLG), which was adopted:

Amend the bill, as and if amended, by striking Section 14-17-325(B)(4) and inserting:

/ (4) other restraining orders, orders of protection, or other orders that prohibit a person from legally purchasing or possessing a firearm, but only upon being directed to transmit such orders by the appropriate judge. For any orders, the Court Administration must provide the form. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

The amendment was adopted.

Amendment No. 34

Senator MALLOY proposed the following amendment (JUD3094.009), which was not adopted:

Amend the bill, as and if amended, by striking SECTIONS 2, 3, 4, 5, 6, 7 and 8 and inserting therein:

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/ SECTION 2. Section 23-31-210(5) of the 1976 Code is amended to read:

"(5) 'Concealable weapon' means a firearm having a length of less than twelve inches measured along its greatest dimension that ~~must~~ may be carried openly on one's person in a shoulder or belt holster or in a manner that is hidden from public view in normal wear of clothing except when needed for self-defense, defense of others, and the protection of real or personal property."

SECTION 3. Section 16-23-20(9) of the 1976 Code is amended to read:

"(9) a person in a vehicle if the handgun is:

(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or

(b) carried openly in a shoulder or belt holster or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;"

SECTION 4. Section 23-31-220 of the 1976 Code is amended to read:

"Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is licensed under this article from carrying a concealable weapon or openly carrying a weapon in a shoulder or belt holster upon the premises of the business or work place or while using any machinery, vehicle, or equipment owned or operated by the business;

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable or openly carried weapon upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating 'No Concealable Weapons Allowed' shall constitute notice to a person holding a permit issued pursuant to this article that the employer, owner, or person in legal possession or control requests that concealable or open carry weapons

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not be brought upon the premises or into the work place. A person who brings a concealable or open carry weapon onto the premises or work place in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (1).

(C) In addition to the provisions of subsection (B), a public or private employer or owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business."

SECTION 5. Section 23-31-235 of the 1976 Code is amended to read:

"Section 23-31-235. (A) Notwithstanding any other provision of this article, any requirement of or allowance for the posting of signs prohibiting the carrying of a concealable or open carry weapon upon any premises shall only be satisfied by a sign expressing the prohibition in both written language interdict and universal sign language.

(B) All signs must be posted at each entrance into a building where a concealable or open carry weapon permit holder is prohibited from carrying a concealable or open carry weapon and must be:

- (1) clearly visible from outside the building;
- (2) eight inches wide by twelve inches tall in size;
- (3) contain the words 'NO CONCEALABLE WEAPONS ALLOWED' in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five degree angle from the horizontal;
- (5) a diameter of a circle; and
- (6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

(C) If the premises where concealable weapons are prohibited does not have doors, then the signs contained in subsection (A) must be:

- (1) thirty-six inches wide by forty-eight inches tall in size;
- (2) contain the words 'NO CONCEALABLE WEAPONS ALLOWED' in black three-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;
- (3) contain a black silhouette of a handgun inside a circle thirty-four inches in diameter with a diagonal line that is two inches wide and

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runs from the lower left to the upper right at a forty-five degree angle from the horizontal and must be a diameter of a circle whose circumference is two inches wide;

(4) placed not less than forty inches and not more than ninety-six inches above the ground;

(5) posted in sufficient quantities to be clearly visible from any point of entry onto the premises.

(D) Nothing in this section prevents a public or private employer or owner of a business from posting a sign regarding the prohibition or allowance on those premises of concealable weapons or open carrying of weapons which may be unique to that business."

SECTION 6. Section 23-31-210(4)(a) of the 1976 Code is amended to read:

"(a) a person who, within three years before filing an application, successfully has completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety. This education course must include, but is not limited to:

(i) information on the statutory and case law of this State relating to handguns and to the use of deadly force;

(ii) information on handgun use and safety;

(iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; ~~and~~

(iv) the actual firing of the handgun in the presence of the instructor;

(v) properly securing a firearm in a shoulder or belt holster;

(vi) 'cocked and locked' carrying of a firearm;

(vii) how to respond to a person who attempts to take your firearm from your holster; and

(viii) deescalation techniques and strategies."

SECTION 7. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

"Section 23-31-232. (A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, a person who holds a valid permit issued pursuant to this article may carry a concealable weapon on the leased premises of an elementary or secondary school if a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

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(a) only during those times that the church has the use and enjoyment of the property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the district that persons are, or may be, carrying concealed weapons on the property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

(B) For the purposes of the Federal Gun-Free School Zone Act (18 U.S.C. Section 921(a)), the buildings and grounds of a school that are leased to a church are not considered a school during the hours that the church has the use and enjoyment of the property pursuant to this section."

SECTION 8. Section 23-31-520 of the 1976 Code is amended to read:

~~"Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) Notwithstanding another provision of law, a governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm on public property at a public protest, demonstration, rally, fair, parade, festival, or other organized event in the county, municipality, or political subdivision. A person or entity hosting a public protest, demonstration, rally, fair, parade, festival, or other organized event must post signs at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to them pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or the location of the event.

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(C) A county, municipality, or political subdivision may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest." /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

The amendment failed.

Amendment No. 36

Senator MATTHEWS proposed the following amendment (CM\3094C001.GT.CM21), which was withdrawn:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION to read:

/SECTION ____ . Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

"Section 23-31-250. A person who unlawfully carries a concealable or open carry weapon in a manner for which no penalty is contained in this chapter:

(1) for a first offense is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than one year;

(2) for a second offense is guilty of a felony and, upon conviction, must be imprisoned not more than two years; or

(3) for a third or subsequent offense is guilty of a felony and, upon conviction, must be imprisoned not more than five years." /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

On motion of Senator MATTHEWS, with unanimous consent, the amendment was withdrawn.

Amendment No. 37

Senator MATTHEWS proposed the following amendment (CM\3094C003.GT.CM21), which was not adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION to read:

/ SECTION ____ . Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

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“Section 23-31-250. A person who unlawfully carries a concealable or open carry weapon in a manner for which no penalty is contained in this chapter:

(1) for a first offense is guilty of a misdemeanor triable in magistrates court and, upon conviction, must be fined not more than two hundred fifty dollars, or imprisoned not more than forty-eight hours, or both;

(2) for a second offense is guilty of a misdemeanor and, upon conviction, must be fined one thousand dollars and imprisoned thirty days; or

(3) for a third or subsequent offense is guilty of a felony and, upon conviction, must be imprisoned not more than one year.” /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 40

Senator MATTHEWS proposed the following amendment (AHB\3094C006.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon; or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not apply to:

(1) a person who possesses a concealable weapons’ permit pursuant to Article 4, Chapter 31, Title 23 and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person’s vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds; or

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(2) any person who possesses a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 when the General Assembly is in session." /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 42

Senator MATTHEWS proposed the following amendment (PH\3094C001.JN.PH21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 23-31-215(A) of the 1976 Code is amended by adding an appropriately numbered item to read:

"() proof of liability insurance in the name of the applicant to cover any incidents associated with the use of concealable weapon." /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 43

Senator MATTHEWS proposed the following amendment (PH\3094C002.JN.PH21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. Section 23-31-215(A) of the 1976 Code is amended by adding an appropriately numbered item to read:

"() proof of coverage for any incidents associated with the use of a concealable weapon on the applicant's homeowners insurance policy."/

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 12; Nays 29

AYES

Allen	Fanning	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Matthews	McLeod	Sabb
Scott	Stephens	Williams

Total--12

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Peeler	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

Total--29

The amendment failed.

Amendment No. 50

Senator MATTHEWS proposed the following amendment (AHB\3094C008.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. A. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 12

Seizure of Firearms and Ammunition from a Person Posing
a Risk of Imminent Personal Injury to Self or Others

Section 23-31-1210. A solicitor, assistant solicitor, or two law enforcement officers may file a verified complaint with any probate court, for issuance of a warrant to seize any firearms and ammunition of

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a person if the solicitor, assistant solicitor, or law enforcement officers have probable cause to believe that:

- (1) the person poses a risk of imminent personal injury to himself or to other individuals;
- (2) the person possesses one or more firearms; and
- (3) the firearms are within or upon any person or property.

Upon a receipt of an application that establishes the requisite grounds for the warrant as provided in Section 23-31-1220, a judge may issue a warrant commanding a proper law enforcement officer to enter into or upon such property, search the person and property, and take into the officer's custody any and all firearms and ammunition. The solicitor, assistant solicitor, or law enforcement officers must not file a complaint before conducting an independent investigation and determining that probable cause exists and that there is no reasonable alternative available to prevent the person from causing imminent personal injury to himself or to others with the firearms.

Section 23-31-1220. (A) A warrant may be issued on an affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the warrant, and the affidavit must be made part of the seizure file. In determining whether grounds for the application exist or whether there is probable cause to believe the grounds exist, the judge shall consider:

- (1) recent threats or acts of violence by the person directed toward other persons;
- (2) recent threats or acts of violence by the person directed toward himself; and
- (3) recent acts of cruelty to animals by the person, including acts that violate Chapter 1, Title 47.

(B) In evaluating whether any recent threats or acts of violence constitute probable cause to believe that the person poses a risk of imminent personal injury to himself or to others, the judge may consider other factors including, but not limited to:

- (1) the reckless use, display, or brandishing of a firearm by the person;
- (2) a history of the use, attempted use, or threatened use of physical force by the person against other persons;
- (3) prior involuntary confinement of the person in a hospital for persons with psychiatric disabilities; and
- (4) the illegal use of controlled substances or abuse of alcohol by the person.

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Section 23-31-1230. If the judge is satisfied that the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall issue a warrant naming or describing the person or property to be searched. The warrant must be directed to a proper law enforcement officer, must state the grounds or probable cause for its issuance, and must command the law enforcement officer to search within a reasonable time the person or property named for any and all firearms and ammunition. A copy of the warrant must be given to the person named therein together with a notice informing the person that the person has the right to a hearing pursuant to this section and the right to be represented by counsel at the hearing.

Section 23-31-1240. The applicant for the warrant shall file a copy of the application for the warrant and all affidavits upon which the warrant is based with the clerk of the probate court for the county in which the search will be conducted no later than the next business day following the execution of the warrant. Prior to the execution and return of the warrant, the clerk of the court may not disclose any information pertaining to the application for the warrant or any affidavits upon which the warrant is based. The warrant must be executed and returned with reasonable promptness consistent with due process of law and must be accompanied by a written inventory of all firearms and ammunition seized.

Section 23-31-1250. (A) Not later than seven days after execution of the warrant pursuant to this article, the probate court for the county where the person named in the warrant resides shall hold a hearing to determine whether any seized firearms and ammunition should be returned to the person named in the warrant or should continue to be held by the State. At the hearing, the State has the burden of proving all material facts by clear and convincing evidence.

(B) If, after the hearing, the court finds by clear and convincing evidence that the person poses a risk of imminent personal injury to himself or to other individuals, the court may order that the firearms and ammunition seized pursuant to the warrant to continue to be held by the State for a period not to exceed one year.

(C) If the court does not find clear and convincing evidence that the person poses a risk of imminent injury to himself or other individuals, the court shall order the seized firearms and ammunition to be returned to the person named in the warrant.

(D) If the court finds that the person poses a risk of imminent personal injury to himself or to other individuals, the court shall give notice to the

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Department of Mental Health, which may take such action pursuant to Chapters 22, 23, and 24 of Title 44, as it deems appropriate.

Section 23-31-1260. Any person whose firearms and ammunition has been ordered seized pursuant to this article, or the person's legal representative, may transfer any seized firearms and ammunition in accordance with applicable state or federal law, to any person eligible to possess the seized firearms and ammunition. The person, or the person's legal representative, may not request transfer until the court enters an order to continue to hold the seized firearms and ammunition pursuant to Section 23-31-1250(B). Upon notification in writing by the person, or the person's legal representative, and the transferee, the law enforcement agency holding the seized firearms and ammunition shall deliver the seized firearms and ammunition to the transferee within ten days of receiving written notification from the person, or the person's legal representative, and the transferee of the transfer request."

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 35

AYES

Fanning	Harpootlian	Jackson
<i>Johnson, Kevin</i>	Matthews	McLeod
Stephens		

Total--7

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin

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Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--35

The amendment failed.

Amendment No. 51

Senator MATTHEWS proposed the following amendment (AHB3094C018.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. A. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-540. (A) As used in this section:

(1) ‘Child’ means a person under eighteen years of age.

(2) ‘Firearm’ means a rifle, shotgun, pistol, or similar device that propels a projectile through the energy of an explosive.

(3) ‘Locked container’ means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. The term includes the locked utility or glove compartment of a motor vehicle.

(4) ‘Trigger-locking device’ means a device which prevents a firearm from functioning and which, when locked on the firearm, renders the firearm inoperable.

(B) A person who stores or leaves on premises under his control a firearm in a:

(1) condition that the firearm can be discharged; and

(2) manner that the person knows, or reasonably should have known that a child is likely to gain access to the firearm without the permission of the child’s parent or guardian:

(a) is guilty of child endangerment with a firearm in the first degree if a child gains access to the firearm without the lawful permission of the child’s parent or guardian and the child causes personal injury or death with the firearm not in self-defense; or

(b) is guilty of child endangerment with a firearm in the second degree if a child gains access to the firearm without the lawful permission of the child’s parent or guardian and the child:

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- (i) possesses the firearm in violation of Section 16-23-30;
- (ii) causes the firearm to discharge;
- (iii) exhibits the firearm in a public place in an angry, threatening, or careless manner; or
- (iv) uses the firearm in the commission of a crime.

(C) A person who violates the provisions of:

(1) subsection (B)(2)(a) is guilty of a misdemeanor and, upon conviction, must be fined not more than two thousand dollars or imprisoned for not more than three years, or both; or

(2) subsection (B)(2)(b) is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both.

(D) The provisions of this section do not apply when any of the following occur, the:

(1) child obtains the firearm as a result of an illegal entry to any premises of a person;

(2) firearm is kept in a locked container or in a location which a reasonable person would believe to be secure;

(3) firearm is carried on the person or within such close proximity that the person can readily retrieve and use the firearm as if carried on the person;

(4) firearm is locked with a trigger-locking device;

(5) child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person; or

(6) firearm is kept on any premises which is under the custody or control of a person who has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises.

(E)(1) Upon the retail sale or transfer of a firearm, the seller shall deliver a written warning to the purchaser that states, in block letters not less than one-fourth inch in height:

‘IT IS UNLAWFUL, AND PUNISHABLE BY IMPRISONMENT AND FINE, FOR ANY PERSON TO STORE OR LEAVE A FIREARM IN ANY PLACE WITHIN THE REACH OR EASY ACCESS OF A CHILD UNDER THE AGE OF EIGHTEEN’.

(2) A retail dealer who sells firearms shall conspicuously post at each purchase counter the following warning in block letters not less than one inch in height:

‘IT IS UNLAWFUL TO STORE OR LEAVE A FIREARM IN ANY PLACE WITHIN THE REACH OR EASY ACCESS OF A CHILD UNDER THE AGE OF EIGHTEEN’.

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(3) A person who knowingly violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars nor more than five thousand dollars.”

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 52

Senator GOLDFINCH proposed the following amendment (3094R044.SP.SLG), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new item to Section 23-31-240 to read:

/ () the Attorney General and assistant attorneys general. /

Renumber sections to conform.

Amend title to conform.

Senator GOLDFINCH spoke on the amendment.

The amendment was adopted.

Amendment No. 53

Senator MATTHEWS proposed the following amendment (AHB3094C019.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. A. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-550. (A) No person, firm, or corporation shall sell, deliver, or otherwise transfer any pistol or revolver, other than at wholesale, unless such pistol or revolver is equipped with a reusable trigger lock, gun lock, or gun locking device appropriate for such pistol or revolver, which lock or device shall be constructed of material sufficiently strong to prevent it from being easily disabled and have a locking mechanism accessible by key or by electronic or other mechanical accessory specific to such lock or device to prevent unauthorized removal. No pistol or revolver shall be loaded or contain

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therein any gunpowder or other explosive or any bullet, ball, or shell when such pistol or revolver is sold, delivered, or otherwise transferred.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than more five thousand dollars or imprisoned not more than five years.” /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 54

Senator MATTHEWS proposed the following amendment (CM\3094C005.GT.CM21), which was not adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/SECTION ____ . Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16-23-540. (A) It shall be unlawful to store or keep any firearm unless it is secured in a locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user. For purposes of this section, a firearm shall not be deemed stored or kept if carried by or under the control of the owner or other lawfully authorized user.

(B) A violation of the provisions of this section shall be evidence of wanton or reckless conduct in any criminal or civil proceeding if a person under the age of eighteen who was not a trespasser or was a foreseeable trespasser acquired access to a weapon, unless such person possessed a valid permit issued under Section 23-31-215 and was permitted by law to possess such weapon, and such access results in the personal injury to or the death of any person.

(C) A person who violates this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, or imprisoned not more than five years, or both.” /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

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The amendment failed.

Amendment No. 56A

Senator MASSEY proposed the following amendment (3094R049.SP.ASM), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. A.Section 23-31-215(A)(5), (6), and (7) of the 1976 Code is amended to read:

“(5) proof of training; and

(6) ~~payment of a fifty dollar application fee. This fee must be waived for disabled veterans and retired law enforcement officers; and~~

~~(7) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.”~~

B.Section 23-31-215(C) of the 1976 Code is amended to read:

“(C) SLED shall issue a written statement to an unqualified applicant specifying its reasons for denying the application within ninety days from the date the application was received; otherwise, SLED shall issue a concealable weapon permit. If an applicant is unable to comply with the provisions of Section 23-31-210(4), SLED shall offer the applicant a handgun training course that satisfies the requirements of Section 23-31-210(4). ~~The course shall cost fifty dollars. SLED may not charge a fee of any kind for a concealable weapon permit. SLED shall use the proceeds to defray the training course's operating costs.~~ If a permit is granted by operation of law because an applicant was not notified of a denial within the ninety-day notification period, the permit may be revoked upon written notification from SLED that sufficient grounds exist for revocation or initial denial.” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY spoke on the amendment.

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The amendment was adopted.

Amendment No. 57

Senator MARTIN proposed the following amendment (3094R045.SP.SRM), which was adopted:

Amend the bill, as and if amended, on page 6, by striking lines 13 through 14 and inserting:

/SECTION 9. A. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding: /

Amend the bill further, as and if amended, on page 7, by inserting on line 3:

/B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

Amendment No. 58A

Senator MALLOY proposed the following amendment (JUD3094.011), which was not adopted:

Amend the bill, as and if amended, by striking SECTION 11 beginning on page 9, line 26 and inserting therein:

/ SECTION 11. Section 23-31-240 of the 1976 Code is amended to read:

“Section 23-31-240. Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State, ~~when carrying out the duties of their office:~~

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors; ~~and~~

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(12) active public defenders and assistant public defenders;

(13) active members and officers of the South Carolina Senate and House of Representatives; and

(14) active workers' compensation commissioners.”

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the amendment.

The amendment failed.

Amendment No. 59

Senator MATTHEWS proposed the following amendment (CM\3094C006.GT.CM21), which was not adopted:

Amend the bill, as and if amended, SECTION 8, Section 23-31-520(A), by deleting line 41 on page 5 and inserting:

/subdivision shall not exercise the provisions of this subsection. A /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 60

Senators MATTHEWS and McLEOD proposed the following amendment (AHB\3094C021.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION __. A. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 12

Seizure of Firearms and Ammunition from a Person Posing
a Risk of Imminent Personal Injury to Self or Others

Section 23-31-1210. A solicitor, assistant solicitor, or two law enforcement officers may file a verified complaint with any probate court, for issuance of a warrant to seize any firearms and ammunition of a person if the solicitor, assistant solicitor, or law enforcement officers have probable cause to believe that:

(1) the person poses a risk of imminent personal injury to himself or to other individuals;

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- (2) the person possesses one or more firearms; and
- (3) the firearms are within or upon any person or property.

Upon a receipt of an application that establishes the requisite grounds for the warrant as provided in Section 23-31-1220, a judge may issue a warrant commanding a proper law enforcement officer to enter into or upon such property, search the person and property, and take into the officer's custody any and all firearms and ammunition. The solicitor, assistant solicitor, or law enforcement officers must not file a complaint before conducting an independent investigation and determining that probable cause exists and that there is no reasonable alternative available to prevent the person from causing imminent personal injury to himself or to others with the firearms.

Section 23-31-1220. (A) A warrant may be issued on an affidavit sworn to by the complainant or complainants before the judge and establishing the grounds for issuing the warrant, and the affidavit must be made part of the seizure file. In determining whether grounds for the application exist or whether there is probable cause to believe the grounds exist, the judge shall consider:

- (1) recent threats or acts of violence by the person directed toward other persons;
- (2) recent threats or acts of violence by the person directed toward himself; and
- (3) recent acts of cruelty to animals by the person, including acts that violate Chapter 1, Title 47.

(B) In evaluating whether any recent threats or acts of violence constitute probable cause to believe that the person poses a risk of imminent personal injury to himself or to others, the judge may consider other factors including, but not limited to:

- (1) the reckless use, display, or brandishing of a firearm by the person;
- (2) a history of the use, attempted use, or threatened use of physical force by the person against other persons;
- (3) prior involuntary confinement of the person in a hospital for persons with psychiatric disabilities; and
- (4) the illegal use of controlled substances or abuse of alcohol by the person.

Section 23-31-1230. If the judge is satisfied that the grounds for the application exist or that there is probable cause to believe that they exist, the judge shall issue a warrant naming or describing the person or property to be searched. The warrant must be directed to a proper law enforcement officer, must state the grounds or probable cause for its

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issuance, and must command the law enforcement officer to search within a reasonable time the person or property named for any and all firearms and ammunition. A copy of the warrant must be given to the person named therein together with a notice informing the person that the person has the right to a hearing pursuant to this section and the right to be represented by counsel at the hearing.

Section 23-31-1240. The applicant for the warrant shall file a copy of the application for the warrant and all affidavits upon which the warrant is based with the clerk of the probate court for the county in which the search will be conducted no later than the next business day following the execution of the warrant. Prior to the execution and return of the warrant, the clerk of the court may not disclose any information pertaining to the application for the warrant or any affidavits upon which the warrant is based. The warrant must be executed and returned with reasonable promptness consistent with due process of law and must be accompanied by a written inventory of all firearms and ammunition seized.

Section 23-31-1250. (A) Not later than seven days after execution of the warrant pursuant to this article, the probate court for the county where the person named in the warrant resides shall hold a hearing to determine whether any seized firearms and ammunition should be returned to the person named in the warrant or should continue to be held by the State. At the hearing, the State has the burden of proving all material facts by clear and convincing evidence.

(B) If, after the hearing, the court finds by clear and convincing evidence that the person poses a risk of imminent personal injury to himself or to other individuals, the court may order that the firearms and ammunition seized pursuant to the warrant to continue to be held by the State for a period not to exceed one year.

(C) If the court does not find clear and convincing evidence that the person poses a risk of imminent injury to himself or other individuals, the court shall order the seized firearms and ammunition to be returned to the person named in the warrant.

(D) If the court finds that the person poses a risk of imminent personal injury to himself or to other individuals, the court shall give notice to the Department of Mental Health, which may take such action pursuant to Chapters 22, 23, and 24 of Title 44, as it deems appropriate.

Section 23-31-1260. Any person whose firearms and ammunition has been ordered seized pursuant to this article, or the person's legal representative, may transfer any seized firearms and ammunition in accordance with applicable state or federal law, to any person eligible to

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possess the seized firearms and ammunition. The person, or the person's legal representative, may not request transfer until the court enters an order to continue to hold the seized firearms and ammunition pursuant to Section 23-31-1250(B). Upon notification in writing by the person, or the person's legal representative, and the transferee, the law enforcement agency holding the seized firearms and ammunition shall deliver the seized firearms and ammunition to the transferee within ten days of receiving written notification from the person, or the person's legal representative, and the transferee of the transfer request.

Section 23-31-1270. A health care professional including, but not limited to, a mental health care professional has a duty to report to the appropriate law enforcement agency and probate court when a person has a significant mental health episode in which the health care professional, in his discretion, determines there is such a mental incapacity that the person may be a danger to themselves and others. If such mental capacity is determined to exist, the appropriate law enforcement agency or probate court shall report such to the State Law Enforcement Division (SLED) within forty-eight hours of receiving such notice, and SLED shall determine if the person is a concealed weapons permit holder."

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 7; Nays 31

AYES

Harpootlian	Jackson	<i>Johnson, Kevin</i>
Matthews	McLeod	Scott
Stephens		

Total--7

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash

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Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rice	Shealy	Talley
Turner	Verdin	Williams
Young		

Total--31

The amendment failed.

Amendment No. 61

Senator CLIMER proposed the following amendment (3094R053.SP.WC), which was out of order:

Amend the bill, as and if amended, on page 1, by striking lines 40 through 41 and inserting:

/SECTION 3. Sections 16-23-20(1) and (9) of the 1976 Code are amended to read:

“(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers ~~employed as private detectives or private investigators;~~” /

Renumber sections to conform.

Amend title to conform.

Senator CLIMER spoke on the amendment.

Point of Order

Senator K. JOHNSON raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MARTIN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

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The amendment was ruled out of order.

Amendment No. 62

Senator RICE proposed the following amendment (3094R052.SP.RFR), which was withdrawn:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. Article 4, Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Section 23-31-218. (A) A person who is at least eighteen years of age and who is not prohibited by state law from possessing a weapon may carry a concealable weapon, whether concealed or openly carried, if he has proof of training as defined in Section 23-31-210(4) and proof of a successfully completed background check as required by subsection (B).

(B) Upon receiving proof of residence, SLED must conduct or facilitate a background check of the person. SLED must provide the person with proof of the results of the background check within twenty days, along with a statement that the review and background check has revealed that the person is eligible or prohibited from possessing a weapon under state law.

(C) If, after performing the background check required by subsection (B), SLED discovers that the person has become disqualified from possessing a weapon under state law, then SLED must notify the person of the disqualification.

(D) A person who has successfully completed training and passed a background check may carry a concealable weapon statewide in all places and locations in which a concealable weapon permit holder is authorized to carry a weapon unless the person has:

- (1) become prohibited under state law from possessing a weapon;
- (2) moved his permanent residence to another state; or
- (3) been charged with an offense that, upon conviction, would prohibit the person from possessing a firearm.

(E) A person who carries a concealable weapon pursuant to this section must have the proof of training and background check in his possession whenever he carries a concealable weapon. A person carrying a concealable weapon pursuant to this section must inform a law enforcement officer of the fact that he is legally authorized to carry the concealable weapon and present his proof of training and background check when an officer:

- (1) identifies himself as a law enforcement officer; and

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(2) requests identification or a driver's license from the person.

(F) A person may carry a concealable weapon, whether concealed or openly carried, without having successfully completed training and a background check pursuant to this article if:

(1) specified in Section 16-23-20, items (1), (2), (3), (4), (5), (7), (8), (9), (10), or (11); or

(2) carrying a concealable weapon in a manner not prohibited by law.

(G) A person must renew his background check at least once every five years as required by subsection (B).

(H) No provision contained within this article shall expand, diminish, or affect the duty of care owed by or the liability accruing to, as either exists immediately before July 1, 2021, the owner of or individual in legal possession of real property for the injury or death of an invitee, licensee, or trespasser caused by the use or misuse by a third party of a concealable weapon. The absence of a sign prohibiting concealable weapons shall not constitute negligence or establish a lack of duty of care." /

Renumber sections to conform.

Amend title to conform.

Senator RICE spoke on the amendment.

On motion of Senator RICE, the amendment was withdrawn.

Amendment No. 63

Senator CROMER proposed the following amendment (3094R054.SP.RWC), which was adopted:

Amend the bill, as and if amended, on page 4, by striking lines 28 through 29, and inserting:

/ (iv) the actual firing of the handgun in the presence of the instructor, provided that a minimum of twenty-five rounds must be fired;
/

Renumber sections to conform.

Amend title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

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Amendment No. 64

Senator MATTHEWS proposed the following amendment (AHB\3094C022.BH.AHB21), which was not adopted:

Amend the bill, as and if amended, SECTION 5, Section 23-31-235, by adding an appropriately lettered subsection to read:

/ () In addition to the sign requirements pursuant to the provisions of this section, a public or private employer or owner of a business doing business in this State which maintains a presence on social media or maintains a website regarding the business must post in a conspicuous place on their social media and website, as appropriate, a notice that provides whether or not open carry or concealed weapons are allowed or not allowed on the premises of the business. /

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS spoke on the amendment.

The amendment failed.

Amendment No. 66

Senator KIMBRELL proposed the following amendment (3094R057.SP.JK), which was tabled:

Amend the bill, as and if amended, on page 2, by striking lines 20 - 23 and inserting:

/ “Section 23-31-220. (A) Except for the provisions of Section 23-31-215(M), ~~Nothing~~ nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a ~~public or~~ private employer to prohibit a /

Amend the bill further, as and if amended, on page 3, by striking line 3 and inserting:

/ (C) In addition to the provisions of subsection (B), a /

Amend the bill further, as and if amended, on page 4, by striking line 10 and inserting:

/ (D) Except for the provisions of Section 23-31-215(M), nothing in this section prevents a private employer /

Amend the bill further, as and if amended, on page 5, by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Section 23-31-520 of the 1976 Code is repealed. /

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

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/SECTION __. Section 10-11-320 of the 1976 Code is amended to read:

“Section 10-11-320. (A) It is unlawful for any person or group of persons to:

(1) ~~carry or have readily accessible to the person upon the capitol grounds or within the capitol building any firearm or dangerous weapon;~~
or

(2) discharge any firearm or to use any dangerous weapon upon the capitol grounds or within the capitol building.

(B) This section does not ~~apply to prohibit~~ a person who possesses a concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 from carrying or having readily accessible a firearm upon the capitol grounds or within the capitol building and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL spoke on the amendment.

Point of Order

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator HEMBREE spoke on the amendment.

Senator VERDIN spoke on the amendment.

Senator KIMBRELL spoke on the amendment.

ACTING PRESIDENT PRESIDES

Senator CASH assumed the Chair.

Senator SABB spoke on the amendment.

Senator SABB moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 31; Nays 13

AYES

Allen	Bennett	Campsen
Cash	Cromer	Fanning
Gambrell	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Turner	Williams
Young		

Total--31

NAYS

Adams	Alexander	Climer
Corbin	Davis	Garrett
Grooms	Kimbrell	Martin
Peeler	Rice	Talley
Verdin		

Total--13

The amendment was laid on the table.

PRESIDENT PRESIDES

At 8:25 P.M., the PRESIDENT assumed the Chair.

Amendment No. 67

Senator SENN proposed the following amendment (3094R050.KM.SS), which was tabled:

Amend the bill, as and if amended, by striking SECTION 8 in its entirety and inserting:

/SECTION 8. Section 23-31-520 of the 1976 Code is amended to read:

~~“Section 23-31-520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or~~

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~~negligent discharge or public brandishment of firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.~~

(A) A governing body of a county, municipality, or political subdivision may temporarily restrict the otherwise lawful open carrying of a firearm at a public protest, rally, fair, parade, festival, or other organized event. A person or entity hosting a public protest, rally, fair, parade, festival, or other organized event must post signs, either approved or provided by the governing body, at the event when open carrying is allowed or not allowed at the event.

(B) A governing body exercising the authority granted to it pursuant to this section must be specific in the area, duration, and manner in which the restriction is imposed and must provide prior notice of the restriction when feasible. In no event may the restriction extend beyond the beginning and conclusion of the event or beyond the location of the event.

(C) A governing body may not confiscate a firearm or ammunition for a violation of this section unless incident to an otherwise lawful arrest.” /

Renumber sections to conform.

Amend title to conform.

Senator SENN spoke on the amendment.

Senator MARTIN moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
Peeler	Rice	Shealy

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Talley	Turner	Verdin
Young		

Total--28

NAYS

Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Stephens	Williams

Total--15

The amendment was laid on the table.

The question then was third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 16

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Matthews	McElveen
McLeod	Sabb	Scott

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Senn
Williams

Setzler

Stephens

Total--16

There being no further amendments, the Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator McLEOD, with unanimous consent, the Senate stood adjourned out of respect to the memory of Miss Sanaa Amenhotep of Columbia, S.C. Sanaa was a loving daughter and friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Blanche McDougald Ferguson of Hartsville, S.C. Ms. Ferguson was a loving mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 8:44 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

* * *

Friday, May 7, 2021
(Local Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator SHEALY.

ADJOURNMENT

At 11:04 A.M., on motion of Senator HARPOOTLIAN, the Senate adjourned to meet next Tuesday, May 11, 2021, at 12:00 P.M.

* * *

Tuesday, May 11, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 15:13

In the Song of Moses, there appears this line: "In your unfailing love you will lead the people whom you have redeemed . . ."

Bow in prayer with me, if you will: Most blessed and merciful Lord, we reflect today upon how You led Your people and gained praise for doing so lovingly and successfully. And so today, in a similar manner, we do give praise to these leaders who have labored diligently and tirelessly this year here in the Senate of South Carolina. For weeks each Senator and every aide has tried to do his or her very best for the people they are called to serve. To that end they have typically brought about results that will ultimately enhance daily living for everyone here in this State. And that is why today we salute these leaders as we pray that You, dear Lord, will grant unfailing blessings upon them all as they continue to serve and to lead. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Climer
Cromer	Fanning	Gambrell
Garrett	Goldfinch	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rice	Sabb
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Beaufort County Master-in-Equity, with the term to commence July 1, 2021, and to expire July 1, 2027

Marvin Henry Dukes III, 791 Ribaut Rd., Beaufort, SC 29902

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 11, 2021, and to expire March 11, 2025

North Charleston:

Fred J. Kemmerlin, 5218 Bradock Ave., North Charleston, SC 29405

Initial Appointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 1, 2021, and to expire March 1, 2025

North Charleston:

Spencer Pryor, 4957 Amberwood Lane, North Charleston, SC 29418
VICE Vacant

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 11, 2021, and to expire March 11, 2025

North Charleston:

Debra Crosby Summey, 5051 Spaniel Drive, North Charleston, SC 29405

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5037

Agency: Department of Labor, Licensing and Regulation-Board of Funeral Service

Chapter: 57

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Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60, and 40-19-70

SUBJECT: Licensing Provisions; and Continuing Education

Received by Lieutenant Governor May 11, 2021

Referred to Committee on Labor, Commerce and Industry

Doctor of the Day

Senator LEATHERMAN introduced Dr. Valarian Bruce of Florence, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 12:04 P.M., Senator GUSTAFSON was granted a leave of absence for today.

Expression of Personal Interest

Senator K. JOHNSON rose for an Expression of Personal Interest.

Remarks by Senator KEVIN JOHNSON

Thank you, Mr. PRESIDENT. Over the weekend, I was thinking about an issue, and I remember that once toward the end of session my good friend, Senator DAVIS, had an issue that he was very concerned about and he made a promise to speak about that issue for a few minutes every day until we adjourned.

This whole idea regarding enhanced unemployment benefits and minimum wage concerns me. The Governor has directed the Department of Employment and Workforce not to accept or not to participate in the enhanced unemployment benefit for South Carolinians. This bothers me because as I said last week, we have many people in South Carolina who are making poverty wages. They work full time and sometimes their spouse and maybe sometimes their older children work, and they still cannot make ends meet. They do not have access to health insurance or they cannot afford it. There is a connotation that people are lazy or they do not want to work. However, as I said last week, some people are not at work under these circumstances during this pandemic, because they fear for their health. Some people are not at work because schools are closed and their young school aged children are at home participating in virtual education. In addition, there are others that are not working because their children are in a daycare program, and the daycare program is closed. Therefore, it is not always true that a person wants to sit home and not work and just receive a check from the government. Part of it may be, as I said last week, that people want to survive. If you give me

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the choice of leaving home to make \$7.25, \$8.00 or \$9.00 an hour or staying home with my children, who can't go to school and can't go to daycare -- receiving assistance during this pandemic to make ends meet then the choice is to be safe and stay home and take care of my children. I rise to say that \$300 a week extra is also peanuts if you are not making any money to begin with. I looked over the Payroll Protection Plan (PPP) list this weekend. We have people receiving thousands, tens of thousands and hundreds of thousands -- I saw a couple that were over \$1 million in PPP money and yet, there is a problem when people will not come to work for \$7.25 an hour. It bothers me that we would end the program, to give people a few extra dollars a week to make ends meet. When we have very wealthy and successful people receiving a considerable amount of money from the federal government -- we chose to cut off the funds that benefit the people who are most in need.

I just submit to you this afternoon that we got it wrong, and I wanted to make that point. I say again, if we have a problem in South Carolina, with what we are paying these employees, we need to support the increase in minimum wage. I am not saying it should be \$15.00, or whatever the case may be, but what I am saying, it is difficult for many people to survive off \$7.25 an hour. I am not going to come up here every day, but it is going to be one of my priorities next year to work hard to see that we pay people in South Carolina a livable wage and not poverty wages. I think people want to work and make a living. I think it is appalling that we would cut off the need or the funds that benefit them in favor of thousands and millions of dollars going to large businesses. It is somewhat ironic to me so I wanted to get up, make that point, and ask that we think about this while we are out of session. If we think about it and realize that none of us can live off \$7.25 an hour, we should be willing, next year, to try to do something to correct this issue. Thank you.

On motion of Senator MATTHEWS, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

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Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

RECALLED AND ADOPTED

S. 753 -- Senator Gambrell: A SENATE RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA SENATE BELIEVES IT IS IN THE BEST INTERESTS OF THE STATE IF UPON CONSIDERATION OF CERTAIN BIDS AND PROPOSALS TO REMEDIATE AND PREVENT CYANOBACTERIAL HARMFUL ALGAL BLOOMS, PREFERENCE IS GIVEN TO VENDORS WHO COMPLY WITH CERTAIN SPECIFICATIONS.

Senator GAMBRELL asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

The Resolution was adopted and ordered sent to the House.

RECALLED

H. 4320 -- Reps. G.R. Smith, Trantham and Willis: A BILL TO AMEND SECTION 7-7-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENVILLE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

Senator RANKIN asked unanimous consent to give the Bill a second reading Wednesday, May 12, 2021, and a third reading Thursday, May 13, 2021.

There was no objection.

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RECALLED

H. 4218 -- Reps. McDaniel and Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE CITY OF CHESTER IN CHESTER COUNTY FROM ITS INTERSECTION WITH HUDSON STREET TO ITS INTERSECTION WITH CEMETERY STREET "CHRISTOPHER KING, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3873 -- Reps. R. Williams, Henegan, Anderson, Jefferson, Kirby, Alexander, S. Williams, Rivers, Lowe and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOCIETY HILL ROAD IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH GREENFIELD ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 "COLONEL CHRISTOPHER N. WILLIAMSON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator MALLOY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 799 -- Senators Setzler, Jackson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian,

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Hembree, Hutto, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE HENRY MINIS UPON THE OCCASION OF HIS RETIREMENT AS STAFF FOR THE SOUTH CAROLINA SENATE, TO COMMEND HIM FOR HIS MANY YEARS OF SERVICE TO THE SOUTH CAROLINA SENATE AND THE PEOPLE OF THIS STATE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 800 -- Senator Verdin: A SENATE RESOLUTION TO HONOR THE SOUTH CAROLINA DIVISION OF THE UNITED DAUGHTERS OF THE CONFEDERACY FOR ITS LEGACY OF SERVICE AND HISTORIC PRESERVATION, TO REMEMBER THE DIVISION'S WORK IN RAISING SIGNIFICANT HISTORICAL MONUMENTS AND MARKERS, AND TO RECOGNIZE THE DIVISION'S MEMBERS AS OUTSTANDING CITIZENS WHOSE VENERATION OF PAST VALOR IS MATCHED BY THEIR PRESENT-DAY COMMITMENT TO PATRIOTIC VALUES.

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The Senate Resolution was adopted.

S. 801 -- Senators Hutto and Bennett: A SENATE RESOLUTION TO CONGRATULATE DONALD N. SORENSON UPON THE OCCASION OF HIS RETIREMENT AS FIRST ASSISTANT SOLICITOR FOR THE FIRST JUDICIAL CIRCUIT, TO COMMEND HIM FOR HIS THIRTY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 802 -- Senators Harpootlian and Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DAVID MARTIN ON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-SEVEN YEARS OF EXEMPLARY SERVICE TO THE STATE OF SOUTH CAROLINA AND TO WISH HIM EVERY HAPPINESS AND SUCCESS IN ALL HIS FUTURE ENDEAVORS AS HE

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BEGINS HIS WELL-DESERVED RETIREMENT AND THE NEXT CHAPTER IN HIS LIFE.

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The Senate Resolution was adopted.

S. 803 -- Senators Massey, Harpootlian, Martin, Loftis, Cash, Turner, Rice, Climer, Stephens, Corbin, Verdin, Kimbrell and Matthews: A SENATE RESOLUTION TO DECLARE THAT THE SENATE DECLINES TO CONSENT TO AN EXTENSION OR RENEWAL OF THE CURRENT STATE OF EMERGENCY OR THE ISSUANCE OF ANY NEW COVID-19-RELATED STATE OF EMERGENCY WITHOUT THE EXPRESS CONSENT OF THE GENERAL ASSEMBLY.

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

Senator MASSEY spoke on the Resolution.

Remarks by Senator MASSEY

Mr. PRESIDENT, thank you. This is a Senate Resolution that deals with the perpetual state of emergency we find ourselves in since the start of COVID. We had a debate in the Senate last May to require the Governor and the General Assembly to follow the law. I have introduced other Bills this year. We have not gotten very far with those -- so now this Senate Resolution. My thinking is that the law says a state of emergency lasts for 15 days, unless the General Assembly consents to an extension. If the Senate does not consent, then the General Assembly does not consent. My Resolution says that the Senate refuses to consent to additional extensions of the state of emergency. I would hope that we can take the Resolution up this week. I'm happy to have a debate on it. But we need to take it up and have a vote on it one way or the other. My biggest concern is that if I were to ask for a show of hands right now regarding how many in here have had the Governor or his staff reach out to any of us about continuing the state of emergency, my guess is that nobody would raise his or her hand. There has been no consultation. There has been no discussion. There has been no explanation as to why we need to remain in a state of emergency 14 months later. There may very well be reasons. I am suspicious of that. But I know that there has been no outreach. That frustrates me. It ought to frustrate all of us because the statute says that you have to have the consent of the General

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Assembly to extend a state of emergency. Again, I think that we need to take this up this week, debate it, and have a vote on it. I think the Resolution ought to pass because it stands on the letter of the law. Thank you for letting me make these introductory comments, Mr. PRESIDENT.

On motion of Senator CLIMER, with unanimous consent, the remarks of Senator MASSEY, were ordered printed in the Journal.

S. 804 -- Senator Williams: A SENATE RESOLUTION TO RECOGNIZE SEPTEMBER 2021 AS "CHILDHOOD CANCER AWARENESS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO SUPPORT THIS CAUSE THAT SO DEEPLY IMPACTS FAMILIES IN EVERY COMMUNITY ACROSS OUR COUNTRY.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 805 -- Senator Rankin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HIGHWAY 701 IN CONWAY, BETWEEN SOUTH CONWAY ELEMENTARY AND PITCH LANDING ROAD, THE "FREDDY E. HENDRICK HIGHWAY" AND TO ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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The Concurrent Resolution was adopted, ordered sent to the House.

H. 4350 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks,

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Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR PAUL F. YOUNGINER, SENIOR MANAGER OF THE SOUTH CAROLINA WEATHERIZATION ASSISTANCE PROGRAM, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-FIVE YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator PEELER from the Committee on Operations and Management polled out S. 790 favorable:

S. 790 -- Senator Matthews: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 8 AND TUESDAY, NOVEMBER 9 AND MONDAY, NOVEMBER 15 AND TUESDAY, NOVEMBER 16, 2021; HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Poll of the Operations and Management Committee

Polled 9; Ayes 8; Nays 0; Not Voting 1

AYES

Peeler	Leatherman	Malloy
Massey	Shealy	Turner
Hutto	Setzler	

Total--8

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NAYS

Total--0

NOT VOTING

Rankin

Total--1

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Operations and Management polled out S. 4132 favorable:

H. 4132 -- Rep. G.R. Smith: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS STUDENT GOVERNMENT FALL CONFERENCE AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE, AND THE RESPECTIVE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

Poll of the Operations and Management Committee

Polled 9; Ayes 8; Nays 0; Not Voting 1

AYES

Peeler
Massey
Hutto

Leatherman
Shealy
Setzler

Malloy
Turner

Total--8

NAYS

Total--0

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NOT VOTING

Rankin

Total--1

Ordered for consideration tomorrow.

Appointments Reported

Senator CROMER from the Committee on Banking and Insurance submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Banker:

Tommy Bouchette, 3370 Johnsonville Highway, Lake City, SC 29560-6468 *VICE* John Windley

Received as information.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Cooperative Credit Unions:

Jennifer Michaels, 13 Swan Lake Drive, Sumter, SC 29150-4740
VICE William S. Conley

Received as information.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2019, and to expire June 30, 2023

Banker:

Kenneth Wayne Wicker, 601 Addison Court, Myrtle Beach, SC 29577-2277

Received as information.

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Message from the House

Columbia, S.C., May 11, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Beaufort County Master-in-Equity, with term to commence July 1, 2021, and to expire June 30, 2027:

The Honorable Marvin Henry Dukes III, 791 Ribaut Road, Beaufort, S.C. 29902

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 792 -- Senators Alexander, Kimbrell and Campsen: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE JUNE 6–13, 2021, AS SOUTH CAROLINA BOATING AND FISHING WEEK AND TO COMMEND THE SOUTH CAROLINA BOATING AND FISHING ALLIANCE ON A SUCCESSFUL START TO ITS ORGANIZATION.

Returned with concurrence.

Received as information.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:00 A.M.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY

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DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3222 -- Reps. Davis, Forrest, Hiott, Cobb-Hunter, Jefferson, R. Williams and J. Moore: A BILL TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

OBJECTION

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice and Hembree: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR

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UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

Senator MASSEY objected to consideration of the Bill.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 224 -- Senators Shealy, McLeod, Hutto, Jackson, McElveen, Matthews and Adams: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100 OF THE 1976 CODE, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION, TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING, AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION IF THE PROSTITUTE HAS A MENTAL DISABILITY; AND TO REPEAL SECTION 16-15-110 OF THE 1976 CODE, RELATING TO PROSTITUTION VIOLATIONS.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3482 -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: A BILL TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

H. 3605 -- Rep. White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.

HOUSE BILL RETURNED

The following Bill was read the third time and ordered returned to the House with amendments:

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V.S. Moss, Lowe, Bryant, Forrest and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

AMENDED, READ THE THIRD TIME

HOUSE BILL RETURNED

H. 3786 -- Reps. G.M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

The Senate proceeded to a consideration of the Bill.

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Senator LEATHERMAN proposed the following amendment (3786R001.SP.HKL), which was adopted:

Amend the bill, as and if amended, on page 2, by striking lines 12 and 13 and inserting:

/concludes, salaries for the state officers listed in subsection (A) must /

Renumber sections to conform.

Amend title to conform.

Senator LEATHERMAN explained the amendment.

The amendment was adopted.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

AMENDED, CARRIED OVER

H. 3899 -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

The Senate proceeded to a consideration of the Bill.

Senators BENNETT and K. JOHNSON proposed the following amendment (DG\3899C003.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____ . Section 12-6-3790(D)(1) of the 1976 Code is amended to read:

“(1)(a) Tax credits authorized by subsection (H)(1) and subsection (I) annually may not exceed cumulatively a total of twelve million dollars for contributions to the Educational Credit for Exceptional Needs Children's Fund, unless an increased limit is authorized in the annual general appropriations act.

(b) Tax credits authorized pursuant to subsection (H)(2) annually may not exceed cumulatively a total of two million dollars for tuition payments made on behalf of qualifying students, unless an increased limit is authorized in the annual general appropriations act. However, if less than the maximum cumulative total of tax credits allowed pursuant to subitem (a) are authorized, then, the maximum cumulative total of tax credits allowed pursuant to this subitem may be increased by up to three million dollars, but the cumulative total of all

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tax credits authorized pursuant to this section may not be increased as a result.

(c) If the department determines that the total of the credits claimed by all taxpayers exceeds either limit amount as contained in subitems (a) or (b), it shall allow credits only up to those amounts on a first come, first-served basis.” /

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

On motion of Senator MALLOY, the Bill was carried over.

READ THE SECOND TIME

S. 432 -- Senator Alexander: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 38 OF THE 1976 CODE, RELATING TO CLAIMS PRACTICES, BY ADDING SECTION 38-59-60, TO ALLOW FOR CONTRIBUTIONS FOR DEFENSE COSTS FOR THE SAME CLAIM, SUIT, OR ACTION AMONG MORE THAN ONE LIABILITY INSURER.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Leatherman	Loftis	Martin
Massey	McElveen	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--40

NAYS

Kimpson
McLeod

Malloy

Matthews

Total--4

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 614 -- Senators Corbin, Loftis, Kimbrell, Garrett, Rice, Adams, Gustafson, Verdin, Cromer and Martin: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 25 OF THE 1976 CODE, RELATING TO THE MILITARY CODE, BY ADDING SECTION 25-1-80, TO PROVIDE FOR THE DUTIES AND RESPONSIBILITIES OF THE SOUTH CAROLINA UNORGANIZED MILITIA.

Senator MATTHEWS objected to consideration of the Bill.

AMENDED, READ THE SECOND TIME

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

The Senate proceeded to a consideration of the Bill.

Senator SETZLER proposed the following amendment (3024NS), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION _____. A mobile barbershop is prohibited from operating within eyesight of the nearest registered barbershop.

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Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Alexander	Allen	Bennett
Cash	Corbin	Cromer
Fanning	Gambrell	Garrett
Goldfinch	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Leatherman	Loftis	Malloy
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Stephens	Turner
Verdin	Williams	

Total--32

NAYS

Adams	Campsen	Climer
Davis	Grooms	<i>Johnson, Michael</i>
Kimbrell	Martin	Rice
Senn	Talley	Young

Total--12

The amendment was adopted.

Senators SCOTT and SETZLER proposed the following amendment (3024JBS2), which was withdrawn:

Amend the bill, as and if amended, page 1, Section 40-7-355, by adding appropriately numbered subitems to read:

/ () A mobile barbershop shall not operate at the same street address on a daily basis unless on an appointment-only basis.

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() Mobile barbershops must not operate within eyesight of permanent barbershop operations, and must not operate in locations that block or impair traffic flow on any street, highway, or freeway. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

The amendment was withdrawn.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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ABSTAIN

Cash

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senator RICE proposed the following amendment (3308R001.RFR), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding two appropriately numbered new items to read:

“() ‘Narrow waterway’ means a segment of the waters of this State that is three hundred feet or less in width.

() ‘Wake surf’ means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person.”

SECTION 2. Section 50-21-870(B)(6) of the 1976 Code is amended to read:

“(6)(a) operate a personal watercraft, specialty propcraft, or vessel while upon a narrow waterway in excess of idle speed within fifty feet of a moored or anchored vessel, wharf, dock, bulkhead, pier, or person in the water; or

(b) operate a personal watercraft, specialty propcraft, or vessel while upon the all other waters of this State in excess of idle speed within 50 one hundred feet of a moored or an anchored vessel, wharf, dock, bulkhead, pier, or a person in the water, or within 100 one hundred yards of the Atlantic Ocean coast line. The prohibitions contained in this item

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~~(6)~~ do not apply to an unoccupied, moored vessel or watercraft or to a person behind a vessel or watercraft who is on water skis or a floating device with the permission of the operator of the vessel or watercraft;”

SECTION 3. Section 50-21-870(B) of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() wake surf in excess of idle speed within three hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator RICE explained the amendment.

The amendment was adopted.

Senator GROOMS proposed the following amendment (3308R001.SP.LKG), which was adopted:

Amend the bill, as and if amended, on page 1, by striking line 27 and inserting:

/Lake Jocassee, Lake Keowee, Lake Monticello, Lake /

Amend the bill further, as and if amended, on page 1, by striking line 41 and inserting:

/vessel while upon the all other waters of this State, including Lake Marion, Lake Moultrie, and the Cooper River, in excess of idle /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 230 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO

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UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

On motion of Senator MALLOY, the Bill was carried over.

CARRIED OVER

S. 591 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, AND SECTION 20-1-260 RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT.

On motion of Senator CORBIN, the Bill was carried over.

CARRIED OVER

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

On motion of Senator SCOTT, the Bill was carried over.

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READ THE SECOND TIME

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

The Senate proceeded to a consideration of the Bill.

Senator KIMBRELL proposed the following amendment (3865R002.SP.JK), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 50-23-20 of the 1976 Code is amended to read:

“Section 50-23-20. Any watercraft ~~or~~ and outboard motor, ~~or both~~, held or principally used in this State must be dually titled by the department. An owner of a watercraft ~~or~~ and outboard motor titled in this State must notify the department within thirty days if ownership is transferred to another person, entity, or transferred out of state or otherwise disposed.”

SECTION __. Section 50-23-35 of the 1976 Code is amended to read:

“Section 50-23-35. (A) No dual title for a watercraft ~~or~~ and outboard motor may be issued by the department if currently titled in this State or titled or registered in another state unless it is accompanied by a receipt from the applicant's appropriate county official stating payment of ad valorem taxes due for the tax year in which the ownership was initiated has been paid. Applications submitted more than one year after ownership was initiated must be accompanied by paid tax receipts for all subsequent years up to the date the application was accepted by the department.

(B) A dual title for a watercraft ~~or~~ and outboard motor sold by a permitted marine dealer is exempt from the requirement for a paid tax receipt and may be titled by the department without the receipt indicating ad valorem taxes have been paid. The department must transmit daily a list of the titles and certificates of registration issued under this exemption to the respective county official for collection of ad valorem taxes.

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(C) No receipt is required for a watercraft ~~or~~ and outboard motor designated as exempt from ad valorem taxes by the appropriate county official, provided that each county makes such a determination when a watercraft ~~or~~ and outboard motor is dually titled in their respective county.”

SECTION __. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator GROOMS proposed the following amendment (3865R003.SP.LKG), which was withdrawn:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION __. Section 57-5-840 of the 1976 Code is amended to read:

“Section 57-5-840. A municipality may not alter any ~~State~~ state highway facility without the prior approval of the ~~Department~~ department, and any use or restriction made by ~~the city~~ a municipality of ~~the~~ a highway or highway right of way for ~~city~~ municipality utilities, parking, or ~~for~~ other purposes ~~shall be~~ is subject to prior approval of the ~~Department~~ department by encroachment permit.”

SECTION __. Article 5, Chapter 5, Title 57 of the 1976 Code is amended by adding:

“Section 57-5-845. (A) Parking facilities on state highway facilities located in beach communities that are eligible for beach renourishment funds:

- (1) must include free public beach parking;
- (2) may include paid public beach parking; and
- (3) may only be restricted by the department if the department determines that the restrictions are necessary under the circumstances.

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(B) Any municipality electing to charge for public beach parking may use the parking revenues for the operation, maintenance, preservation, or funding of:

- (1) public beach parking facilities;
- (2) beach access, maintenance, and renourishment;
- (3) traffic and parking enforcement;
- (4) first responders;
- (5) sanitation; and
- (6) litter control and removal for beaches.”

SECTION __. Section 57-7-210 of the 1976 Code is amended to read:

“Section 57-7-210. (A) For the purposes of this section, ‘highway’ includes the entire area within a highway right of way, including the shoulders and parking areas.

(B) ~~It shall be~~ is unlawful for any person wilfully to obstruct ditches and drainage openings along any highway, to place obstructions upon any such highway or to throw or place on any such highway any objects likely to cut or otherwise injure vehicles using them.

(C) A violation of this section shall be punishable by a fine of not more than one hundred dollars per day, ~~or~~ imprisonment for not more than thirty days, or both.” /

Renumber sections to conform.

Amend title to conform.

The amendment was withdrawn.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>

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Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

READ THE SECOND TIME

H. 4006 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

The Senate proceeded to a consideration of the Bill.

Senator TALLEY explained the Bill.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 4

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin

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Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Cash	Corbin	Loftis
Rice		

Total--4

The Bill was read the second time, passed and ordered to a third reading.

COMMITTEE AMENDMENT ADOPTED

OBJECTION

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

The Senate proceeded to a consideration of the Bill.

The Committee on Finance proposed the following amendment (DG\4017C002.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3 and inserting:

/ SECTION 3. For tax year 2020, the amendment in the American Rescue Plan of 2021, P.L. 117-2 (March 11, 2021) relating to the

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exclusion from taxable income for tax year 2020 of \$10,200 of unemployment compensation for a taxpayer with less than \$150,000 in federal adjusted gross income is specifically adopted by South Carolina. The Department of Administration's Director of the Executive Budget Office is authorized to allocate sixty-one million three hundred thousand dollars in the appropriate fiscal years from the American Rescue Plan Act of 2021 to the general fund to account for the provisions of this SECTION. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Senators HARPOOTLIAN and McLEOD proposed the following amendment (4017R001.KMM.RAH), which was ruled out of order:

Amend the bill, as and if amended, on page 3, line 26, by adding an appropriately numbered new SECTION to read:

/SECTION ___. The Department of Employment and Workforce is authorized to use one hundred forty-five million dollars from the American Rescue Plan of 2021, P.L. 117-2, as amended, received by the State of South Carolina to implement a Return-to-Work Bonus Initiative to incentivize workers to rejoin the labor force, accept employment, and remain employed. Individuals with an active unemployment claim as of May 1, 2021 who (1) discontinue receiving unemployment insurance benefits, (2) subsequently accept an offer of employment in this State, and (3) complete four full weeks of employment shall receive a one-time bonus of one thousand two hundred dollars. The Department of Employment and Workforce will disburse the funds to all individuals who are eligible for the bonus. The Department of Employment and Workforce shall operate the Return-to-Work Bonus Initiative on a first-come, first-served basis until funds have been exhausted. No individual may receive more than one bonus from the Return-to-Work Bonus Initiative. /

Renumber sections to conform.

Amend title to conform.

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Point of Order

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator HARPOOTLIAN spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The question being the second reading of the Bill.

Senator HARPOOTLIAN objected to further consideration of the Bill.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

At 1:51 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CLIMER explained the amendments.

On motion of Senator ALEXANDER, the Bill was carried over.

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CONCURRENCE

S. 427 -- Senators Alexander, Hutto and Scott: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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On motion of Senator VERDIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

CARRIED OVER

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLICTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

Senator MALLOY spoke on the Bill.

On motion of Senator MALLOY, the Bill was carried over.

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NONCONCURRENCE

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CLIMER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 0; Nays 44

AYES

Total--0

NAYS

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

On motion of Senator CLIMER, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2020, and to expire April 6, 2026

4th Congressional District:

George Scott Bryant, 415 Grazing Ridge Lane, Moore, SC 29369-9042 *VICE* Katherine Ann George

On motion of Senator CLIMER, the question was confirmation of George Scott Bryant.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer

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Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of George Scott Bryant was confirmed.

Having received a favorable report from the Banking and Insurance Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Financial Institutions,
with the term to commence June 30, 2019, and to expire June 30, 2023

Banker:

Kenneth Wayne Wicker, 601 Addison Court, Myrtle Beach, SC
29577-2277

On motion of Senator CROMER, the question was confirmation of
Kenneth Wayne Wicker.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell

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Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Kenneth Wayne Wicker was confirmed.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Banker:

Tommy Bouchette, 3370 Johnsonville Highway, Lake City, SC 29560-6468 *VICE* F. Justin Strickland

On motion of Senator CROMER, the question was confirmation of Tommy Bouchette.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell

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Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Tommy Bouchette was confirmed.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Cooperative Credit Unions:

Jennifer Michaels, 13 Swan Lake Drive, Sumter, SC 29150-4740
VICE William S. Conley

On motion of Senator CROMER, the question was confirmation of Jennifer Michaels.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod

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Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Jennifer Michaels was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Suzanne S. Prosser, 697 Wedgewood Dr., Murrells Inlet, SC 29576

On motion of Senator MARTIN, the question was confirmation of Suzanne S. Prosser.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Suzanne S. Prosser was confirmed.

Having received a favorable report from the Fish, Game and Forestry Committee, the following appointment was confirmed in open session:

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

Chairman, 4th Congressional District:

Norman F. Pulliam, 812 East Main Street, Spartanburg, SC 29302-2000

On motion of Senator CAMPSER, the question was confirmation of Norman F. Pulliam.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Norman F. Pulliam was confirmed.

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2020, and to expire July 1, 2024

6th Congressional District:

Duane M. Swygert, P. O. Box 486, Hardeeville, SC 29927-0486

On motion of Senator CAMPSen, the question was confirmation of Duane M. Swygert.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Duane M. Swygert was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 20, 2024

Pee Dee District - represent organ and tissue recipients, families of recipients, and families of donors who are residents of South Carolina:

Alan Sipe, 128 Colonial Circle, Murrells Inlet, SC 29576-8514

On motion of Senator VERDIN, the question was confirmation of Alan Sipe.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Alan Sipe was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

At-Large:

Thomas F. Dougall, 209 Redbay Road, Elgin, SC 29045-8651 *VICE*
Elizabeth Walker

On motion of Senator VERDIN, the question was confirmation of Thomas F. Dougall.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

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NAYS

Total--0

The appointment of Thomas F. Dougall was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

Occupational Therapist:

Ricardo Holmes, 2 Bradford Ridge Court, Columbia, SC 29223

On motion of Senator VERDIN, the question was confirmation of Ricardo Holmes.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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The appointment of Ricardo Holmes was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Low Country - Recipient/Donor/Family:

Michael F. Cuenin, 1513 Appling Drive, Mount Pleasant, SC 29464-4689 VICE Debra Yasenka

On motion of Senator VERDIN, the question was confirmation of Michael F. Cuenin.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Michael F. Cuenin was confirmed.

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Reappointment, Donate Life South Carolina, with the term to commence April 1, 2019, and to expire April 1, 2023

At-Large:

John P. Brogan, P. O. Box 3410, Bluffton, SC 29910-3410

On motion of Senator VERDIN, the question was confirmation of John P. Brogan.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of John P. Brogan was confirmed.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence July 31, 2018, and to expire July 31, 2023

5th Congressional District:

Crystal A. Maxwell, 2748 Dunlin Dr., Fort Mill, SC 29707-9118

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On motion of Senator VERDIN, the question was confirmation of Crystal A. Maxwell.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Crystal A. Maxwell was confirmed.

Initial Appointment, South Carolina State Board of Podiatry Examiners, with the term to commence December 21, 2018, and to expire December 21, 2022

Upper District:

William Harris IV, 1885 Overbrook Dr., Rock Hill, SC 29732-1536
VICE Dr. Bradley A. Lindstrom

On motion of Senator VERDIN, the question was confirmation of William Harris IV.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of William Harris IV was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205

On motion of Senator VERDIN, the question was confirmation of M. Rebecca T. Coleman.

TUESDAY, MAY 11, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of M. Rebecca T. Coleman was confirmed.

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2020, and to expire June 30, 2024

2nd Congressional District:

Gary Kocher, 170 Woodcreek Rd., Elgin, SC 29045-9158 *VICE* Lori Shealy Unumb

On motion of Senator VERDIN, the question was confirmation of Gary Kocher.

TUESDAY, MAY 11, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Gary Kocher was confirmed.

Initial Appointment, South Carolina State Board of Pharmacy, with
the term to commence June 30, 2021, and to expire June 30, 2027

2nd Congressional District:

Mary Douglas Smith, 1013 Trillie Lane, Chapin, SC 29036-8984
VICE James Addison Livingston

On motion of Senator VERDIN, the question was confirmation of
Mary Douglas Smith.

TUESDAY, MAY 11, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Mary Douglas Smith was confirmed.

Initial Appointment, South Carolina Board of Occupational Therapy,
with the term to commence September 30, 2020, and to expire September
30, 2023

Lay Member:

Leslie M. Lyerly, 636 Marsh Pond Road, Johnsonville, SC 29555-
6617 *VICE* vacant

On motion of Senator VERDIN, the question was confirmation of
Leslie M. Lyerly.

TUESDAY, MAY 11, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Leslie M. Lyerly was confirmed.

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2020, and to expire December 31, 2024

5th Congressional District:

Samuel H. McNutt, Jr., 5909 Hwy. 321 South, Winnsboro, SC 29180

On motion of Senator VERDIN, the question was confirmation of Samuel H. McNutt, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

TUESDAY, MAY 11, 2021

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The appointment of Samuel H. McNutt, Jr. was confirmed.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 11, 2021, and to expire March 11, 2025

North Charleston:

Fred J. Kemmerlin, 5218 Bradock Ave., North Charleston, SC 29405

Reappointment, Beaufort County Master-in-Equity, with the term to commence July 1, 2021, and to expire July 1, 2027

Marvin Henry Dukes III, 791 Ribaut Rd., Beaufort, SC 29902

TUESDAY, MAY 11, 2021

Reappointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 11, 2021, and to expire March 11, 2025

North Charleston:

Debra Crosby Summey, 5051 Spaniel Drive, North Charleston, SC 29405

Initial Appointment, Charleston Naval Facilities Redevelopment Authority, with the term to commence March 1, 2021, and to expire March 1, 2025

North Charleston:

Spencer Pryor, 4957 Amberwood Lane, North Charleston, SC 29418
VICE Vacant

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Wednesday, May 12, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

II Samuel 6:14a

We remember that David, acting in his role as a priest, "... danced before the Lord with all his might. . ."

Let us pray: O God, we are quite aware that only a few days are remaining in this regular session for the Senate of South Carolina. With that reminder, how strong most likely is the temptation for each Senator and even for every staff aide to follow David's example and to break into wild, frenetic dancing here on the floor of this Chamber. We would all understand if they were to do so. For after weeks of long hours spent tirelessly working on behalf of those they represent, the desire for a bit of celebration is understandable. But we're not quite there yet, O Lord; we know that. A good bit of work remains to be done. So we ask that You keep these servants focused for a few more days, guiding them and blessing them as they try to wrap things up in meaningful fashion. And then, dear God, let the dancing begin! So we pray in Your loving name, Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Campsen	Cash
Cromer	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Malloy	Martin	Massey
Matthews	McElveen	McLeod

WEDNESDAY, MAY 12, 2021

Peeler	Rice	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Charles R. Keep III, 9 Willow Oak Road W., Hilton Head, SC 29928-4408 *VICE* Hon. Ralph Edwin Tupper - retired

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Windi King, 414 Marsh Street, Bishopville, SC 29010-1924 *VICE* Hon. Palmella Sara Andrews-Brown

Reappointment, Calhoun County Master-in-Equity, with the term to commence August 14, 2021, and to expire August 14, 2027

Martin R. Banks, 716 F. R. Huff Dr., St. Matthews, SC 29135

Reappointment, Orangeburg County Master-in-Equity, with the term to commence August 15, 2021, and to expire August 15, 2027

James B. Jackson, Jr., 133 Wateree Drive, Santee, SC 29142

Privilege of the Chamber

On behalf of Senator SETZLER, the Privilege of the Chamber, to that area behind the rail, was extended to Mr. Henry Minis in recognition of his outstanding service with the South Carolina Senate and in honor of his retirement.

Motion Adopted

On motion of Senator TALLEY, with unanimous consent, Senators JACKSON, WILLIAMS, MASSEY and TALLEY were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

WEDNESDAY, MAY 12, 2021

Doctor of the Day

Senator CAMPSSEN introduced Dr. Justine DeCastro of Mount Pleasant, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 12:53 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator ALEXANDER, at 5:08 P.M., Senator LEATHERMAN was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TALLEY, at 5:08 P.M., Senator SENN was granted a leave of absence for the balance of the day.

Leave of Absence

At 5:44 P.M., Senator GROOMS requested a leave of absence until 9:00 A.M.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

- S. 152 Sens. Climer and Scott
- S. 230 Sen. Gustafson
- S. 475 Sen. Gustafson
- S. 803 Sens. McLeod, Talley and Gustafson

RECALLED AND ADOPTED

H. 4315 -- Reps. Atkinson and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

WEDNESDAY, MAY 12, 2021

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 4281 -- Rep. Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF NORTH OLD RIVER ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH BASSWOOD ROAD TO ITS INTERSECTION WITH DELTA MILL ROAD "JUDGE TAFT GUILLES, JR. ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 806 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE PURE FISHING, INC. AS THE LARGEST FISHING-RELATED PRODUCT MANUFACTURER IN THE WORLD AND TO COMMEND PURE FISHING, INC. ON THE

WEDNESDAY, MAY 12, 2021

COMPANY'S OVER FIFTY YEARS OF CONTRIBUTIONS TO SOUTH CAROLINA'S WORKFORCE AND ECONOMY.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 807 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE KATHERINE "KATHY" R. LIGON UPON THE OCCASION OF HER RETIREMENT AS PRESIDENT AND CEO OF PRESBYTERIAN COMMUNITIES OF SOUTH CAROLINA, TO COMMEND HER FOR HER THIRTY-THREE YEARS OF DEDICATED SERVICE TO THE ORGANIZATION AND MINISTRY, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 808 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE JOY SCHARICH UPON THE OCCASION OF HER RETIREMENT AS EXECUTIVE DIRECTOR OF THE OCONEE COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, TO COMMEND HER FOR HER MORE THAN TWENTY YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 809 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE D.W. DANIEL HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2020 CLASS 3A STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 810 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MASTER SERGEANT JAMES V. ROONEY FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES ARMY.

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The Senate Resolution was adopted.

WEDNESDAY, MAY 12, 2021

S. 811 -- Senators Kimbrell, Verdin, Garrett, Cash, M. Johnson, Talley and Shealy: A BILL TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT"; TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139, TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER, AND FOR OTHER PURPOSES, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Medical Affairs.

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 813 -- Senator Harpootlian: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REDUCE THE SIZE OF THE BOARD AND THE AREAS FROM WHICH ELECTED MEMBERS ARE SELECTED; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2020; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS

WEDNESDAY, MAY 12, 2021

OF THE BOARD, SO AS TO FURTHER PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

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Read the first time and referred to the Committee on Education.

S. 814 -- Senator Leatherman: A SENATE RESOLUTION TO RECOGNIZE CERTIFIED REGISTERED NURSE ANESTHETISTS AND THEIR SIGNIFICANT CONTRIBUTIONS TO PROVIDING QUALITY HEALTH CARE TO THE PUBLIC.

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The Senate Resolution was adopted.

S. 815 -- Senator McLeod: A SENATE RESOLUTION TO HONOR AND COMMEND KENNETH CORBIN FOR HIS COURAGEOUS ACTIONS IN A LIFE-THREATENING SITUATION AND TO OFFER HEARTFELT GRATITUDE FOR HIS HEROISM.

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The Senate Resolution was adopted.

S. 816 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE AND HONOR JAMES O. DOGAN, SUPREME PRESIDENT/CHIEF EXECUTIVE OFFICER OF THE INTERNATIONAL FREE AND ACCEPTED MODERN MASONS, INC. AND ORDER OF THE EASTERN STAR, UPON THE OCCASION OF HIS RETIREMENT, TO THANK HIM FOR HIS DEDICATED SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 817 -- Senator Hembree: A SENATE RESOLUTION TO RECOGNIZE SUNDAY, MAY 9, THROUGH SATURDAY, MAY 15, 2021, AS "NATIONAL CHARTER SCHOOLS WEEK" IN SOUTH CAROLINA AND TO ACKNOWLEDGE THE IMPORTANCE OF EDUCATING THE CHILDREN OF THIS STATE IN INNOVATIVE CLASSROOMS AND SCHOOLS.

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The Senate Resolution was adopted.

WEDNESDAY, MAY 12, 2021

S. 818 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE JOSEPH T. MCELVEEN, JR. UPON THE OCCASION OF HIS RETIREMENT AS MAYOR, TO COMMEND HIM FOR HIS MANY YEARS OF DISTINGUISHED PUBLIC SERVICE TO THE CITY OF SUMTER AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J. E. Johnson, Jordan, Caskey, B. Newton, Bryant, G. M. Smith, G. R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M. M. Smith, Bustos, V. S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

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Read the first time and referred to the Committee on Judiciary.

Appointment Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

WEDNESDAY, MAY 12, 2021

Statewide Appointment

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2018, and to expire May 19, 2022

1st Congressional District:

Peter A. Smith, 120 Dunnemann Ave., Charleston, SC 29403-3529

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE 1976 CODE, RELATING TO DUTIES AND PROCEDURES OF INVESTIGATIVE ENTITIES CONCERNING ADULT PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL TRANSACTION REQUESTS IN CASES OF THE SUSPECTED FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

On motion of Senator ALEXANDER, the Senate receded from its amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT,

WEDNESDAY, MAY 12, 2021

TO DEFINE NECESSARY TERMS RELATED TO ADVANCED
RECYCLING AND ADVANCED RECYCLING FACILITIES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator GAMBRELL, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 525 -- Senators Gambrell, Verdin, Massey, Loftis, Garrett and Gustafson: A BILL TO AMEND SECTION 44-96-40 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA SOLID WASTE POLICY AND MANAGEMENT ACT, TO DEFINE NECESSARY TERMS RELATED TO ADVANCED RECYCLING AND ADVANCED RECYCLING FACILITIES.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator GAMBRELL explained the House amendments.

Senator CAMPSSEN proposed the following amendment (JUD0525.001), which was adopted:

Amend the bill, as and if amended, by striking SECTION 5 on page 5, and inserting:

/ SECTION 5. Within one hundred twenty days after the effective date of this act, the Department of Health and Environmental Control shall submit regulations to guide all South Carolinians invested in, selling, installing, and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project

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and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under State and Federal law.

(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

(a) reused, if not damaged or in need of repair, for a similar purpose;

(b) refurbished, if not substantially damaged, and reused for a similar purpose;

(c) recycled with recovery of materials for similar or other purposes;

(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the State's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage

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system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department must require, as part of a new application or an application pending on July 1, 2021, local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a non-binding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and decommission solar energy equipment, facilities, or devices. The department is authorized to, by regulation, establish a more formal or detailed process for receiving the plans submitted pursuant to this provision, to include increased reporting requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2021, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee no later than June 30, 2022.

SECTION 6. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 7. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CAMPSSEN explained the amendment.

The question then was the adoption of the amendment.

WEDNESDAY, MAY 12, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The amendment was adopted.

Senators GAMBRELL and GUSTAFSON proposed the following amendment (525R014.SP.MWG), which was adopted:

Amend the bill, as and if amended, by striking SECTION 3.C. in its entirety.

Amend the bill further, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION __. The provisions of SECTIONS 2 and 3 terminate on the third anniversary of the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The question then was the adoption of the amendment.

WEDNESDAY, MAY 12, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Peeler
Rankin	Rice	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

<i>Johnson, Kevin</i>	McElveen	McLeod
Sabb	Scott	

Total--5

The amendment was adopted.

There being no further amendments, the Bill was ordered returned to the House of Representatives with amendments.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Calhoun County Master-in-Equity, with term to commence August 14, 2021, and to expire August 14, 2027:

The Honorable Martin R. Banks, 716 F. R. Huff Drive, St. Matthews, S.C. 29135

WEDNESDAY, MAY 12, 2021

Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Orangeburg County Master-in-Equity, with term to commence August 15, 2021, and to expire August 15, 2027:

The Honorable James B. "Jay" Jackson, Jr., 133 Wateree Drive,
Santee, S.C. 29116

Very respectfully,
Speaker of the House
Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 201 -- Senator Hembree: A BILL TO AMEND CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO THE EDUCATION ACCOUNTABILITY ACT, BY ADDING ARTICLE 16, TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15, CHAPTER 18, TITLE 59 OF THE 1976 CODE, RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,
Speaker of the House
Received as information.

WEDNESDAY, MAY 12, 2021

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3094 -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: A BILL TO AMEND SECTION 23-31-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT" BY REVISING THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE. and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3354 -- Rep. Ballentine: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY

WEDNESDAY, MAY 12, 2021

RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF
AND OPERATING AT NO GREATER THAN TWENTY
KILOWATTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs
in the amendments proposed by the Senate to:

H. 3899 -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning,
Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon,
Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO
AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH
CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS
CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS
OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE
AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR
ADMINISTRATION COSTS TO EIGHT PERCENT; TO
APPROPRIATE TWELVE MILLION DOLLARS TO THE
DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY
MAKE A DONATION OF TWELVE MILLION DOLLARS TO
EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT
REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL
STUDENT TEST SCORES IN ITS APPLICATION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs
in the amendments proposed by the Senate to:

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H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3694 -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V.S. Moss, Lowe, Bryant, Forrest and Anderson: A BILL TO AMEND SECTION 50-11-430, CODE OF

WEDNESDAY, MAY 12, 2021

LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO ALLOW FOR THE USE OF BAIT WHEN HUNTING BEAR IN GAME ZONE 4 DURING A CERTAIN TIME PERIOD.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS

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INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator BENNETT, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 627 -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: A BILL TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL; AND TO AMEND SECTION 12-6-3400, RELATING TO CREDIT FOR INCOME TAX PAID BY SOUTH CAROLINA RESIDENTS TO ANOTHER STATE, SO AS TO PROVIDE THAT AN ELECTING PASS-THROUGH BUSINESS ENTITY IS ELIGIBLE FOR THE CREDIT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator BENNETT explained the amendments.

On motion of Senator BENNETT, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

WEDNESDAY, MAY 12, 2021

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator DAVIS, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 677 -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: A BILL TO AMEND SECTION 12-2-100 OF THE 1976 CODE, RELATING TO TAX CREDITS, TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

WEDNESDAY, MAY 12, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. West, Henderson-Myers and Morgan to the Committee of Free Conference on the part of the House on:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus,

WEDNESDAY, MAY 12, 2021

Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Free Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

H. 3011 -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: A BILL TO AMEND SECTION 56-5-1810, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRING A MOTOR VEHICLE TO BE DRIVEN UPON THE RIGHT HALF OF A ROADWAY, SO AS TO PROVIDE RESTRICTIONS ON DRIVING A MOTOR VEHICLE ON A ROADWAY HAVING AT LEAST TWO LANES ALLOWING MOVEMENT IN THE SAME DIRECTION, PROVIDE A PENALTY, AND DIRECT THE DEPARTMENT OF TRANSPORTATION TO PLACE SIGNS ALONG THE INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE RIGHT.

Very respectfully,

Speaker of the House

Received as information.

WEDNESDAY, MAY 12, 2021

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

WEDNESDAY, MAY 12, 2021

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator ALEXANDER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH

WEDNESDAY, MAY 12, 2021

CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION",
AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND
DUTIES OF THE COMMISSION.

The House returned the Bill with amendments, the question being
concurrence in the House amendments.

Senator ALEXANDER explained the amendments.

On motion of Senator ALEXANDER, the Senate nonconcurred in the
House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that they have
receded from amendments on:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE
OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION
47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE
SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN
OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN
EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25,
RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO
PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE
MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD;
AND TO REPEAL SECTION 50-9-655 RELATING TO PIG
TRANSPORT AND RELEASE PERMITS.

Very respectfully,

Speaker of the House

Received as information.

Enrolled for Ratification

This Bill having been read three times in each House, it was ordered
that the title thereof be changed to that of an Act and that it be enrolled
for Ratification:

H. 3539 -- Reps. Davis and Martin: A BILL TO AMEND THE CODE
OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION
47-9-55 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE
SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN
OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN

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EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3786 -- Reps. G.M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator CROMER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

WEDNESDAY, MAY 12, 2021

CONCURRENCE

H. 3786 -- Reps. G.M. Smith, Murphy and Weeks: A BILL TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR THE STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR STATE CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR STATE CONSTITUTIONAL OFFICERS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CROMER explained the amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Goldfinch	Harpootlian	Martin
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Total--3

On motion of Senator CROMER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Message from the House

Columbia, S.C., May 12, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 783 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 76 IN MARION COUNTY FROM ITS INTERSECTION WITH BROCKINGTON ROAD TO SOUTH CYPRESS STREET "WILLIAM 'PENN' TROY HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS

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ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

SECOND READING BILL

H. 4241 -- Reps. Anderson and Hewitt: A BILL TO AMEND ACT 907 OF 1962, AS AMENDED, RELATING TO THE GEORGETOWN COUNTY SCHOOL DISTRICT AND THE GEORGETOWN COUNTY BOARD OF EDUCATION, SO AS TO, AMONG OTHER THINGS, CONFORM LOCAL ELECTION PROCEDURES FOR MEMBERS OF THE BOARD OF EDUCATION TO THE CONTROLLING 2008 CONSENT JUDGMENT AND DECREE; TO DEFINE RELEVANT TERMS; TO PROVIDE THAT THE GEORGETOWN COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF EDUCATION CONSISTING OF NINE MEMBERS WHO MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE THAT WHEN A VACANCY OCCURS IN OFFICE, BY REASON OF DEATH, RESIGNATION, OR REMOVAL, THE VACANCY IN OFFICE SHALL BE FILLED BY A SPECIAL ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM; TO PROVIDE THAT PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE GEORGETOWN COUNTY BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF CANDIDACY WITH THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH THE APPLICABLE CANDIDATE FILING PERIOD; TO PROVIDE THAT THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS SHALL CONDUCT AND SUPERVISE THE ELECTIONS FOR MEMBERS OF THE GEORGETOWN COUNTY BOARD OF EDUCATION IN THE MANNER GOVERNED BY THE ELECTION LAWS OF THIS STATE, MUTATIS MUTANDIS; AND TO REPEAL ACT 237 OF 1983.

On motion of Senator SABB.

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**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 264 -- Senator Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 28, TITLE 44 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF THE "DISABLED SELF-EMPLOYMENT DEVELOPMENT TRUST FUND" TO PROVIDE ASSISTANCE TO INDIVIDUALS WITH DISABILITIES TO PURSUE ENTREPRENEURSHIP AND SELF-EMPLOYMENT OPPORTUNITIES, BY PROVIDING BUSINESS DEVELOPMENT GRANTS FOR THE STARTUP, EXPANSION, OR ACQUISITION OF A BUSINESS OPERATED WITHIN THE STATE; BY ADDING SECTION 12-6-3760 SO AS TO PROVIDE FOR A TAX CREDIT FOR TAXPAYER CONTRIBUTIONS TO THE FUND; AND TO AMEND SECTION 12-6-5060, AS AMENDED, RELATING TO TAX RETURNS, SO AS TO ADD THE FUND TO THE LIST OF FUNDS TO WHICH A TAXPAYER MAY CONTRIBUTE ON A STATE INDIVIDUAL TAX RETURN.

AMENDED, CARRIED OVER

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Verdin, Scott and Climer: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

The Senate proceeded to a consideration of the Bill.

Senator DAVIS spoke on the Bill.

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Senator MASSEY spoke on the Bill.

Senator BENNETT spoke on the Bill.

Senator MALLOY spoke on the Bill.

Senator CASH proposed the following amendment (152R001.SP.RJC), which was adopted:

Amend the bill, as and if amended, on page 5, by striking lines 35 through 43, and on page 6, by striking lines 1 through 16 and inserting:

/ (B) Upon receipt of an ordinance, a county's election commission must conduct a referendum on the question of imposing the sales and use tax in the area of the county that is to be subject to the tax. A referendum for imposition or reimposition of the tax must be held at the time of the next general election in an even-numbered year. Two weeks before a referendum, a county's election commission must publish in a newspaper of general circulation the question that is to appear on the ballot, with a description of the methods by which the county's governing body intends to procure open lands and green space for preservation. If the proposed question includes the use of sales taxes to defray debt service on bonds issued to pay the costs of any preservation procurements, then the notice must include a statement indicating the principal amount of the bonds proposed to be issued for the purpose and, if the issuance of the bonds is to be approved as part of the referendum, stating that the referendum includes the authorization of the issuance of bonds in that amount. This notice is in lieu of any other notice otherwise required by law. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

The amendment was adopted.

On motion of Senator DAVIS, the Bill was carried over.

HOUSE BILLS RETURNED

H. 3899 -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: A BILL TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO PROVIDE HOW THE PROCEEDS

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OF THE FUND MUST BE ADMINISTERED, TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO EIGHT PERCENT; TO APPROPRIATE TWELVE MILLION DOLLARS TO THE DEPARTMENT OF EDUCATION SO THE DEPARTMENT MAY MAKE A DONATION OF TWELVE MILLION DOLLARS TO EXCEPTIONAL SC; AND TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION.

The Senate proceeded to a consideration of the Bill.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered returned to the House with amendments.

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HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 3024 -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

H. 3865 -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: A BILL TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4006 -- Reps. G.M. Smith and Weeks: A BILL TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.

RECESS

At 12:58 P.M., on motion of Senator MASSEY, the Senate recessed from business until 2:00 P.M.

At 2:05 P.M., the Senate resumed.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Bennett
Cash	Climer	Corbin

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Cromer	Davis	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Expression of Personal Interest

Senator MARTIN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Remarks by Senator GUSTAFSON

I'll be brief. Back in January I asked for an adjournment in memory of Dr. Jerry Ellig. I'm going to take this moment to recognize the life of Dr. Jerry Ellig who lived in my district in Cassette, South Carolina.

He had huge contributions in the areas of competition advocacy, e-commerce and a huge regulatory impact in analysis on behalf of the United States of America. He was a research professor at George Washington University Regulatory Study Center. He was the chief economist for the Federal Communications Commission and Research--senior research fellow at March Kata Center at George Mason University. Dr. Ellig worked as a deputy director of policy planning with the Federal Trade Commission. He wrote numerous public policy books and journals, articles and regularly provided expert testimony to our U.S. Congress. Senator Ted Cruz delivered remarks on the U.S. Senate floor in January of this year to memorialize Dr. Ellig's patriotic service. His joyful spirit was noted both professionally and personally. He was a lover of liberty, an advocate for competition and free markets and a strong believer in the power of those free markets. He was a brilliant man. He was always happy to call South Carolina home. This great State is grateful and humbled to recognize Dr. Jerry Ellig and to honor his loving wife Sandy Chong and their daughter Cat Ellig.

On motion of Senator ALEXANDER, with unanimous consent, the remarks of Senator GUSTAFSON, were ordered printed in the Journal.

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Expression of Personal Interest

Senator CLIMER rose for an Expression of Personal Interest.

RECOMMITTED

S. 235 -- Senator Turner: A BILL TO AMEND ACT 745 OF 1967, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO REVISE THE MEMBERSHIP OF ITS GOVERNING COMMISSION BY REMOVING ONE MEMBER FROM SPARTANBURG COUNTY AND ADDING ONE MEMBER FROM GREENVILLE COUNTY, AND TO AMEND REWA'S SERVICE AREA.

On motion of Senator TURNER, the Bill was recommitted to Committee on Judiciary.

AMENDED, READ THE SECOND TIME

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senators KIMBRELL, MALLOY and CAMPSSEN proposed the following amendment (3308R002.SP.JK), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/SECTION 1. Section 50-21-10 of the 1976 Code is amended by adding two appropriately numbered new items to read:

“() ‘Narrow waterway’ means a segment of the waters of this State that is two hundred feet or less in width.

() ‘Wake surf’ means to operate a vessel that is ballasted in the stern so as to create a wake that is, or is intended to be, surfed by another person.” /

Amend the bill further, as and if amended, by striking SECTION 3 and inserting:

/SECTION 3. Section 50-21-870(B) of the 1976 Code is amended by adding an appropriately numbered new item to read:

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“() wake surf in excess of idle speed within two hundred feet of a moored vessel, wharf, dock, bulkhead, pier, or person in the water.” /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

Senator GROOMS proposed the following amendment (3308R003.SP.LKG), which was adopted:

Amend the bill, as and if amended, in SECTION 2, Section 50-21-870(B)(6), by adding an appropriately lettered new subitem to read:

/ () The provisions of this item do not apply to Lake Moultrie. /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Senators CAMPSSEN and GUSTAFSON proposed the following amendment (3308R002.GEC), which was adopted:

Amend the bill, as and if amended, by adding appropriately numbered new SECTIONS to read:

/SECTION___. A Section 50-21-10 of the 1976 Code is amended by adding an appropriately numbered new item to read:

“() ‘Personal watercraft’ means a vessel, usually less than sixteen feet in length, that uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion and that is intended to be operated by a person sitting, standing, or kneeling on the vessel, rather than within the confines of the hull. Personal watercraft includes a vessel commonly known as a ‘jet ski’.”

B. This SECTION takes effect July 1, 2022.

SECTION___. A. Section 50-21-90 of the 1976 Code is amended to read:

“Section 50-21-90. ~~(A) The department is hereby authorized to inaugurate a comprehensive boating safety and boating educational program, and to seek the cooperation of boatmen, the federal government and other states. The department must administer a boating education~~

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course and may approve of additional boating education courses. A list of approved courses must be provided on the department's website.

(B) The following persons must be provided a South Carolina boating safety certificate in both physical and electronic forms by the department:

(1) a person who successfully completes a boating education course administered or approved by the department;

(2) a person who provides satisfactory proof to the department that the person was issued a boating safety certificate, or an equivalency, by another state; and

(3) a person who provides satisfactory proof to the department that the person was issued a license to operate a vessel by the United States Coast Guard or was issued a merchant mariner credential by the United States Coast Guard."

B. This SECTION takes effect July 1, 2022.

SECTION __. Article 1, Chapter 21, Title 50 of the 1976 Code is amended by adding:

"Section 50-21-95. (A) It is unlawful for a person to operate upon the waters of this State a vessel powered by an engine of ten horsepower or greater, a personal watercraft, or a specialty propcraft without having possession of a South Carolina boating safety certificate issued by the department in the person's name, unless the person:

(1) was born on or before July 1, 2006;

(2) is in possession of a license to operate a vessel issued by the United States Coast Guard in the person's name, regardless of the expiration date on the license;

(3) is in possession of a merchant mariner credential issued by the United States Coast Guard in the person's name, regardless of the expiration date on the credential;

(4) is a nonresident in possession of a boating safety certificate, or an equivalency, issued by another state in the nonresident's name;

(5) is exempt pursuant to a regulation promulgated by the department; or

(6) is accompanied by a person at least eighteen years old who:

(a) is in possession of a South Carolina boating safety certificate issued by the department in the person's name; or

(b) meets one of the criteria in items (1) through (5) of this subsection.

(B) A person who is adjudicated to be in violation of this section must be fined not less than fifty dollars and not more than three hundred dollars, no part of which may be suspended. No court costs, assessments,

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or surcharges may be assessed against a person who violates this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense and must not be included in the records maintained by the department or in the records maintained by SLED.”

B. This SECTION takes effect July 1, 2022.

SECTION __. A. Section 50-21-870(A)(1) of the 1976 Code is deleted.

B. This SECTION takes effect July 1, 2022.

SECTION __. A. Section 50-21-870(B)(9) of the 1976 Code is deleted.

B. This SECTION takes effect July 1, 2022. /

Amend the bill further, as and if amended, by striking SECTION 4 in its entirety and inserting:

/SECTION 4. Unless otherwise provided, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Matthews	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens

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Talley
Williams

Turner
Young

Verdin

Total--38

NAYS

Corbin

Loftis

Total--2

The Bill was read the second time, passed and ordered to a third reading.

AMENDED, CARRIED OVER

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (230GM1), which was adopted:

Amend the bill, as and if amended, by striking page 2, lines 16 - 35 and adding the following:

/ (F) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of, or incidental or related to, trafficking. A victim of trafficking in persons convicted of a violation of this article, ~~or prostitution, or any other non-violent offense~~ may motion the court to vacate the conviction and expunge the record of the conviction for an offense committed as a direct result of, or incidental or related to, trafficking. The court may grant the motion on a finding that the person's participation was a direct result of being a victim. For purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60. /

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Amend the bill further, as and if amended, by striking page 2, lines 38 - 41 and adding the following:

/ pursuant to this article, for a prostitution offense, or for any other nonviolent offense if it is determined after investigation that the victim committed the offense as a direct result of, or incidental or related to, trafficking. For purposes of this subsection, nonviolent offense means all offenses not listed in Section 16-1-60. A person under the age of eighteen who is a victim of trafficking in persons in violation of this title shall not be found in violation of or be the subject of a delinquency petition if it is determined after investigation that the victim's conduct was a direct result of, or incidental or related to, trafficking. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

On motion of Senator HEMBREE, the Bill was carried over.

OBJECTION

H. 3575 -- Reps. Fry, Collins, Elliott, Kirby, Forrest, W. Newton, McGarry, B. Newton, Hosey, Caskey, Herbkersman, Martin, M.M. Smith, Wheeler, Brittain, Hewitt, Erickson, Bradley, Henderson-Myers, Stavrinakis, Davis and Kimmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-45 SO AS TO ALLOW A QUALIFYING RETAILER TO OFFER CURBSIDE DELIVERY OR PICKUP SERVICE OF BEER OR WINE AND TO PROVIDE LIMITATIONS; AND TO AMEND SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURB SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO MAKE CONFORMING CHANGES.

Senators RANKIN and SCOTT objected to consideration of the Bill.

READ THE SECOND TIME

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN

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JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

Motion under Rule 26B

Senator YOUNG asked unanimous consent to make a motion to take up further amendments pursuant to the provisions of Rule 26B.

There was no objection.

READ THE SECOND TIME

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

The Senate proceeded to a consideration of the Bill.

Senator CROMER explained the Bill.

The question being the second reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

H. 3243 -- Reps. Collins, Bernstein, Kimmons, Forrest, Herbkersman, Erickson, W. Cox, Elliott, Carter, Cobb-Hunter, Rutherford, King, Henegan, Wheeler, Thigpen, Pendarvis, Rose, Bamberg, Dillard, McKnight, Garvin, Stavrinakis, Ott, Weeks, Atkinson, R. Williams, Jefferson, Kirby, J.L. Johnson, Cogswell, Caskey, Matthews, S. Williams and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO ARE LAWFULLY PRESENT IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE

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PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

On motion of Senator CORBIN, the Bill was carried over.

READ THE SECOND TIME

H. 4320 -- Reps. G.R. Smith, Trantham and Willis: A BILL TO AMEND SECTION 7-7-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENVILLE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

The Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 790 -- Senator Matthews: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY, NOVEMBER 8 AND TUESDAY, NOVEMBER 9 AND MONDAY, NOVEMBER 15 AND TUESDAY, NOVEMBER 16, 2021; HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

On motion of Senator ALLEN, the Resolution was carried over.

ADOPTED

S. 803 -- Senators Massey, Harpootlian, Martin, Loftis, Cash, Turner, Rice, Climer, Stephens, Corbin, Verdin, Kimbrell, Matthews and McLeod, Talley and Gustafson: A SENATE RESOLUTION TO DECLARE THAT THE SENATE DECLINES TO CONSENT TO AN EXTENSION OR RENEWAL OF THE CURRENT STATE OF EMERGENCY OR THE ISSUANCE OF ANY NEW COVID-19-

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RELATED STATE OF EMERGENCY WITHOUT THE EXPRESS
CONSENT OF THE GENERAL ASSEMBLY.

The Senate proceeded to a consideration of the Resolution.

Senator MASSEY explained the Resolution.

Senator HUTTO spoke on the Resolution.

The Resolution was adopted.

ADOPTED

H. 3873 -- Reps. R. Williams, Henegan, Anderson, Jefferson, Kirby, Alexander, S. Williams, Rivers, Lowe and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOCIETY HILL ROAD IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH GREENFIELD ROAD TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 "COLONEL CHRISTOPHER N. WILLIAMSON ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4132 -- Rep. G.R. Smith: A CONCURRENT RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) TO USE THE CHAMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND SENATE FOR ITS STUDENT GOVERNMENT FALL CONFERENCE AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE, AND THE RESPECTIVE CHAMBERS MAY NOT BE USED IF THE GENERAL ASSEMBLY IS IN SESSION OR THE CHAMBERS ARE OTHERWISE UNAVAILABLE.

The Resolution was adopted, ordered returned to the House.

H. 4218 -- Reps. McDaniel and Ligon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE CITY OF CHESTER IN CHESTER COUNTY FROM ITS INTERSECTION WITH HUDSON STREET TO ITS INTERSECTION WITH CEMETERY STREET "CHRISTOPHER KING, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE

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MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY
CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING
BEEN COMPLETED, THE SENATE PROCEEDED TO THE
MOTION PERIOD.**

Motion Adopted

On behalf of the Rules Committee, Senator MASSEY, as Chairman
of the Committee on Rules, polled H. 3444 from the Contested Calendar
in accordance with the provisions of Rule 32B.

POLLED BY RULES COMMITTEE

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy,
Forrest, Hosey, Caskey, McGinnis, Hixon, Hewitt, Bailey, W. Newton,
Herbkersman, J.E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry,
Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and
M.M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF
LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE
CREATION, COMPOSITION, POWERS, AND DUTIES OF THE
STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE
THE STATE ELECTION COMMISSION AND REVISE THE
COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND
TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING
TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE
CONFORMING CHANGES.

Poll of the Rules Committee

Polled 17; Ayes 14; Nays 1; Not Voting 2

AYES

Massey	Cromer	Malloy
Martin	Campsen	Allen
Corbin	Young	Sabb
Grooms	Hembree	Shealy
Goldfinch	Harpootlian	

Total--14

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NAYS

McLeod

Total--1

NOT VOTING

Leatherman

Kimpson

Total--2

In accordance with Rule 32B, H. 3444 would be considered in the course of business after the Bills returned from the House.

MOTION ADOPTED

At 2:42 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 304 -- Senators Climer and Fanning: A BILL TO AMEND THE 1976 SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-27-1060, SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY, AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CLIMER explained the House amendments.

Senator CLIMER proposed the following amendment (JUD0304.002), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 7, Chapter 27, Title 58 of the 1976 Code is amended by adding:

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“Section 58-27-1060. (A) A person or corporation who uses an electric vehicle charging station to resell electricity to the public for compensation is not an electric utility if:

(1) the person or corporation has procured the electricity from an electrical utility, municipality, consolidated political subdivision, the Public Service Authority, or an electric cooperative that is authorized to engage in the retail sale of electricity within the territory in which the electric vehicle charging service is provided;

(2) the person or corporation furnishes electricity exclusively for the charging of plug-in electric vehicles; and

(3) the charging station is immobile.

(B) Nothing in this section shall be construed to limit the ability of an electrical utility, municipality, consolidated political subdivision, the Public Service Authority, or an electric cooperative to use electric vehicle charging stations to furnish electricity for charging electric vehicles. Any increases in customer demand or energy consumption associated with transportation electrification shall not constitute found revenues for an electrical utility.”

SECTION 2. Article 1, Chapter 27, Title 58 of the 1976 Code is amended by adding:

“Section 58-27-260. (A) There is established the Joint Committee on the Electrification of Transportation. The committee is comprised of four members of the Senate, two of whom are appointed by the Chairman of Senate Finance and two of whom are appointed by the Chairman of Senate Judiciary, and four members of the House of Representatives, two of whom are appointed by the Chairman of the Ways and Means Committee and two of whom are appointed by the Chairman of the Labor, Commerce and Industry Committee. The members of the committee shall elect one co-chairman from the Senate appointees and one co-chairman from the House appointees.

(B)(1) The committee shall study the challenges and opportunities associated with the electrification of the transportation sector and make recommendations to the General Assembly to enable a fair, efficient, and cost-effective transition to electric transportation.

At minimum, the committee shall study the following issues:

(a) environmental, economic, and customer challenges and benefits associated with the advancement of electric vehicles;

(b) the potential value of advancing the development and deployment of electric vehicles and associated infrastructure and address issues that impede development and deployment;

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(c) explore and evaluate the impacts of electric vehicles on roads, bridges, and other infrastructure, including the potential loss of revenue due to the current and projected future use of electric vehicles in this State;

(d) explore and evaluate the impacts of electric vehicles on customers, utilities, and the grid; and

(e) any other issues associated with the electrification of the transportation sector.

(2) The Committee shall receive reports from:

(a) the Office of Regulatory Staff's stakeholder initiative to advance the electrification of transportation sector;

(b) the South Carolina Public Service Commission pursuant Section 58-27-265; and

(c) by September first of each year, the South Carolina Department of Revenue shall provide an annual report to the committee that details the prior fiscal year's revenue collections, from whatever source derived, designated for the repair, maintenance, or improvements to the South Carolina transportation system.

(C) The committee shall receive clerical and related assistance from the staff of the Senate and the staff of the House of Representatives, as approved and designated by the President of the Senate and the Speaker of the House, respectively.

Section 58-27-265. (A) No earlier than April 1, 2023, the Public Service Commission shall open a docket for the purpose of identifying the regulatory challenges and opportunities associated with the electrification of the transportation sector.

At minimum, the commission shall study the following issues:

(1) grid integration and resource planning to facilitate electrified transportation;

(2) the interaction between transportation electrification and the electric power grid;

(3) regulatory policies to support efficient and cost-effective transition to electric transportation;

(4) the need for data management and coordination among a number of energy system participants;

(5) grid investments that support electric vehicle deployments as a part of planned modernization efforts to enable an efficient and cost-effective transition to electric transportation;

(6) increased electric vehicle adoption and the development of their charging infrastructure and how those advancements align with grid modernization efforts;

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(7) whether rate designs and other load management strategies are appropriate to mitigate potential negative grid impacts and maximize potential grid benefits of transportation electrification;

(8) other critical issues related to transportation electrification, such as service reliability, privacy, affordability, and security; and

(9) and any other issues the commission determines relevant.

(B) The commission shall issue a report to the Joint Committee on the Electrification of Transportation. Upon submitting the report, the commission shall open a docket at least every three years thereafter to study the regulatory issues related to the electrification of the transportation sector and report back to the Joint Committee on the Electrification of Transportation and the General Assembly.

(C) To the extent necessary to carry out commission responsibilities, the commission is authorized to employ professional expertise as the commission may consider necessary to assist the commission in the proper discharge of the commission's duties and responsibilities as provided by this section. The expenses for the employment of any professional expertise must be paid from the assessments collected pursuant to Section 58-3-100. The chairman, within allowed budgetary limits and as otherwise allowed by law, may authorize and approve travel, subsistence, and related expenses of third-party consultants incurred while traveling on commission business. The commission shall provide an accounting of compensation and expenses incurred for third-party consultants in a report provided annually to the review committee. The commission is exempt from the State Procurement Code in the selection and hiring of professional experts.

Section 58-27-270. (A) The South Carolina Office of Regulatory Staff through any existing electric vehicle stakeholder initiatives launched by the regulatory staff, shall complete a stakeholder process to facilitate a broad, collaborative statewide discussion among stakeholders to explore the opportunities to advance electrification of the transportation sector along with identifying challenges associated with the advancement of electrification of the transportation sector.

(B) Components of this initiative shall include, but not limited to:

(1) working with stakeholders in the private and public sector, including the South Carolina Department of Transportation, the South Carolina Department of Commerce, the South Carolina Department of Revenue, and other relevant stakeholders;

(2) examining the legislative and regulatory environmental, economic, and customer challenges and opportunities;

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(3) identifying challenges and opportunities in electrified vehicle technologies, such as power conversion and energy storage, the grid integration of electrified transportation and transportation policies, that pave the way for electrified transportation; and

(4) identifying efforts to enable a more efficient and cost-effective transition to electric transportation.

(C) The Office of Regulatory Staff shall make initial recommendations to the Joint Committee on the Electrification of Transportation no earlier than July 1, 2022. Upon submitting the report, the Office of Regulatory staff shall convene additional stakeholder initiatives and report recommendations to the Joint Committee at least every two years thereafter.”

SECTION 3. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Senator CLIMER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

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NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

CONCURRENCE

S. 200 -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: A BILL TO AMEND SECTION 24-3-530 OF THE 1976 CODE, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, TO PROVIDE THAT A PERSON SENTENCED TO DEATH MAY ELECT FOR ELECTROCUTION OR LETHAL INJECTION IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS DIRECTOR SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, TO PROVIDE THAT A CONVICTED PERSON'S SIGNATURE MUST BE WITNESSED, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION REGARDLESS OF THE METHOD ELECTED BY THE PERSON IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MALLOY explained the House amendments.

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Senator MALLOY proposed the following amendment (200R004.SP.GM), which was tabled:

Amend the bill, as and if amended, on page 2, at line 35, by inserting an appropriately lettered new subsection to read:

/ () The following execution methods are expressly prohibited:

- (1) breaking wheel;
- (2) hanging, drawing, and quartering;
- (3) mazzatello;
- (4) boiling to death;
- (5) death by burning;
- (6) execution by drowning;
- (7) death by starvation;
- (8) immurement;
- (9) flaying;
- (10) disembowelment;
- (11) crucifixion;
- (12) impalement;
- (13) crushing;
- (14) execution by elephant;
- (15) keelhauling;
- (16) stoning;
- (17) dismemberment;
- (18) sawing;
- (19) slow slicing;
- (20) blood eagle;
- (21) bamboo torture; and
- (22) necklacing.” /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator HEMBREE spoke on the amendment.

The question then was the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 12

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
Peeler	Rankin	Rice
Senn	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Sabb	Scott	Stephens

Total--12

The amendment was laid on the table.

Senator MALLOY proposed the following amendment (200R006.KMM.WRT), which was tabled:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 24-3-530 of the 1976 Code is amended to read:

“Section 24-3-530. (A) A person convicted of a capital crime and having imposed upon him the sentence of death shall suffer the penalty by electrocution or, at the election of the convicted person, by firing squad or lethal injection, if it is available at the time of election, under the direction of the Director of the Department of Corrections. The election for death by electrocution, firing squad, or lethal injection must be made in writing fourteen days before ~~the~~ each execution date or it is

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waived. If the convicted person receives a stay of execution or the execution date has passed for any reason, then the election expires and must be renewed in writing fourteen days before a new execution date. If the convicted person waives the right of election, then the penalty must be administered by ~~lethal injection~~ electrocution.

(B) The Director of the Department of Corrections shall determine and certify by affidavit under penalty of perjury to the Supreme Court whether the method selected pursuant to subsection (A) is available.

(C) A person convicted of a capital crime and sentenced to death by electrocution prior to the effective date of this section must be administered death by electrocution unless the person elects death by firing squad or lethal injection, if it is available, in writing fourteen days before the execution date. The convicted person must sign and date the form. The convicted person's signature must be witnessed by two persons who are not inmates of the Department of Corrections and not under the supervision of the Director of the Department of Corrections. The witnesses' signatures must be duly notarized. The form must contain a certification signed by the witnesses that the convicted person's signature is free from coercion and voluntarily given.

~~(C)~~(D) If execution by lethal injection under this section is determined and certified pursuant to subsection (B) to be unavailable by the Director of the Department of Corrections or is held to be unconstitutional by an appellate court of competent jurisdiction, then the manner of inflicting a death sentence must be by electrocution, regardless of the method elected by the convicted person.

(E) The Department of Corrections must provide written notice to a convicted person of his right to election under this section.

(F) The Department of Corrections shall promulgate regulations that establish protocols and procedures for carrying out executions pursuant to this section."

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

Senator GOLDFINCH spoke on the Bill.

Senator MALLOY spoke on the Bill.

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Remarks by Senator MALLOY

Today we are talking about the method by which executions are ordered. And, South Carolina does have a victims' bill of rights. Nothing in this debate will interfere or obstruct the victims' rights.

Consider the Charleston example. I know a young white male who bought a gun, which he should not have been allowed to buy, in order to try to start a race war. He bought 88 bullets. He mapped it out, took his time, and ultimately we know the rest of the story of what happened in that church.

But, he was never prosecuted by the State of South Carolina because of the problems with our death penalty process. We have to do something about that.

Now we are on this debate about whether electrocution, firing squad or lethal injection should be authorized. The State has said this is what we need to do. Today, we are asking how to do it.

I have done this work for over 30 years and have seen the most heinous crimes. I want to be clear, no one is saying that victims do not matter. We have passed Bills that include the victims' rights, such as the recent Omnibus Crime Bill.

I will never forget going down to Charleston and being on the side of the victims. I have seen first-hand what happened that bloody day in Charleston. Do not tell me about the victims' bill of rights. I have lived it.

But our responsibility here is to set policy. I want this to be a calm and productive debate. Everyone in this Senate feels sympathy for those that have suffered at the hands of wrongdoing. We are not arguing against the death penalty. That is not the discussion.

All this amendment deals with is whether notice is given and whether or not signatures are required. Do we end up at the Senate position? Can we make it back there?

Victims' rights will always be considered. They have to be because we all are citizens of this great State and there are too many people who have been murdered in this State. It has happened in my own family.

I decided to become a lawyer when I was in the seventh grade. One of my uncles was shot. I went to the trial. They swept any concern for the victims under the damn rug! I was just a little boy, but I was not going to stand for it. The man got sentenced to only three years. A junior prosecutor handled the case. It was nonsense and it tore up our whole family. We are not alone. It has happened repeatedly.

I respect the comments from Senator GOLDFINCH; but we need to stay focused. We are not trying ignore the victims' role in this process;

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but we must consider the method and I think there are many things about the method that need work.

We must adhere to the responsibilities that we have for the oath that we have taken and do the best that we can for our constituents. What we have now is an opportunity to improve the process by which the death penalty is carried out. We owe it to ourselves to have this debate.

We must make certain that these individuals, who have gotten to those shadows of life, who must pay the price for what they have done, get a chance to choose how they die. This is the debate today.

On motion of Senator SABB, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

Senator HUTTO spoke on the Bill.

Senator SETZLER spoke on the Bill.

Senator HEMBREE spoke on the Bill.

The question then was the adoption of the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 28; Nays 15

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rankin	Rice	Shealy
Talley	Turner	Verdin
Young		

Total--28

NAYS

Allen	Fanning	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>

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Malloy	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Stephens	Williams

Total--15

The amendment was laid on the table.

Senator MATTHEWS proposed the following amendment (200MBM2), which was ruled out of order:

Amend the bill, as and if amended, by inserting an appropriately numbered SECTION to read:

/ SECTION . Section 24-3-580 of the 1976 Code is amended to read:

“Section 24-3-580. (A)(1) As used in this section, the term ‘execution team’ shall be construed broadly to include any person or entity that participates in the planning or administration of the execution of a death sentence, including any person or entity that prescribes, compounds, tests, uses, manufactures, imports, transports, distributes, supplies, prepares, or administers the drugs, medical supplies, or medical equipment utilized in the execution of a death sentence.

(2) ‘Identifying information’ shall be construed broadly to include any record or information that reveals a name, date of birth, social security number, personal identifying information, personal or business contact information, or professional qualifications. The term ‘identifying information’ also includes any residential or business address; any residential, personal, or business telephone number; any residential, personal, or business facsimile number; any residential, personal, or business email address; and any residential, personal, or business social media account or username.

(B) Notwithstanding any other provision of law, any identifying information of a member of an execution team shall be confidential and, without exception, shall not be subject to discovery, subpoena, or any other means of legal compulsion or process for disclosure to any person or entity in any administrative, civil, or criminal proceeding in the courts, administrative agencies, boards, commissions, legislative bodies, or quasi-legislative bodies of this State or in any other similar body that exercises any part of the sovereignty of the State. This identifying information shall be classified as a state secret.

(C) A person may shall not knowingly disclose the identity identifying information of a current or former member of an execution

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team or disclose a record or any identifying information that would identify a person as being a current or former member of an execution team. ~~However, this information may be disclosed only upon a court order under seal for the proper adjudication of pending litigation.~~ Any person or entity whose identity is disclosed in violation of this section shall have a civil cause of action against the person who is in violation of this section and may recover actual damages and, upon a showing of a wilful violation of this section, punitive damages.

(D) Any purchase or acquisition of drugs, medical supplies, and medical equipment necessary to execute a death sentence shall be exempt from the entirety of the South Carolina Procurement Code and all of its attendant regulations.

(E) The out-of-state acquisition of any drug intended for use by the department in the administration of the death penalty shall be exempt from all licensing processes and requirements administered by the Department of Health and Environmental Control or by any other department or agency of the State of South Carolina. Furthermore, the out-of-state acquisition of any drug intended for use by the department in the administration of the death penalty shall be exempt from all regulations promulgated by the Board of Pharmacy.

(F) Any pharmacy or pharmacist, whether located within or without the State, that is involved in the supplying, manufacturing, or compounding of any drug intended for use by the department in the administration of the death penalty shall be exempt from all licensing processes and requirements of the Department of Labor, Licensing and Regulation.

(G) Notwithstanding any other provision of law, including the South Carolina Freedom of Information Act, Section 30-4-10 et seq., no department or agency of this State, no political subdivision, and no other government or quasi-government entity shall disclose the identifying information of any member of an execution team or any details regarding the procurement and administrative processes referenced in subsections (D) through (F).

(H) This section shall be broadly construed by the courts of this State so as to give effect to the General Assembly's intent to ensure the absolute confidentiality of the identifying information of any person or entity directly or indirectly involved in the planning or execution of a death sentence within this State." /

Renumber sections to conform.

Amend title to conform.

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Senator MATTHEWS explained the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

Senator MATTHEWS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator MATTHEWS proposed the following amendment (200MBM3), which was ruled out of order:

Amend the bill, as and if amended, by inserting an appropriately numbered SECTION to read:

/ SECTION . Section 24-3-580 of the 1976 Code is amended to read:

“Section 24-3-580. (A)(1) As used in this section, the term ‘execution team’ shall be construed broadly to include any person or entity that participates in the planning or administration of the execution of a death sentence, including any person or entity that prescribes, compounds, tests, uses, manufactures, imports, transports, distributes, supplies, prepares, or administers the drugs, medical supplies, or medical equipment utilized in the execution of a death sentence.

(2) ‘Identifying information’ shall be construed broadly to include any record or information that reveals a name, date of birth, social security number, personal identifying information, personal or business contact information, or professional qualifications. The term ‘identifying information’ also includes any residential or business address; any residential, personal, or business telephone number; any residential, personal, or business facsimile number; any residential, personal, or business email address; and any residential, personal, or business social media account or username.

(B) Notwithstanding any other provision of law, any identifying information of a member of an execution team shall be confidential and, without exception, shall not be subject to discovery, subpoena, or any other means of legal compulsion or process for disclosure to any person or entity in any administrative, civil, or criminal proceeding in the courts, administrative agencies, boards, commissions, legislative bodies, or quasi-legislative bodies of this State or in any other similar body that

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exercises any part of the sovereignty of the State. This identifying information shall be classified as a state secret.

(C) A person ~~may~~ shall not knowingly disclose the identity identifying information of a current or former member of an execution team or disclose a record or any identifying information that would identify a person as being a current or former member of an execution team. However, this information may be disclosed only upon a court order under seal for the proper adjudication of pending litigation. Any person or entity whose identity is disclosed in violation of this section shall have a civil cause of action against the person who is in violation of this section and may recover actual damages and, upon a showing of a wilful violation of this section, punitive damages.

(D) Any purchase or acquisition of drugs, medical supplies, and medical equipment necessary to execute a death sentence shall be exempt from the entirety of the South Carolina Procurement Code and all of its attendant regulations.

(E) The out-of-state acquisition of any drug intended for use by the department in the administration of the death penalty shall be exempt from all licensing processes and requirements administered by the Department of Health and Environmental Control or by any other department or agency of the State of South Carolina. Furthermore, the out-of-state acquisition of any drug intended for use by the department in the administration of the death penalty shall be exempt from all regulations promulgated by the Board of Pharmacy.

(F) Any pharmacy or pharmacist, whether located within or without the State, that is involved in the supplying, manufacturing, or compounding of any drug intended for use by the department in the administration of the death penalty shall be exempt from all licensing processes and requirements of the Department of Labor, Licensing and Regulation.

(G) Notwithstanding any other provision of law, including the South Carolina Freedom of Information Act, Section 30-4-10 et seq., no department or agency of this State, no political subdivision, and no other government or quasi-government entity shall disclose the identifying information of any member of an execution team or any details regarding the procurement and administrative processes referenced in subsections (D) through (F).

(H) This section shall be broadly construed by the courts of this State so as to give effect to the General Assembly's intent to ensure the absolute confidentiality of the identifying information of any person or

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entity directly or indirectly involved in the planning or execution of a death sentence within this State.

(I) However, nothing in this section shall be construed to diminish, alter or undermine the election process as defined in Section 24-3-530.”/

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Point of Order

Senator MASSEY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

The question then being concurrence in the House amendments.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 32; Nays 11

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Rankin
Rice	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--32

NAYS

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy

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Matthews
Scott

McLeod
Stephens

Sabb

Total--11

The Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Statement by Senator MALLOY

Nothing in this vote should be construed as my position on the death penalty. Today we spent a considerable amount of time in debate on the method of putting a person to death. I believe that neither electrocution nor firing squad are the proper direction for our State to take on this matter and represent regression, not progress. Death penalty sentences must be carried out in a legally sound, proper, and humane manner, and must 'draw [its] meaning from the evolving standards of decency that mark the progress of a maturing society.' (See *Trop v. Dulles*, plurality decision) *Bucklew v. Precythe*, *Glossip v. Gross*, and the other recent decisions on the death penalty broadly reiterate the parameters installed by analysis of the Eighth Amendment including freedom from terror, pain, or disgrace during the imposition of capital punishment. We have yet to rectify the ability of the state to carry out executions in a constitutionally sound and humane manner.

**THE SENATE PROCEEDED TO THE CALL OF THE
CONTESTED STATEWIDE CALENDAR**

AMENDED, READ THE SECOND TIME

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Hosey, Caskey, McGinnis, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J.E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M.M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING

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TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senators MASSEY and CAMPSER proposed the following amendment (3444R003.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 7-3-25 of the 1976 Code is amended to read:

“Section 7-3-25. (A) In the event that the State Election Commission, acting through its executive director, determines that a county board of elections and voter registration has failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the conduct of the election or voter registration process, the State Election Commission, acting through its executive director or other designee, must supervise, pursuant to Section 7-3-20(C)(1) and (2), the county board to the extent necessary to:

(1) identify the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes;

(2) establish a plan to correct the failure; and

(3) implement the plan to correct the failure. The officials and employees of the State Election Commission and the county board must work together, in good faith, to remedy the failure of the county board to adhere to state or federal law or State Election Commission policies, procedures, or standardized processes. In the event of a difference of policy or opinion between a county election official or employee and the State Election Commission or its designee, pertaining to the manner in which particular functions must be performed, the policy or opinion of the State Election Commission shall control.

(B) If a county board of voter registration and elections does not or cannot determine and certify the results of an election or referendum for which it is responsible by the time set for certification by applicable law, the responsibility to determine and certify the results is devolved upon the State Election Commission.

(C) If the State Election Commission determines that an official or an employee of a county board of voter registration and elections has negligently failed to comply with applicable state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes with regard to the election or voter registration process or fails to comply with or cooperate with the corrective plan established by the

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State Election Commission or its designee under the provisions of subsection (A) the commission may order the decertification of that official or employee and if decertified the commission shall require that official to participate in a retraining program approved by the commission prior to recertification. If the commission finds that the failure to comply with state or federal law or State Election Commission policies, ~~and~~ procedures, or standardized processes by an official is wilful, it shall recommend the termination of that official to the Governor or it shall recommend termination of a staff member to the director of the appropriate county board of voter registration and elections.”

SECTION 2. Chapter 1, Title 7 of the 1976 Code is amended by adding:

“Section 7-1-110. (A) The President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have an unconditional right to intervene on behalf of their respective bodies in a state court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(B) In a federal court action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted, the President of the Senate, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, have standing to intervene as a party on behalf of their respective bodies, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action.

(C) A federal court presiding over an action that challenges the validity of an election law, an election policy, or the manner in which an election is conducted is requested to allow the President, on behalf of the Senate, and the Speaker of the House of Representatives, on behalf of the House of Representatives, to intervene in any such action as a party.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of an election law, an election policy, or the manner in which an election is conducted.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed

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to by the President of the Senate and the Speaker of the House of Representatives.”

SECTION 3. A. Section 7-3-10 of the 1976 Code is amended to read:

“Section 7-3-10. ~~(a)~~(A) There is hereby created the State Election Commission composed of five members, to be appointed by the Governor upon the advice and consent of the Senate, at least one of whom shall be a member of the majority political party represented in the General Assembly, and at least one of whom shall be a member of the largest minority political party represented in the General Assembly; ~~to be appointed by the Governor to serve terms of four years and until their successors have been elected and qualify, except of those first appointed three shall serve for terms of two years.~~ In considering appointments to the commission, race, gender, and other geographic and demographic factors must be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State. The terms of the members of the State Election Commission shall be for four years and until their successors are appointed and qualify, provided, however, that a member may not serve in holdover status for more than one year. If a member who has been reappointed and who is serving in holdover status is not confirmed by the Senate on or before the sine die adjournment of the General Assembly following the expiration of the member’s term, then the member’s seat is vacated, and he is ineligible to serve on the State Election Commission as a recess or interim appointee. If a person appointed to serve as a commissioner is rejected by a vote of the Senate, then, if the appointment was an initial appointment, the person cannot take office and is ineligible to serve as an interim appointee to the State Election Commission and, if the appointment was a reappointment, the person may serve the remainder of his term in office, if any, his seat is vacated upon the expiration of his term, and the person is ineligible to serve as a recess or interim appointee to the State Election Commission. Any vacancy on the ~~Commission~~ commission shall be filled for the unexpired portion of the term in the same manner as the original appointment.

~~(b)~~(B) The Governor shall appoint one of the members to serve as chairman for a term of two years and until his successor has been appointed and qualifies. The ~~Commission~~ commission shall select such other officers from among its members as it may deem necessary.

~~(c)~~(C) The commission shall meet at its offices in Columbia at least once each month or at such times as considered necessary by the

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commission. However, the commission may change the location of the meeting if the change is more convenient for the commission or any parties scheduled to appear before the commission.

~~(d)(D)~~ The ~~Commission~~ commission shall have the powers and duties as enumerated in this title.

~~(e)(E)~~ No member of the commission may participate in political management or in a political campaign during the member's term of office. No member of the commission may make a contribution to a candidate or knowingly attend a fundraiser held for the benefit of a candidate. Violation of this subsection subjects the commissioner to removal by the Governor.

(F) The commission shall promulgate regulations to establish standardized processes for the administration of elections and voter registration, which must be followed by county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, Title 7. The standards established by the commission must comply with federal and state statutory, regulatory, and constitutional standards. The commission is prohibited from promulgating emergency regulations pursuant to Section 1-23-130. The standardized processes promulgated pursuant to this subsection must take into account unique circumstances around the State, including, but not limited to, population and geographic disparities among the various counties.

(G) The commission shall provide for the supervision of the conduct of county boards of voter registration and elections, as established pursuant to Article 1, Chapter 5, Title 7, which administer elections and voter registration in the State. The commission is ultimately responsible for ensuring those boards' compliance with the requirements of applicable state or federal law and State Election Commission policies, procedures, and standardized processes with regard to the conduct of elections or the voter registration process by all persons involved in the elections process."

B. On the effective date of this act, the terms of the members of the State Election Commission are expired, and a new State Election Commission must be established pursuant to Section 7-3-10(a), as amended by this act. In order to stagger the terms of the members of the State Election Commission, the initial terms are as follows, regardless of when a member is appointed and qualifies:

(1) the initial appointment of one member of the majority political party represented in the General Assembly and the initial appointment of one member of the largest minority political party represented in the General Assembly are for terms expiring on July 1, 2023; and

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(2) the initial appointments of three members are for terms expiring on July 1, 2025.

C. A member whose term expires on the effective date of this act may continue to serve in the seat in holdover status until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 13, 2021, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2021, whichever is later, then the member's seat is vacated on the later of the two dates and is ineligible to serve as an interim appointment to the State Election Commission. If a member who is serving in holdover status is rejected by a vote of the Senate, then the member's seat is vacated on the date the member is rejected by a vote of the Senate and the member is ineligible to serve as an interim appointment to the State Election Commission.

SECTION 4. A. Section 7-3-20 of the 1976 Code is amended to read:

“Section 7-3-20. (A) The State Election Commission shall ~~elect~~ appoint an executive director, upon the advice and consent of the Senate, who shall be directly responsible to the commission and who shall serve at the pleasure of the commission. The executive director shall be the chief administrative officer for the State Election Commission. In the event of a vacancy in the position of executive director, an interim director must be appointed by the State Election Commission, and an appointment for a permanent executive director must be submitted to the Senate as soon as practicable. If a person is appointed by the State Election Commission to be executive director and is not confirmed by the Senate by the date for the sine die adjournment of the General Assembly following the appointment, then the person must not serve as an interim or permanent executive director.

(B) The executive director shall receive such compensation and employ such staff, subject to the approval of the State Election Commission, as may be provided by law.

(C) The executive director shall:

(1) direct and supervise the implementation of the standardized processes established by the commission pursuant to Section 7-3-10(F);

(2) supervise the conduct of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, which administer elections and voter registration in the State and ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard

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to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(2)~~(3) conduct reviews, audits, or other postelection analysis of county board of elections and voter registration, as established pursuant to Article 1, Chapter 5, to ensure those boards' compliance with the requirements with applicable state or federal law or State Election Commission policies and procedures with regard to the conduct of elections or the voter registration process by all persons involved in the elections process;

~~(3)~~(4) maintain a complete master file of all qualified electors by county and by precincts;

~~(4)~~(5) delete the name of any elector:

(a) who is deceased;

(b) who is no longer qualified to vote in the precinct where currently registered;

(c) who has been convicted of a disqualifying crime;

(d) who is otherwise no longer qualified to vote as may be provided by law; or

(e) who requests in writing that his name be removed;

~~(5)~~(6) enter names on the master file as they are reported by the county boards of voter registration and elections;

~~(6)~~(7) furnish each county board of voter registration and elections with a master list of all registered voters in the county, together with a copy of all registered voters in each precinct of the county, at least ten days prior to each election. The precinct copies shall be used as the official list of voters;

~~(7)~~(8) maintain all information furnished his office relating to the inclusion or deletion of names from the master file for four years;

~~(8)~~(9) purchase, lease, or contract for the use of such equipment as may be necessary to properly execute the duties of his office, subject to the approval of the State Election Commission;

~~(9)~~(10) secure from the United States courts and federal and state agencies available information as to persons convicted of disqualifying crimes;

~~(10)~~(11) obtain information from any other source which may assist him in carrying out the purposes of this section;

~~(11)~~(12) perform such other duties relating to elections as may be assigned him by the State Election Commission;

~~(12)~~(13) furnish at reasonable price any precinct lists to a qualified elector requesting them;

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~~(13)~~(14) serve as the chief state election official responsible for implementing and coordinating the state's responsibilities under the National Voter Registration Act of 1993;

~~(14)~~(15) serve as the chief state election official responsible for implementing and enforcing the state's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), as set forth in the U.S.C., Title 42, Section 1973ff, et seq.; and

~~(15)~~(16) establish and maintain a statewide voter registration database that shall be administered by the commission and made continuously available to each county board of voter registration and elections and to other agencies as authorized by law.

(D) The State Election Commission shall publish on the commission's website each change to voting procedures enacted by state or local governments. State and local governments shall file notice of all changes in voting procedures, including, but not limited to, changes to precincts with the State Election Commission within five days after adoption of the change or thirty-five days prior to the implementation, whichever is earlier. All voting procedure changes must remain on the commission's website at least through the date of the next general election. However, if changes are made within three months prior to the next general election, then the changes shall remain on the commission's website through the date of the following general election."

B. The provisions of this SECTION apply to all vacancies that occur in the position of executive director on or after the effective date of this act.

C. The commission appointed and confirmed under the provisions of SECTION 3 must submit an appointment for executive director to the Senate for advice and consent no later than sixty days after three members of the commission have been appointed, qualified, and confirmed as provided in SECTION 3. An executive director serving on the effective date of this act may continue to serve as executive director until a successor is appointed and qualifies, provided that if no successor has received the advice and consent of the Senate by May 13, 2021, or by the deadline for the confirmation of appointments in a sine die resolution that is passed in 2021, whichever is later, then the executive director position is vacated on the later of the two dates and is ineligible to serve as an interim or permanent executive director. If an executive director who is serving in holdover status is rejected by a vote of the Senate, then the executive director position is vacated on the date the executive director is rejected by a vote of the Senate and the executive

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director is ineligible to serve as an interim or permanent executive director of the State Election Commission.

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act shall take effect upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb

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Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Young	

Total--41

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Motion to Ratify Adopted

At 5:45 P.M., Senator ALEXANDER asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Charles R. Keep III, 9 Willow Oak Road W., Hilton Head, SC 29928-4408 *VICE* Hon. Ralph Edwin Tupper - retired

Initial Appointment, Lee County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Windi King, 414 Marsh Street, Bishopville, SC 29010-1924 *VICE* Hon. Palmella Sara Andrews-Brown

Reappointment, Calhoun County Master-in-Equity, with the term to commence August 14, 2021, and to expire August 14, 2027

Martin R. Banks, 716 F. R. Huff Dr., St. Matthews, SC 29135

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Reappointment, Orangeburg County Master-in-Equity, with the term to commence August 15, 2021, and to expire August 15, 2027
James B. Jackson, Jr., 133 Wateree Drive, Santee, SC 29142

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senators KIMBRELL, MARTIN, CORBIN, PEELER and TALLEY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Rosemary H. Byerly of Inman, S.C. Rosemary was a member of New Beginnings United Methodist Church where she taught Sunday School for 40 years and held several leadership roles. She was president of the Spartanburg County Dental Auxiliary, member of the Spartanburg Technical College Commission of Higher Education, a board member of the Upstate Family Resource Center, chairman of the Spartanburg County Republican Party and chairman of the Spartanburg County Commission of Voter Registration and Elections. Rosemary had a passion for teaching and taught many years at several Spartanburg District 2 schools. She received the Order of the Palmetto in 2006. Rosemary was a loving mother and valued community leader who will be dearly missed.

ADJOURNMENT

At 6:17 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

* * *

Thursday, May 13, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 55:12

Isaiah the prophet pronounced: "For you shall go out in joy, and be led back in peace; the mountains and the hills before you shall break forth into song, and all the trees of the field shall clap their hands."

Join me as we pray, good friends: Gracious and loving Lord, despite the challenges of the past months, the debates and the hours spent in hearings and committees, the Senate of South Carolina comes today to its last regular session of this 124th General Assembly. So it seems entirely appropriate and right, merciful God, that you allow each of these servants to experience a sense of joy. And may that "joy" include a full measure of release from pressures and debates and verbal arm wrestling, at least for a while. And then, in due time, Lord, bring these Senators and their aides and all of the other Senate staff members back again -- renewed and refocused -- to continue their service to the people of South Carolina. For each of these servants, we give you our heartfelt praise, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Call of the Senate

Senator ALEXANDER moved that a Call of the Senate be made. The following Senators answered the Call:

Adams	Alexander	Allen
Bennett	Cash	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Harpootlian	Hembree	Hutto
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Martin
Massey	McElveen	Peeler

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Rice	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator K. JOHNSON introduced Dr. Victoria Pollard of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator MARTIN, at 11:04 A.M., Senator VERDIN was granted a leave of absence until 12:00 P.M.

Leave of Absence

On motion of Senator MARTIN, at 11:04 A.M., Senator SENN was granted a leave of absence for the day.

Privilege of the Chamber

On behalf of Senator SETZLER, the Privilege of the Chamber, to that area behind the rail, was extended to Mrs. Betsy Hossenlopp and Mrs. Cicely Jenkins in recognition of their outstanding service with the South Carolina Senate and in honor of their retirement.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Remarks by Senator SETZLER

Today is a special day in these ladies' lives and a sad day for us. These ladies have served us so faithfully and will be retiring after today.

Nurse Betsy and Nurse Cicely have been our friends, our confidants, and our caretakers for many years. Betsy has been with us for 14 years, and Cicely has been with us for 10 years.

These two ladies have a combined 100 years of nursing experience in a variety of medical specialties that range from emergency room to trauma to certified nurse instructor. Not only have these two nurses cared for each one of us and the staff, but they also are with us every day until both bodies adjourn session for the day.

They have cared for scraped knees of children and for those who have fallen while visiting the State House. They have been front line when someone suffered a massive heart attack in the State House.

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These ladies are not only nurses, but they are family. We thank both of them for serving as a nurse, as an advisor, as a counselor, and mostly importantly, as a friend to each of us.

Ladies, we cannot replace you. We cannot thank you enough for what you have done. From the bottom of our hearts, we wish you well as you go on your next journey to be with your husbands, your children and your grandchildren. We appreciate them sharing you with us for the past 14 and 10 years.

We wish you Godspeed. Thank you and join me in giving Nurse Betsy and Nurse Cicely a round of applause.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator SETZLER, were ordered printed in the Journal.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 152 Sen. Kimpson
S. 370 Sen. Kimbrell
S. 730 Sen. Allen
S. 811 Sens. Loftis and Martin

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 152 Sen. Verdin

RECALLED AND ADOPTED

S. 4 -- Senator Setzler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF NINTH STREET AND JARVIS Klapman Boulevard in the City of West Columbia "Daniel Wayne Codburn Interchange" and erect appropriate signs or markers at this location containing these words.

Senator Grooms asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator Grooms asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

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The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

RECALLED AND ADOPTED

H. 4041 -- Reps. Anderson and McKnight: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF OLD GEORGETOWN ROAD IN WILLIAMSBURG COUNTY FROM ITS INTERSECTION WITH BARTELLS ROAD TO ITS INTERSECTION WITH BURLINGTON ROAD "WILLIAM 'TOON' AND MARY 'BOY' COOPER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation.

Senator GROOMS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator GROOMS, the Resolution was adopted and ordered sent to the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 819 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE EXCEPTIONAL ATHLETICISM AND CITIZENSHIP OF TREVOR LAWRENCE, STARTING QUARTERBACK OF THE CLEMSON TIGERS' FOOTBALL TEAM FROM 2018 TO 2020, AND TO CONGRATULATE HIM FOR BEING THE NUMBER ONE DRAFT PICK IN THE 2021 NATIONAL

THURSDAY, MAY 13, 2021

FOOTBALL LEAGUE DRAFT BY THE JACKSONVILLE JAGUARS.

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The Senate Resolution was adopted.

S. 820 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE DYNAMIC ATHLETICISM OF TRAVIS ETIENNE, STARTING RUNNING BACK OF THE CLEMSON TIGERS' FOOTBALL TEAM FROM 2017 TO 2020, AND TO CONGRATULATE HIM FOR HIS FIRST-ROUND DRAFT SELECTION IN THE 2021 NATIONAL FOOTBALL LEAGUE DRAFT BY THE JACKSONVILLE JAGUARS.

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The Senate Resolution was adopted.

S. 821 -- Senators Leatherman, Young, Hutto and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

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Read the first time and referred to the Committee on Finance.

S. 822 -- Senator Leatherman: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

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Read the first time and referred to the Committee on Finance.

S. 823 -- Senator Fanning: A BILL TO AMEND SECTIONS 12-36-60, 12-36-70, AS AMENDED, 12-36-90, AS AMENDED, 12-36-110, AND 12-36-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO DEFINITIONS FOR PURPOSES OF THE SALES TAX, SO AS TO INCLUDE THE SALES OF SERVICES; BY ADDING SECTION 12-36-160 SO AS TO DEFINE "SERVICES"; TO AMEND SECTION 12-36-910, RELATING TO THE FIVE PERCENT STATE SALES TAX RATE, SO AS TO REDUCE THE SALES TAX RATE TO THREE PERCENT; TO AMEND SECTION 12-36-920, RELATING TO THE STATE ACCOMMODATIONS TAX, SO AS TO MAKE A CONFORMING

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CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-940, RELATING TO AMOUNTS THAT MAY BE ADDED TO SALES PRICES TO ACCOUNT FOR TAX, SO AS AUTHORIZE THE DEPARTMENT TO MAKE ADJUSTMENTS; TO REPEAL ARTICLE 11 OF CHAPTER 36, TITLE 12, RELATING TO THE ADDITIONAL ONE PERCENT SALES AND USE TAX; TO AMEND SECTIONS 12-36-1310 AND 12-36-1320, BOTH RELATING TO THE USE TAX, SO AS TO MAKE A CONFORMING CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-1710, RELATING TO THE CASUAL EXCISE TAX, SO AS TO MAKE A CONFORMING CHANGE BY REDUCING THE RATE; TO AMEND SECTION 12-36-2120, RELATING TO SALES TAX EXEMPTIONS, SO AS TO REMOVE THE EXEMPTION ON CERTAIN ITEMS; TO AMEND SECTION 12-36-2530, RELATING TO TAXES ON ITEMS DELIVERED OUT OF STATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 12-36-2620, 12-36-2630, AND 12-36-2640, ALL RELATING TO THE CREDITING OF CERTAIN TAXES, SO AS TO CREDIT SUCH TAXES IN THE SAME PROPORTION AS THEY WERE CREDITED BEFORE THE RATE REDUCTION; TO REPEAL SECTION 12-36-2646 RELATING TO THE TAX EXCLUSION FOR INDIVIDUALS AT LEAST EIGHTY-FIVE YEARS OF AGE; BY ADDING SECTION 11-11-270 SO AS TO CREATE THE "TAX REFORM RESERVE FUND" AND TO SPECIFY ITS PURPOSE; AND BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 SO AS TO PROPORTIONALLY REDUCE LOCAL SALES AND USE TAXES IN THE SAME MANNER AS THE STATE SALES AND USE TAX.

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Read the first time and referred to the Committee on Finance.

S. 824 -- Senator Gambrell: A SENATE RESOLUTION TO DESIGNATE THE WEEK OF MAY 16-22, 2021, AS EMERGENCY MEDICAL SERVICES WEEK IN SOUTH CAROLINA AND TO ENCOURAGE THE COMMUNITY TO OBSERVE THIS WEEK WITH APPROPRIATE PROGRAMS, CEREMONIES, AND ACTIVITIES.

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The Senate Resolution was adopted.

THURSDAY, MAY 13, 2021

H. 3050 -- Reps. D. C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

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Read the first time and referred to the Committee on Judiciary.

H. 4285 -- Reps. Lucas, Simrill and Rutherford: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN 5:00 P.M. ON THURSDAY, MAY 13, 2021, EACH HOUSE SHALL RECEDE TO MEET AT THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT EACH HOUSE SHALL MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 8, 2021, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 10, 2021, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON THURSDAY, JUNE 10, 2021, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, JUNE 21, 2021, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, JUNE 23, 2021, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, JUNE 23, 2021, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE

THURSDAY, MAY 13, 2021

29, 2021, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, JUNE 30, 2021, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, JUNE 30, 2021, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN TUESDAY, JANUARY 11, 2022, AT 11:59 A.M., THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 4385 -- Reps. Gagnon, West, Willis, Murphy and White: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. HOWARD THOMAS, PROFESSOR OF CHEMISTRY AT ERSKINE COLLEGE, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-FIVE YEARS OF DEDICATED, SCHOLARLY TEACHING, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered returned to the House.

H. 4386 -- Rep. Wooten: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE MEADOW GLEN MIDDLE SCHOOL GATOR GEARS ROBOTICS TEAM, COACHES, AND SCHOOL OFFICIALS OF LEXINGTON COUNTY SCHOOL DISTRICT ONE FOR AN OUTSTANDING PERFORMANCE IN THE 2021 FIRST LEGO LEAGUE CHALLENGE, AND TO

THURSDAY, MAY 13, 2021

CONGRATULATE THEM FOR WINNING THE STATE CHAMPIONSHIP.

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The Concurrent Resolution was adopted, ordered returned to the House.

REPORTS OF STANDING COMMITTEE

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 403 -- Senator Gustafson: A BILL TO AMEND SECTION 41-18-30(D) OF THE 1976 CODE, RELATING TO THE APPLICABILITY OF AND EXCEPTIONS TO THE SOUTH CAROLINA AMUSEMENT RIDES SAFETY CODE, TO DIFFERENTIATE BETWEEN AMUSEMENT-STYLE AND COMPETITION-STYLE CONCESSION GO-KARTS; AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS;

THURSDAY, MAY 13, 2021

TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-80-65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE

THURSDAY, MAY 13, 2021

DEPARTMENTS THAT SUBSEQUENTLY HIRE THE
FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

Ordered for consideration tomorrow.

Appointment Reported

Senator ALEXANDER from the Committee on Labor, Commerce and
Industry submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Board of Barber Examiners,
with the term to commence June 30, 2019, and to expire June 30, 2023

Master Hair Care Specialist:

Melissa Jones-Horton, 338 Clearwater Drive, Lancaster, SC 29720-
7524

Received as information.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Bill
having been read three times in each House, it was ordered that the title
thereof be changed to that of an Act and that it be enrolled for
Ratification:

S. 425 -- Senators Alexander, McLeod, Young and Gustafson: A
BILL TO AMEND ARTICLE 1, CHAPTER 35, TITLE 43 OF THE
1976 CODE, RELATING TO DUTIES AND PROCEDURES OF
INVESTIGATIVE ENTITIES CONCERNING ADULT
PROTECTION, BY ADDING SECTION 43-35-87, TO AUTHORIZE
BANKING INSTITUTIONS TO DECLINE CERTAIN FINANCIAL
TRANSACTION REQUESTS IN CASES OF THE SUSPECTED
FINANCIAL EXPLOITATION OF A VULNERABLE ADULT, AND
TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 13, 2021

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

On motion of Senator CROMER, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

HOUSE AMENDMENTS AMENDED

RETURNED TO THE HOUSE WITH AMENDMENTS

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator CROMER explained the House amendments.

Senator CROMER proposed the following amendment (DG\436C001.NBD.DG21), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 1-3.

Renumber sections to conform.

THURSDAY, MAY 13, 2021

Amend title to conform.

Senator CROMER explained the amendment.

The question then was the adoption of the amendment.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

THURSDAY, MAY 13, 2021

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

S. 436 -- Senators Cromer, Shealy, Rice, Talley, K. Johnson, Scott, Turner, Alexander and Gambrell: A BILL TO AMEND SECTION 12-6-3530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 13, 2021

HOUSE CONCURRENCE

S. 806 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND CELEBRATE PURE FISHING, INC. AS THE LARGEST FISHING-RELATED PRODUCT MANUFACTURER IN THE WORLD AND TO COMMEND PURE FISHING, INC. ON THE COMPANY'S OVER FIFTY YEARS OF CONTRIBUTIONS TO SOUTH CAROLINA'S WORKFORCE AND ECONOMY.

Returned with concurrence.

Received as information.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4241 -- Reps. Anderson and Hewitt: A BILL TO AMEND ACT 907 OF 1962, AS AMENDED, RELATING TO THE GEORGETOWN COUNTY SCHOOL DISTRICT AND THE GEORGETOWN COUNTY BOARD OF EDUCATION, SO AS TO, AMONG OTHER THINGS, CONFORM LOCAL ELECTION PROCEDURES FOR MEMBERS OF THE BOARD OF EDUCATION TO THE CONTROLLING 2008 CONSENT JUDGMENT AND DECREE; TO DEFINE RELEVANT TERMS; TO PROVIDE THAT THE GEORGETOWN COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF EDUCATION CONSISTING OF NINE MEMBERS WHO MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE THAT WHEN A VACANCY OCCURS IN OFFICE, BY REASON OF DEATH, RESIGNATION, OR REMOVAL, THE VACANCY IN OFFICE SHALL BE FILLED BY A SPECIAL ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM; TO PROVIDE THAT PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE GEORGETOWN COUNTY BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF CANDIDACY WITH THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH THE APPLICABLE CANDIDATE FILING PERIOD; TO PROVIDE THAT

THURSDAY, MAY 13, 2021

THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS SHALL CONDUCT AND SUPERVISE THE ELECTIONS FOR MEMBERS OF THE GEORGETOWN COUNTY BOARD OF EDUCATION IN THE MANNER GOVERNED BY THE ELECTION LAWS OF THIS STATE, MUTATIS MUTANDIS; AND TO REPEAL ACT 237 OF 1983.

On motion of Senator SABB.

RECOMMITTED

S. 354 -- Senator Rice: A BILL TO AMEND SECTION 56-2-105, RELATING TO THE ISSUANCE OF GOLF CART PERMIT DECALS AND REGISTRATIONS AND THE OPERATION OF GOLF CARTS WITHIN THE STATE, SO AS TO PROVIDE A MUNICIPALITY MAY ALLOW PERMITTED GOLF CARTS TO BE OPERATED WITHIN ITS JURISDICTION UNDER CERTAIN CONDITIONS.

On motion of Senator RICE, the Bill was recommitted to Committee on Transportation.

AMENDED, READ THE THIRD TIME

SENT TO THE HOUSE

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

The Senate proceeded to a consideration of the Bill.

THURSDAY, MAY 13, 2021

Senator CORBIN proposed the following amendment (152R004.SP.TDC), which was adopted:

Amend the bill, as and if amended, on page 7, by striking lines 35 through 39 and inserting:

/ Section 4-10-1040. (A)(1) The tax levied pursuant to this article must be administered and collected by the Department of Revenue in the same manner that other sales and use taxes are collected. The Department of Revenue may prescribe amounts that may be added to sales prices because of the tax.

(2) The county in which a referendum is passed shall assemble an advisory committee to assist the Department of Revenue with directing the distribution of the taxes collected to ensure a transparent and equal distribution within the county. The advisory committee shall include seven members:

- (a) one member who is a member of the county council;
- (b) one member who is a member of the legislative delegation;
- (c) one member who is knowledgeable about the geography and condition of the county's land; and
- (d) four citizen members, each representing the northern, southern, eastern, and western portions of the county. /

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

Senator DAVIS proposed the following amendment (152R002.SP.TD), which was adopted:

Amend the bill, as and if amended, on page 7, at line 18, by inserting:

/() The provisions of this section are not available to a county with more than two existing sales and use taxes currently in effect.

Re-number sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

THURSDAY, MAY 13, 2021

Senator DAVIS proposed the following amendment (152R003.SP.TD), which was adopted:

Amend the bill, as and if amended, on page 7, line 34, by inserting an appropriately lettered new subsection to read:

/ () If the sales and use tax is approved in a referendum, then the Department of Revenue must make available to the public, upon request, all information regarding the amount of the tax that is collected, expenditures, and any remaining funds at the time of the information request to ensure transparency and accountability. /

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being third reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Stephens	Talley	Turner
Williams	Young	

Total--41

THURSDAY, MAY 13, 2021

NAYS

Massey

Shealy

Verdin

Total--3

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House.

AMENDED, HOUSE BILL RETURNED

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN proposed the following amendment (3308R004.SP.GEC), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 5 in its entirety.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

Senator CAMPSSEN proposed the following amendment (3308R006.SP.GEC), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 4, 6, 7, and 8 in their entirety.

Renumber sections to conform.

Amend title to conform.

Senator CAMPSSEN explained the amendment.

The amendment was adopted.

THURSDAY, MAY 13, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A

THURSDAY, MAY 13, 2021

MOORED OR ANCHORED VESSEL, WHARF, DOCK,
BULKHEAD, PIER, OR PERSON IN THE WATER.

Very respectfully,
Speaker of the House

Received as information.

H. 3308--SENATE INSISTS ON THEIR AMENDMENTS

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

On motion of Senator CAMPSSEN, the Senate insisted upon its amendments to H. 3308 and asked for a Committee of Conference.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators CAMPSSEN, GOLDFINCH and WILLIAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Huggins, Murphy and S. Williams to the committee on the part of the House.:

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

Very respectfully,
Speaker of the House

Received as information.

THURSDAY, MAY 13, 2021

**COMMITTEE AMENDMENT ADOPTED
AMENDED, HOUSE BILL RETURNED**

H. 3696 -- Reps. Lucas, G.M. Smith, Murphy, Simrill, Rutherford, Bannister, Bradley, Erickson, Gatch, Herbkersman, Kimmons, W. Newton, Rivers, Stavrinakis, Weeks, S. Williams, McGarry, Carter, Hart, Jefferson, R. Williams, Govan and Thigpen: A BILL TO AMEND SECTION 14-5-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS, SO AS TO INCREASE THE NUMBER OF CIRCUIT COURT JUDGES BY ONE IN THE NINTH, FOURTEENTH, AND FIFTEENTH CIRCUITS; AND TO AMEND SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE FIRST AND SIXTEENTH CIRCUITS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3696.001), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 28 through 33, in Section 14-5-610(B), as contained in SECTION 1, and inserting the following:

/ “(B) One judge must be elected from the ~~second~~, sixth, and twelfth circuits. Two judges must be elected from the first, ~~second~~, third, fourth, seventh, eighth, tenth, eleventh, ~~fourteenth~~, ~~fifteenth~~, and sixteenth circuits. Three judges must be elected from the fifth, ~~and ninth~~ fourteenth, and fifteenth circuits. Four judges must be elected from the ninth and thirteenth circuits.” /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator GROOMS proposed the following amendment (3696R003.SP.LKG), which was adopted, reconsidered and withdrawn:

Amend the bill, as and if amended, page 1, by striking lines 28 through 33, in Section 14-5-610(B), as contained in SECTION 1, and inserting the following:

THURSDAY, MAY 13, 2021

/ “(B)(1) One judge must be elected from the ~~second~~, sixth, and twelfth circuits. Two judges must be elected from the first, second, third, fourth, seventh, eighth, tenth, eleventh, ~~fourteenth~~, ~~fifteenth~~, and sixteenth circuits. Three judges must be elected from the fifth, ~~and ninth~~ fourteenth, and fifteenth circuits. Four judges must be elected from the ninth and thirteenth circuits.

(2) For the circuits in which three or more judges are elected, there shall not be more than three judges elected from the same county.” /

Renumber sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Having voted on the prevailing side, Senator GROOMS moved to reconsider the vote whereby the amendment was adopted.

The amendment was reconsidered.

On motion of Senator GROOMS, with unanimous consent, the amendment was withdrawn.

Senators MARTIN, PEELER and KIMBRELL proposed the following amendment (JUD3696.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 5, in Section 63-3-40(A), as contained in SECTION 2, and inserting:

/ Seventh Circuit ~~Three~~ Four Judges /

Renumber sections to conform.

Amend title to conform.

Senator MARTIN explained the amendment.

The amendment was adopted.

Senator YOUNG explained the Bill.

The question being third reading of the Bill.

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 3

AYES

Adams	Alexander	Allen
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Matthews	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Bennett	Cash	Massey
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Total--3

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments:

H. 4017 -- Reps. Simrill, Pope, Weeks, W. Cox and Hill: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2020, TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES, AND TO PROVIDE FOR THE TAX TREATMENT OF THE

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PAYCHECK PROTECTION PROGRAM AND CERTAIN EXPENSES AS PROVIDED FOR IN THE FEDERAL CONSOLIDATED APPROPRIATIONS ACT OF 2021.

Recorded Vote

Senator MASSEY desired to be recorded as voting against third reading of the Bill.

H. 3444 -- Reps. Lucas, McGarry, Burns, Haddon, Pope, McCravy, Forrest, Hosey, Caskey, McGinnis, Hixon, Hewitt, Bailey, W. Newton, Herbkersman, J.E. Johnson, Brittain, Erickson, Bradley, B. Newton, Fry, Crawford, S. Williams, Taylor, Huggins, Bryant, Blackwell and M.M. Smith: A BILL TO AMEND SECTION 7-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO RECONSTITUTE THE STATE ELECTION COMMISSION AND REVISE THE COMMISSION'S COMPOSITION, POWERS, AND DUTIES; AND TO AMEND SECTIONS 7-17-70 AND 7-17-220, BOTH RELATING TO MEETINGS OF THE STATE BOARD, SO AS TO MAKE CONFORMING CHANGES.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4320 -- Reps. G.R. Smith, Trantham and Willis: A BILL TO AMEND SECTION 7-7-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GREENVILLE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

ADOPTED

S. 790 -- Senators Matthews and Allen: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON MONDAY,

THURSDAY, MAY 13, 2021

NOVEMBER 8 AND TUESDAY, NOVEMBER 9 AND MONDAY, NOVEMBER 15 AND TUESDAY, NOVEMBER 16, 2021; HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

The Resolution was adopted.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSSEN explained the amendments.

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On motion of Senator CAMPSSEN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

asks for a Committee of Conference, and has appointed Reps. Forrest, Hixon and Atkinson to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

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H. 3056--CONFERENCE COMMITTEE APPOINTED

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

Whereupon, Senators HUTTO, CAMPSSEN and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

NONCONCURRENCE

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

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Senator CAMPSSEN explained the amendments.

On motion of Senator CAMPSSEN, the Senate nonconcurrent in the House amendments and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

asks for a Committee of Conference, and has appointed Reps. Lowe, Hewitt and Pendarvis to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

H. 3957--CONFERENCE COMMITTEE APPOINTED

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER

Whereupon, Senators CAMPSSEN, GOLDFINCH and McELVEEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

Remarks by Senator KIMPSON

Thank you, Mr. PRESIDENT, members -- if I could just have your attention for a moment. This morning I issued a statement on the death of Jamaal Sutherland. Mr. Sutherland died while in the custody of law enforcement back in January. In Charleston, we've known Jamal's name. But soon people across the country will know him and will be calling for the same answers that his family has been searching for since he was killed in January. Unfortunately, I believe that the coming days will give the public a grim, heartbreaking look into his final moments. While, I have not seen the videotape of his death, I have had discussions with people who have first-hand knowledge of it. I am told it is very disturbing. In this regard, we must begin with the premise that mental illness is not a crime and certainly is not deserving of death. At a minimum, when law enforcement is involved, they must be adequately trained to intervene in such situations. I know of few circumstances, where a mentally ill person restrained and behind bars should result in death at the hands of law enforcement while in custody. At this point, I would simply ask that the public be patient as the videotape is released and the facts unfold. And I would also ask law enforcement and political leaders and the public at large to understand the deep frustrations these situations cause in communities of people who always believe they are beaten, battered and even killed at times, for no justifiable reason. Clearly there must be accountability and systematic policy changes to address this issue.

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator KIMPSON, were ordered printed in the Journal.

Expression of Personal Interest

Senator McLEOD rose for an Expression of Personal Interest.

RECESS

At 12:21 P.M., on motion of Senator MASSEY, the Senate recessed from business until 2:00 P.M.

At 2:05 P.M., the Senate resumed.

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Message from the House

Columbia, S.C., May 13, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

asks for a Committee of Conference, and has appointed Reps. Cogswell, Collins and Jefferson to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

H. 3244--CONFERENCE COMMITTEE APPOINTED

H. 3244 -- Reps. Collins, Cobb-Hunter, Huggins, Thayer, Anderson, Caskey, Govan and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMPLOYMENT FIRST INITIATIVE ACT" BY ADDING CHAPTER 5 TO TITLE 41 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO ESTABLISH POLICIES SUPPORTIVE OF COMPETITIVE AND INTEGRATED EMPLOYMENT OF INDIVIDUALS WITH DISABILITIES, TO CREATE RELATED RESPONSIBILITIES FOR STATE AGENCIES AND POLITICAL SUBDIVISIONS OF THE STATE, TO CREATE THE "SOUTH CAROLINA EMPLOYMENT FIRST OVERSIGHT COMMISSION", AND TO PROVIDE FOR THE COMPOSITION, FUNCTION, AND DUTIES OF THE COMMISSION.

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Whereupon, Senators SHEALY, BENNETT and SABB were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 13, 2021, at 2:55 P.M. and the following Acts and Joint Resolutions were ratified:

(R53, S. 36) -- Senator Grooms: AN ACT TO AMEND SECTION 50-13-640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF BLUE CATFISH, SO AS TO PROHIBIT THE POSSESSION OF MORE THAN TWO BLUE CATFISH GREATER THAN THIRTY-TWO INCHES IN LENGTH IN CERTAIN WATERS OF THIS STATE AND TO PROVIDE A DAILY LIMIT FOR CERTAIN WATERS OF THIS STATE; TO AMEND SECTION 50-9-1120, AS AMENDED, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, SO AS TO PROVIDE THAT A VIOLATION OF THE BLUE CATFISH CATCH LIMIT IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

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(R54, S. 107) -- Senators Campsen, Climer and Senn: AN ACT TO AMEND SECTION 48-39-280, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S BEACH PRESERVATION POLICY, SO AS TO APPLY CERTAIN EXCEPTIONS TO THE ESTABLISHMENT OF A BASELINE FOR COASTAL EROSION ZONES AND TO REMOVE THE STUDY REQUIREMENT IN CASES WHERE PRIMARY OCEANFRONT SAND DUNES DO NOT EXIST.

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(R55, S. 131) -- Senators Massey and Malloy: AN ACT TO AMEND SECTION 10-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "CAPITOL GROUNDS", SO AS TO DEFINE "CAPITOL GROUNDS" AS THAT AREA INWARD FROM THE VEHICULAR TRAVELED SURFACES OF GERVAIS, SUMTER, PENDLETON, AND

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ASSEMBLY STREETS IN THE CITY OF COLUMBIA; TO AMEND SECTION 10-11-330, RELATING TO UNAUTHORIZED ENTRY INTO A CAPITOL BUILDING AND RELATED PROVISIONS, SO AS TO PROVIDE THAT CERTAIN ACTS ARE UNLAWFUL IN ANY BUILDING ON THE CAPITOL GROUNDS; TO AMEND SECTION 10-1-30, RELATING TO THE USE OF AREAS OF THE STATE HOUSE, SO AS TO PROVIDE THAT ACCESS TO THE STATE HOUSE MAY NOT BE RESTRICTED OR PROHIBITED, AND TO PROVIDE EXCEPTIONS; AND TO AMEND SECTION 2-3-100, RELATING TO THE DUTIES OF THE SERGEANTS AT ARMS, SO AS TO PROVIDE FOR THE POWERS OF THE SERGEANT AT ARMS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE FOR THE EMPLOYMENT OF THEIR DEPUTIES.

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(R56, S. 200) -- Senators Hembree, Martin, Kimbrell, Shealy, Gustafson and Turner: AN ACT TO AMEND SECTION 24-3-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEATH BY ELECTROCUTION OR LETHAL INJECTION, SO AS TO PROVIDE THAT A PERSON SENTENCED TO DEATH SHALL SUFFER THE PENALTY BY ELECTROCUTION OR BY FIRING SQUAD OR LETHAL INJECTION, IF LETHAL INJECTION IS AVAILABLE AT THE TIME OF ELECTION, TO PROVIDE THAT AN ELECTION EXPIRES AND MUST BE RENEWED IN WRITING IF THE CONVICTED PERSON RECEIVES A STAY OF EXECUTION OR THE EXECUTION DATE HAS PASSED, TO PROVIDE THAT A PENALTY MUST BE ADMINISTERED BY ELECTROCUTION FOR A PERSON WHO WAIVES HIS RIGHT OF ELECTION, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS SHALL DETERMINE AND CERTIFY TO THE SUPREME COURT WHETHER THE METHOD SELECTED IS AVAILABLE, AND TO PROVIDE THAT THE MANNER OF INFLECTING A DEATH SENTENCE MUST BE ELECTROCUTION, UNLESS THE PERSON ELECTS DEATH BY FIRING SQUAD, IF EXECUTION BY LETHAL INJECTION IS UNAVAILABLE OR IS HELD TO BE UNCONSTITUTIONAL BY AN APPELLATE COURT OF COMPETENT JURISDICTION.

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(R57, S. 201) -- Senator Hembree: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 18, TITLE 59 SO AS TO PROVIDE REVISED ACCOUNTABILITY MEASURES FOR PUBLIC SCHOOLS AND PUBLIC SCHOOL DISTRICTS; AND TO REPEAL ARTICLE 15 OF CHAPTER 18, TITLE 59 RELATING TO INTERVENTION AND ASSISTANCE UNDER THE EDUCATION ACCOUNTABILITY ACT.

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(R58, S. 231) -- Senators Shealy, McLeod and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "STUDENT IDENTIFICATION CARD SUICIDE PREVENTION ACT" BY ADDING SECTION 59-1-375 SO AS TO PROVIDE STUDENT IDENTIFICATION CARDS ISSUED BY PUBLIC SCHOOLS AND PUBLIC AND PRIVATE INSTITUTIONS OF HIGHER LEARNING MUST INCLUDE CERTAIN CONTACT INFORMATION CONCERNING THE NATIONAL SUICIDE PREVENTION LIFELINE AND CERTAIN OTHER CRISIS RESOURCES, TO MAKE THESE PROVISIONS APPLICABLE TO CARDS ISSUED OR REPLACED AFTER THE EFFECTIVE DATE OF THIS ACT, AND TO PROVIDE SCHOOLS AND INSTITUTIONS OF HIGHER LEARNING ANNUALLY SHALL CERTIFY TO THEIR GOVERNING BODIES THAT CONTACT INFORMATION REQUIRED BY THIS ACT HAS BEEN REVIEWED AND UPDATED AS NECESSARY; TO ALLOW THE DEPLETION OF EXISTING SUPPLIES OF NONCONFORMING, UNISSUED CARDS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

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(R59, S. 304) -- Senators Climer and Fanning: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-27-1060 SO AS TO PROVIDE WHEN A PERSON OR CORPORATION USING AN ELECTRIC VEHICLE CHARGING STATION IS NOT AN ELECTRIC UTILITY AND TO FURTHER PROVIDE THAT ANY INCREASE IN CUSTOMER DEMAND OR ENERGY CONSUMPTION ASSOCIATED WITH TRANSPORTATION ELECTRIFICATION SHALL NOT CONSTITUTE REVENUES FOR AN ELECTRICAL UTILITY; BY ADDING SECTION 58-27-260 SO AS TO ESTABLISH THE JOINT

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COMMITTEE ON THE ELECTRIFICATION OF TRANSPORTATION AND TO PROVIDE FOR THE COMMITTEE'S COMPOSITION, DUTIES, AND RESPONSIBILITIES; BY ADDING SECTION 58-27-265 SO AS TO REQUIRE THE PUBLIC SERVICE COMMISSION TO OPEN A DOCKET FOR THE PURPOSE OF IDENTIFYING THE REGULATORY CHALLENGES AND OPPORTUNITIES ASSOCIATED WITH THE ELECTRIFICATION OF THE TRANSPORTATION SECTOR; AND BY ADDING SECTION 58-27-270 SO AS TO REQUIRE THE SOUTH CAROLINA OFFICE OF REGULATORY STAFF TO COMPLETE A STAKEHOLDER PROCESS TO EXPLORE OPPORTUNITIES TO ADVANCE THE ELECTRIFICATION OF THE TRANSPORTATION SECTOR AND TO IDENTIFY CHALLENGES.

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(R60, S. 421) -- Senator Alexander: AN ACT TO AMEND SECTION 41-35-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, SO AS TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

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(R61, S. 427) -- Senators Alexander, Hutto and Scott: AN ACT TO AMEND SECTION 40-43-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROVISIONS IN THE PHARMACY PRACTICE ACT REGARDING RENAL DIALYSIS FACILITIES, SO AS TO PROVIDE RENAL DRUG MANUFACTURERS OR THEIR AGENTS MAY DELIVER CERTAIN LEGEND DIALYSATE DRUGS OR DEVICES TO RENAL DIALYSIS FACILITY PATIENTS IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS; AND TO AMEND SECTION 40-43-130, RELATING TO CONTINUING EDUCATION REQUIREMENTS IN THE PHARMACY PRACTICE ACT, SO AS TO REMOVE MINIMUM IN-PERSON CONTINUING EDUCATION REQUIREMENTS FOR PHARMACISTS AND PHARMACY TECHNICIANS.

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(R62, S. 431) -- Senator Alexander: AN ACT TO AMEND SECTION 44-21-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, SO AS TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

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(R63, S. 435) -- Senator Cromer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-43-25 SO AS TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ISSUE A LIMITED LINES TRAVEL INSURANCE PRODUCER LICENSE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO TITLE 38, SO AS TO DELETE THE DEFINITION OF "TRAVEL INSURANCE" AND TO ADD TRAVEL INSURANCE TO THE DEFINITION OF "MARINE INSURANCE"; AND TO AMEND ARTICLE 6 OF CHAPTER 43, TITLE 38, RELATING TO LIMITED LINES TRAVEL INSURANCE, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT TRAVEL INSURANCE MUST BE CLASSIFIED AND FILED AS INLAND MARINE INSURANCE SUBJECT TO CERTAIN EXCEPTIONS, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ESTABLISH A TRAVEL INSURANCE PRODUCER LICENSE AND ESTABLISH CERTAIN REQUIREMENTS FOR AN APPLICANT, TO ASSESS A PREMIUM TAX ON TRAVEL INSURANCE PREMIUMS AND ESTABLISH CERTAIN REPORTING REQUIREMENTS, TO ESTABLISH CERTAIN REQUIREMENTS FOR TRAVEL PROTECTION PLANS, TO PROVIDE CERTAIN SALES PRACTICES FOR TRAVEL INSURERS, TO ESTABLISH CERTAIN LICENSING REQUIREMENTS FOR TRAVEL ADMINISTRATORS FOR TRAVEL INSURANCE, AND TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS.

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THURSDAY, MAY 13, 2021

(R64, S. 455) -- Senator Davis: AN ACT TO AMEND SECTION 40-33-36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TEMPORARY LICENSURE OF NURSES, SO AS TO CREATE AN ADDITIONAL CATEGORY OF TEMPORARY LICENSURE FOR GRADUATE NURSES, TO PROVIDE CRITERIA FOR OBTAINING TEMPORARY LICENSURE AS A GRADUATE NURSE, TO PROVIDE FOR SITUATIONS IN WHICH THE BOARD IMMEDIATELY SHALL REVOKE TEMPORARY LICENSURE AS A GRADUATE NURSE, AND TO DEFINE NECESSARY TERMS.
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(R65, S. 461) -- Senators Alexander, Setzler and Cromer: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 11 SO AS TO ENACT THE "SOUTH CAROLINA PAY-FOR-SUCCESS PERFORMANCE ACCOUNTABILITY ACT", TO ESTABLISH THE TRUST FUND FOR PERFORMANCE ACCOUNTABILITY TO FUND PAY-FOR-SUCCESS CONTRACTS, WHEREBY THE STATE CONTRACTS WITH A PRIVATE-SECTOR ORGANIZATION TO ACHIEVE SPECIFICALLY DEFINED MEASUREABLE OUTCOMES IN WHICH THE STATE PAYS ONLY TO THE EXTENT THAT THE DESIRED OUTCOMES ARE ACHIEVED.
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(R66, S. 463) -- Senators Alexander, Cromer, Grooms, Scott and Loftis: AN ACT TO EXTEND THE TAX CREDITS FOR THE PURCHASE AND INSTALLATION OF GEOTHERMAL MACHINERY AND EQUIPMENT UNTIL JANUARY 1, 2032.
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(R67, S. 468) -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.
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(R68, S. 500) -- Senators Scott, Loftis, Kimbrell, Allen and Stephens:
AN ACT TO AMEND SECTION 40-3-290, CODE OF LAWS OF
SOUTH CAROLINA, 1976, RELATING TO PERSONS AND
ACTIVITIES EXEMPT FROM LICENSURE OR REGULATION BY
THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO
REVISE AN EXEMPTION FOR THE PREPARATION OF PLANS
AND SPECIFICATIONS FOR CERTAIN FAMILY DWELLINGS.
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(R69, S. 503) -- Senator Hutto: AN ACT TO AMEND SECTION
40-33-34, AS AMENDED, CODE OF LAWS OF SOUTH
CAROLINA, 1976, RELATING TO MEDICAL ACTS THAT
ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM,
SO AS TO INCLUDE ISSUING ORDERS FOR CERTAIN HOME
HEALTH SERVICES; TO AMEND SECTION 40-47-935, AS
AMENDED, RELATING TO MEDICAL ACTS THAT PHYSICIAN
ASSISTANTS MAY PERFORM, SO AS TO INCLUDE ISSUING
ORDERS FOR CERTAIN HOME HEALTH SERVICES; TO AMEND
SECTION 44-69-20, RELATING TO DEFINITIONS IN THE
LICENSURE OF HOME HEALTH AGENCIES ACT, SO AS TO
INCLUDE ORDERS FOR PART-TIME OR INTERMITTENT
SKILLED NURSING CARE ISSUED BY ADVANCED PRACTICE
REGISTERED NURSES AND PHYSICIAN ASSISTANTS
PURSUANT TO THE PROVISIONS OF THIS ACT; AND TO MAKE
THE PROVISIONS OF THIS ACT EFFECTIVE SIXTY DAYS
AFTER APPROVAL BY THE GOVERNOR.
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(R70, S. 527) -- Senator Alexander: AN ACT TO AMEND SECTION
12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH
CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF
PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR
THE VARIOUS CLASSES OF PROPERTY, SO AS TO PROVIDE
THAT CERTAIN SEPARATED SPOUSES ARE NOT CONSIDERED
MEMBERS OF THE SAME HOUSEHOLD FOR PURPOSES OF
APPLICABILITY FOR THE SPECIAL FOUR-PERCENT
ASSESSMENT RATIO FOR OWNER-OCCUPIED RESIDENTIAL
PROPERTY, AND TO REQUIRE ANNUAL REAPPLICATION AND
RECERTIFICATION TO MAINTAIN THE SPECIAL FOUR

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PERCENT ASSESSMENT RATIO FOR CERTAIN SEPARATED SPOUSES.

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(R71, S. 545) -- Senator Goldfinch: AN ACT TO AMEND SECTION 50-13-675, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NONGAME FISHING DEVICES PERMITTED IN CERTAIN BODIES OF WATER, SO AS TO ALLOW FOR THE USE OF SET HOOKS WITHIN A CERTAIN PORTION OF THE SANTEE RIVER, TO ESTABLISH A LIMIT FOR THE NUMBER OF HOOP NETS A COMMERCIAL FISHING LICENSEE MAY USE ON THE WATEREE RIVER, AND TO PROHIBIT THE USE OF HOOP NETS ON THE CONGAREE RIVER.

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(R72, S. 587) -- Senator Turner: AN ACT TO AMEND SECTION 11-41-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, SO AS TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

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(R73, S. 609) -- Senator Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-2-140 SO AS TO AUTHORIZE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT HAVE ACCESS TO FEDERAL TAX INFORMATION TO CONDUCT CRIMINAL

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BACKGROUND CHECKS ON ITS EMPLOYEES AND CONTRACTORS.

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(R74, S. 619) -- Senators Rankin, Leatherman, Hutto, Fanning and Climer: AN ACT TO AMEND SECTION 61-4-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OF WINE BY A WINERY LOCATED IN THIS STATE, SO AS TO ESTABLISH CERTAIN REQUIREMENTS AND LIMITATIONS; BY ADDING SECTION 61-4-748 SO AS TO ALLOW CERTAIN WINERIES TO OBTAIN SATELLITE LOCATION CERTIFICATES; TO AMEND SECTION 61-4-770, RELATING TO LIMITATIONS ON THE SALE OF WINES ABOVE A CERTAIN PERCENTAGE OF ALCOHOL, SO AS TO INCREASE THE LIMIT; TO AMEND SECTION 61-6-1035, RELATING TO THE SAMPLING OF WINES, SO AS TO INCREASE THE ALLOWED ALCOHOL PERCENTAGE BY VOLUME; TO AMEND SECTIONS 61-6-1640 AND 61-6-1650, BOTH RELATING TO THE SAMPLING OF WINE, SO AS TO INCREASE THE ALLOWED ALCOHOL PERCENTAGE BY VOLUME; TO AMEND SECTION 61-6-1540, RELATING TO THE SALE OF WINES BY A RETAIL DEALER, SO AS TO INCREASE THE ALLOWED ALCOHOL PERCENTAGE BY VOLUME; BY ADDING SECTION 61-6-1155 SO AS TO AUTHORIZE AN ALCOHOLIC LIQUOR PRODUCER, MANUFACTURER, OR MICRO-DISTILLER TO SELL LIQUORS DISTILLED AT THEIR LICENSED PREMISES FOR ON-PREMISES CONSUMPTION; AND TO AMEND SECTIONS 61-6-1140 AND 61-6-1150, BOTH RELATING TASTING AND RETAIL SALES AT THE LICENSED PREMISES OF A MICRO-DISTILLERY, SO AS TO PROVIDE CERTAIN LIMITATIONS AND REQUIREMENTS FOR THE PRICING OF TASTINGS AND TO PROVIDE AN EXCEPTION FOR CERTAIN MICRO-DISTILLERIES.

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(R75, S. 627) -- Senators Bennett, Adams, Kimbrell, M. Johnson, Davis, Turner, Campsen, Hembree, Alexander, Williams, Cromer, McElveen, Loftis, Climer, Talley, Rice, Garrett, Rankin, Leatherman, Young and Gustafson: AN ACT TO AMEND SECTION 12-6-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO CREATE AN ELECTION TO TAX

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CERTAIN PARTNERSHIPS AND "S" CORPORATIONS AT THE ENTITY LEVEL.

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(R76, S. 658) -- Senator Bennett: AN ACT TO AMEND SECTION 1-11-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY MAKING INSURANCE AVAILABLE TO ACTIVE AND RETIRED EMPLOYEES, SO AS TO PROVIDE THAT THE PUBLIC EMPLOYEE BENEFIT AUTHORITY MAY ESTABLISH RULES FOR ELIGIBILITY AND ENROLLMENT FOR FULLY INSURED INSURANCE PRODUCTS FOR WHICH IT IS THE PLAN SPONSOR AND TO PROVIDE THAT MEDICAL EVIDENCE OF INSURABILITY SHALL NOT BE REQUIRED SOONER THAN THIRTY DAYS FROM THE DATE A PERSON IS FIRST ELIGIBLE TO ENROLL IN A FULLY INSURED INSURANCE PRODUCT; TO AMEND SECTION 9-1-1650, AS AMENDED, RELATING TO AMOUNTS PAID UPON THE TERMINATION OF EMPLOYMENT UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-8-110, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, SO AS TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME SECONDARY BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A SECONDARY BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A SECONDARY BENEFICIARY FOR DEATH BENEFITS

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UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-9-100, AS AMENDED, RELATING TO PAYMENTS ON THE DEATH OF A MEMBER OR BENEFICIARY UNDER THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; TO AMEND SECTION 9-11-110, AS AMENDED, RELATING TO THE LUMP SUM PAID IN THE EVENT OF A DEATH UNDER THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO PROVIDE THAT A MEMBER WHO IS NOT RETIRED MAY NAME CONTINGENT BENEFICIARIES IN THE SAME MANNER AS PRIMARY BENEFICIARIES, TO PROVIDE THAT A CONTINGENT BENEFICIARY DOES NOT HAVE CERTAIN RIGHTS UNLESS ALL PRIMARY BENEFICIARIES HAVE PREDECEASED THE MEMBER AND THE MEMBER'S DEATH OCCURS BEFORE RETIREMENT, AND TO PROVIDE THAT A MEMBER MAY NOT NAME A CONTINGENT BENEFICIARY FOR DEATH BENEFITS UNDER A PRERETIREMENT DEATH BENEFIT PROGRAM; AND TO REPEAL CHAPTER 2, TITLE 9 RELATING TO THE RETIREMENT AND PRERETIREMENT ADVISORY PANEL.

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(R77, S. 677) -- Senators Davis, Goldfinch, Jackson, Shealy, Grooms, Gambrell, Matthews, Turner, Alexander, Hutto, Talley, Kimpson, McElveen, Stephens, M. Johnson, Williams, Kimbrell, Campsen, Sabb and Climer: AN ACT TO AMEND SECTION 12-2-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS, SO AS TO PROVIDE FOR THE ALLOCATION OF A TAX CREDIT OR UNUSED CREDIT AMOUNT CARRIED FORWARD THAT IS EARNED BY A PARTNERSHIP OR LIMITED LIABILITY COMPANY TAXED AS A PARTNERSHIP.

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(R78, S. 689) -- Senators Leatherman, Massey, Malloy, Alexander, Peeler, Setzler, Williams, Scott, Fanning and Campsen: A JOINT RESOLUTION TO EXTEND THE INCOME TAX FILING DUE DATE FOR INDIVIDUALS UNTIL THE SAME DATE AS FEDERAL RETURNS AND PAYMENTS FOR INDIVIDUALS ARE DUE.
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(R79, S. 729) -- Senators Gustafson and McElveen: AN ACT TO AMEND ACT 725 OF 1969, RELATING TO KERSHAW HEALTH, SO AS TO PROVIDE FOR THE COMPOSITION OF THE KERSHAW HEALTH BOARD OF DIRECTORS, THE MANNER OF NOMINATION AND APPOINTMENT TO THE BOARD, AND THE TERMS OF BOARD MEMBERS, AND TO REVISE THE PURPOSE AND SCOPE OF THE BOARD'S POWERS AND DUTIES; TO AMEND ACT 868 OF 1954, AS AMENDED, RELATING TO THE BOARD'S POWERS AND DUTIES, SO AS TO MAKE CONFORMING CHANGES; AND TO PROVIDE FOR THE APPOINTMENT OF A NEW BOARD OF DIRECTORS, AND TO STAGGER THE TERMS OF THE NEW BOARD OF DIRECTORS.
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(R80, H. 3011) -- Reps. West, G.M. Smith, Simrill, B. Newton, Wooten, McGarry, Bryant, Haddon, Long, Pope, Gilliam, Hosey, Oremus, Caskey, Hardee, Yow, Atkinson and Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-1885 SO AS TO PROVIDE THE CIRCUMSTANCES WHEN A VEHICLE MAY NOT BE DRIVEN IN THE FARTHEST LEFT-HAND LANE OF A CONTROLLED ACCESS HIGHWAY, TO PROVIDE THE DEPARTMENT OF TRANSPORTATION MUST PLACE SIGNS ALONG INTERSTATE HIGHWAYS DIRECTING SLOWER TRAFFIC TO MOVE TO THE RIGHT, TO PROVIDE A PENALTY FOR A VIOLATION, TO PROVIDE A VIOLATION MUST NOT BE INCLUDED IN THE OFFENDER'S MOTOR VEHICLE RECORD, INCLUDED IN SLED'S CRIMINAL RECORDS, OR REPORTED TO THE OFFENDER'S MOTOR VEHICLE INSURER, TO PROVIDE A VIOLATION IS NOT NEGLIGENCE PER SE OR CONTRIBUTORY NEGLIGENCE, AND IS NOT ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION, TO PROVIDE A LAW ENFORCEMENT OFFICER MUST NOT SEARCH AND MAY NOT REQUEST CONSENT TO SEARCH A VEHICLE, DRIVER, OR OCCUPANT OF A VEHICLE

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SOLELY BECAUSE OF A VIOLATION OF THIS PROVISION, AND
TO PROVIDE FOR THE APPEAL OF A VIOLATION.

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(R81, H. 3024) -- Reps. Henegan, Robinson, Thigpen, Pendarvis, Yow, Bryant, D.C. Moss, Matthews, Brawley and Stavrinakis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-7-355 SO AS TO AUTHORIZE THE STATE BOARD OF BARBER EXAMINERS TO ISSUE MOBILE BARBERSHOP PERMITS, TO ESTABLISH PERMIT REQUIREMENTS, AND TO FURTHER PROVIDE FOR THE REGULATION OF MOBILE BARBERSHOPS.

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(R82, H. 3094) -- Reps. B. Cox, White, Lucas, Burns, Jones, Allison, Caskey, Chumley, Collins, Crawford, Daning, Davis, Elliott, Erickson, Felder, Forrest, Fry, Gagnon, Gatch, Gilliam, Haddon, Hardee, Hewitt, Hiott, Hixon, Huggins, Jordan, Kimmons, Ligon, Long, Magnuson, McCravy, Morgan, Murphy, B. Newton, W. Newton, Nutt, Oremus, Pope, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stringer, Taylor, Thayer, Trantham, West, Whitmire, Willis, Wooten, Yow, McGarry, Bryant, V.S. Moss, McCabe, Hosey, T. Moore, W. Cox, Bailey, Lowe, Atkinson, J.E. Johnson, Brittain, Bennett, Hyde, McGinnis, Martin and Bradley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "OPEN CARRY WITH TRAINING ACT"; TO AMEND SECTION 23-31-210, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO REVISE THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO INCLUDE CERTAIN FIREARMS THAT MAY BE CARRIED OPENLY ON ONE'S PERSON; TO AMEND SECTION 16-23-20, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY IT OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE; TO AMEND SECTION 23-31-220, RELATING TO THE RIGHT OF AN EMPLOYER TO PROHIBIT A PERSON FROM CARRYING A CONCEALABLE WEAPON ON HIS PREMISE, SO AS TO PROVIDE THIS PROVISION ALSO APPLIES TO OPENLY CARRYING A WEAPON ONTO THE PREMISE AND PROVIDE AN EMPLOYER OR OWNER OF A BUSINESS MAY POST A SIGN REGARDING THE PROHIBITION OR ALLOWANCE OF

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CONCEALABLE WEAPONS ON HIS PREMISE; TO AMEND SECTION 23-31-235, RELATING TO THE POSTING OF SIGNS PROHIBITING THE CARRYING OF CONCEALABLE WEAPONS UPON A PREMISE, SO AS TO PROVIDE THIS PROVISION ALSO APPLIES TO OPENLY CARRYING A CONCEALED WEAPON ON A PREMISE AND PROVIDE AN EMPLOYER OR OWNER OF A BUSINESS MAY POST A SIGN REGARDING THE PROHIBITION OR ALLOWANCE OF CONCEALABLE WEAPONS ON HIS PREMISE; TO AMEND SECTION 23-31-210, RELATING TO THE DEFINITION OF CERTAIN TERMS RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO REVISE THE DEFINITION OF THE TERM “PROOF OF TRAINING”; BY ADDING SECTION 23-21-232 SO AS TO PROVIDE A CHURCH OFFICIAL OR GOVERNING BODY MAY ALLOW A PERSON WHO HOLDS A PERMIT TO CARRY A CONCEALABLE WEAPON TO CARRY THE WEAPON CONCEALED OR OPENLY ON PREMISES OF CERTAIN SCHOOLS LEASED BY THE CHURCH FOR CHURCH SERVICES OR OFFICIAL CHURCH ACTIVITIES UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 23-31-520, RELATING TO A LOCAL GOVERNMENT’S AUTHORITY TO REGULATE THE DISCHARGE OR PUBLIC BRANDISHMENT OF FIREARMS AND THE PROHIBITION IMPOSED UPON A LOCAL GOVERNMENT TO CONFISCATE CERTAIN FIREARMS AND AMMUNITION, SO AS TO ALLOW A LOCAL GOVERNMENT TO TEMPORARILY RESTRICT OPEN CARRYING OF A FIREARM ON PUBLIC PROPERTY DURING CERTAIN EVENTS AND PROVIDE THE CIRCUMSTANCES WHEN OPEN CARRYING OF A FIREARM IS PERMITTED AT THESE EVENTS; BY ADDING SECTION 23-31-250 SO AS TO PROVIDE THE STATE AND ITS POLITICAL SUBDIVISIONS CAN NOT BE COMPELLED BY THE FEDERAL GOVERNMENT TO IMPLEMENT OR ENFORCE A LAW RELATED TO AN INDIVIDUAL’S RIGHT TO KEEP AND BEAR ARMS THAT LIMITS OR PROSCRIBES CARRYING CONCEALABLE WEAPONS UNDER CERTAIN CIRCUMSTANCES, TO DIRECT THE ATTORNEY GENERAL TO EVALUATE THESE LAWS AND ISSUE A WRITTEN OPINION OF WHETHER THE LAWS ARE PROHIBITED, AND PROVIDE ACTIONS TO BE TAKEN BY THE STATE AND ITS POLITICAL SUBDIVISIONS IF THE ATTORNEY GENERAL DETERMINES THE LAW VIOLATES THIS PROVISION; TO AMEND SECTION

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14-17-325, RELATING TO THE CLERKS OF COURT REPORTING THE DISPOSITION OF COURT OF GENERAL SESSIONS CASES TO THE STATE LAW ENFORCEMENT DIVISION, SO AS TO SHORTEN THE REPORTING PERIOD, TO PROVIDE CLERKS OF COURT ALSO SHALL REPORT THE ISSUANCE, RESCISSION, OR TERMINATION OF CERTAIN INDICTMENTS AND ORDERS, AND TO MAKE TECHNICAL CHANGES; BY ADDING SECTION 22-1-200 SO AS TO REQUIRE MAGISTRATES TO REPORT TO THE STATE LAW ENFORCEMENT DIVISION WITHIN FIVE DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE DISPOSITION OF EACH CRIMINAL CASE AND REPORT TO THE DIVISION THE ISSUANCE, RESCISSION, OR TERMINATION OF CERTAIN ORDERS; BY ADDING SECTION 14-25-250 SO AS TO PROVIDE MUNICIPAL JUDGES SHALL REPORT THE DISPOSITION OF EACH CRIMINAL CASE TO THE STATE LAW ENFORCEMENT DIVISION WITHIN FIVE DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE ISSUANCE, RESCISSION, OR TERMINATION OF CERTAIN ORDERS; BY ADDING SECTION 63-3-545 SO AS TO PROVIDE CLERKS OF FAMILY COURT SHALL REPORT TO THE STATE LAW ENFORCEMENT DIVISION WITHIN FIVE DAYS, WEEKENDS AND HOLIDAYS EXCLUDED, THE ISSUANCE, RESCISSION, OR TERMINATION OF CERTAIN ORDERS; TO AMEND SECTION 23-31-240, RELATING TO CERTAIN PUBLIC OFFICIALS WHO ARE ALLOWED TO CARRY A CONCEALED WEAPON WHILE ON DUTY, SO AS TO DELETE THE PROVISION THAT RESTRICTS THE CARRYING OF THE WEAPON WHEN THE OFFICIAL IS CARRYING OUT THE DUTIES OF HIS OFFICE AND ADD THE ATTORNEY GENERAL AND ASSISTANT ATTORNEYS GENERAL TO THE OFFICIALS COVERED BY THIS PROVISION; AND TO AMEND SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO ELIMINATE THE PAYMENT OF AN APPLICATION FEE, AND THE STATE LAW ENFORCEMENT HANDGUN TRAINING COURSE FEE, AND PROVIDE THE DIVISION MAY NOT CHARGE A FEE FOR A CONCEALED WEAPON PERMIT.

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(R83, H. 3222) -- Reps. Davis, Forrest, Hiott, Cobb-Hunter, Jefferson, R. Williams and J. Moore: AN ACT TO AMEND SECTION 44-96-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO PENALTIES FOR VIOLATING WASTE TIRE REGULATIONS, SO AS TO CHANGE CERTAIN PENALTY REQUIREMENTS; TO AMEND SECTION 44-96-170, RELATING TO THE REGULATION OF WASTE TIRES, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS AND MAKE CERTAIN PERMITTING DECISIONS CONCERNING WASTE TIRE MANAGEMENT; AND FOR OTHER PURPOSES.

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(R84, H. 3354) -- Rep. Ballentine: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT A RENEWABLE ENERGY RESOURCE PROPERTY HAVING A NAMEPLATE CAPACITY OF AND OPERATING AT NO GREATER THAN TWENTY KILOWATTS, AND TO REMOVE PROVISIONS OF THE EXEMPTION FOR NONPROFIT HOUSING CORPORATIONS.

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(R85, H. 3482) -- Reps. Stavrinakis, Kirby, Pendarvis, J. Moore, Henegan, Wetmore, Weeks, Wheeler and Henderson-Myers: AN ACT TO AMEND SECTION 12-45-75, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSTALLMENT PAYMENTS OF PROPERTY TAX, SO AS TO AUTHORIZE A COUNTY TO ESTABLISH AN ALTERNATIVE PAYMENT SCHEDULE.

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(R86, H. 3505) -- Rep. Simrill: AN ACT TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST VEHICLES OR OTHER ITEMS UPON THEIR FIRST REGISTRATION, SO AS TO PROVIDE THIS FEE ALSO APPLIES TO THE FIRST TITLING OF VEHICLES, OTHER ITEMS, TRAILERS, OR SEMITRAILERS BY OWNERS OR LESSEES, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE TITLES UNTIL THE FEES HAVE BEEN COLLECTED, TO PROVIDE IF DEALERS DO NOT

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LICENSE, TITLE, OR REGISTER ITEMS, THE CUSTOMERS MUST PAY THE FEES TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING VEHICLES, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL INFRASTRUCTURE MAINTENANCE FEE, TO PROVIDE ITEMS TRANSFERRED TO AN INSURER FOR THE PURPOSE OF APPLYING FOR SALVAGE TITLES ARE EXCLUDED FROM IMPOSITION OF FEES, TO PROVIDE FEES MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE, AND PROVIDE THE FEES MAY NOT BE IMPOSED IF THE OWNER OR LESSEE OF THE ITEMS IS SERVING ON ACTIVE MILITARY DUTY; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEES IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUELS, SO AS TO PROVIDE THE FEES MUST BE COLLECTED AT THE TIME VEHICLES ARE TITLED OR REGISTERED.

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(R87, H. 3539) -- Reps. Davis and Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-4-65 SO AS TO PROHIBIT THE TRANSPORTATION OF LIVE SWINE ON A PUBLIC ROAD OR WATERWAY WITHOUT AN OFFICIAL FORM OF IDENTIFICATION, AND TO PROVIDE AN EXCEPTION AND PENALTIES; TO AMEND SECTION 50-16-25, RELATING TO THE UNLAWFUL RELEASE OF PIGS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TRANSPORT A LIVE MEMBER OF THE FAMILY SUIDAE TAKEN FROM THE WILD; AND TO REPEAL SECTION 50-9-655 RELATING TO PIG TRANSPORT AND RELEASE PERMITS.

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(R88, H. 3541) -- Reps. Hixon, Burns and Forrest: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-35-55 SO AS TO PROVIDE THAT THE REGULATION OF FIRES BY THE STATE FORESTER DOES NOT APPLY TO FIRES USED FOR THE PREPARATION OF FOOD OR FIRES USED IN APPROPRIATE ENCLOSURES; AND TO AMEND

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SECTION 48-23-96, RELATING TO THE APPOINTMENT OF LAW ENFORCEMENT OFFICERS TO CARRY OUT THE ENFORCEMENT RESPONSIBILITIES OF THE COMMISSION, SO AS TO ALLOW FOR THE ISSUANCE OF WARNING TICKETS.
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(R89, H. 3545) -- Reps. W. Newton, Erickson, Bradley, Rivers and S. Williams: AN ACT TO AMEND SECTION 51-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S AUTHORITY TO CONSTRUCT STREETS AND ROADS THROUGH HUNTING ISLAND, SO AS TO REMOVE REFERENCES TO RESIDENTIAL AREAS; TO AMEND SECTION 51-7-70, RELATING TO THE PAYMENT OF REVENUE OBLIGATIONS, SO AS TO REMOVE CERTAIN ACTIONS THE DEPARTMENT MAY UNDERTAKE TO SECURE PAYMENT OF OBLIGATIONS; AND TO REPEAL SECTION 51-7-20 RELATING TO LEASES OF RESIDENTIAL AREAS ON HUNTING ISLAND.
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(R90, H. 3605) -- Rep. White: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 11-11-90 RELATING TO MEETINGS OF APPROPRIATION COMMITTEES.
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(R91, H. 3694) -- Reps. Atkinson, Hardee, Hewitt, Fry, Brittain, Hayes, McGinnis, R. Williams, V.S. Moss, Lowe, Bryant, Forrest and Anderson: AN ACT TO AMEND SECTION 50-11-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEAR HUNTING, SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO DETERMINE AN APPROPRIATE QUOTA OF BEARS TO BE HARVESTED IN EACH GAME ZONE AND TO REQUIRE A BEAR TAG FOR ANY BEAR TAKEN IN THIS STATE; AND BY ADDING SECTION 50-11-450 SO AS TO ALLOW FOR THE USE OF UNPROCESSED BAIT WHEN HUNTING ON PRIVATE LAND IN GAME ZONE 4.
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THURSDAY, MAY 13, 2021

(R92, H. 3786) -- Reps. G.M. Smith, Murphy and Weeks: AN ACT TO AMEND SECTION 1-1-1210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ANNUAL SALARIES OF STATE CONSTITUTIONAL OFFICERS, SO AS TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2022-2023 SALARIES FOR CERTAIN STATE CONSTITUTIONAL OFFICERS MUST BE BASED ON RECOMMENDATIONS BY THE AGENCY HEAD SALARY COMMISSION TO THE GENERAL ASSEMBLY; TO AMEND SECTION 8-11-160, RELATING TO THE AGENCY HEAD SALARY COMMISSION AND SALARY INCREASES FOR AGENCY HEADS, SO AS TO PROVIDE THAT THE AGENCY HEAD SALARY COMMISSION MUST MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY FOR THE SALARIES FOR CERTAIN CONSTITUTIONAL OFFICERS; AND TO AMEND SECTION 8-11-165, RELATING TO SALARY AND FRINGE BENEFIT SURVEYS, SO AS TO PROVIDE THAT SALARY SURVEYS BE CONDUCTED FOR CERTAIN CONSTITUTIONAL OFFICERS.

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(R93, H. 3865) -- Reps. Wetmore, Hewitt, Cogswell, Bustos, Anderson, Stavrinakis, Bennett, Erickson and Bradley: AN ACT TO AMEND SECTION 50-21-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WATERCRAFT LAWS AND ORDINANCES, SO AS TO PROHIBIT A LOCAL GOVERNMENT FROM ADOPTING AN ORDINANCE RELATING TO WATERCRAFT OR WATER DEVICES USED OR HELD FOR USE ON THE WATERS OF THIS STATE AND TO PROVIDE EXCEPTIONS.

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(R94, H. 3884) -- Rep. Hiott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-125 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO TRANSMIT CERTAIN DOCUMENTS ELECTRONICALLY FOR A CERTIFICATE OF TITLE, TO ALLOW FOR THE COLLECTION OF AN ELECTRONIC TRANSMISSION FEE, AND TO REQUIRE THE USE OF AN ELECTRONIC LIEN SYSTEM FOR BUSINESSES AND LENDERS ENGAGED IN THE SALE OF WATERCRAFT AND OUTBOARD MOTORS OR THE FINANCING OF WATERCRAFT OR OUTBOARD MOTORS; AND

THURSDAY, MAY 13, 2021

TO AMEND SECTION 50-23-140, RELATING TO THE PRIORITY AND VALIDITY OF LIENS UPON A CERTIFICATE OF TITLE FOR A WATERCRAFT OR OUTBOARD MOTOR, SO AS TO ALLOW FOR THE RETENTION OR DISCHARGE OF A LIEN ELECTRONICALLY.

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(R95, H. 3899) -- Reps. Elliott, G.R. Smith, Erickson, Herbkersman, Daning, Taylor, Hixon, Bennett, Willis, Bannister, Morgan, Stringer, Haddon, Burns, B. Cox, Huggins, B. Newton, Fry and McGarry: AN ACT TO AMEND SECTION 12-6-3790, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXCEPTIONAL NEEDS CHILD TAX CREDIT, SO AS TO INCREASE THE AMOUNT THE PUBLIC CHARITY MAY EXPEND FOR ADMINISTRATION COSTS TO FIVE PERCENT, TO ALLOW THE FUND AND INDIVIDUALS TO CARRY FORWARD CREDITS AND INCREASE THE AMOUNT A TAXPAYER MAY CLAIM AS A PERCENTAGE OF TAX LIABILITY, TO REMOVE A PROVISION THAT REQUIRES A SCHOOL TO PROVIDE CERTAIN INDIVIDUAL STUDENT TEST SCORES IN ITS APPLICATION, AND TO INCREASE THE CREDIT AUTHORIZATION AMOUNTS AMONG CREDITS SO LONG AS THE TOTAL AUTHORIZATION AMOUNT IS NOT EXCEEDED.

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(R96, H. 3991) -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: AN ACT TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES, AND TO PROVIDE INCREASED AND TIERED PENALTIES FOR UNLAWFUL CONDUCT RELATED TO CATALYTIC CONVERTERS.

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THURSDAY, MAY 13, 2021

(R97, H. 4006) -- Reps. G.M. Smith and Weeks: AN ACT TO AMEND SECTION 2.B. OF ACT 167 OF 2020, RELATING TO AN INCREASED LIMIT FOR CERTAIN OFF-PREMISES SALES, SO AS TO EXTEND THE INCREASE UNTIL MAY 31, 2022.
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(R98, H. 4027) -- Rep. Burns: AN ACT TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA) FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO AMEND REWA'S SERVICE AREA, REVISE THE MEMBERSHIP OF THE GOVERNING COMMISSION, AND TO REQUIRE REWA TO PLACE A CONSERVATION EASEMENT ON CERTAIN PROPERTY AND MAKE CERTAIN INFORMATION AVAILABLE THROUGH THE FREEDOM OF INFORMATION ACT.
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(R99, H. 4035) -- Reps. Hiott, Bailey and Hewitt: AN ACT TO AMEND ACT 129 OF 2014, RELATING TO THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT, SO AS TO EXTEND THE PROVISIONS OF CHAPTER 60, TITLE 48 UNTIL DECEMBER 31, 2023, AND TO PROVIDE THAT THE PROVISIONS OF REGULATION 61-124 SHALL EXPIRE ON DECEMBER 31, 2023.
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(R100, H. 4098) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY-STATE CROP PEST COMMISSION, RELATING TO ASIAN LONGHORNED BEETLE QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5015, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.
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THURSDAY, MAY 13, 2021

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 2:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet under the provisions of H. 4285, the *Sine Die* Resolution.

* * *

Tuesday, June 8, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Hosea 6:1

In Scripture we read that the prophet Hosea calls to the people, saying:
“ ‘Come, let us return to the Lord.’ ”

Bow with me as we pray: O Lord, though the prophet might have declared “let us return,” know that we realize You are with us always, in each and every moment of our days. You are there with us when we do have opportunities to relax a bit, to enjoy time with family, to focus more purposefully upon tasks at our home, workplace, whatever the circumstance. And, of course, we know that, as always, You indeed are already here with Your servants as they have been called back to carry out more of the work of this State. So, Lord, embrace each Senator and every staff aide in Your care. Lead them to those decisions that will be the very best for the people of South Carolina. And truly, may the return this week for these leaders prove to be a blessing in every sense. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Leave of Absence

On motion of Senator RICE, at 12:46 P.M., Senator SENN was granted a leave of absence for today.

Leave of Absence

On motion of Senator GOLDFINCH, at 12:46 P.M., Senator GAMBRELL was granted a leave of absence until 12:55 P.M.

Leave of Absence

On motion of Senator SETZLER, at 12:48 P.M., Senator HUTTO was granted a leave of absence for today.

TUESDAY, JUNE 8, 2021

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 145 Sen. Turner

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 825 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE BROOKLAND CAYCE HIGH SCHOOL BOYS SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA BOYS SOCCER STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 826 -- Senator Verdin: A SENATE RESOLUTION TO HONOR AND RECOGNIZE ZAHRIA JONES FOR HER OUTSTANDING ACADEMIC AND EXTRACURRICULAR ACHIEVEMENTS.

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The Senate Resolution was adopted.

S. 827 -- Senator Senn: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. ANNETTE ZARO COON OF CHARLESTON FOR HER MANY ACCOMPLISHMENTS, AND TO WISH HER CONTINUED SUCCESS, HEALTH, AND HAPPINESS FOR MANY YEARS TO COME.

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The Senate Resolution was adopted.

S. 828 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE ADDISON LIVINGSTON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS DEDICATED SERVICE TO THE BOARD OF PHARMACY, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

TUESDAY, JUNE 8, 2021

S. 829 -- Senators Campsen, Adams, Bennett, Goldfinch, Grooms, Kimpson, Matthews and Senn: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GARY MCJUNKIN AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 830 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE KAREN LEE UPON THE OCCASION OF HER RETIREMENT FROM THE OCONEE COUNTY PROBATE COURT JUDICIAL SYSTEM, TO COMMEND HER FOR HER THIRTY-FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 831 -- Senators Senn and Goldfinch: A SENATE RESOLUTION TO CONGRATULATE R. L. MORRISON AND SONS, INC. UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE BUSINESS FOR ITS MANY YEARS OF SERVICE TO CHARLESTON COUNTY AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 832 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE THE LATE MAXIE LEE WRIGHT DUKE FOR HER SIGNIFICANT CONTRIBUTIONS TO THE ESTABLISHMENT AND GROWTH OF THE WALHALLA PERFORMING ARTS CENTER.

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The Senate Resolution was adopted.

S. 833 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE JEAN PHILLIPS FOR HER SIGNIFICANT CONTRIBUTIONS TO THE ESTABLISHMENT AND GROWTH OF THE WALHALLA PERFORMING ARTS CENTER.

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The Senate Resolution was adopted.

TUESDAY, JUNE 8, 2021

S. 834 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE SENECA HIGH SCHOOL GIRLS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A GIRLS TRACK AND FIELD STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 835 -- Senators Shealy and Massey: A CONCURRENT RESOLUTION TO CONGRATULATE THE GILBERT HIGH SCHOOL BOYS BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA BOYS BASEBALL STATE CHAMPIONSHIP.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 836 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 836--Ordered to a Second and Third Reading

On motion of Senator MARTIN, S. 836 was ordered to receive a second and third reading on the next two consecutive legislative days.

S. 837 -- Senators Scott, Harpootlian, Jackson, K. Johnson, Sabb, Allen, Setzler, Williams, Fanning, Kimpson and McElveen: A SENATE RESOLUTION TO CONGRATULATE AND COMMEND MARCI ANDINO, EXECUTIVE DIRECTOR OF THE SOUTH CAROLINA ELECTION COMMISSION, FOR HER EIGHTEEN YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF THE PALMETTO STATE, AND, AS SHE DEPARTS FROM THE AGENCY, TO

TUESDAY, JUNE 8, 2021

EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 838 -- Senators Adams, Garrett, M. Johnson, Kimbrell, Rice and Cash: A BILL TO AMEND SECTION 63-5-350 OF THE 1976 CODE, RELATING TO PROVIDING HEALTH SERVICES TO MINORS WITHOUT PARENTAL CONSENT, TO PROHIBIT THE ADMINISTRATION OF THE COVID-19 VACCINE WITHOUT PARENTAL CONSENT.

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Read the first time and referred to the Committee on Medical Affairs.

S. 839 -- Senators Jackson, Scott and Kimpson: A SENATE RESOLUTION TO CONGRATULATE VINCE FORD, PRISMA HEALTH SENIOR VICE PRESIDENT, COMMUNITY HEALTH SERVICES, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR NEARLY A QUARTER CENTURY OF DISTINGUISHED SERVICE AS A COMMUNITY HEALTH OFFICER, AND TO WISH HIM MUCH CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 840 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE NAYLENE REDMOND RICHARDSON, A TEACHER FOR RICHLAND SCHOOL DISTRICT TWO, UPON THE OCCASION OF HER RETIREMENT AFTER YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

TUESDAY, JUNE 8, 2021

S. 841 -- Senators Talley and Martin: A SENATE RESOLUTION TO CONGRATULATE THE DORMAN HIGH SCHOOL BOYS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA 2021 CLASS AAAAAA BOYS TRACK AND FIELD STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 842 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE AND HONOR DR. ADA D. STEWART OF RICHLAND COUNTY AS THE FIRST AFRICAN AMERICAN WOMAN TO SERVE AS PRESIDENT OF THE AMERICAN ACADEMY OF FAMILY PHYSICIANS.

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The Senate Resolution was adopted.

ACTING PRESIDENT PRESIDES

Senator ALEXANDER assumed the Chair.

Presentation of Service Pins

In commemoration of continuous service with the State of South Carolina, Senator PEELER, PRESIDENT of the Senate, presented a certificate and service pin to the following Senators for their years of service:

10 Year Pins

Senator Thomas D. Corbin

20 Year Pins

Senator Karl B. Allen

Senator Rex F. Rice

30 Year Pins

Senator Ronnie A. Sabb

In commemoration of continuous service with the State of South Carolina, Senator SETZLER presented a certificate and service pin to the following Senators for their years of service:

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40 Year Pins

Senator Hugh K. Leatherman
Senator Harvey S. Peeler, Jr.

Senator PEELER, PRESIDENT of the Senate, presented certificates and awarded service pins to the following Senate staff for their respective years of state service:

10 Year Pins

Maxine L. Henry
Robert E. Maldonado
Louise B. Spong
Victoria G. Walker
Ja’Vell S. Bynoe
Janet G. Holland
Sara S. Parrish

20 Year Pins

David S. Brunson
Carolyn W. Youmans
Donna Barton
Dawn Y. Jennings
Kathryn G. B. Wink

30 Year Pins

Richard W. Chewning IV
Essie E. Shealy
Alisa W. Painter
Charles D. Williams, Jr.

40 Year Pins

Carole Collins
Elton O. Spain

All were highly commended for their years of devoted and loyal service.

PRESIDENT PRESIDES

At 12:33 P.M., the PRESIDENT assumed the Chair.

TUESDAY, JUNE 8, 2021

**THE SENATE PROCEEDED TO A CONSIDERATION OF
REPORTS OF COMMITTEES OF CONFERENCE AND FREE
CONFERENCE.**

**H. 3194--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

On motion of Senator RANKIN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator RANKIN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

TUESDAY, JUNE 8, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The Committee of Conference Committee was adopted as follows:

H. 3194--Conference Report

The General Assembly, Columbia, S.C., June 1, 2021

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND

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CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 58-31-20 of the 1976 Code is amended to read:

“Section 58-31-20. (A)(1) The Public Service Authority consists of a board of twelve directors who reside in South Carolina and who have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58-3-530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom must be chairman. Two of the directors must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. Except to the extent they are serving in an exofficio capacity, a director shall not serve as an employee or board member of an electric cooperative during his term as a director. Each director shall serve for a term of ~~seven~~ four years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, with the advice and consent of the

TUESDAY, JUNE 8, 2021

Senate, must appoint a successor, who shall hold office for a term of ~~seven~~ four years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director's successor, with the advice and consent of the Senate, and the successor director shall hold office for the unexpired term. A director shall not be appointed for more than three consecutive full terms. An appointment to an unexpired partial term shall not be considered for purposes of determining term limits.

(2) A director may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties, the actual expense to be advanced from the contingent fund of the Governor until the time the Public Service Authority is in funds, at which time the contingent fund must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board must be paid from these funds, and the compensation and expenses must be fixed by the advisory board established in this section. The Authority may provide, at its expense, health insurance benefits to members of the board, through the state insurance plan or otherwise.

(3) Members of the board of directors may be removed for cause, pursuant to Section 1-3-240(C), by the Governor of the State, the advisory board, or a majority thereof. A member of the General Assembly of the State of South Carolina is not eligible for appointment as Director of the Public Service Authority during the term of his office. No more than two members from the same county may serve as directors at any time.

(B) Candidates for appointment to the board must be screened by the State Regulation of Public Utilities Review Committee and, prior to confirmation by the Senate, must be found qualified by meeting the minimum requirements contained in subsection (C). The review committee must submit a written report to the Clerk of the Senate setting forth its findings as to the qualifications of each candidate. A candidate must not serve on the board, even in an interim capacity, until he is screened and found qualified by the State Regulation of Public Utilities Review Committee.

(C)(1) Each member must possess abilities and experience that are generally found among directors of energy utilities serving this State and that allow him to make valuable contributions to the conduct of the Authority's business. These abilities include substantial business skills and experience, but are not limited to:

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~~(1)~~(a) general knowledge of the history, purpose, and operations of the Public Service Authority and the responsibilities of being a director of the Authority;

~~(2)~~(b) the ability to interpret legal and financial documents and information so as to further the activities and affairs of the Public Service Authority;

~~(3)~~(c) with the assistance of counsel, the ability to understand and apply federal and state laws, rules, and regulations including, but not limited to, Chapter 4 of Title 30 as they relate to the activities and affairs of the Public Service Authority; and

~~(4)~~(d) with the assistance of counsel, the ability to understand and apply judicial decisions as they relate to the activities and affairs of the Public Service Authority.

(2) Each member also must have:

(a) a baccalaureate or more advanced degree from:

(i) a recognized institution of higher learning requiring face-to-face contact between its students and instructors prior to completion of the academic program;

(ii) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(iii) an institution of higher learning chartered before 1962;
and

(b) a background of substantial duration and an expertise in at least one of the following:

(i) energy issues;

(ii) consumer protection and advocacy issues;

(iii) water and wastewater issues;

(iv) finance, economics, and statistics;

(v) accounting;

(vi) engineering; or

(vii) law.

(D) For the assistance of the board of directors of the Public Service Authority, there is hereby established an advisory board to be known as the advisory board of the South Carolina Public Service Authority, to be composed of the Governor of the State, the Attorney General, the State Treasurer, the Comptroller General, and the Secretary of State, as ex officio members, who must serve without compensation other than necessary traveling expenses. The advisory board must perform any duties imposed on it pursuant to this chapter, and must consult and advise with the board of directors on any and all matters which by the board of directors may be referred to the advisory board. The board of directors

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must make annual reports to the advisory board, which reports must be submitted to the General Assembly by the Governor, in which full information as to all of the acts of said board of directors shall be given, together with financial statement and full information as to the work of the Authority. On July first of each year, the advisory board must designate a certified public accountant or accountants, ~~resident in the State,~~ for the purpose of making a complete audit of the affairs of the authority, which must be filed with the annual report of the board of directors. The Public Service Authority must submit the audit to the General Assembly.

(E)(1) The following shall be nonvoting ex officio members of the board of directors entitled to attend all meetings of the Authority board, including any executive sessions, except as set forth below:

The Chairman of Central Electric Power Cooperative, or his designee, and one member of the Board of Central Electric Power Cooperative chosen by that board who is not the chairman or his designee. The ex officio members shall have the same obligations and duties as other members of the board, except the obligation to vote, and are subject to removal in the same manner as other board members. An ex officio member that has otherwise satisfied all obligations and duties owed to the Public Service Authority shall not be liable for matters directly related to either the process of voting nor a decision determined by a vote of the board of directors.

(2) The ex officio members may be excluded from executive session where the following matters are being discussed:

(a) negotiations incident to proposed contractual arrangements with a customer, including Central Electric Cooperative, Inc., or receiving legal advice involving a customer, Central Electric Power Cooperative, Inc., or one of its members; or

(b) discussions regarding generation resources that will not be shared resources under any wholesale power supply agreement between the Authority and Central Electric Power Cooperative or receiving legal advice in relation thereto.

Upon advice of counsel that a conflict may exist for an ex officio member of the board to attend an executive session or a portion thereof to discuss matters other than (a) and (b), the board may exclude, by a majority vote, the ex officio member from those portions of an executive session for which a conflict may exist.

(3) When ex officio members are excluded from executive session, the reason for the conflict must be stated before the vote is taken and shall be recorded in official minutes or other records of the meeting.

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The ex officio member of the board must be given an opportunity to speak to the conflict and the underlying issue at the beginning of the executive session. After being provided the opportunity to speak as provided in this provision, the ex officio member must leave the room and may not participate in the remainder of the executive session on the issue giving rise to the conflict. Efforts should be taken to optimize participation of ex officio members by segmenting executive sessions.

(4) Ex officio members will begin serving immediately upon a letter indicating their appointments is delivered to the board and to the Public Utilities Review Committee but must meet the qualifications set forth in Section 58-31-20(C) as verified by the Public Utilities Review Committee within six months of beginning service as an ex officio member. Ex officio members will be appointed for two-year terms but may be removed either by the Governor pursuant to Section 1-3-240(C)(1)(m) or the Board of Central Electric Power Cooperative. In the event that the Board of Central Electric Power Cooperative removes the ex officio member, the Public Service Authority Board of Directors must receive notice at least sixty days before the ex officio member's successor begins service on the Public Service Authority Board of Directors. An ex officio member will not be entitled to receive compensation from the Public Service Authority for his or her service as an ex officio member and will not be counted for purposes of determining a quorum.

(F) In making appointments to the board of directors, the Governor, in making appointments and the Senate, in its advice and consent capacity, must give due consideration to race, gender, and other demographic factors to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of this State."

SECTION 2. Section 58-31-30(A)(11) and (12) of the 1976 Code is amended to read:

"(11) to make bylaws for the management and regulation of its affairs, including the establishment of subcommittees of the board of directors to include Finance and Audit, Public Information, Water Services and Resource Management, Generation and Power Supply Planning, and Executive and Governance, each of these making regular reports to the full board of directors at each regular meeting of the full board;

(12) to appoint officers, agents, employees, and servants, to prescribe their duties, and to fix their compensation to select a chief executive officer for the authority who shall cause the Authority to

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employ all necessary employees with the board, by vote, approving the compensation of any senior management official selected by the chief executive officer;”

SECTION 3. Section 58-31-30 of the 1976 Code is amended by adding a subsection (C) to read:

“(C) Any compensation package, severance package, payment or other benefit of whatever nature conferred upon the chief executive officer or member of the board of the Public Service Authority or offered on or after May 15, 2021, must first be approved by the Agency Head Salary Commission before the Authority can enter into an agreement regarding a severance package, payment or other benefits. Any payment made in violation of this section is grounds for a claw-back of the payment or benefit in a legal action brought by the Attorney General of this State seeking a recovery of that payment. The Public Service Authority must provide a report to the Agency Head Salary Commission by July 6, 2021, with information regarding any severance package, payment or other benefit conferred upon an executive officer or member of the board of the Public Service Authority from January 1, 2020, through June 30, 2021.”

SECTION 4. Section 58-31-55 of the 1976 Code is amended to read:

“Section 58-31-55. (A) A director shall discharge his duties as a director, including his duties as a member of a committee:

- (1) in good faith;
- (2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
- (3) in a manner he reasonably believes to be in the best interests of the Public Service Authority. As used in this chapter, ‘best interests’ means a balancing of the following:

(a) preservation of the financial integrity of the Public Service Authority and its ongoing ~~operation of generating, transmitting, and distributing electricity to wholesale and retail customers on a reliable, adequate, efficient, and safe basis, at just and reasonable rates, regardless of the class of customer operations;~~

(b) the interest of the Public Service Authority’s residential, commercial and industrial retail customers, and those wholesale customers served pursuant to contractual arrangements, but excluding joint action agencies and those entities located outside the State, in reliable, adequate, efficient, and safe service, at just and reasonable rates, regardless of customer class;

(c) maintenance, preservation, and keeping of the Public Service Authority’s properties and all additions and betterments thereto

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and extension thereof and every part and parcel in thereof, in good repair, working order and condition;

~~(b)~~(d) the support of, economic development and job attraction and retention within the Public Service Authority's present service area or areas within the State authorized to be served by an electric cooperative or municipally owned electric utility that is a direct or indirect wholesale customer of the Authority, provided the remaining items of this subsection have been met; and

~~(e)~~(e) subject to the limitations of Section 58-31-30(B) and item (A)(3)(a) of this section, exercise of the powers of the Authority set forth in Section 58-31-30 in accordance with good business practices and the requirements of applicable licenses, laws, and regulations.

(B) In discharging his duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:

(1) one or more officers or employees of the Public Service Authority whom the director reasonably believes to be reliable and competent in the matters presented;

(2) legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence; or

(3) a committee of the board of directors of which he is not a member if the director reasonably believes the committee merits confidence.

(C) A director is not acting in good faith if he has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (B) unwarranted.

(D) A director is not liable for any action taken as a director, or any failure to take any action, if he performed the duties of his office in compliance with this section.

(E) An action against a director for failure to perform the duties imposed by this section must be commenced within three years after the cause of action has occurred, or within two years after the time when the cause of action is discovered or should reasonably have been discovered, whichever occurs sooner. This limitations period does not apply to breaches of duty which have been concealed fraudulently.

(F) Any violation of this code section by a director shall constitute grounds for removal from office by the Governor pursuant to Section 1-3-240."

SECTION 5. Section 58-31-56 of the 1976 Code is amended to read:

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“Section 58-31-56. (A) A conflict of interest transaction is a transaction with the Public Service Authority in which a director of the Public Service Authority has a direct or indirect interest. A conflict of interest transaction is not voidable by the Public Service Authority solely because of the director’s interest in the transaction if any one of the following is true:

(1) the material facts of the transaction and the director’s interest were disclosed or known to the board of directors or a committee of the board of directors, and the board of directors or a committee authorized, approved, or ratified the transaction; or

(2) the transaction was fair to the Public Service Authority and its customers.

If item (1) has been accomplished, the burden of proving unfairness of any transaction covered by this section is on the party claiming unfairness. If item (1) has not been accomplished, the party seeking to uphold the transaction has the burden of proving fairness.

(B) For purposes of this section, a director of the Public Service Authority has an indirect interest in a transaction if:

(1) another entity in which he has a material financial interest or in which he is a general partner is a party to the transaction; or

(2) another entity of which he is a director, officer, or trustee is a party to the transaction and the transaction is or should be considered by the board of directors of the Public Service Authority.

(C) For purposes of subsection (A)(1), a conflict of interest transaction is authorized, approved, or ratified if it receives the affirmative vote of a majority of the directors on the board of directors (or on the committee) who have no direct or indirect interest in the transaction, but a transaction may not be authorized, approved, or ratified under this section by a single director. If a majority of the directors who have no direct or indirect interest in the transaction vote to authorize, approve, or ratify the transaction, a quorum is present for the purpose of taking action under this section. The presence of, or a vote cast by, a director with a direct or indirect interest in the transaction does not affect the validity of any action taken under subsection (A)(1) if the transaction is otherwise authorized, approved, or ratified as provided in that subsection.

(D) Any violation of this code section by a director shall constitute grounds for removal from office by the Governor pursuant to Section 1-3-240.”

SECTION 6. Section 1-3-240(C)(1)(m) of the 1976 Code is amended to read:

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~~“(m) Directors of the South Carolina Public Service Authority appointed pursuant to Section 58-31-20. A director of the South Carolina Public Service Authority also may be removed for his breach of any duty arising under Section 58-31-55 or 58-31-56. The Governor must not request a director of the South Carolina Public Service Authority to resign unless cause for removal, as established by this subsection, exists. Removal of a director of the South Carolina Public Service Authority, except as is provided by this section or by Section 58-31-20(A), must be considered to be an irreparable injury for which no adequate remedy at law exists;”~~

SECTION 7. (A) To ensure that the Public Service Authority Board of Directors positions are appropriately staggered, the following establishes the term expiration for positions as of the effective date of this act:

(1) The terms for the members representing the 2nd and 4th congressional districts, and the at-large seat designated as the chair shall expire on January 1, 2022;

(2) The terms for the members representing the 1st and 7th congressional districts and Berkeley County shall expire on January 1, 2023;

(3) The terms for members representing the 3rd and 6th congressional districts and the other at-large seat shall expire on January 1, 2024; and

(4) The terms for members representing the 5th congressional district and Georgetown and Horry counties shall expire on January 1, 2025.

If any vacancy occurs prior to respective dates established in this SECTION, the Governor may appoint a successor pursuant to Section 58-31-20.

(B) Notwithstanding the term limit provisions in Section 58-31-20(A), a director serving as of the effective date of this act is ineligible for reappointment unless that director was first appointed after January 1, 2018.

SECTION 8. Article 1, Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Section 58-31-240. For purposes of this section:

(A) ‘JBRC’ means the Joint Bond Review Committee.

(1) Prior to issuing any (1) bonds, (2) notes, or (3) other indebtedness, including any refinancing that does not achieve a savings in total debt service, the JBRC must approve, reject, or modify the issuance by the Authority. This section does not apply to the issuance of

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short-term or revolving-credit debt for the management of day-to-day operations and financing needs.

(2) If the JBRC does not take action on the issuance within sixty days, the issuance is considered approved.

(3) Issuance approved by the JBRC need not be issued immediately, and the debt may be issued across multiple series and over a three-year term.

(B)(1) By September first of each year, the Authority shall provide an annual report regarding every transaction involving an interest in real property and executed during the preceding twelve months, including:

(a) a summary of the key terms of all contracts effectuating or related to such transactions; and

(b) parties involved in the transaction, including all entities or persons with any type of ownership interest or authority to control.

(2) A transfer of any interest in real property by the Authority, regardless of the value of the transaction, requires approval, rejection, or modification by the JBRC.

(3) The reporting and other requirements of this item do not apply to encroachment agreements, rights of way, or lease agreements made by the authority for property within the Federal Energy Regulatory Project boundary.

(C) The JBRC may adopt instructions which must be followed by the Authority for any submission pursuant to this section.

(D) The requirements imposed on the authority pursuant to this section are in addition to any other requirements of law. If any provision of this section conflicts with another provision of law, the provisions of this section shall control to the extent of the conflict.

Section 58-31-250. (A) The Senate Finance Committee and the House Ways and Means Committee may request and the Authority must produce, in writing or by testimony at the request of the relevant committee, within thirty days of any request any or all of the following:

(1) annual audited financial statements;

(2) projected and actual annual revenue;

(3) actual annual expenditures;

(4) any debt issuances in the previous five years, whether short-term or long-term;

(5) percent of annual revenues utilized for administration. For purposes of this item, 'administration' includes executive-level employees compensation and other operating costs;

(6) organizational flow chart displaying the position titles and name of executive-level employees;

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(7) major components of any long-term capital plan, including timing and cost estimates, and financing plan for such capital investments whether paid from operations or debt;

(8) performance objectives and results;

(9) performance measurements used to evaluate program effectiveness;

(10) any outstanding litigation issues; and

(11) planning documents and progress reports, including budgeted and actual expenditures.

(B) The Authority must post its annual audited financial report in a conspicuous place on the Authority's website and distribute the reports to members of the General Assembly.

(C) Any problems or issues of concern that arise during this oversight process may be forwarded to the State Inspector General for investigation after a vote of either committee. The Inspector General is granted the authority to complete the investigation.

(D) The Authority and the Board of Directors and its subcommittees are public bodies for purposes of the Freedom of Information Act.

(E) Any and all compensation for the Authority CEO must be reviewed by the Agency Head Salary Commission. Additionally, any employment contracts or retention contracts that last longer than five years, and all contract extensions, must be reviewed by the Agency Head Salary Commission."

SECTION 9. Section 58-33-110(4) of the 1976 Code is amended to read:

"(4) This chapter shall not apply to any major utility facility:

(a) The construction of which is commenced within one year after January 1, 1972; or

(b) For which, prior to January 1, 1972, an application for the approval has been made to any federal, state, regional or local governmental agency which possesses the jurisdiction to consider the matters prescribed for finding and determination in subsection (1) of Section 58-33-160.

(c) For which, prior to January 1, 1972, a governmental agency has approved the construction of the facility and indebtedness has been incurred to finance all or part of the cost of such construction;~~or~~

(d) Which is a hydroelectric generating facility over which the Federal Power Commission has licensing jurisdiction;or

(e) Which is a transmission line or associated electrical transmission facilities constructed by the South Carolina Public Service Authority, for which construction either is commenced within one year

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after January 1, 2022, or is necessary to maintain system reliability in connection with the closure of the Winyah Generating Station, provided that such transmission is not for generation subject to this chapter.”

SECTION 10. Section 58-31-430 of the 1976 Code is amended to read:

“Section 58-31-430. The Public Service Commission may not assign any portion of the present service area of the Public Service Authority to any electrical utility or electric cooperative and this service area must be exclusively served by the Public Service Authority unless otherwise agreed to by the Public Service Authority as described in this section. Santee Electric Cooperative, Inc., Berkeley Electric Cooperative, Inc., Horry Electric Cooperative, Inc. may serve those areas reserved to them as provided in Section 58-31-330. The Public Service Commission is directed to conform the present assignment under Section 58-27-620 to the mandates of this article. Nothing contained in this article may be construed as preventing the Public Service Commission from exercising its jurisdiction over electric cooperative service areas in the manner provided by law. Upon customer choice either the Public Service Authority, ~~or an electric cooperative mentioned above,~~ or Edisto Electric Cooperative, Inc., may furnish electric service to any new premises which the other supplier has the right to serve, upon agreement of the affected suppliers.

Notwithstanding the foregoing, the Public Service Authority shall have the right to enter into agreements with other electric suppliers, as defined by Section 58-27-610, concerning service areas, as contemplated by Section 58-27-640, and corridor rights, as defined by Section 58-27-610. In that event, the Public Service Commission shall have the authority to approve said agreements and to reassign said service area or corridor rights. This authority shall only apply in situations where all affected electric suppliers have reached an agreement concerning service areas or corridor rights. With respect to the agreements, the commission shall approve the agreements and reassign said service area or corridor rights if, after giving notice and an opportunity for hearing to interested parties, it finds the agreements to be fair and reasonable, but the commission shall not have the authority to alter or amend any such agreement unless all affected electric suppliers agree to the alteration or amendment. For purposes of this article, the term ‘all affected electric suppliers’ shall include, but not be limited to, the nearest electric cooperative or cooperatives to the proposed service area changes within a five mile radius of the affected service area or corridor. This section

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shall not confer service territory rights to the Public Service Authority beyond those provided in Section 58-31-330 and Section 58-31-320(2)."

SECTION 11. Chapter 31, Title 58 of the 1976 Code is amended by adding:

“Article 7

Retail Rates Process

Section 58-31-710. The Public Service Authority, through its board of directors, shall adopt and publish pricing principles that respect and balance factors including, but not limited to, adherence to the Authority’s mission to be a low-cost provider, reliability, transparency, preservation of the Authority’s financial integrity, equity among customer classes, gradualism in adjustments to its pricing and rate schedule type, encouragement of efficiency and demand response, adequate notice to customers, and relief mechanisms for financially distressed customers. The Authority shall also maintain and continue to offer rate schedules and options that provide demand-side management flexibility including, but not limited to, non-firm sales and interruptible power rates, and conservation opportunities to its customers.

Section 58-31-720. For purposes of this article ‘customer’ shall include the Authority’s residential, commercial and industrial retail customers, and those wholesale customers served pursuant to contractual arrangements, but excluding joint action agencies and those entities located outside the State.

Section 58-31-730. Prior to creating or revising any of its board-approved retail rate schedules, the Public Service Authority, through resolution of its board of directors or otherwise, shall adopt a process that shall include the following:

(A) The Authority shall provide notice to all customers at least one hundred and eighty days before the board of directors’ vote on a proposed rate adjustment.

(1) The one hundred and eighty days’ notice required under this section is established to allow customers to provide comments to the Authority as follows:

(a) written comments to the Authority for ninety days from the date of notice; and

(b) oral comments to the Authority for one hundred twenty days from the date of notice.

(2) The notice required by this subsection must be given in the following forms:

(a) by first-class United States mail addressed to the customer’s billing address in the Authority’s records at the time of the notice, or for

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customers who have elected paperless billing, by the same means of communication used for providing these customers paperless billing;

(b) by advertisements to be published in newspapers of general circulation within the service territory of the Authority;

(c) by way of the Authority's regularly maintained website, including a conspicuous portal or link accessible from the website's landing page; and

(d) by issuance of a news release to local news outlets.

(3) The notice of proposed rate adjustments required by this subsection shall contain the following information:

(a) the date, time, and location of all public meetings;

(b) the date, time, and location of the meeting at which a proposed rate adjustment is expected to be submitted to the board of directors for its consideration;

(c) the date, time, and location of the meeting at which the board of directors is expected to vote on the proposed rate adjustment;

(d) a notification to customers of their right to:

(i) review the proposed rate schedules;

(ii) appear and speak in person concerning the proposed rates at public meetings or the specified meetings of the board of directors; and

(iii) submit written comments;

(e) the means by which customers can submit written comments, including the email and physical addresses to which written comments may be submitted, and the deadline for submitting such comments; and

(f) the means by which customers can access and review the Authority's written report containing the proposed rate adjustments, the non-proprietary and non-confidential portions of any rate study or other documentation developed by the Authority in support of the rate adjustment which shall be available at the time the notice is issued.

(4) Contemporaneously with notice to customers, the Authority shall provide notice of proposed rate adjustments to the Office of Regulatory Staff.

(B) In addition to the requirements of notice set forth above, the Authority shall provide for the following in its retail rate adjustment process:

(1) the Office of Regulatory Staff must review any rate adjustments proposed to the Authority's board of directors under this article including conducting an inspection, audit, and examination of the proposed rate schedule, revenue requirements, cost-of-service analysis,

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and rate/tariff design. In accomplishing its responsibilities under this article, the Office of Regulatory Staff must use the authority granted to it pursuant to Section 58-31-225. The Office of Regulatory Staff must treat as confidential or proprietary the information provided by the Authority pursuant to this subsection that is identified by the Authority as such unless or until the authority agrees that such information is no longer confidential or proprietary. Any disputes concerning whether such information is subject to protection must be resolved by the South Carolina Public Service Commission;

(2) a comprehensive review of the Authority's rate structure and rates, consistent with the provisions of Chapter 31, Title 58, and the Public Service Authority's bond covenants concerning the Public Service Authority's revenue requirements, provided that:

(a) management may engage consultants as necessary to assist the Authority in completing this review; and

(b) this review should include such subjects as the Authority's revenue requirements, rate/tariff design recognizing the provisions of any wholesale power supply agreement, and a comprehensive cost-of-service analysis that includes an allocation of costs, between wholesale and retail customers, and among all classes of retail customers, including residential, commercial and industrial classes;

(3) a written report of management's recommendations concerning proposed rate adjustments;

(4) beginning no later than the date that notice of the proposed rate adjustment is issued by the Authority, an opportunity for customers and the Office of Regulatory Staff, in advance of the board of directors' consideration and determination of rates, to review the proposed rate schedules and written findings and analyses of employees and consultants retained by the Authority that support the proposed rate adjustments, provided that:

(a) the Authority also shall provide customers and the Office of Regulatory Staff access to proposed rate schedules and written findings and analyses of employees and consultants retained by the Authority that support the proposed rate adjustments, such materials to be made available at a physical location, at public meetings, and posted on the Authority's website; and

(b) the Authority shall not be required to provide to customers analyses which disclose the commercially sensitive information of individual customers or which is otherwise proprietary or confidential;

(5) public meetings, to be held at locations convenient for customers and within the Authority's service territory, provided that:

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(a) the Authority shall convene at least two public meetings at a minimum of two locations within its service territory for the purpose of presenting the proposed rate adjustment and relevant information regarding the same to customers for their information and comment;

(b) customers may appear and speak in person at public meetings and direct comments and inquiries about the rate adjustment to representatives of the Authority;

(c) at least one representative of the Authority's staff or management and a quorum of the board of directors shall attend each public meeting;

(d) the Authority shall cause a transcript of all such meetings to be prepared and maintained as a public record and for consideration by the board of directors prior to its consideration and vote on a proposed rate adjustment; and

(e) the contents of this item must not be construed in such a manner as to prevent the authority from extending the prescribed timelines, holding additional public meetings, holding additional meetings with customers as may be scheduled from time to time at the convenience of the Authority and the customers, or having additional representatives of staff, management, or the board of directors in attendance at such meetings;

(6) the Authority's management shall respond to reasonable questions and requests for information from customers and the Office of Regulatory Staff during the comment period regarding the rate proposal, subject to the appropriate protection of confidential information. All information provided to the Office of Regulatory Staff upon request that is not confidential or proprietary shall be made publicly available immediately following disclosure to the requesting party;

(7) submission by the Office of Regulatory Staff of written comments and supporting documentation in the same manner as customers and an opportunity for the Office of Regulatory Staff to provide comments to, and answer questions from, the board of directors;

(8) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred twenty days from the date of notice required pursuant to Section 58-31-730(A), at which the board of directors shall receive written comments received in accordance with Section 58-31-730(A)(1), and transcripts of the public meetings, provided that:

(a) at this meeting customers who will be affected by a rate adjustment and other interested parties, including the Office of Regulatory Staff and Consumer Advocate, shall be entitled to appear and

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speak in person for a reasonable amount of time to offer their comments directly to the board of directors;

(b) customer comments received by the Authority prior to this meeting and transcripts of the public meetings shall be submitted to the board of directors for their consideration in the determination of rates;

(c) submissions from the Office of Regulatory Staff shall be provided to the board of directors for their consideration in the determination of rates; and

(d) the Authority shall cause a transcript of this meeting to be prepared and maintained as a public record;

(9) a meeting of the board of directors, separate from its scheduled vote on proposed rate adjustments and no less than one hundred fifty days from the date of notice required pursuant to Section 58-31-730(A), at which it shall receive the Authority management's recommendation, which shall be made publicly available, concerning proposed rate adjustments, the proposed rate schedules, and documentation supporting the same; and

(10) a meeting at which the board of directors votes on the proposed rate adjustment, following notice as set forth in subsection (A) and completion of the process implemented by the board of directors pursuant to subsection (B).

(C) Rates shall become effective no earlier than sixty days following board approval of proposed rate adjustments.

(D) Nothing contained in this section may be construed to limit or derogate from the state's covenants as provided in Sections 58-31-30 and 58-31-360, and those covenants are hereby reaffirmed.

(E) The board of directors shall utilize consultants independent from the Authority's management and is authorized to hire independent, outside experts and consultants as necessary to fulfill the board of directors' obligations and duties pursuant to this section.

(F) Notwithstanding the provisions of this section, the Authority may place such adjusted rates and charges into effect on an interim basis under emergency circumstances such as the avoidance of default of its obligations and to ensure proper maintenance of its system; these interim rates must not be in effect for more than eighteen months. Said adjusted rates and charges shall be subject to prospective rate adjustment in accordance with the terms of this section, provided further, that the Authority may implement experimental rates on an interim basis for the purpose of developing improved rate offerings for customers. These experimental rates will be enacted for no longer than four years and (a) for large industrial customers, no more than twelve percent of the large

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industrial customer class except large industrial customers with one hundred megawatts or greater load shall be excluded from any class size limit, and (b) for all other customers no more than five percent of the customers in the class. All experimental rates must be disclosed in public session of the board prior to being enacted and are subject to approval by the board only to the extent that they meet the requirements of Section 58-31-55.

(G) Judicial review of decisions by the board of directors under this article shall be by direct appeal to the South Carolina Supreme Court. The service of a notice of appeal from a decision of the board of directors pursuant to this article does not act to automatically stay the matters decided in the decision, in the same manner as provided by Rule 241(b)(11) of the South Carolina Appellate Court Rules. Rate adjustments approved by the board of directors pursuant to this article have been authorized by law.

(1) The Office of Regulatory Staff, or any customer who has submitted written or oral comments as permitted under this article is considered a 'party in interest' entitled to obtain judicial review of any final decision of the board under this article by appealing in the manner provided by Rule 203(b)(6) of the South Carolina Appellate Court Rules as applicable to appeals from administrative tribunals. No right to appeal accrues unless a request for reconsideration is submitted to the board and refused as set out in S.C. Code Ann. Section 58-31-730(G)(2).

(2) Any party in interest seeking to appeal must first submit, within ten days after the decision of the board, a request for reconsideration. The board of directors shall either grant or refuse such request within twenty days of receipt. If the board grants the request for reconsideration, it must meet to consider the request within thirty days.

(3) On appeal, the South Carolina Supreme Court may not substitute its judgment for the judgment of the board of directors as to the weight of the evidence on questions of fact. The court may affirm the decision of the board of directors or remand the case to the board of directors for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the board's findings, inferences, conclusions, or decisions are:

- (a) in violation of constitutional or statutory provisions;
- (b) in excess of the statutory authority of the Authority;
- (c) made upon unlawful procedure;
- (d) affected by other error of law;
- (e) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

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(f) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

(H) The procedure provided in this article is the exclusive process for challenging any rate adjustments approved by the board of directors. If a party in interest successfully challenges a rate approval decision on appeal, the exclusive remedy is a prospective adjustment of a new rate by the board of directors. The board of directors possesses authority only to adjust rates prospectively and has no authority to refund amounts collected pursuant to a rate adjustment approved pursuant to this article. The filed rate doctrine protects any such rate adjustment decisions from any collateral attack, which includes, but is not limited to, any claim that a rate adjustment decision by the board of directors violates S.C. Code Ann. Sections 58-31-55, 58-31-56, or 58-31-57.

Section 58-31-740. The Authority shall submit to the Office of Regulatory Staff a pricing report each year, and its report must include an analysis of the adherence to the pricing principles required in Section 58-31-710, the current and projected electric customer pricing, a comparison of pricing to other utilities, and an analysis of the rates of return by customer class. After its review, the ORS shall issue comments on the Authority's annual pricing report to the Authority's board of directors and the Public Utility Review Committee."

SECTION 12. Chapter 31, Title 58 of the 1976 Code is amended by adding:

"Section 58-31-225. The Office of Regulatory Staff, under the provisions of this section, is hereby vested with the authority and jurisdiction to make inspections, audits, and examinations of the Public Service Authority pursuant to the provisions of Chapter 4, Title 58, relating to the electric rates established by the Public Service Authority. Upon completion of an authorized inspection, audit, or examination, the Office of Regulatory Staff must report its findings to the management and board of the Public Service Authority and attempt to resolve with the management and board any issues that are identified. The Public Service Authority must post information regarding its electric rates on its website."

SECTION 13. Chapter 4, Title 58 of the 1976 Code is amended by adding:

"Section 58-4-51. (A) Regulatory staff shall have the following duties and responsibilities concerning the Public Service Authority to:

(1) when considered necessary by the Executive Director of the Office of Regulatory Staff, review, investigate, and make appropriate recommendations to the appropriate entity with respect to the rates

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charged or proposed to be charged for electric service provided by the Public Service Authority;

(2) when considered necessary by the Executive Director of the Office of Regulatory Staff, make inspections, audits, and examinations of, and to make recommendations to, the appropriate entity, regarding electric service provided by the Public Service Authority;

(3) upon request by the commission, make studies and recommendations to the commission with respect to standards, regulations, practices, or electric service provided by the Public Service Authority for matters within the commission's jurisdiction; and

(4) when considered necessary by the Executive Director of the Office of Regulatory Staff, investigate and examine the condition of generation, transmission, or distribution electric facilities owned or operated by the Public Service Authority.

(B) Regulatory staff may participate as a party of interest, as deemed necessary by the Executive Director of the Office of Regulatory Staff, before regulatory agencies, state courts and federal courts, in matters that could affect the Public Service Authority's rates or charges for the Authority's electric service.

(C) The regulatory staff may have additional duties and responsibilities related to the Public Service Authority as otherwise provided by law."

SECTION 14. Section 58-4-55 of the 1976 Code is amended to read:

"Section 58-4-55. (A) The regulatory staff, in accomplishing its responsibilities under Section 58-4-50 and Section 58-4-51, may require the production of books, records, and other information to be produced at the regulatory staff's office, that, upon request of the regulatory staff, must be submitted under oath and without the requirement of a confidentiality agreement or protective order being first executed or sought. The regulatory staff must treat the information as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the

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commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission. Although the Public Service Authority is subject to the Freedom of Information Act pursuant to Sections 30-4-10, et seq., the Authority, when necessary and appropriate, may indicate that documents or information provided to regulatory staff is confidential or proprietary, or otherwise exempt from disclosure in accordance with statute, and the regulatory staff must treat this information in the same manner as public utilities and cooperatives pursuant to this section.

If the books, records, or other information provided do not appear to disclose full and accurate information and, if such apparent deficiencies are not cured after reasonable notice, the regulatory staff may require the attendance and testimony under oath of the officers, accountants, or other agents of the parties having knowledge thereof at such place as the regulatory staff may designate and the expense of making the necessary examination or inspection for the procuring of the information must be paid by the party examined or inspected, to be collected by the regulatory staff by suit or action, if necessary. If, however, the examination and inspection and the reports thereof disclose that full and accurate information had previously been made, the expense of making the examination and inspection must be paid out of the funds of the regulatory staff.

(B) If the regulatory staff initiates an inspection, audit, or examination of a public utility, the Public Service Authority, or an electric cooperative, the public utility, the Public Service Authority, or the electric cooperative that is the subject of the inspection, audit, or examination may petition the commission to terminate or limit the scope of such inspection, audit, or examination. The commission must grant such petition if it finds that such inspection, audit, or examination is arbitrary, capricious, unnecessary, unduly burdensome, or unrelated to the regulated operations of the public utility, the Public Service Authority, or the electric cooperative.

(1) If such an inspection, audit, or examination is not part of a contested case proceeding, the public utility, the Public Service Authority or the electric cooperative may also raise objections or seek relief available under the South Carolina Rules of Civil Procedure to a party upon whom discovery is served or to a person upon whom a subpoena is served. The commission shall provide the regulatory staff reasonable notice to respond to any such objection or request. Absent the

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consent of the public utility, the Public Service Authority, or the electric cooperative raising such an objection or request and the Office of Regulatory Staff, the commission must rule on such an objection or request within sixty days of the date it was filed. During the pendency of the commission's ruling, the public utility, the Public Service Authority, or the electric cooperative making such an objection or request is not required to produce or provide access to any documents or information that is the subject of the objection or request.

(2) If such an inspection, audit, or examination is part of a contested case proceeding, the commission shall address objections to information sought by the regulatory staff in the same manner in which it addresses objections to discovery issued by the parties to the contested case proceeding.

(C) Any public utility, the Public Service Authority, or any electric cooperative that provides the regulatory staff with copies of or access to documents or information in the course of an inspection, audit, or examination that is not part of a contested case proceeding may designate any such documents or information as confidential or proprietary if it believes in good faith that such documents or information would be entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The regulatory staff may petition the commission for an order that some or all of the documents so designated are not entitled to protection from public disclosure and it shall be incumbent on the utility to prove that such documents are entitled to protection from public disclosure under the South Carolina Rules of Civil Procedure or any provision of South Carolina or federal law. The commission shall rule on such petition after providing the regulatory staff and the utility an opportunity to be heard. Unless the commission's order on such a petition contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Sections 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity; provided, however, that, if the commission determines that it is necessary to view such documents or information in order to rule on such a petition, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection during the pendency of the petition.

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(D) Nothing in this section restricts the regulatory staff's ability to serve discovery in a contested case proceeding that seeks the type of documents or information the regulatory staff has obtained in the course of any review, investigation, inspection, audit, or examination, nor does anything in this section restrict the ability of any public utility, the Public Service Authority, or electric cooperative to object to such discovery or to seek relief regarding such discovery, including without limitation, the entry of a protective order. The regulatory staff shall not be required to execute a confidentiality agreement or seek a protective order prior to accessing the documents or information of a public utility, the Public Service Authority, or an electric cooperative, and such information or documents must be treated as confidential or proprietary unless or until the commission rules such information is not entitled to protection from public disclosure or the public utility, the Public Service Authority, or the electric cooperative agrees that such information is no longer confidential or proprietary. Unless the commission's order contains a finding to the contrary, all documents or information designated as confidential or proprietary pursuant to this subsection are exempt from public disclosure under Section 30-4-10, et seq., and the regulatory staff shall not disclose such documents and information, or the contents thereof, to any member of the commission or to any other person or entity. However, if the commission determines that it is necessary to view such documents or information, it shall order the regulatory staff to file the documents or information with the commission under seal, and such documents or information shall not be available for public inspection unless otherwise ordered by the commission.

(E)(1) The Office of Regulatory Staff, in order to accomplish any of the responsibilities assigned to it by Chapter 4, Title 58 or any other provision of law, may apply to the circuit court for subpoenas to be issued to entities over which the Public Service Commission does not have jurisdiction. Such subpoenas will be issued by the circuit court in the same manner as subpoenas are issued to parties to proceedings before that court, and all rules applicable to the issuance of such subpoenas, including enforcement and penalties, shall apply to subpoenas issued at the request of the regulatory staff.

(2) In order to accomplish any of the responsibilities assigned to the Office of Regulatory Staff regarding the Public Service Authority in which the commission does not have jurisdiction, regulatory staff may request a hearing with the Administrative Law Court.

(F) The actual expenses of the Office of Regulatory Staff incurred in carrying out its duties under Section 58-4-50(A)(12) must be certified

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annually to the Public Utilities Review Committee in an itemized statement by the Office of Regulatory Staff, shown as a line item in the Office of Regulatory Staff budget, to be assessed directly to an audited electric cooperative by the Office of Regulatory Staff, and deposited with the State Treasurer to the credit of the Office of Regulatory Staff.”

SECTION 15. Section 58-27-190 of the 1976 Code is amended to read:

“Section 58-27-190. The Office of Regulatory Staff has the right at any and all times to inspect the property, plant, and facilities of any electrical utility and the South Carolina Public Service Authority and to inspect or audit at reasonable times the accounts, books, papers, and documents of any electrical utility and the South Carolina Public Service Authority. For the purposes herein mentioned an employee or agent of the Office of Regulatory Staff may during all reasonable hours enter upon any premises occupied by or under the control of any electrical utility or the South Carolina Public Service Authority. An employee or agent of the Office of Regulatory Staff authorized to administer oaths has the power to examine under oath any officer, agent, or employee of the electrical utility and the South Carolina Public Service Authority, in relation to the business and affairs of the electrical utility or the South Carolina Public Service Authority, but written record of the testimony or statement so given under oath must be made.”

SECTION 16. Section 58-27-200 of the 1976 Code is amended to read:

“Section 58-27-200. In the performance of its duties under this chapter, an employee or agent of the Office of Regulatory Staff may inspect or make copies of all income, property, or other tax returns, reports, or other information filed by electrical utilities or the South Carolina Public Service Authority, with or otherwise obtained by any other department, commission, board, or agency of the state government. All departments, commissions, boards, or agencies of the state government must permit an employee or agent of the Office of Regulatory Staff to inspect or make copies of all information filed by electrical utilities or the South Carolina Public Service Authority, with or otherwise obtained by the department, commission, board, or agency of the state government.”

SECTION 17. Section 58-27-210 of the 1976 Code is amended to read:

“Section 58-27-210. Whenever it shall appear that any electrical utility, electric cooperative, the South Carolina Public Service Authority regarding its provision of electric services, or consolidated political

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subdivision is failing or omitting, or about to fail or omit, to do anything required of it by law or by order of the commission or is doing, or about to do anything or permitting or about to permit anything to be done contrary to or in violation of law or of any order of the commission, an action or proceeding shall be prosecuted in any court of competent jurisdiction in the name of the Office of Regulatory Staff for the purpose of having such violation or threatened violation discontinued or prevented, either by mandamus, injunction, or other appropriate relief, and in such action or proceeding, it shall be permissible to join such other persons, corporations, municipalities, or consolidated political subdivisions as parties thereto as may be reasonably necessary to make the order of the court in all respects effective. The commission must not be a party to any action.”

SECTION 18. Section 58-27-220 of the 1976 Code is amended to read:

“Section 58-27-220. In addition to the foregoing expressly enumerated powers, the Office of Regulatory Staff must enforce, execute, administer, and carry out the provisions of this chapter relating to the powers, duties, limitations, and restrictions imposed upon electrical utilities and the South Carolina Public Service Authority by this chapter or any other provisions of the law of this State regulating electrical utilities and the South Carolina Public Service Authority regarding its provision of electric services.”

SECTION 19. Section 58-33-20 of the 1976 Code is amended to read:

“Section 58-33-20. (1) The term ‘commission’ means Public Service Commission.

(2) The term ‘major utility facility’ means:

(a) electric generating plant and associated facilities designed for, or capable of, operation at a capacity of more than seventy-five megawatts.

(b) an electric transmission line and associated facilities of a designed operating voltage of one hundred twenty-five kilovolts or more; provided, however, that the words ‘major utility facility’ shall not include electric distribution lines and associated facilities, ~~nor shall the words ‘major utility facility’ include electric transmission lines and associated facilities leased to and operated by (or which upon completion of construction are to be leased to and operated by) the South Carolina Public Service Authority.~~

(3) The term ‘commence to construct’ means any clearing of land, excavation, or other action that would adversely affect the natural

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environment of the site or route of a major utility facility, but does not include surveying or changes needed for temporary use of sites or routes for nonutility purposes, or uses in securing geological data, including necessary borings to ascertain foundation conditions.

(4) The term ‘municipality’ means any county or municipality within this State.

(5) The term ‘person’ includes any individual, group, firm, partnership, corporation, cooperative, association, government subdivision, government agency, local government, municipality, any other organization, or any combination of any of the foregoing, and ~~but~~ shall ~~not~~ include the South Carolina Public Service Authority.

(6) The term ‘public utility’ or ‘utility’ means any person engaged in the generating, distributing, sale, delivery, or furnishing of electricity for public use.

(7) The term ‘land’ means any real estate or any estate or interest therein, including water and riparian rights, regardless of the use to which it is devoted.

(8) The term ‘certificate’ means a certificate of environmental compatibility and public convenience and necessity.

(9) The term ‘regulatory staff’ means the executive director or the executive director and the employees of the Office of Regulatory Staff.”

SECTION 20. Article 3, Chapter 33, Title 58 of the 1976 Code is amended by adding:

“Section 58-33-180. (A)(1) In addition to the requirements of Articles 1, 3, 5, and 7 of Chapter 33, Title 58, a certificate for the construction of a major utility facility shall be granted only if the Public Service Authority demonstrates and proves by a preponderance of the evidence and the commission finds:

(a) the construction of a major utility facility constitutes a more cost-effective means for serving direct serve and wholesale customers than other feasibly available long-term power supply alternatives and provides less ratepayer risk while maintaining safe and reliable electric service than other feasibly available long-term power supply alternatives; and

(b) energy efficiency measures; demand-side management; renewable energy resource generation; available long-term power supply alternatives, or any combination thereof, would not establish or maintain a more cost-effective and reliable generation system and that the construction and operation of the facility is in the public interest.

(2) Available long-term power supply alternatives may include, but are not limited to, power purchase agreements, competitive

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procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof.

(3) The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's resource and fuel diversity, reasonably anticipated future operating costs, arrangements with other electric utilities for interchange of power, pooling of plants, purchase of power and other alternative methods for providing reliable, efficient, and economical electric service.

(B) The Public Service Authority shall file an estimate of construction costs in such detail as the commission may require. No certificate shall be granted unless the commission has approved the estimated construction costs and made a finding that construction will be consistent with the Authority's commission-approved plan for expansion of electric generating capacity.

Section 58-33-185. (A) The Public Service Authority may not enter into a contract for the acquisition of a major utility facility without approval of the Public Service Commission of South Carolina, provided that the approval is required only to the extent the transaction is not subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission or any other federal agency.

(B)(1) In acting upon any petition by the Public Service Authority pursuant to this section, the Public Service Authority must prove by a preponderance of the evidence that the proposed transaction constitutes a more cost-effective means for serving direct serve and wholesale customers than other feasibly available long-term power supply alternatives and provides less ratepayer risk while maintaining safe and reliable electric service than other feasibly available long-term power supply alternatives. The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's arrangements with other electric utilities for interchange of power, pooling of plants, purchase of power and other alternative methods for providing reliable, efficient, and economical electric service.

(2) Available long-term power supply alternatives may include, but not be limited to, power purchase agreements of a different duration

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than proposed, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof.

(C) Application for the approval of the commission shall be made by the Public Service Authority and shall contain a concise statement of the proposed action, the reasons therefor, and such other information as may be required by the commission.

(D) Upon the receipt of an application, the commission shall promptly fix a date for the commencement of a public hearing, not less than sixty nor more than ninety days after the receipt, and shall conclude the proceedings as expeditiously as practicable. The commission shall establish notice requirements and proceedings shall include an opportunity for intervention, discovery, filed comments or testimony, and an evidentiary hearing.

(E) The commission shall render a decision upon the record either granting or denying the application as filed, or granting it upon such terms, conditions or modifications as the commission may deem appropriate.

(F)(1) The commission may not grant approval unless it shall find and determine that the Public Service Authority satisfied all requirements of this section and the proposed transaction is in the best interests of the retail and wholesale customers of the Public Service Authority.

(2) The commission also may require compliance with any provision of Article 3, Chapter 33, Title 58 that the commission determines necessary to grant approval.

Section 58-33-190. (1) The Public Service Authority may not enter into a contract for the purchase of power with a duration longer than ten years without approval of the Public Service Commission of South Carolina, provided that the approval is required only to the extent the transaction is not subject to the exclusive jurisdiction of the Federal Energy Regulatory Commission or any other federal agency. This section does not apply to purchases of renewable power through a commission approved competitive procurement process.

(2) The commission shall consider any previous analysis performed pursuant to Section 58-37-40 in acting upon any petition by the Public Service Authority pursuant to this section. The commission shall also take into account the Public Service Authority's resource and fuel diversity, reasonably anticipated future operating costs, arrangements

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with other electric utilities for interchange of power, pooling of plants, purchase of power, and other alternative methods for providing reliable, efficient, and economical electric service.

(3) The commission may not grant approval unless it shall find and determine that the proposed transaction is in the best interests of the retail and wholesale customers of the Public Service Authority.”

SECTION 21. Section 58-37-40 of the 1976 Code is amended to read:

“Section 58-37-40. (A) Electrical utilities, electric cooperatives, municipally owned electric utilities, and the South Carolina Public Service Authority must each prepare an integrated resource plan. An integrated resource plan must be prepared and submitted at least every three years. Nothing in this section may be construed as requiring interstate natural gas companies whose rates and services are regulated only by the federal government or gas utilities subject to the jurisdiction of the commission to prepare and submit an integrated resource plan.

(1) Each electrical utility with one hundred thousand or more customer accounts and the Public Service Authority must submit its integrated resource plan to the commission. The integrated resource plan must be posted on the electrical utility’s website and on the commission’s website.

(2) Electric cooperatives, electric utilities with less than one hundred thousand customer accounts, and municipally owned electric utilities shall each submit an integrated resource plan to the State Energy Office. Each integrated resource plan must be posted on the State Energy Office’s website. If an electric cooperative, electric utility with less than one hundred thousand customer accounts, or municipally owned utility has a website, its integrated resource plan must also be posted on its website. For distribution, electric cooperatives that are members of a cooperative that provides wholesale service, the integrated resource plan may be coordinated and consolidated into a single plan provided that nonshared resources or programs of individual distribution cooperatives are highlighted. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to a distribution or wholesale cooperative or a municipally owned electric utility as a result of the cooperative or the municipally owned electric utility not owning or operating generation resources, the plan may state that fact or refer to the plan of the wholesale power generator. Where plan components listed in subsection (B)(1) and (2) of this section do not apply to an electrical utility with less than one hundred thousand customer accounts as a result of its own generation resources being comprised of more than seventy-five percent renewable

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energy or because it purchases wholesale load balancing generation services, then the plan may state that fact or refer to the plan of the wholesale power generator. For purposes of this section, a wholesale power generator does not include a municipally created joint agency if that joint agency receives at least seventy-five percent of its electricity from a generating facility owned in partnership with an electrical utility and that electrical utility:

(a) generally serves the area in which the joint agency's members are located; and

(b) is responsible for dispatching the capacity and output of the generated electricity.

(3) The South Carolina Public Service Authority shall submit its integrated resource plan to the ~~State Energy Office~~ commission. The Public Service Authority shall develop a public process allowing for input from all stakeholders prior to submitting the integrated resource plan. The integrated resource plan must be developed in consultation with the electric cooperatives and municipally owned electric utilities purchasing power and energy from the Public Service Authority and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The integrated resource plan must be posted on the ~~State Energy Office's~~ commission's website and on the Public Service Authority's website.

(4)(a) In addition to the requirements of Section 58-37-40(B), the Public Service Authority's integrated resource plan shall include an analysis of long-term power supply alternatives and enumerate the cost of various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and least ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while maintaining safe and reliable electric service.

(b) In addition to the requirements of Section 58-37-40(B), the commission shall review and evaluate the Public Service Authority's analysis of long-term power supply alternatives and various resource portfolios over various study periods including a twenty-year study period and, by comparison on a net present value basis, identify the most cost-effective and lowest ratepayer-risk resource portfolio to meet the Public Service Authority's total capacity and energy requirements while

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maintaining safe and reliable electric service. The commission's evaluation shall include, but not be limited to:

(i) evaluating the cost-effectiveness and ratepayer-risk of self-build generation and transmission options compared with various long-term power supply alternatives, including power purchase agreements, competitive procurement of renewable energy, joint dispatch agreements, market purchases from an existing regional transmission organization, joining or creating a new regional transmission organization, using best available technology for energy generation, transmission, storage and distribution, or any combination thereof. In evaluating and identifying the most cost-effective and least ratepayer-risk resource portfolio, the commission shall strive to reduce the risk to ratepayers associated with any generation and transmission options while maintaining safe and reliable electric service; and

(ii) an analysis of any potential cost savings that might accrue to ratepayers from the retirement of remaining coal generation assets.

(c) The Authority's integrated resource plan must provide the information required in Section 58-37-40(B) and must be developed in consultation with the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities purchasing power and energy from the Public Service Authority, and consider any feedback provided by retail customers and shall include the effect of demand-side management activities of the electric cooperatives, including Central Electric Power Cooperative, and municipally owned electric utilities that directly purchase power and energy from the Public Service Authority or sell power and energy generated by the Public Service Authority. The Integrated Resource Plan of the South Carolina Public Service Authority shall include and evaluate at least one resource portfolio, which will reflect the closure of the Winyah Generating Station by 2028, designed to provide safe and reliable electric service while meeting a net zero carbon emission goal by the year 2050.

(B)(1) An integrated resource plan shall include all of the following:

(a) a long-term forecast of the utility's sales and peak demand under various reasonable scenarios;

(b) the type of generation technology proposed for a generation facility contained in the plan and the proposed capacity of the generation facility, including fuel cost sensitivities under various reasonable scenarios;

(c) projected energy purchased or produced by the utility from a renewable energy resource;

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(d) a summary of the electrical transmission investments planned by the utility;

(e) several resource portfolios developed with the purpose of fairly evaluating the range of demand-side, supply-side, storage, and other technologies and services available to meet the utility's service obligations. Such portfolios and evaluations must include an evaluation of low, medium, and high cases for the adoption of renewable energy and cogeneration, energy efficiency, and demand response measures, including consideration of the following:

(i) customer energy efficiency and demand response programs;

(ii) facility retirement assumptions; and

(iii) sensitivity analyses related to fuel costs, environmental regulations, and other uncertainties or risks;

(f) data regarding the utility's current generation portfolio, including the age, licensing status, and remaining estimated life of operation for each facility in the portfolio;

(g) plans for meeting current and future capacity needs with the cost estimates for all proposed resource portfolios in the plan;

(h) an analysis of the cost and reliability impacts of all reasonable options available to meet projected energy and capacity needs; and

(i) a forecast of the utility's peak demand, details regarding the amount of peak demand reduction the utility expects to achieve, and the actions the utility proposes to take in order to achieve that peak demand reduction.

(2) An integrated resource plan may include distribution resource plans or integrated system operation plans.

(C)(1) The commission shall have a proceeding to review each electrical utility subject to subsection (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

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(2) The commission shall approve an electrical utility's or the Public Service Authority's integrated resource plan if the commission determines that the proposed integrated resource plan represents the most reasonable and prudent means of meeting the electrical utility's or the Public Service Authority's energy and capacity needs as of the time the plan is reviewed. To determine whether the integrated resource plan is the most reasonable and prudent means of meeting energy and capacity needs, the commission, in its discretion, shall consider whether the plan appropriately balances the following factors:

- (a) resource adequacy and capacity to serve anticipated peak electrical load, and applicable planning reserve margins;
- (b) consumer affordability and least cost;
- (c) compliance with applicable state and federal environmental regulations;
- (d) power supply reliability;
- (e) commodity price risks;
- (f) diversity of generation supply; and
- (g) other foreseeable conditions that the commission determines to be for the public interest.

(3) If the commission modifies or rejects an electrical utility's or the Public Service Authority's integrated resource plan, the electrical utility or the Public Service Authority, within sixty days after the date of the final order, shall submit a revised plan addressing concerns identified by the commission and incorporating commission-mandated revisions to the integrated resource plan to the commission for approval. Within sixty days of the electrical utility's or the Public Service Authority's revised filing, the Office of Regulatory Staff shall review the electrical utility's or the Public Service Authority's revised plan and submit a report to the commission assessing the sufficiency of the revised filing. Other parties to the integrated resource plan proceeding also may submit comments. No later than sixty days after the Office of Regulatory Staff report is filed with the commission, the commission at its discretion may determine whether to accept the revised integrated resource plan or to mandate further remedies that the commission deems appropriate.

(4) The submission, review, and acceptance of an integrated resource plan by the commission, or the inclusion of any specific resource or experience in an accepted integrated resource plan, shall not be determinative of the reasonableness or prudence of the acquisition or construction of any resource or the making of any expenditure. ~~The~~ An electrical utility shall retain the burden of proof to show that all of its

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investments and expenditures are reasonable and prudent when seeking cost recovery in rates.

(D)(1) An electrical utility and the Public Service Authority shall each submit annual updates to its integrated resource plan to the commission. An annual update must include an update to the electric utility's or the Public Service Authority's base planning assumptions relative to its most recently accepted integrated resource plan, including, but not limited to: energy and demand forecast, commodity fuel price inputs, renewable energy forecast, energy efficiency and demand-side management forecasts, changes to projected retirement dates of existing units, along with other inputs the commission deems to be for the public interest. The electrical utility's or Public Service Authority's annual update must describe the impact of the updated base planning assumptions on the selected resource plan.

(2) The Office of Regulatory Staff shall review each ~~electric~~ electrical utility's or the Public Service Authority's annual update and submit a report to the commission providing a recommendation concerning the reasonableness of the annual update. After reviewing the annual update and the Office of Regulatory Staff report, the commission may accept the annual update or direct the electrical utility or the Public Service Authority to make changes to the annual update that the commission determines to be in the public interest.

(E) The commission is authorized to promulgate regulations to carry out the provisions of this section."

SECTION 22. Article 1, Chapter 31, Title 58 of the 1976 Code is amended by adding:

"Section 58-31-227. (A) The Public Service Authority shall file for commission approval of a program for the competitive procurement of energy, capacity, and environmental attributes from renewable energy facilities to meet needs for new generation resources identified by the Authority in its Integrated Resource Plans or other planning processes. The commission may not grant approval unless the commission finds and determines that the Public Service Authority satisfied all requirements of this section and the proposed program is in the best interests of the customers of the Public Service Authority. The commission may adopt procedures to implement the requirements of this section and shall retain continuing oversight and approval authority over all aspects of an approved program to ensure any approved program complies with this section and is in the best interests of the customers of the Public Service Authority.

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(B) The Public Service Authority shall procure renewable energy resources subject to the following requirements:

(1) Renewable energy resources procured by the Public Service Authority shall be procured via a competitive solicitation process open to all independent market participants that meet minimum eligibility requirements.

(2) The Public Service Authority shall issue public notification of its intention to issue a competitive renewable solicitation at least ninety days prior to the release of each solicitation, including the proposed procurement volume, process, and timeline.

(3) Renewable energy facilities eligible to participate in a competitive procurement are those that have a valid interconnection request on file and that use renewable energy resources identified in Section 58-39-120(F) and may include battery storage devices charged exclusively by renewable energy.

(C) The Public Service Authority shall make publicly available at least forty-five days prior to each competitive solicitation:

(1) A pro forma contract to inform market participants of the procurement terms and conditions. The pro forma contract will (i) include standardized and commercially reasonable requirements for contract performance security consistent with market standards; (ii) define limits and compensation for resource dispatch and curtailments that limit uncompensated curtailment to a specified portion of estimated annual output.

(2) A bid evaluation methodology that ensures all bids are treated equitably, including price and nonprice evaluation criteria. Nonprice criteria will at minimum include consideration of diversity in resource size and geographic location.

(3) Interconnection requirements and study methodology, including how bids without existing interconnection studies will be treated for purposes of evaluation.

(D) After bids are submitted and evaluated, winning bids will be selected based upon the published evaluation methodology.

(E) The Public Service Authority shall issue a public report summarizing the results of each competitive solicitation within sixty days of the award notifications. The report will include, at minimum, a summary of the submitted bids and an anonymized list of the project awards, including their size, location, average award price and tenor, and award price range.”

SECTION 23. As part of the process of retiring its coal units, the Public Service Authority shall develop and implement a plan, with

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community engagement and participation, that: (a) allows employees in good standing who would be directly affected by the closure of the unit to be retained by the Public Service Authority, or provides training opportunities for related employment to affected employees in good standing who are not retained; and (b) provides an opportunity for economic development and job attraction in the communities where the retired coal stations are located. Annual written status reports shall be provided to the South Carolina Public Utilities Review Committee.

SECTION 24. Section 11 of Act 135 of 2020 is hereby extended through December 31, 2021, except that:

(1) The Office of Regulatory Staff shall no longer be required to conduct monthly reviews of Santee Cooper.

(2) Nothing contained in the language of Act 135 of 2020 shall prohibit Santee Cooper from taking all necessary steps to plan for the closing of the Winyah Generating Station.

(3) Nothing contained in the language of Act 135 of 2020 shall prohibit Santee Cooper from entering financial transactions for the purpose of obtaining lower interest rates on existing debts, provided that overall debt load may not be increased by any such transaction.

SECTION 25. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 26. SECTIONS 1 through 10 and SECTION 24 take effect upon approval by the Governor. The remaining SECTIONS of this act take effect January 1, 2022./

Amend title to conform.

/s/Sen. Luke A. Rankin

/s/Sen. A. Shane Massey

/s/Sen. Brad Hutto

On Part of the Senate.

/s/Rep. James "Jay" Lucas

/s/Rep. G. Murrell Smith, Jr.

/s/Rep. Todd Rutherford

On Part of the House.

, and a message was sent to the House accordingly.

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**H. 3957--FREE CONFERENCE POWERS GRANTED
FREE CONFERENCE COMMITTEE APPOINTED
REPORT OF THE COMMITTEE OF
FREE CONFERENCE ADOPTED**

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

On motion of Senator CAMPSSEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CAMPSSEN spoke on the report.

**H. 3957--Free Conference Powers Granted
Free Conference Committee Appointed**

On motion of Senator CAMPSSEN, with unanimous consent, Free Conference Powers were granted.

Whereupon, Senators CAMPSSEN, GOLDFINCH and McELVEEN were appointed to the Committee of Free Conference on the part of the Senate and a message was sent to the House accordingly.

The question then was adoption of the Report of the Committee of Free Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 42; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

Total--42

NAYS

Total--0

On motion of Senator CAMPSER, the Report of the Committee of Free Conference to H. 3957 was adopted as follows:

H. 3957--Free Conference Report

The General Assembly, Columbia, S.C., June 7, 2021

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 50-5-1705(G) of the 1976 Code is amended to read:

“(G)It is unlawful for a person to take or possess more than ~~ten~~ five flounder (Paralichthys species) taken by means of gig, spear, hook and line, or similar device in any one day, not to exceed ~~twenty~~ ten flounder in any one day on any boat.”

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SECTION 2. Section 50-5-1710(B)(2) of the 1976 Code is amended to read:

“(2) flounder (*Paralichthys*) of less than ~~fifteen~~ sixteen inches total length;”

SECTION 3. Section 50-9-540(A) and (D) of the 1976 Code is amended to read:

“(A) For the privilege of recreational statewide fishing in saltwater:

(1) a resident must purchase:

(a) a fourteen-day temporary saltwater fishing license for ~~five~~ ten dollars, one dollar of which the issuing sales vendor may retain;

(b) an annual saltwater fishing license for ~~ten~~ fifteen dollars, one dollar of which the issuing sales vendor may retain;

(c) a three-year saltwater fishing license for ~~thirty~~ forty-five dollars, one dollar of which the issuing sales vendor may retain;

(d) a lifetime statewide saltwater fishing license for three hundred dollars at designated licensing locations; or

(e) any other license which grants saltwater fishing privileges;

(2) a nonresident must purchase:

(a) a one-day temporary saltwater fishing license for ten dollars, one dollar of which the issuing sales vendor may retain;

(b) a fourteen seven-day temporary saltwater fishing license for eleven thirty-five dollars, one dollar of which the issuing sales vendor may retain;

~~(b)(c)~~ (c) an annual saltwater fishing license for thirty-five seventy-five dollars, one dollar of which the issuing sales vendor may retain;

~~(c)~~ a three year saltwater fishing license for one hundred five dollars, three dollars of which the issuing sales vendor may retain; or

(d) any other license which grants saltwater fishing privileges.

(D) For the privilege of operating a charter fishing vessel in the salt waters of this State, the owner or operator must purchase an annual charter vessel license for each vessel. For a vessel:

(1) to carry six or fewer passengers, the fee is ~~one hundred fifty dollars~~ two hundred seventy-five dollars for residents and five hundred fifty dollars for nonresidents;

(2) to carry seven but no more than forty-nine passengers, the fee is ~~two hundred fifty dollars~~ four hundred fifty dollars for residents and nine hundred dollars for nonresidents;

(3) to carry fifty or more passengers, the fee is ~~three hundred fifty dollars~~ six hundred fifty dollars for residents and one thousand three hundred dollars for nonresidents.”

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SECTION 4. Section 50-9-920(C) of the 1976 Code, as last amended by Act 263 of 2018, is further amended to read:

“(C) Revenue generated from the sale of recreational and commercial marine licenses, permits, and tags shall be deposited to the Marine Resources Fund. Revenue generated from the sale of recreational licenses, permits, and tags must be distributed in accordance with the provisions of Sections 50-9-960 and 50-9-965, provided that a minimum of five dollars from the sale of each recreational saltwater fishing license must be used for the development and implementation of a flounder stocking program.”

SECTION 5. SECTION 1 of this act is repealed on June 30, 2024, and the text amended by that SECTION shall revert back to the language contained in the South Carolina Code of Laws as of January 1, 2020.

SECTION 6. The Department of Natural Resources shall furnish a written report to the General Assembly on South Carolina’s stock of flounder by December 31, 2023. The report must provide future projections.

SECTION 7. This act takes effect on July 1, 2021. /

Amend title to read:

/TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE’S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER; TO AMEND SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES AND CHARTER FISHING VESSELS, SO AS TO INCREASE CERTAIN FEES AND TO CREATE AND ELIMINATE CERTAIN LICENSES; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES GENERATED BY CERTAIN LICENSES, SO AS TO REQUIRE THAT A PORTION BE USED FOR THE DEVELOPMENT AND IMPLEMENTATION OF A FLOUNDER STOCKING PROGRAM; AND TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES PROVIDE A REPORT ON SOUTH CAROLINA’S STOCK OF FLOUNDER /

/s/Sen. George E. “Chip” Campsen III /s/Rep. Phillip Dean Lowe

/s/Sen. Stephen L. Goldfinch, Jr. /s/Rep. William Lee Hewitt III

/s/Sen. J. Thomas McElveen III /s/Rep. Marvin R. Pendarvis

On Part of the Senate.

On Part of the House.

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, and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to non-concur in the amendments of the House of Representatives to H. 4100, the General Appropriations Bill, when it is received by the Senate; and further, that the Clerk be authorized to deliver and receive the appropriate messages necessary to appoint the committee of conference.

Motion Adopted

On motion of Senator CORBIN, with unanimous consent, the Senate agreed to concur in the amendments of the House of Representatives to S. 711 when it is received by the Senate.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Jane Putman Sterling of Sumter, S.C. Jane was a well known author and host of the “Entertain with Jane” column and television show. She enjoyed decorating, crafting and cooking. Jane was a loving wife, devoted mother and doting grandmother who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Barbara Wood Cobb of Gaffney, S.C. Barbara was a graduate of Gaffney High School and Gardner Webb College. She was a member of First Baptist Church and was a charter member of the Gaffney Garden Club. She enjoyed cooking and gardening, Barbara was a loving wife, devoted mother and doting grandmother who will be dearly missed.

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ADJOURNMENT

At 1:05 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Wednesday, June 9, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator JACKSON. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4428 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE OPTIMIST CLUB OF ST. ANDREWS-IRMO UPON THE OCCASION OF ITS FIFTIETH ANNIVERSARY AND TO EXPRESS THE UTMOST GRATITUDE FOR ITS FIFTY YEARS OF DEDICATED SERVICE TO THE CITIZENS OF THIS STATE.

The Concurrent Resolution was adopted, ordered returned to the House.

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H. 4429 -- Reps. Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE DOLLY PATTON, DIRECTOR OF THE SALUDA SHOALS FOUNDATION FOR THE IRMO CHAPIN RECREATION COMMISSION, UPON THE OCCASION OF HER RETIREMENT AFTER FIFTEEN YEARS OF OUTSTANDING SERVICE AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4430 -- Rep. W. Cox: A CONCURRENT RESOLUTION TO CONGRATULATE LYNN HICKS, SOFTBALL COACH AT WREN HIGH SCHOOL, UPON THE OCCASION OF HER RETIREMENT AFTER FORTY YEARS OF EXTRAORDINARY COACHING, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4436 -- Reps. Forrest, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan,

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Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE GILBERT HIGH SCHOOL BASEBALL TEAM FOR AN IMPRESSIVE SEASON AND TO CELEBRATE THE INDIANS' CAPTURE OF THE 2021 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 4446 -- Rep. Huggins: A CONCURRENT RESOLUTION TO CONGRATULATE TIM WHIPPLE ON COMPLETING HIS FORTIETH YEAR AS THE IRMO HIGH SCHOOL BOYS HEAD BASKETBALL COACH.

The Concurrent Resolution was adopted, ordered returned to the House.

HOUSE CONCURRENCE

S. 835 -- Senators Shealy and Massey: A CONCURRENT RESOLUTION TO CONGRATULATE THE GILBERT HIGH SCHOOL BOYS BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA BOYS BASEBALL STATE CHAMPIONSHIP.

Returned with concurrence.

Received as information.

WEDNESDAY, JUNE 9, 2021

Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

On motion of Senator CORBIN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

CONCURRENCE

S. 711 -- Senator Corbin: A BILL TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE-GREENBELT COMMUNITY IN GREENVILLE COUNTY, AND TO PROVIDE THAT THE BLUE RIDGE-GREENBELT COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator CORBIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

WEDNESDAY, JUNE 9, 2021

Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

On motion of Senator LEATHERMAN, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

NONCONCURRENCE

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

On motion of Senator LEATHERMAN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

WEDNESDAY, JUNE 9, 2021

Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Representatives G.M. Smith, Bannister and Hayes to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

CONFERENCE COMMITTEE APPOINTED

Whereupon, Senators LEATHERMAN, SETZLER and PEELER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

READ THE SECOND TIME

S. 836 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

S. 836--Ordered to a Third Reading

On motion of Senator MARTIN, S. 836 was ordered to receive a third reading on Thursday, June 10, 2021.

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Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Very respectfully,

Speaker of the House

Received as information.

**H. 3194--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE

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MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has requested and was granted Free Conference Powers and has appointed Reps. Lowe, Hewitt and Pendarvis to the Committee of Free Conference on the part of the House on:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF

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CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO
DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT
FOR FLOUNDER.

Very respectfully,
Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 9, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has
adopted the Report of the Committee of Free Conference on:

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO
AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS
AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976,
RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING,
POSSESSING, LANDING, SELLING, OR PURCHASING OF
CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO
DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT
FOR FLOUNDER.

Very respectfully,
Speaker of the House

Received as information.

**H. 3957--REPORT OF COMMITTEE OF FREE CONFERENCE
ENROLLED FOR RATIFICATION**

H. 3957 -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: A BILL TO
AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS
AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976,
RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING,
POSSESSING, LANDING, SELLING, OR PURCHASING OF
CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO
DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT
FOR FLOUNDER.

The Report of the Committee of Free Conference having been adopted
by both Houses, ordered that the title be changed to that of an Act, and
the Act enrolled for Ratification.

A message was sent to the House accordingly.

WEDNESDAY, JUNE 9, 2021

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 9, 2021, at 10:30 A.M. and the following Acts were ratified:

(R109, S. 711) -- Senator Corbin: AN ACT TO ESTABLISH AND RECOGNIZE THE BLUE RIDGE COMMUNITY IN GREENVILLE COUNTY AND TO PROVIDE THAT THE BLUE RIDGE COMMUNITY IS NOT A GOVERNMENTAL ENTITY AND MAY NOT EXERCISE ANY GOVERNMENTAL FUNCTIONS.
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(R110, H. 3194) -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: AN ACT TO AMEND SECTION 58-31-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, SO AS TO, AMONG OTHER THINGS, REVISE THE TERMS AND QUALIFICATIONS FOR MEMBERSHIP ON THE PUBLIC SERVICE AUTHORITY BOARD OF DIRECTORS AND TO PROVIDE FOR EX OFFICIO MEMBERS ON THE BOARD OF DIRECTORS; TO AMEND SECTION 58-31-30, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO ESTABLISH SUBCOMMITTEES AND TO SELECT A CHIEF EXECUTIVE OFFICER WHO SHALL CAUSE THE AUTHORITY TO EMPLOY ALL NECESSARY EMPLOYEES WITH THE BOARD APPROVING THE COMPENSATION OF ANY SENIOR MANAGEMENT OFFICIAL SELECTED BY THE CHIEF EXECUTIVE OFFICER, AND TO PROVIDE THAT CERTAIN PUBLIC SERVICE AUTHORITY COMPENSATION AND SEVERANCE PACKAGES MUST FIRST BE APPROVED BY THE AGENCY HEAD SALARY COMMISSION; TO AMEND SECTION 58-31-55, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO REVISE THE DEFINITION OF "BEST INTERESTS"; TO AMEND SECTION 58-31-56, RELATING TO CONFLICT OF INTEREST TRANSACTIONS, SO AS TO PROVIDE A VIOLATION OF THIS SECTION BY A DIRECTOR CONSTITUTES GROUNDS FOR REMOVAL FROM OFFICE BY THE GOVERNOR; TO AMEND SECTION 1-3-240, RELATING TO REMOVAL OF

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OFFICERS BY THE GOVERNOR, SO AS TO CLARIFY THE GOVERNOR'S AUTHORITY TO REMOVE DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; TO ESTABLISH EXPIRATION DATES FOR DIRECTORS SERVING AS OF THE EFFECTIVE DATE OF THIS ACT; BY ADDING SECTION 58-31-240 SO AS TO REQUIRE THE JOINT BOND REVIEW COMMITTEE TO APPROVE, REJECT, OR MODIFY CERTAIN BONDS, NOTES, OR OTHER INDEBTEDNESS PRIOR TO ISSUANCE, AND TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO PROVIDE AN ANNUAL REPORT BY SEPTEMBER FIRST OF EACH YEAR REGARDING REAL ESTATE TRANSACTIONS EXECUTED DURING THE PRECEDING TWELVE MONTHS; BY ADDING SECTION 58-31-250 SO AS TO AUTHORIZE THE SENATE FINANCE COMMITTEE AND THE HOUSE OF REPRESENTATIVES WAYS AND MEANS COMMITTEE TO COMPEL CERTAIN WRITTEN OR ORAL TESTIMONY FROM THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-33-110, AS AMENDED, RELATING TO THE CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO PROVIDE A QUALIFIED CERTIFICATION EXEMPTION FOR CERTAIN TRANSMISSION LINES OR FACILITIES; TO AMEND SECTION 58-31-430, RELATING TO THE SERVICE AREA TO BE EXCLUSIVELY SERVED BY THE AUTHORITY, SO AS TO, AMONG OTHER THINGS, CLARIFY THE PUBLIC SERVICE AUTHORITY'S RIGHT TO ENTER INTO CERTAIN AGREEMENTS WITH OTHER ELECTRIC SUPPLIERS CONCERNING SERVICE AREAS AND CORRIDOR RIGHTS; BY ADDING ARTICLE 7 TO CHAPTER 31, TITLE 58 SO AS TO ESTABLISH A RETAIL RATES PROCESS; BY ADDING SECTION 58-31-225 SO AS TO AUTHORIZE THE OFFICE OF REGULATORY STAFF TO MAKE INSPECTIONS, AUDITS, AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-4-51 SO AS TO ENUMERATE CERTAIN DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF REGARDING THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-4-55, AS AMENDED, RELATING TO THE PRODUCTION OF RECORDS TO THE OFFICE OF REGULATORY STAFF WHEN CONDUCTING INSPECTIONS, AUDITS, AND EXAMINATIONS, SO AS TO, AMONG OTHER THINGS, AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO DESIGNATE CERTAIN DOCUMENTS OR INFORMATION

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PROVIDED TO THE OFFICE OF REGULATORY STAFF AS CONFIDENTIAL, OR PROPRIETARY, AND EXEMPT FROM DISCLOSURE; TO AMEND SECTIONS 58-27-190, 58-27-200, 58-27-210, AND 58-27-220, ALL RELATING TO THE INSPECTION, AUDIT, AND ENFORCEMENT AUTHORITY OF THE OFFICE OF REGULATORY STAFF, ALL SO AS TO EXPAND THE APPLICABILITY OF THESE SECTIONS' PROVISIONS TO THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-33-20, RELATING TO DEFINITIONS APPLICABLE TO THE "UTILITY FACILITY SITING AND ENVIRONMENTAL PROTECTION ACT", SO AS TO REVISE THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY ADDING SECTIONS 58-33-180, 58-33-185, AND 58-33-190 ALL SO AS TO, AMONG OTHER THINGS, IMPOSE ADDITIONAL REQUIREMENTS AND LIMITATIONS ON THE PUBLIC SERVICE AUTHORITY REGARDING THE CONSTRUCTION, ACQUISITION, AND PURCHASE OF MAJOR UTILITY FACILITIES; TO AMEND SECTION 58-37-40, AS AMENDED, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO, AMONG OTHER THINGS, EXPAND THE SECTION'S APPLICABILITY TO THE PUBLIC SERVICE AUTHORITY, AND TO IMPOSE ADDITIONAL REQUIREMENTS ON THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-31-227 SO AS TO, AMONG OTHER THINGS, IMPOSE RENEWABLE ENERGY RESOURCE PROCUREMENT REQUIREMENTS ON THE PUBLIC SERVICE AUTHORITY; TO REQUIRE THE PUBLIC SERVICE AUTHORITY TO DEVELOP AND IMPLEMENT A PLAN THAT PROVIDES FOR EMPLOYEE RETENTION, JOB TRAINING, AND ECONOMIC DEVELOPMENT OPPORTUNITIES FOR EMPLOYEES AND COMMUNITIES AFFECTED BY THE RETIREMENT OF CERTAIN COAL STATIONS; AND TO EXTEND THE PROVISIONS OF SECTION 11 OF ACT 135 OF 2020.

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(R111, H. 3957) -- Reps. Hewitt, Kirby, Bailey and G.M. Smith: AN ACT TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH AND SIZE LIMITS FOR THE TAKING, POSSESSING, LANDING, SELLING, OR PURCHASING OF CERTAIN FISH FROM THE STATE'S WATERS, SO AS TO DECREASE THE CATCH LIMIT AND INCREASE THE SIZE LIMIT FOR FLOUNDER; TO AMEND SECTION 50-9-540, RELATING TO

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RECREATIONAL SALTWATER FISHING LICENSES AND CHARTER FISHING VESSELS, SO AS TO INCREASE CERTAIN FEES AND TO CREATE AND ELIMINATE CERTAIN LICENSES; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES GENERATED BY CERTAIN LICENSES, SO AS TO REQUIRE THAT A PORTION BE USED FOR THE DEVELOPMENT AND IMPLEMENTATION OF A FLOUNDER STOCKING PROGRAM; AND TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES PROVIDE A REPORT ON SOUTH CAROLINA'S STOCK OF FLOUNDER.
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ADJOURNMENT

At 11:07 A.M., on motion of Senator CROMER, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

* * *

Thursday, June 10, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator CROMER. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

READ THE THIRD TIME
SENT TO THE HOUSE

S. 836 -- Senators Martin, Peeler and Cromer: A BILL TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

On motion of Senator MARTIN.

ADJOURNMENT

At 11:04 A.M., on motion of Senator MASSEY, the Senate adjourned, under the provisions of H. 4285, the *Sine Die* Resolution.

* * *

Monday, June 21, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Ezekiel 34:31

In Ezekiel 34 we read: "You are my sheep, the sheep of my pasture, and I am your God, says the Lord God."

Join me as we pray, friends: Holy God, as this Senate has yet again returned to this Chamber, we are so very much aware that each one of us is counted by You as one of Your flock, "the sheep of Your pasture." And as such, we are all so very grateful for Your ongoing care, for the blessings You bestow, for the comfort and love You unfailingly grant to us. In the light of these realities, O Lord, graciously give to each of these Senators and aides the wisdom and zeal -- and the integrity -- they need as they labor here. And may all of their decisions prove to be an illustration of the fact that South Carolina is indeed a State blessed with "shepherds" who absolutely care for each and every individual. We so pray, O Lord, in Your blessed and holy name. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, Secretary of Department of Commerce, with term coterminous with Governor

Harry M. Lightsey III, 1520 Senate Street #155, Columbia, SC 29205
VICE Robert M. Hitt III

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Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina Department of Highways and Public Transportation, with the term to commence February 15, 2018, and to expire February 15, 2022

2nd Congressional District:

Bill B. Dukes, 523 Carol Lane, Chapin, SC 29036 *VICE* John Hay Burris

Referred to the Committee on Transportation.

Reappointment, South Carolina Public Service Authority Board of Directors, with the term to commence, January 1, 2022, and to expire January 1, 2026

Chairman, At-Large Seat:

Peter M. McCoy, Jr, 451 Wampler Drive, Charleston, South Carolina, 29412-9152

Referred to the Committee on Judiciary.

Local Appointment

Initial Appointment, Allendale County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James A. White, 951 Allen Street, Allendale, SC 29810-2315 *VICE* John Alonzo Chaney

Leave of Absence

On motion of Senator KIMBRELL, at 12:37 P.M., Senator M. JOHNSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 12:37 P.M., Senator SENN was granted a leave of absence for today.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:
S. 811 Sen. Gustafson

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INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 843 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND AND HONOR MAJOR GENERAL THOMAS STOWE "TOM" MULLIKIN, RETIRED COMMANDING GENERAL OF THE SOUTH CAROLINA STATE GUARD, CURRENT CHAIRMAN OF THE SOUTH CAROLINA FLOODWATER COMMISSION, AND FOUNDING PRESIDENT OF GLOBAL ECO ADVENTURES, FOR HIS LEADERSHIP IN THE POWER PLANT SC EARTH DAY 2021 TREE-PLANTING EVENT AND FOR HIS VISIONARY WORK; SACRIFICES OF TIME, ENERGY, AND RESOURCES; EXEMPLARY LEADERSHIP; AND OVERALL EXAMPLE, FOR WHICH THE STATE OF SOUTH CAROLINA, THE NATION, AND THE WORLD ARE ALL BENEFICIARIES.

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The Senate Resolution was adopted.

S. 844 -- Senator Harpootlian: A CONCURRENT RESOLUTION TO HONOR LIEUTENANT LANSING P. "PETE" LOGAN OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO CONGRATULATE HIM UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS SIXTY YEARS OF DISTINGUISHED PUBLIC SERVICE IN LAW ENFORCEMENT, AND TO WISH HIM MUCH JOY AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 845 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE THE WREN HIGH SCHOOL BOYS TRACK AND FIELD TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2021 MEN'S TRACK AND FIELD AAA STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

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S. 846 -- Senator Leatherman: A CONCURRENT RESOLUTION TO CONGRATULATE DEBRA ANNE DUNCAN, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN FOUR DECADES OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 847 -- Senators McElveen and K. Johnson: A SENATE RESOLUTION TO CONGRATULATE THE WILSON HALL LADIES SCHOLASTIC SHOOT TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2021 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 848 -- Senators McElveen and K. Johnson: A SENATE RESOLUTION TO CONGRATULATE THE WILSON HALL GIRLS SOFTBALL TEAM ON THEIR STELLAR SEASON AND TO SALUTE THEM FOR CAPTURING THE 2021 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 3A STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 849 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR LARRY PENLEY, CLEMSON UNIVERSITY MEN'S GOLF COACH, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-EIGHT YEARS OF AWARD-WINNING COACHING, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

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S. 850 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE TURK PETTIT OF THE CLEMSON UNIVERSITY GOLF TEAM ON CAPTURING THE 2021 NCAA MEN'S GOLF INDIVIDUAL CHAMPIONSHIP CROWN AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 851 -- Senator Fanning: A SENATE RESOLUTION TO CONGRATULATE CAROLINE ROUECHE OF ROCK HILL UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR FIFTY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

HOUSE CONCURRENCES

S. 844 -- Senator Harpootlian: A CONCURRENT RESOLUTION TO HONOR LIEUTENANT LANSING P. "PETE" LOGAN OF THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO CONGRATULATE HIM UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS SIXTY YEARS OF DISTINGUISHED PUBLIC SERVICE IN LAW ENFORCEMENT, AND TO WISH HIM MUCH JOY AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

S. 846 -- Senator Leatherman: A CONCURRENT RESOLUTION TO CONGRATULATE DEBRA ANNE DUNCAN, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN FOUR DECADES OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

Returned with concurrence.

Received as information.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF
REPORTS OF COMMITTEES OF CONFERENCE AND FREE
CONFERENCE.**

Senator SETZLER was recognized to give a status report on the Committee of Conference.

Motion Adopted

Senator SETZLER moved under Rule 24B to allow the inclusion of Proviso 34.63 in the Report of the Committee of Conference.

34.63. (DHEC: Permit Extension) The expiration and any associated vested right of a critical area permit or navigable water permit issued by Department of Health and Environmental Control for the construction of a dock is extended until June 30, 2022, provided the permit is valid on July 1, 2021, or at any time during the previous eighteen months. This provision may not be construed or implemented to:

- (1) extend a permit or approval issued by the United States or its agencies or instrumentalities;*
- (2) extend a permit or approval for which the term or duration of the permit or approval is specified or determined pursuant to federal law;*
- (3) shorten the duration that a permit would have had in the absence of this provision;*
- (4) prohibit the granting of additional extensions provided by law;*
- (5) affect an administrative consent order issued by the department which is in effect on, or issued at any time from the effective date of this provision to June 30, 2022;*
- (6) affect the ability of a governmental entity to revoke or modify a permit pursuant to law;*

(7) modify a requirement of law that is necessary to retain federal delegation by the State of South Carolina of the authority to implement a federal law or program; or
(8) affect department's Office of Ocean and Coastal Resource Management permits issued pursuant to R.30 12(N) Access to Coastal Lands

Within thirty days after the effective date of this act, the department shall place a notice in the State Register noting the extension of expiration dates provided for in this provision.

Senator SETZLER explained the proviso.

The motion was adopted.

Motion Adopted

Senator SETZLER moved under Rule 24B to allow the inclusion of Proviso 108.13 in the Report of the Committee of Conference.

108.13. (PEBA: Optional Payment of Employee Contributions by Employer) No later than July 1, 2021, an employer in the South Carolina Retirement System or the Police Officers Retirement System may elect to pay all or a portion of the employee contribution set out in Sections 9-1-1085 and 9-11-225, respectively, of the 1976 Code with respect to its employees during the fiscal year. In lieu of the deductions from compensation required by Sections 9-1-1020, 9-1-1160, and 9-11-210, as applicable, an employer electing to pay employee contributions under this provision hereby elects to pick up all

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or a portion of the employee contributions required by Sections 9-1-1085 and 9-11-225, as applicable, for the fiscal year without a reduction or offset from its employees' compensation. Employee contributions picked up without such reduction or offset from the employee's compensation shall be treated as employer contributions in determining federal tax treatment under Section 414(h)(2) of the United States Internal Revenue Code, but shall be credited as employee contributions for the purposes of the South Carolina Retirement System or the Police Officers Retirement System. An employer making the election provided by this provision shall be deemed to have taken formal action to provide that the contributions on behalf of its employees, although designated as employee contributions, shall be paid by the employer in lieu of employee contributions. The employer shall pay these employee contributions from the same source of funds which is used in paying earnings to the employee. The employee, however, must not be given any option of choosing to receive the contributed amount of the pick ups directly instead of having them paid by the employer to the South Carolina Retirement System or the Police Officers Retirement System. An employer's election to pick up contributions without a reduction or offset from its employees' compensation pursuant to this proviso may not be changed during the fiscal year. Employee contributions picked up by an employer pursuant to this provision without a reduction or offset from the member's compensation are: 1) not earnable compensation for the purposes of the South Carolina Retirement System or the Police Officers Retirement System; and 2) shall be deposited in the employee's South Carolina Retirement System or Police Officers Retirement System individual accumulated contribution account described in Sections 9-1-10(1), 9-11-10(2) and (6), and 9-11-260(2), as applicable, of the 1976 Code.

Explanation: Proviso 108.13 allows a participating employer in South Carolina Retirement System or Police Officers Retirement System to pay all or a part of its employees' retirement contributions during the fiscal year, rather than deducting those contributions from employees' pay. An employer's election to pay its employees' retirement contributions must be made for all of its employees and may not be changed during the fiscal year. The proviso also contains technical language to ensure that any employee contributions paid by an employer pursuant to this proviso are credited like other employee contributions for the purposes of the South Carolina Retirement System or Police Officers Retirement System and are continued to be treated as tax-deferred "picked up" contributions for the purposes of federal tax law.

Senator SETZLER explained the proviso.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 22; Nays 20; Abstain 2

AYES

Alexander	Allen	Fanning
Gambrell	Goldfinch	Harpoottian
Hutto	Jackson	Johnson, Kevin
Kimpson	Leatherman	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Setzler

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Stephens	Talley	Turner
Williams		

Total--22

NAYS

Adams	Bennett	Campsen
Cash	Climer	Cromer
Davis	Garrett	Grooms
Gustafson	Hembree	Kimbrell
Malloy	Martin	Massey
Peeler	Rice	Shealy
Verdin	Young	

Total--20

ABSTAIN

Corbin	Loftis
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Total--2

The motion failed.

Motion Adopted

Senator SETZLER moved under Rule 24B to allow the inclusion of Proviso 108.14 in the Report of the Committee of Conference.

108.14. (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than ninety working days during a furlough program that was implemented as a result of and took place during the COVID-19 Public Health Emergency and if the terms of the furlough program are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made will not be considered a break in consecutive employment.

Explanation: Proviso 108.14 allows participating employers in the South Carolina Retirement System or the Police Officers Retirement System that are not state agencies or higher education institutions to remit employee and employer retirement contributions during the fiscal year to ensure that employees who were subject to a COVID-related furlough of not more than 90 days do not have interruptions in their eligibility for retirement benefits or retiree health insurance coverage as a result of the furlough. This

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furlough provision for non-state entities is intended to be consistent with furlough provisions available to state agencies and institutions under state law, including the COVID-related furlough provisions in Proviso 117.149 and other furlough-related provisions, such as Provisos 117.65 and 117.72.

Senator SETZLER explained the proviso.

The motion was adopted.

Motion Adopted

Senator SETZLER moved under Rule 24B to allow the inclusion of Proviso 109.15 in the Report of the Committee of Conference.

109.15. (DOR: Renewable Fuel Credit) *The date the taxpayer must place property or facility into service that is used for distribution or dispensing renewable fuel shall be extended to January 1, 2022.*

Explanation: The current tax credit for property used for the distribution or dispensing renewable fuel is located in §12-6-3610. The credit is equal to 25% of the cost of purchasing, constructing and installing the property. This tax credit states the taxpayer must place the property or facility in service prior to January 1, 2020.

This proviso extends the date the property must be placed in service out to January 1, 2022.

The revenue impact associated with the adoption of this proviso is \$32,000 to the General Fund. This cost is accounted for in Part 1A of the Budget Conference Committee Report.

Senator SETZLER explained the proviso.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 3

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hutto	Jackson	Johnson, Kevin
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Corbin	Martin	Rice
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Total--3

The motion was adopted.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator LEATHERMAN, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Debra A. Duncan in recognition of her outstanding service with the General Assembly as Senior Proviso Coordinator for the South Carolina Legislative Council and in honor of her well deserved retirement.

**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CONCURRENCE

S. 771 -- Senator Hutto: A BILL TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC AREA OF THE

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FORMER BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND THE FORMER DENMARK-OLAR SCHOOL DISTRICT TWO; TO PROVIDE THAT THE MEMBERS OF THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BAMBERG COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

ACTING PRESIDENT PRESIDES

Senator ALEXANDER assumed the Chair.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4100, THE GENERAL APPROPRIATIONS BILL.

**H. 4100--REPORT OF THE
COMMITTEE OF CONFERENCE ADOPTED**

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE

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FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

On motion of Senator LEATHERMAN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator LEATHERMAN spoke on the report.

Senator PEELER spoke on the report.

PRESIDENT PRESIDES

At 1:22 P.M., the PRESIDENT assumed the Chair.

Senator SETZLER spoke on the report.

Senator CASH spoke on the Bill.

Remarks by Senator CASH

Of course the budget is a large and complex document -- I went through it pretty carefully this weekend. I was particularly interested in the part of the budget that is earmarks because we are doing earmarks in a different way this year than we have in the past. I think it's a good change that we made when we changed the rule in the early part of the year. The rule which said, that earmarks had to be identified by what they were going to be used for -- not requested and the Senator requesting the earmarks. So that's a step toward transparency. Senator LEATHERMAN spoke about sunlight and the brightness of sunlight. I hope everybody here is in favor of politics in the sunshine. The more transparency the better, certainly better for the taxpayer to be able to find out what is going on. We had some discussion about earmarks during the budget. I was a little bit in the middle of that and when this report came out this weekend, I started taking a look at it. I noticed that of the four pages of earmarks from the Senate, only four of them had changed. I had to cross-reference it myself because the document wasn't available but I went through it line by line. Four pages of Senate earmarks were requested. Only four were changed. All the rest that were requested were, shall we say, fully funded.

There were two earmarks, Senator -- I'm not going to take questions right this minute but when I'm finished I'll be happy to -- there were two ear marks that were reduced, one for the Columbia Civic Center

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renovations -- went from \$19,000,000 to \$9,000,000. I asked the Senator from Richland about that to try to find out what the story was, I don't see him in the Chamber, but he indicated to me that there's some issue with a House member affecting that earmark. The other earmark that got reduced was the Florence Crittendon House. Florence Crittendon House was an earmark requested by Senator SENN. It's located in downtown Charleston. Florence Crittendon has a mission to provide hope, safety and opportunity to young women in order to instill self-worth and self-sufficiency. We value the right of every pregnant young woman to obtain the education, skills and support needed to have a healthy start in life for both herself and her child. That's the mission of the Florence Crittendon House that Senator SENN requested \$500,000 for and after this Conference Committee, that request was reduced to \$100,000. I don't know why. If I got to compare the Florence Crittendon Center with all the other nonprofits in here that were fully funded as the earmarks requested, I'd be hard-pressed to find how they're not as worthy of the money as the other nonprofits that got their full funding. So, it does lead one to wonder why this request from Senator SENN was known -- who is known to be independent and outspoken -- was reduced from \$500,000 to \$100,000. I don't know, maybe Florence Crittendon House doesn't really need that much money so this reduction in their earmark is not important. There were two earmarks, earmarks that were voted on by this Senate, earmarks that were contained in Amendment 84 on the third day of the budget session. Amendment 84 is by Senator LEATHERMAN with a number of other co-sponsors including myself. There were 12 items in that amendment that were additional earmarks if you're wondering what Amendment 84 was. There were 12 items on that list. Of those items, I had two. Senator RICE had one. One of my earmarks was approved for Dolly Cooper Park for \$350,000 and one earmark for the Anderson Civic Center renovations went from a 1,005,000 to \$1. Senator RICE'S earmark for the Pickens County Transportation Commission went from \$950,000 to \$1. I'm telling you there were two earmarks that were reduced and there were two that were cut altogether.

So, I want to talk about the earmark process and I want to make some comments about it and you're free to agree or disagree. As I said on the floor of the Senate when we were debating earmarks -- to talk with I can take it or leave it with earmarks. I don't see earmarks as a moral issue, it's a political issue, but I believe if we're going to have earmarks, they have to be done in a certain way to make them fair. To make them a part of the political process is beneficial to all of our constituents. I believe there have to be certain principles involved in the earmark process and I

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articulated those at the time and I'm going to repeat them. I think earmarks ought to be transparent and I applaud the Senate for taking the step and I see in this document that also we now have a list of the House earmarks and I think that's fantastic. I think it's the first step. It's not the only step but it's the first step and I will tell you I don't think we can ever go back from that. Now that we've done it, I think we're going to have to continue to do it. We need to continue to do it, so that it's clear who's requesting money for what purpose -- what department that check's going to be written through. The second principle that I think in addition to transparency is earmarks need to be equitable. 46 Senate districts in this State -- is there 1 Senate district or 2 or 5 or 10 that is more important than the ones -- than other ones? If we're going to have -- and we do have -- on a regular basis nonrecurring revenue to divvy up in the earmarks process. Can anyone provide me an argument why that money should not be equitably distributed? Why there shouldn't be some process whereby, hey, 15 of you Republican Senators over here didn't request any earmarks -- maybe a little bit off as a result of Amendment 84, but for those of you who did request any earmarks your district is just left out on discretionary nonrecurring revenue. Now I wondered at the time we were having this discussion on the floor, and I'll wonder again today, why you don't request earmarks. And I could only conclude that you think there's something distasteful about the process. That somehow you think it might impinge upon your senatorial independence. So you're just going to stay away from that. And that is in fact the third point I made about earmarks. If we are going to divide money in this State that's nonrecurring, that's discretionary, that should be equitably distributed, it should be done without strings attached. You shouldn't have to sell a vote -- I'm not saying anybody does, but you shouldn't have to sacrifice your independence or wonder about how any votes you make on any particular issue might affect your ability to get an earmark. Senator MASSEY here is not a proponent of earmarks and I understood his speech. I will note that Senator RICE and I both voted with Senator MASSEY on his proviso to go back and redo that section of the budget, because I do think change is coming and it has to change and it needs to change. At the end of the day, I think I made it as clear as I could that I don't think I have to agree to vote for the budget in order to get an earmark and my request for an earmark cannot be tied to my voting any particular way on any particular issue. I can assure you it's not going to be, but I'm not going to leave this issue alone either. There needs to be reform in the way that it's done. It's not equitable when one county gets a \$1,000,000 for body cameras and the other 45 counties get a

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\$1,000,000 combined to split up. Or maybe you can explain that in some way but I cannot. You know, there are a lot of things that get put in this document before we ever get to earmarks. We all know that. Line 1,061 gives Florence County a \$1,000,000 for their civic center. Line 1,062 gives Lexington County Convention Center a \$1,000,000. Anderson County renovations get \$1. Won't that be a nice picture of me presenting a check to Anderson County for a \$1? You may not know, Senator ALEXANDER, but Anderson County Civic Center is the emergency shelter should there ever be a problem with the nuclear station and of that \$1,000,000 there was \$100,000 of it going to be spent on a reliable generator. I'm going to vote against this report because I want it to go back to the committee. There's no reason why Florence Crittendon shouldn't get the \$500,000 that this Senate voted upon, why the Anderson Civic Center shouldn't get \$1,005,000, why the roads in Pickens County shouldn't get \$950,000. I'm talking about the process here, folks. The process of earmarks. It's out of the bag now. Everybody knows who's asked for what. Everybody can and will study these numbers and we've got to have some reform in how this thing works and the first step of reform is we have to maintain senatorial independence. We cannot have and we cannot allow to have a situation where Senators are rewarded or punished based on how they did or didn't vote a certain way -- by getting or not getting an earmark. Cannot allow that situation in the Senate and walk around and say yeah, I'm a South Carolina Senator and I vote according to my conscience. We have got to change the process.

On motion of Senator RICE, with unanimous consent, the remarks of Senator CASH, were ordered printed in the Journal.

Senator LEATHERMAN spoke on the Bill.

Senator CLIMER spoke on the Bill.

The question then was adoption of the Report of Committee of Conference.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 5

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Fanning	Gambrell

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Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Cash	Climer	Corbin
Massey	Rice	

Total--5

The Committee of Conference Committee was adopted as follows:

H. 4100--Conference Report

The General Assembly, Columbia, S.C., June 17, 2021

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ /

Amend title to conform.

/s/Sen. Hugh Kenneth Leatherman, Sr. /s/Rep. George Murrell Smith, Jr.

/s/Sen. Harvey Smith Peeler, Jr. /s/Rep. Bruce Wyche Bannister

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/s/Sen. Nikki Giles Setzler

On Part of the Senate.

/s/Rep. Jackie Elliott "Coach"
Hayes

On Part of the House.

, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 21, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

**H. 4100--REPORT OF COMMITTEE OF CONFERENCE
ENROLLED FOR RATIFICATION**

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

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LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Allendale County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

James A. White, 951 Allen Street, Allendale, SC 29810-2315 *VICE*
John Alonzo Chaney

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on June 21, 2021, at 2:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R112, S. 153) -- Senator Martin: AN ACT TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO REVISE THE NAMES OF CERTAIN SPARTANBURG COUNTY VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R113, S. 691) -- Senator Hutto: AN ACT TO CONSOLIDATE BARNWELL COUNTY (BLACKVILLE) SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY (WILLISTON) SCHOOL DISTRICT NO. 29 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT; TO ABOLISH BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND BARNWELL COUNTY SCHOOL DISTRICT NO. 29 ON JULY 1, 2022; TO PROVIDE THAT THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF SEVEN MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BARNWELL COUNTY LEGISLATIVE DELEGATION, AND BEGINNING WITH THE 2022 GENERAL ELECTION, SEVEN MEMBERS MUST BE ELECTED FROM DEFINED SINGLE-MEMBER ELECTION DISTRICTS DRAWN FROM THE COMBINED GEOGRAPHIC

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AREA OF THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 19 AND THE FORMER BARNWELL COUNTY SCHOOL DISTRICT NO. 29; TO PROVIDE THAT THE MEMBERS OF THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO INCLUDE INTERIM MILLAGE PROVISIONS FOR YEARS 2022 AND 2023, AND TO PROVIDE THAT BEGINNING IN 2024, THE BARNWELL COUNTY CONSOLIDATED SCHOOL DISTRICT SHALL HAVE TOTAL FISCAL AUTONOMY.

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(R114, S. 716) -- Senator Climer: AN ACT TO AMEND SECTION 7-7-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO ADD THE CRESCENT AND HANDS MILL VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R115, S. 771) -- Senator Hutto: AN ACT TO CONSOLIDATE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT ONE) AND DENMARK-OLAR SCHOOL DISTRICT TWO (ALSO KNOWN AS BAMBERG SCHOOL DISTRICT TWO) INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE BAMBERG COUNTY SCHOOL DISTRICT; TO ABOLISH BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND DENMARK-OLAR SCHOOL DISTRICT TWO ON JULY 1, 2022; TO PROVIDE THAT THE BAMBERG COUNTY

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SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF TRUSTEES CONSISTING OF NINE MEMBERS, WHICH INITIALLY MUST BE APPOINTED BY THE BAMBERG COUNTY LEGISLATIVE DELEGATION, TO PROVIDE THAT BEGINNING IN 2024, THE INITIAL NINE-MEMBER APPOINTED BOARD SHALL BEGIN THE PROCESS OF TRANSITIONING TO A NINE-MEMBER ELECTED BOARD OF TRUSTEES BY ELECTING FOUR MEMBERS TO SERVE FOUR-YEAR TERMS FROM SINGLE-MEMBER ELECTION DISTRICTS 2, 4, 6, AND 8 IN NONPARTISAN ELECTIONS TO BE CONDUCTED AT THE SAME TIME AS THE 2024 GENERAL ELECTION; TO ESTABLISH CONTINUITY OF LEADERSHIP PROVISIONS BY REQUIRING THE BAMBERG COUNTY LEGISLATIVE DELEGATION TO SELECT FIVE MEMBERS FROM THE INITIAL NINE-MEMBER APPOINTED BOARD TO SERVE ALONGSIDE THE FOUR MEMBERS ELECTED IN 2024 UNTIL THE FIVE APPOINTED MEMBERS' SUCCESSORS ARE ELECTED TO SERVE FOUR-YEAR TERMS FROM SINGLE-MEMBER ELECTION DISTRICTS 1, 3, 5, 7, AND 9 IN NONPARTISAN ELECTIONS TO BE CONDUCTED AT THE SAME TIME AS THE 2026 GENERAL ELECTION, AND, THEREAFTER, TO PROVIDE THAT MEMBERS OF THE BAMBERG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN SCHOOL DISTRICT ELECTIONS TO BE CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION FOR TERMS OF FOUR YEARS AND UNTIL THEIR SUCCESSORS ARE ELECTED AND QUALIFY, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO ESTABLISH THE BOARD'S POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE DISTRICT SUPERINTENDENT IS THE CHIEF OPERATING OFFICER OF THE DISTRICT AND IS RESPONSIBLE TO THE BOARD FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE DISTRICT AND SUBJECT TO ALL OTHER PROVISIONS OF LAW RELATING TO HIS DUTIES; TO ESTABLISH INTERIM MILLAGE PROVISIONS UNTIL 2027 WHEN THE BAMBERG COUNTY SCHOOL DISTRICT SHALL ASSUME TOTAL FISCAL AUTONOMY; TO TRANSFER THE ASSETS AND LIABILITIES OF BAMBERG-EHRHARDT SCHOOL DISTRICT ONE AND

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DENMARK-OLAR SCHOOL DISTRICT TWO TO THE BAMBERG SCHOOL DISTRICT ON JULY 1, 2022; AND TO REPEAL ALL LOCAL ACTS INCONSISTENT WITH THE PROVISIONS OF THIS ACT.

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(R116, H. 4100) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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(R117, H. 4101) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2020-2021, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

MOTION ADOPTED

On motion of Senator SCOTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Joseph "Joe" E. Sharpe, Sr. of Blythewood, S.C. Joe was a graduate of Eau Claire High School and served in the Army National Guard. In 1976, he took over the family business and Sharpe Service Station became a thriving business. Joe served on the Fairfield Electric Cooperative Board of Trustees for 46 years. He was a member of Mt. Pleasant United Methodist Church, the Blythewood Masonic Lodge, Jamil Temple and was a founding member of the Blythewood Rotary Club. Joe enjoyed playing golf, gardening and spending time with his grandchildren. Joe was a loving husband, devoted father and doting grandfather who will be dearly missed.

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ADJOURNMENT

At 2:26 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of H. 4285, the *Sine Die* Resolution.

* * *

Tuesday, June 29, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Psalm 139:23-24

In what had to be a heartfelt manner the Psalmist declared: "Search me, O God, and know my heart; test me and know my anxious thoughts. See if there is any offensive way in me, and lead me in the way everlasting."

Let us pray: O glorious Lord, we come to this place today feeling like those who discover themselves to have been challenged and tested over and over. And so it is with yearning hearts we now turn to You, prayerfully asking that You provide each of these Senators and their aides with the courage, the insights, indeed the wisdom they need to take those actions which will prove to be the very best for all of the people of this State we love. And in doing so, may each of these dedicated leaders give clear and bold evidence of how much they truly honor You, dear Lord. Further, we ask that You equally bless and guide the many other officials who also serve here in South Carolina and throughout our Nation, as well as all of our women and men serving in the Armed Forces. May every one of these servants always hold fast to Your teachings. In Your loving name we so pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Spartanburg County Magistrate, with the term to commence, April 30, 2019, and to expire April 30, 2023

Timothy Jerome Hall, 145 Westmeath Drive, Moore, South Carolina 29369-9023 VICE James H. West II

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Initial Appointment, Jasper County Magistrate, with the term to commence, April 30, 2018, and to expire April 30, 2022

Anthony O. Dore, 10616 South Jacob Smart Boulevard, Ridgeland, South Carolina 29936-8477 *VICE* Donna Doe Lynah

Doctor of the Day

Senator McLEOD introduced Dr. Ada Stewart of Columbia, SC, Doctor of the Day.

Leave of Absence

On motion of Senator ALEXANDER, at 3:57 P.M., Senator CROMER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator TURNER, at 3:57 P.M., Senator BENNETT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:05 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

At 5:36 P.M., Senator CAMPSSEN requested a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator McLEOD, at 6:10 P.M., Senators FANNING, JACKSON and KIMPSON were granted a leave of absence for the balance of the day.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Privilege of the Chamber

On motion of Senator PEELER, on behalf of Senator GROOMS, the Privilege of the Chamber, to that area behind the rail, was extended to Rebecca Landau in recognition of her outstanding service with the South Carolina Senate and to congratulate her on the next chapter of her career in law school.

TUESDAY, JUNE 29, 2021

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 852 -- Senators Martin, Peeler, Corbin, Talley and Kimbrell: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE JIMMY B. HENSON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE TOWN OF PACOLET, TO SPARTANBURG COUNTY, AND TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 853 -- Senators Peeler, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO CONGRATULATE PHILIP WILLIS UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA SENATE, TO COMMEND HIM FOR HIS OVER TWENTY-FIVE YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 854 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE THE CITY OF BELTON PARKS AND RECREATION 12U SOFTBALL TEAM AND COACHES FOR AN EXTRAORDINARY SEASON AND TO HONOR THEM FOR WINNING THE 2021 SOUTH CAROLINA RECREATION AND PARKS ASSOCIATION 12U STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

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S. 855 -- Senator Leatherman: A SENATE RESOLUTION TO HONOR VULCRAFT - SOUTH CAROLINA, "THE BIRTHPLACE OF NUCOR," ON THE CELEBRATION OF ITS SEVENTY-FIFTH ANNIVERSARY, TO CONGRATULATE ITS OVER THREE HUNDRED FIFTY TEAMMATES AND THEIR FAMILIES IN FLORENCE, SOUTH CAROLINA, ON THREE QUARTERS OF A CENTURY OF MAKING AMERICA'S STEEL, AND TO EXTEND BEST WISHES FOR ITS CONTINUED SUCCESS IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 856 -- Senator Alexander: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF COLONEL HOUSTON T. "TERRY" HAWKINS, RETIRED, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 857 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE THE 122ND ENGINEER BATTALION OF THE SOUTH CAROLINA ARMY NATIONAL GUARD UPON THE CELEBRATION OF ITS SEVENTY-FIFTH ANNIVERSARY, TO COMMEND THE OVER SEVEN HUNDRED FIFTY SOLDIERS, THEIR FAMILIES, RETIREES, AND VETERANS OF THIS HISTORIC AND COURAGEOUS BATTALION ON THEIR DEDICATED AND SELFLESS SERVICE TO THE STATE OF SOUTH CAROLINA AND THIS GREAT NATION, AND TO EXTEND BEST WISHES FOR ITS CONTINUED SUCCESS IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 858 -- Senators Grooms, Massey, Malloy, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Martin, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO

TUESDAY, JUNE 29, 2021

CONGRATULATE REBECCA LANDAU ON HER ADMISSION TO YALE LAW SCHOOL AND WISH HER MUCH SUCCESS IN ALL OF HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 859 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE THE WHITEFIELD FIRE DEPARTMENT UPON THE OCCASION OF THE DEPARTMENT'S FIFTIETH ANNIVERSARY OF DEDICATED HEROIC SERVICE IN ANDERSON COUNTY AND TO HONOR FIRE CHIEF BILLY GUIN AND THE FIREFIGHTERS WHO SERVE THEIR COMMUNITY SO SELFLESSLY.

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The Senate Resolution was adopted.

S. 860 -- Senators Williams and Malloy: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF GRACIE S. BROOME AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

Senator WILLIAMS spoke on the Resolution.

Remarks by Senator WILLIAMS

Thank you, Mr. PRESIDENT, members of the Senate, it is with profound sorrow and sympathy we recognize the passing of Eliana's great grandmother, and the Grandmother of Senator Pinkney, Gracie Broome. She embodied a life well lived. She was affectionately called Grandma Broome, Mother Broome and Cousin Gracie Broome. She was a loving, spiritual and kind person -- she loved people. She opened her home to many people, took in many people, and took care of people. She loved her family. She loved the late Senator Clementa Pinkney. She enjoyed hearing him preach and we are going to miss her.

Gracie Broome resided in Mullins in Marion County. She was a great lady, one that will be dearly missed. She had a long and abundant life. She lived to be 92 years of age. Mother Broome would call me periodically just to have a conversation and check-in. She called me about three weeks ago and she talked about what is a good life, and how she had a good life, how so many people blessed her, and just wanted to

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say that whatever happens, that she wanted to be remembered as someone who lived as God would have wanted her to live. That was Ms. Gracie Broome and we are going to miss her. At this time we would like to ask the clerk to read the Resolution on the desk prepared in her honor.

On motion of Senator JOHNSON, with unanimous consent, the remarks of Senator WILLIAMS were ordered printed in the Journal.

Senator MALLOY spoke on the Resolution.

Remarks by Senator MALLOY

Thank you, Mr. PRESIDENT and members of the Senate. We all recall June 17th, the day of the tragedy that we often talk about. I recall coming here the following day, which was one of the saddest days that I have ever had here in the Senate. The seat was draped in black. The Senate memorialized Senator Pinckney. We did a Resolution that day, (which was unheard of), to hang his portrait here in this Chamber. We now know that we have his greatness looking over us. And he is giving us wisdom whenever it is needed -- the same thing he gives to his daughters. As we went forward, one of the things that we knew about Clem was that Ms. Gracie Broom was his grandmother, the mother of his mother Theopia, who he was very, very close to. I recall going to their home that day, and sitting down with Jennifer and the girls. We planned the funeral, wrote the obituary with Reverend Miller and others. The only bright spot on that day was when I told Jennifer and the girls, "We're going to hang Senator Pinckney's portrait in the South Carolina Senate, so he will end up always living in that Body."

Today is unusual and incredible in that we have his daughter today here with us and we have a Resolution for her great grandmother. When we got ready to hang the portrait, I consulted with Senator WILLIAMS, who is a relative. We had already gone through what we had seen -- President Obama and others that came to the funeral and he sang Amazing Grace. We had many moments of calm that came from Mother Emanuel, but there was nothing that moved this Senate more than Ms. Gracie Broom being here when we hung his portrait. She was right over there, I went to her and I asked her, "Are we going to need music?" Her response was, "Honey, it will be all right." The person I knew then obviously was the same person who had grown up in that community, and who graced that community. I thought this was fitting and proper if

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the Senate will indulge us as a final moment for Ms. Gracie when she adorned this Senate. If you will indulge us for two minutes and let us go back to that time, when we hung the portrait of Clem and when Ms. Gracie Broom, the grandmother of our beloved Senator Pinckney, the great grandmother of Eliana, graced this Senate with Amazing Grace. (Ms. Gracie sings Amazing Grace on video)

May Ms. Gracie rest in peace. Senator WILLIAMS will give you the park dedication arrangements. It is Friday at the park that you all have helped support. I know they would love to have everybody there. As you all know Ms. Gracie was a very special person. I thought it was altogether fitting and proper that we hear from her before she goes to her final resting place.

On motion of Senator JOHNSON, with unanimous consent, the remarks of Senator MALLOY, were ordered printed in the Journal.

S. 861 -- Senator Kimpson: A BILL TO AMEND CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO COLLEGES AND INSTITUTIONS OF HIGHER LEARNING GENERALLY, BY ADDING ARTICLES 9 AND 10, TO PROVIDE THAT PARTICIPATING INSTITUTIONS IN THIS STATE SHALL ANNUALLY AWARD A STIPEND TO A STUDENT ATHLETE WHO PARTICIPATES IN AN INTERCOLLEGIATE SPORT AND MAINTAINS GOOD ACADEMIC STANDING DURING THE PREVIOUS YEAR, TO PROVIDE CONDITIONS FOR THE RECEIPT OF STIPENDS, TO PROVIDE THAT PARTICIPATING INSTITUTIONS SHALL CREATE A STUDENT ATHLETE TRUST FUND AND FUND THE TRUST WITH A PERCENTAGE OF THE INTERCOLLEGIATE SPORT GROSS REVENUE, TO PROVIDE THAT FIVE THOUSAND DOLLARS WILL BE DEPOSITED INTO THE FUND ON A STUDENT ATHLETE'S BEHALF FOR EACH YEAR THAT HE MAINTAINS GOOD ACADEMIC STANDING, TO PROVIDE THAT THE TOTAL TRUST FUND AMOUNT MAY NOT EXCEED TWENTY-FIVE THOUSAND DOLLARS PER STUDENT ATHLETE, TO PROVIDE THAT A PARTICIPATING INSTITUTION SHALL PROVIDE A ONE-TIME PAYMENT TO EACH STUDENT ATHLETE AFTER THE FULFILLMENT OF CERTAIN REQUIREMENTS, AND TO PROVIDE CONDITIONS FOR THE

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RECEIPT OF A TRUST FUND PAYMENT; AND TO DEFINE NECESSARY TERMS.

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Senator KIMPSON spoke on the Bill.

Read the first time and referred to the Committee on Education.

S. 862 -- Senators Hutto and Matthews: A BILL TO AMEND SECTION 5 OF ACT 184 OF 2020, RELATING TO THE CONSOLIDATION OF THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE DISTRICT RECEIVES FUNDS, AND TO VEST THE DISTRICT WITH TOTAL FISCAL AUTONOMY IN 2025.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 863 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE THE WINNERS OF THE LITTLE MISS AND TEEN MISS SOUTH CAROLINA PAGEANT.

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The Senate Resolution was adopted.

H. 4498 -- Reps. Anderson and McKnight: A CONCURRENT RESOLUTION TO CONGRATULATE HARMON COOPER, JR., AND JANNIE MAE EADDY COOPER ON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MUCH CONTINUED HAPPINESS AND FULFILLMENT IN THE DAYS AHEAD.

The Concurrent Resolution was adopted, ordered returned to the House.

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Appointments Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Public Service Authority Board of Directors, with the term to commence, May 19, 2018, and to expire May 19, 2025

At-Large Seat, Chairman:

Peter M. McCoy, Jr. 451 Wampler Drive, Charleston, South Carolina 29412-9152 *VICE* Leighton Lord (Resigned)

Reappointment, South Carolina Public Service Authority Board of Directors, with the term to commence, January 1, 2022, and to expire January 1, 2026

At-Large Seat, Chairman:

Peter M. McCoy, Jr. 451 Wampler Drive, Charleston, South Carolina 29412-9152

Received as information.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Initial Appointment, South Carolina Department of Commerce, Secretary of Commerce, with term coterminous with Governor

Harry M. Lightsey, III 1520 Senate Street #155, Columbia, SC 29205
VICE Mr. Robert M. Hitt III

Received as information.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 1 by the Governor on R116, H. 4100 by a vote of 106 to 8:

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R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Education, Part IB, Section 1, Page 294,
Proviso 1.90, SDE: Reserve Suspension

Respectfully submitted,

Speaker of the House

Received as information.

VETO 1 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 1 Department of Education, Part IB, Section 1, Page 294,
Proviso 1.90, SDE: Reserve Suspension

The veto of the Governor was taken up for immediate consideration.

Senator HEMBREE spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 39; Nays 4

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

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NAYS

Cash
Rice

Corbin

Loftis

Total--4

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 2 by the Governor on R116, H. 4100 by a vote of 0 to 114:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 2 Department of Education, Part IB, Section 1, Page 294,
 Proviso 1.92, SDE: Schools of Choice

Respectfully submitted,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 3 by the Governor on R116, H. 4100 by a vote of 6 to 105:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 3 Department of Education, Part IB, Section 1, Page 295,
 Proviso 1.95, SDE: Basic Skills for Admission to
 Teacher Preparation Program/Praxis Core

Respectfully submitted,

Speaker of the House

Received as information.

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Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 4 by the Governor on R116, H. 4100 by a vote of 103 to 6:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 4 Department of Health and Human Services, Part 1B,
 Section 33, Page 352, Proviso 33.24, DHHS: Personal
 Emergency Response System

Respectfully submitted,

Speaker of the House

Received as information.

VETO 4 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 4 Department of Health and Human Services, Part 1B,
 Section 33, Page 352, Proviso 33.24, DHHS: Personal
 Emergency Response System

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	McElveen

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McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Corbin	Rice
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Total--2

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 5 by the Governor on R116, H. 4100 by a vote of 89 to 22:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Health and Environmental Control, Part
 1B, Section 34, Page 363, Proviso 34.52, DHEC:
 Hazardous Waste Fund County Account

Respectfully submitted,

Speaker of the House

Received as information.

VETO 5 OVERRIDDEN

R116 H. 4100--GENERAL APPROPRIATIONS ACT

Veto 5 Department of Health and Environmental Control, Part
 1B, Section 34, Page 363, Proviso 34.52, DHEC:
 Hazardous Waste Fund County Account

The veto of the Governor was taken up for immediate consideration.

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Senator ALEXANDER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 7

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Leatherman	Malloy	Massey
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Cash	Corbin	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Rice		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

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Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 6 by the Governor on R116, H. 4100 by a vote of 3 to 109:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 6 Patriots Point Development Authority, Part IB, Section 52, Page 391, Proviso 52.2, PPDA: Clamagore Reef - \$1,000,000

Respectfully submitted,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 7 by the Governor on R116, H. 4100 by a vote of 86 to 25:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Revenue, Part IB, Section 109, Page 462, Proviso 109.12, DOR: Food Manufacturing Equipment

Respectfully submitted,

Speaker of the House

Received as information.

VETO 7 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 7 Department of Revenue, Part IB, Section 109, Page 462, Proviso 109.12, DOR: Food Manufacturing Equipment

The veto of the Governor was taken up for immediate consideration.

Senator TURNER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 33; Nays 9

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
Leatherman	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--33

NAYS

Cash	Corbin	Fanning
Gustafson	Harpootlian	<i>Johnson, Michael</i>
Kimbrell	Massey	Rice

Total--9

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 8 by the Governor on R116, H. 4100 by a vote of 0 to 114:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 8 Department of Revenue, Part IB, Section 109, Page 462,
 Proviso 109.13, DOR: Collection of Business License
 Taxes

Respectfully submitted,

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Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 9 by the Governor on R116, H. 4100 by a vote of 104 to 7:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 9 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(72) – \$800,000

Respectfully submitted,

Speaker of the House

Received as information.

VETO 9 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 9 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(72) – \$800,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 35; Nays 8

AYES

Adams	Alexander	Allen
Campsen	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Leatherman
Malloy	Martin	McElveen
McLeod	Peeler	Rankin

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Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Cash	Climer	Corbin
<i>Johnson, Michael</i>	Kimbrell	Loftis
Massey	Rice	

Total--8

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 10 by the Governor on R116, H. 4100 by a vote of 100 to 14:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 10 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(73) – \$19,070,851

Respectfully submitted,

Speaker of the House

Received as information.

VETO 10 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 10 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(73) – \$19,070,851

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

TUESDAY, JUNE 29, 2021

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 36; Nays 7

AYES

Alexander	Allen	Campsen
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Malloy	Martin
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--36

NAYS

Adams	Cash	Corbin
Grooms	Loftis	Massey
Rice		

Total--7

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

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Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 11 by the Governor on R116, H. 4100 by a vote of 103 to 11:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 11 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(74) – \$18,963,263

Respectfully submitted,

Speaker of the House

Received as information.

VETO 11 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 11 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(74) – \$18,963,263

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn

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Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cash	Corbin	Loftis
Massey	Rice	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 12 by the Governor on R116, H. 4100 by a vote of 97 to 7:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 12 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(75) – \$6,548,300

Respectfully submitted,

Speaker of the House

Received as information.

VETO 12 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 12 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(75) – \$6,548,300

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cash	Corbin	Loftis
Massey	Rice	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 13 by the Governor on R116, H. 4100 by a vote of 102 to 9:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 13 Statewide Revenue, Part IB, Section 118, Page 531,
Proviso 118.18, SR: Subsection (B)(76) – \$12,920,000

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Respectfully submitted,
Speaker of the House
Received as information.

VETO 13 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 13 Statewide Revenue, Part IB, Section 118, Page 531,
Proviso 118.18, SR: Subsection (B)(76) – \$12,920,000

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

Senator CASH spoke on the veto.

Senator DAVIS spoke on the veto.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams	Alexander	Allen
Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

TUESDAY, JUNE 29, 2021

NAYS

Cash
Massey

Corbin
Rice

Loftis

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has overridden Veto 14 by the Governor on R116, H. 4100 by a vote of 106 to 8:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 14 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(77) – \$94,243,600

Respectfully submitted,

Speaker of the House

Received as information.

VETO 14 OVERRIDDEN

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 14 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(77) – \$94,243,600

The veto of the Governor was taken up for immediate consideration.

Senator SETZLER spoke on the veto.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 38; Nays 5

AYES

Adams

Alexander

Allen

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Campsen	Climer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Martin	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--38

NAYS

Cash	Corbin	Loftis
Massey	Rice	

Total--5

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

Message from the House

Columbia, S.C., June 29, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained Veto 15 by the Governor on R116, H. 4100 by a vote of 0 to 116:

R116, H. 4100--GENERAL APPROPRIATIONS ACT

Veto 15 Statewide Revenue, Part IB, Section 118, Page 531,
 Proviso 118.18, SR: Subsection (B)(78) – \$14

Respectfully submitted,

Speaker of the House

Received as information.

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THE SENATE PROCEEDED TO THE MOTION PERIOD.

SENSE OF THE SENATE

Senator SHEALY moved that it be the sense of the Senate that the Senate has deep concerns over the dangerous conditions at the Department of Juvenile Justice and that the Senate has no confidence that the current leadership of the Department, including Director Freddie B. Pough, is capable of rectifying the situation.

Senator SHEALY explained the motion.

Senator MALLOY spoke on the motion.

Senator SCOTT spoke on the motion.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 34; Nays 4

AYES

Adams	Alexander	Cash
Climer	Corbin	Davis
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--34

NAYS

Allen	<i>Johnson, Kevin</i>	Sabb
Scott		

Total--4

The motion was adopted.

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Expression of Personal Interest

Senator DAVIS rose for an Expression of Personal Interest.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

STATEWIDE APPOINTMENTS

Confirmations

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Public Service Authority Board of Directors, with the term to commence, May 19, 2018, and to expire May 19, 2025

At-Large Seat, Chairman:

Peter M. McCoy, Jr. 451 Wampler Drive, Charleston, South Carolina 29412-9152 *VICE* Leighton Lord (Resigned)

Reappointment, South Carolina Public Service Authority Board of Directors, with the term to commence, January 1, 2022, and to expire January 1, 2026

Chairman, At-Large Seat:

Peter M. McCoy, Jr. 451 Wampler Drive, Charleston, South Carolina 29412-9152

On motion of Senator RANKIN, the question was confirmation of Peter M. McCoy, Jr.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell

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Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Peter McCoy, Jr. was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Department of Commerce, Secretary of Commerce, with term coterminous with Governor:

Harry M. Lightsey III, 1520 Senate Street #155, Columbia, SC 29205
VICE Mr. Robert M. Hitt III

On motion of Senator ALEXANDER, the question was confirmation of Harry M. Lightsey III.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler

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Rankin	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

The appointment of Harry M. Lightsey III was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina Juvenile Parole Board, with the term to commence, June 30, 2020, and to expire January 1, 2024

At-Large Seat:

Cindy Risher, 1061 Blue Bird Court, Summerton, South Carolina 29148-7276 *VICE* Barbara W. Mishoe (Resigned)

On motion of Senator MARTIN the question was confirmation of Cindy Risher.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 40; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--40

NAYS

Total--0

The appointment of Cindy Risher was confirmed.

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Initial Appointment, State Board of Barber Examiners, with the term to commence, June 30, 2019, and to expire June 30, 2023

Master Hair Care Specialist:

Melissa Jones-Horton, 338 Clearwater Drive, Lancaster, South Carolina 29720-7524 *VICE* Vacant

On motion of Senator ALEXANDER, the question was confirmation of Melissa Jones-Horton.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--43

NAYS

Total--0

The appointment of Melissa Jones-Horton was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Commission for the Blind, with the term to commence, May 19, 2018, and to expire May 19, 2022

1st Congressional District:

Peter A. Smith, 120 Dunnemann Avenue, Charleston, South Carolina 29403-3529 *VICE* Self

On motion of Senator SHEALY, the question was confirmation of Peter A. Smith.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Campsen	Cash	Climer
Corbin	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Senn	Setzler

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Shealy
Turner
Young

Stephens
Verdin

Talley
Williams

Total--43

NAYS

Total--0

The appointment of Peter A. Smith was confirmed.

LOCAL APPOINTMENT

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Timothy Jerome Hall, 145 Westmeath Drive, Moore, South Carolina 29369-9023

Initial Appointment, Jasper County Magistrate, with the term to commence, April 30, 2018, and to expire April 30, 2022

Anthony O. Dore, 10616 South Jacob Smart Boulevard, Ridgeland, South Carolina 29936-8477

Motion Adopted

On motion of Senator MASSEY, the Senate agreed to stand adjourned.

ADJOURNMENT

At 6:15 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of H. 4285, the *Sine Die* Resolution.

* * *

Monday, December 6, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Exodus 3:11

Upon being commanded by the Lord to bring his people out of Egypt, God's servant Moses replied: " 'Who am I that I should go to Pharaoh and bring the Israelites out of Egypt?' "

Good friends, let us bow in prayer: Truly, Holy Lord, it seems that the tasks which come before this Senate often have to appear as impossible to carry out as did the challenge given to Moses ages ago. And it would surely be understandable if these leaders in this Chamber, again like Moses, also questioned the role thrust upon them. Yet, O God, duly chosen and elected as these capable women and men are, each -- like Moses -- is equally determined to labor for the well-being of every citizen in this State. Thus do we ask You this afternoon, Lord, to guide this Body as You alone are able, so that its members seek what is the wisest and best course for all in South Carolina during these challenging times. Indeed, may each Senator and every staff person prayerfully seek Your guidance, following the example of the leader whom we knew lovingly as the Chairman, the late Senator Hugh K. Leatherman, Sr., who served our State and her people faithfully over so many productive decades. May each one of us always remember Senator Leatherman's many, many gifts and his love for our State. All this we pray in Your holy and blessed name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

In Memory of
Senator HUGH KENNETH LEATHERMAN, Sr.
April 14, 1931 - November 12, 2021

MONDAY, DECEMBER 6, 2021

Remembrances

Senator SETZLER rose for a reflection on the life of Senator LEATHERMAN.

Senator ALEXANDER rose for a reflection on the life of Senator LEATHERMAN.

Senator PEELER rose for a reflection on the life of Senator LEATHERMAN.

Remarks by Senator SETZLER

Mr. PRESIDENT, ladies and gentlemen of the Senate, guests -- today is a different day in the South Carolina Senate. It does not matter how many times we gather after the passing of a colleague, it is always sobering. It always impacts you.

State Senator HUGH LEATHERMAN, Chairman of the Senate Finance Committee, was not only the Senator for Florence County, but he embodied the role of a State Senator as well as anybody I have known. Yes, Senator LEATHERMAN delivered and took community improvement projects to his district, but he was a State Senator. He understood that. Let us take that lesson from him.

We all have memories of our interactions with Senator LEATHERMAN. I do not think it is any secret that Senator LEATHERMAN and I were not only colleagues, but we grew to be personal friends and I treasure that friendship. He commonly referred to me as Senator NIKKI, and his staff jokingly referred to us as Thelma and Louise.

As we remember and celebrate the life of HUGH LEATHERMAN, his service in the Senate, and his service to this State, he would not want us to be somber. If you heard the eulogy at his funeral given by Dr. Fred Carter, it was evident how close they were and what Senator LEATHERMAN's wishes were upon his passing.

I was 35 years old, and a member of the Senate when Senator LEATHERMAN and our current PRESIDENT were elected in 1980. I had just finished my first term in the South Carolina Senate. I went to Senator LEATHERMAN's Office in the Gressette building to meet him as he sat there with his wife Jean and two daughters who were small children. I proceeded to put my foot in my mouth the first time I ever met him. After introductions, I welcomed him to the Senate, and told him I was looking forward to serving with him. I then proceeded to ask, "Are those your grandchildren on the floor?" Needless to say, I had a lot of

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making up to do with Senator LEATHERMAN. He forgave me, and we became great friends.

Senator LEATHERMAN was close to many of us in this Chamber, and he dealt with each of us in an individual way. There are memories that stay with you, and while I have many, there are a couple that are dear in my mind. Senator ALEXANDER and Senator LEATHERMAN ate dinner many nights while in session. Over the last two years, he asked me and others to occasionally join them for dinner. It was always good dinner and great conversation, and on one night while we were at the Palmetto Club, I told Senator ALEXANDER about pizza and Pinot Noir at Terra's in West Columbia. The three of us planned a night at Terra's, and even though Senator ALEXANDER was not able to join us, Senator LEATHERMAN and I spent about two hours eating Pizza and drinking Pinot. I cherish that evening and also remember fondly the last time he was here for the Joint Bond Review Subcommittee. He asked Senator ALEXANDER and I to stay and have lunch in 105 Gressette. The conversation we had will forever go to the grave with the three of us. I did not realize at the time that our time with him was short.

I treasure the day that I visited with him in Florence. I was honored that his family allowed me to have this time with him, and I spent about an hour with him. We talked, he was in good spirits, and when I got ready to leave, I prayed with him. I knew when I walked out that would be the last time I would ever see him alive. Senator LEATHERMAN, even in the darkest days, was the eternal optimist. I ask that you remember and grow from that.

Senator LEATHERMAN was a visionary, and he had thoughts about where South Carolina should be five years from now -- ten years from now. He was always a year, two years, or five years ahead of anybody else -- which was an incredible trait of his. He understood bipartisanship and handled the Senate and the Senate Finance Committee on a bipartisan basis. He believed everybody should be considered, and we all needed to work together. He respected this institution, and that is incredibly important that each one of us remember and carry forward. He understood the history, the reverence, the mannerisms, and the way you conduct yourself when we have a debate. Yes, it is acceptable to disagree but not to be disagreeable. We are to treat each other with the utmost respect.

Senator LEATHERMAN trusted others in their abilities. When he appointed them to leadership roles, he put great thought into it, and he let them do their job. I worked hand-in-hand with him since 2000, when he became Chairman of Senate Finance Committee. He appointed me to

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serve on many difficult issues, and not once did he call me in to tell me I had gone too far. When he gave you something to do he stayed involved, but he trusted you to be responsible for details and the difficult work. It was an incredible trait to give people responsibility, trust them, and stand behind them.

Senator LEATHERMAN possessed another trait unique to many. He did not get mad if you disagreed with him, and he did not hold a grudge. There were numerous matters including the reorganization and reauthorization of the Research Authority and the initial South Carolina Ports Authority Bond Bill that was introduced that I did not agree with as it gave the Secretary of Commerce too much bonding authority. He was always open to dialogue.

Senator LEATHERMAN knew how to build a coalition. He knew how to count votes. He also knew how to take renegades under his wing to nurture them into becoming a part of his team in the Senate. He had a way of understanding each personality in this Chamber, and he had the patience of Job. He never got in a hurry when he did not have votes. He did, however, have a way of making you aware of his presence. If he ever walked to your desk and put his hand on your shoulder, you knew it was time to yield.

Senator LEATHERMAN will be remembered for many things. He cared about people and their needs. He cared about South Carolina, and his work in economic development was unparalleled. His work on Boeing, South Carolina Ports Authority, the inland ports, road infrastructure and broadband are a few. All of those are great things, but I believe one of the greatest things he did was address the VC Summer/Santee Cooper/SCANA matter in 2017. The Majority Leader and I contacted Senator LEATHERMAN with concerns about this matter and how it affected this State. He took action, and appointed a special committee co-chaired by Senator MASSEY and I to address the matter. He had the foresight, the will, the power and the fortitude to do what was right. He never fled from the Santee Cooper/SCANA fiasco, and he vowed to never let the taxpayers of South Carolina suffer. I think that was one of his greatest accomplishments.

Again, he cared about people. His impact on South Carolina will be felt for many years. I am blessed to have had the opportunity to serve with him and to call him a friend. We all are blessed that our paths crossed with a gentleman who did so much to try to help move forward this State. He will be forever missed, thank you.

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Remarks by Senator Alexander

Thank you, Mr. PRESIDENT, and members of this Senate. Senator SETZLER said it so well. I did want to get up and pay tribute to our colleague, to a leader of this Senate and leader of this State. More importantly to me, a close friend and a mentor. You know, he was an engineer by training -- a builder, he loved building things. He loved building not only buildings and different things, but building relationships, building projects and making South Carolina so much better. I had the privilege, which was mentioned earlier, of having dinner with him a lot. He was always talking about his family and his love for his family, his grandchildren, and great grandchildren as well. He loved his district but, as you have said, he loved the State of South Carolina. I really don't think you have to go much further. I remember when we did the dedication of his portrait in this Chamber. I think as you look at him in that portrait it exemplifies three things that he held near and dear. One is this institution, the traditions of this institution, and his care of this institution. Boeing was mentioned earlier -- he had the opportunity of working that deal, to make it happen for a better South Carolina that has reached all over the State. Then the port -- from that standpoint, as you look at those plans in his right hand, they are the plans for the port, but I would suggest to you that being a builder and engineer, I think they symbolize a lot of other plans that he had and that he made a difference in lives of the people of South Carolina. I just cherish the times I spent with him. I will never forget one of the issues that was brought up a while ago which was about broadband. He called me in for a visit one day. He was talking and talking about broadband and deployment in rural South Carolina. This was before COVID-19. He understood that broadband was going to be a critical part of the infrastructure to help our citizens. He very much related to that -- to the rural electrification that occurred in his childhood when he lived in rural Lincoln County, North Carolina. He saw this as that next generation of that. He poured everything in from his heart from that standpoint. There is a lot I can say. We saw him work on a lot of things that meant so much. The difference though, I think, is that he wanted to also do things that helped folks help themselves. Whether that was through education or workforce development -- making sure that individuals could help themselves, prepare themselves, prepare their families for them to be successful. To me, that is a legacy that will serve us and future generations for decades to come. There is a poem -- I'm not going to recite it -- called the Bridge Builder. It talks about a man building a bridge, and building that bridge in his twilight years, and after he had gone over the river to the other side, he was building

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that bridge. They asked, "Why are you building this bridge? You are already on the other side. Why are you building this bridge?" He said, "There will be youth that will come after me that will need this bridge. It is for their steps and their future that I'm building this bridge." That sums up our chairman, Senator HUGH K. LEATHERMAN. Always building for future generations. I will leave you with one of my favorite quotes, a native American proverb. It says, "When you were born, you cried and the world rejoiced. May you live your life in such a manner that when you die the world cries and you rejoice." The chairman, and Senator SETZLER said a while ago, any time you saw him and asked how he was doing, he would say, "I'm doing great." Today our chairman, Senator HUGH K. LEATHERMAN is truly doing great, spending eternity with our Lord and Savior, Jesus Christ. Thank you, Mr. PRESIDENT.

Remarks by Senator PEELER

The Lord blesses me every day, but a couple of weeks before Senator LEATHERMAN passed away, we had a chance to visit. It was his last time to tell me the story just as he always did -- when we entered the Senate, he acted as if he liked to listen to my jokes. We sat on the back row, back there where Senator ADAMS and Senator CASH sit. Senator DENNIS was at the podium, I snuck a little joke in to Senator LEATHERMAN and he laughed aloud. Senator DENNIS left the podium, walked back to the back and he said to him, "Well Senator, I guess you would rather listen to Senator PEELER's jokes better than serving on Joint Bond Review Committee?" and he stripped him from the committee standing right there. I was going to answer it was sure more important to listen to my jokes than serve on that committee. He loved to tell that story and I love to tell this story. Late one night during a conference committee with the House and Senate, it was obvious Senator SETZLER and the House conferees were jerking him around. It was late in the night and they were having their way with him. He got up and he went back into his office, but with my patience, as you say, I went running to his office, I opened the door, slammed the door and I said, "Hugh, dang it, I want to see you get mad just one time." He replied, "No you don't." I thought about that a lot. I think he was right again. Senator LEATHERMAN and I had a special relationship for 41 years. I can tell you this, many, many people in this State will miss HUGH LEATHERMAN, but few people will miss him more than I will.

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On motion of Senator GROOMS, with unanimous consent, the remarks of Senators SETZLER, ALEXANDER and PEELER were ordered printed in the Journal.

COMMUNICATION

December 6, 2021

Mr. Jeffrey S. Gossett
Clerk of the Senate
South Carolina Senate
Post Office 142
Columbia, South Carolina 29202

Re: Resignation as Senate President

Dear Mr. Clerk,

As a senior member of the majority party of the Senate Finance Committee, it is my right and obligation to fill the current vacancy in the chairmanship. However, Senate Rule 19 (E) prevents the PRESIDENT from chairing a standing committee of the Senate.

Therefore, please accept this letter to serve as an official notice of my resignation from the office of Senate PRESIDENT. This resignation is effective immediately.

I look forward to serving as the Chairman of the Finance Committee and continuing to represent the great people of District 14 and the entire State of South Carolina.

Sincerely,
Harvey S. Peeler, Jr.

Senator PEELER rose for brief remarks

Remarks by Senator PEELER

Members of the Senate, thank you for the responsibility of the purple robe. I wore this purple robe like a suit of armor. You might ask me, "If you like wearing the purple robe so much, why do you want to take it off?" It is my sincerest belief that I can best serve my constituents of Senate District 14 and the people of South Carolina as Chairman of the Finance Committee as opposed to the PRESIDENT of the Senate.

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While serving as the first elected PRESIDENT of the Body, is and always will be one of the great honors of my life, my work on the Finance Committee will allow me to focus on the issues most important to our State. This includes, but is not limited to, a focus on fiscal conservatism and building and maintaining a taxpayer-friendly financial system where families and businesses can locate, grow and thrive. Brothers and sisters of the Senate, we have work to do. I will see you on the floor.

On motion of Senator MASSEY, with unanimous consent, the remarks of Senator PEELER were ordered printed in the Journal.

ACTING PRESIDENT PRESIDES

Senator SETZLER assumed the Chair.

Election of the PRESIDENT of the Senate

On motion of Senator MASSEY, the Senate proceeded to an election of the PRESIDENT.

ACTING PRESIDENT, Senator SETZLER, announced that nominations were in order for PRESIDENT of the Senate.

Senator PEELER nominated Senator ALEXANDER as PRESIDENT.
Senator MALLOY seconded the nomination.
Senator MARTIN seconded the nomination.
Senator MASSEY seconded the nomination.
Senator HUTTO seconded the nomination.

Senator SHEALY moved that the nominations be closed and that Senator ALEXANDER be elected PRESIDENT of the Senate by acclamation.

Senator SETZLER announced that Senator ALEXANDER had been elected PRESIDENT of the Senate.

Remarks by Senator PEELER

Thank you, Mr. PRESIDENT. I wish to place in nomination Senator THOMAS CLEVELAND ALEXANDER as the second Senator to serve as PRESIDENT of the South Carolina Senate.

THOMAS ALEXANDER was first elected to the South Carolina House of Representatives in 1987. Barely 31 years old with a mustache and a head full of hair when he first entered this sacred building. While

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in the House, Senator ALEXANDER served as Chairman of the Labor, Commerce and Industry Committee.

Seven years later, when a vacancy occurred in Senate District 1, THOMAS ALEXANDER was elected to the South Carolina Senate -- October 11, 1994 -- 27 years ago. Today, he serves as Chairman of the Senate Labor, Commerce and Industry Committee. His economics degree from Clemson has served him well in those two committee chairmanships.

Many of you know Senator ALEXANDER worked side-by-side with the late Senator Verne Smith on healthcare issues in our State. Senator ALEXANDER later went on to chair the Health subcommittee on Finance. He has shown his ability to lead by working with both sides of the aisle in order to do what is best for the State of South Carolina.

What you may not know about Senator THOMAS ALEXANDER is his fierce loyalty to the people of Oconee and Pickens counties. He has lived all of his 65 years in the same town -- and most of those years in the same house. His business is on Main Street in Walhalla -- and if you ever stop by, you will find him working alongside his wife Lynda.

His town, his church and his family have collectively formed the person we all know as Senator ALEXANDER. You will see these values in the way he will lead this Senate -- with dedication, with faith and with love for the State of South Carolina. Senator ALEXANDER -- you are up to the task.

We couldn't quite script this day like the day I was first elected. On that day, the Clemson flag was flying atop our State House. I don't believe our Clemson Tigers will win this year's national championship. But Senator, the tigers did win the State Championship!

Mr. PRESIDENT, it is my honor to nominate Senator THOMAS CLEVELAND ALEXANDER, to serve as PRESIDENT of the South Carolina Senate.

Remarks by Senator MALLOY

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate, I'm honored to rise and second the nomination of Senator THOMAS ALEXANDER, as PRESIDENT of the South Carolina Senate.

I spoke to Senator ALEXANDER's wife, Lynda, before I got up here, I said, "Thank you for allowing Senator ALEXANDER to serve with us." She replied, "It makes him happy to be here in the Senate."

I have no hesitation in seconding the nomination because I know Senator ALEXANDER will be an outstanding PRESIDENT of the

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Senate. I know this because, as Shakespeare wrote, "What is past is prologue."

We need to only look at the Senator's distinguished service in the Senate to know that he will serve with distinction as our PRESIDENT. Since beginning his service in the Senate in 1994 along with his previous service in the House, Senator ALEXANDER has served honorably and capably. He has been a well respected and effective committee chair, an indispensable member of the Public Utilities Committee, the Bond Review Committee, and a major force on numerous budgets -- including as the expert on the delivery of health care services to our citizens.

I talked to former Senator Glen McConnell for about 45 minutes yesterday, and he was talking about the fact that Senator ALEXANDER worked on issues in the budget. He would always talk about matters down in Charleston. He also always talked about, "There's gold in those hills over in Oconee." He worked to serve those that are in the Oconee area as well as those in Charleston. He has worked on and shaped laws and policies that have benefitted South Carolinians from the dawn of their lives until the twilight of their lives. I had the honor of serving with him on the Committee on Aging, and we know he was tapped to work on reopening South Carolina during the pandemic.

During his decades of service, he has also learned what it means to be a Senator and what the institution of the Senate needs to mean. I have no doubt he loves being a Senator. He loves the Senate, and as PRESIDENT, he will safeguard this institution in its enormous role in the legislative process, and as a check and balance on the other branches of government. Something that we should always notice -- there are times the Senate needs to stand together, there are some times when we are dealing with the executive branch, the House, or dealing with another issue where the Senate has to stand together. If you think about it, we watch these votes that come up. Something that was key for me is that when we have to have some times -- when we challenge the ruling of the Chair, it is important to vote during that time, not what is politically expedient, but what is right.

For a person in a minority party watching someone that would ascend -- it is very important to know the person will try to do what is right. Senator ALEXANDER is a Republican, but he has shown with his work on a myriad of issues that he will work with the other party, and do so with respect for the other side's beliefs. He has shown that he will do what is right, and that does not always have to be an issue of partisanship. At the end of the day, the only majority that matters is that we are all South Carolinians.

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Senator PEELER, you and Senator MASSEY and I had a long conversation about who should ascend to the PRESIDENCY. One of those times we were talking about whether or not you should be chair of a committee and be PRESIDENT of the Senate. Senator MASSEY said, "I don't want someone ruling on points of order from the committee." Many of you may or may not know that decision was made during the time in a meeting where we all came together and made that decision. Senator PEELER was hesitating in the beginning and Senator ALEXANDER stepped forward to take the role. That lasted for a period of time, even up to now. He stepped forward then, and so it was incumbent that when the time came -- that he waited his time, and he is fit and proper for this position. I would also like to say, the Senator is not a doctrinarian, he is not narrow minded, he votes on the correct side of those issues that I said are challenges from the chair. He has great humility, he is not stubborn, he is always looking for a resolution. But most important -- he is not close minded. He looks at this Senate, grounded in the rules of precedent, process and congeniality -- and yes, seniority. Seniority does matter. Senator ALEXANDER adheres to Jefferson's manual. If you look in this book, these 53 articles are critical because it makes certain that there is no tyranny in the simple majority. Senator ALEXANDER has always followed that. And the rule of precedent is critical.

And with that, I will end saying, it is with great honor that I come before you and ask that you all join with me in this last quote, "With great and good conscience for this Senate as our only reward, with history the final judge of our deeds, let us go forward to lead the land we love, asking His blessings and His help, but knowing there on earth, God's work must truly be our own." That came from John F. Kennedy. I would ask that you all join with me and the rest of this Senate and second the nomination of Senator THOMAS ALEXANDER, as PRESIDENT of the Senate -- because when he gave up his committee to do this work, we know his personal loss is our collective gain. And Lynda, we know it makes him happy. So I second the nomination for THOMAS ALEXANDER as PRESIDENT of the Senate.

Remarks by Senator MARTIN

Thank you Mr. Floor Leader. Members of the Senate, it is an honor to be standing here today with my good friend Senator THOMAS ALEXANDER from Oconee. We talked at length today about relationships that have been built over the years. I consider you my friend and we have spent a lot of time together. We have actually

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been subchairmen together and had to make many decisions even if we did not personally feel that way about a particular issue. That is why I know when it comes to taking the roll of PRESIDENT, and Senator PEELER, I want to thank you for taking that job and serving as our first PRESIDENT you have done a great job, I feel like Senator ALEXANDER will follow those footsteps and also do a great job. When we talk about working for the betterment of the Senate and everything we do here, it must be made on building relationships. I feel that you will make your decisions based on the best interest of this Body and the State rather than your personal feelings on a particular issue or point of order that may be raised. That is why I am honored to second your nomination and I am honored to be your friend. Thank you.

On motion of Senator MASSEY, with unanimous consent, the remarks of Senators PEELER, MALLOY and MARTIN were ordered printed in the Journal.

PRIVILEGE OF THE FLOOR

On motion of Senator MASSEY, with unanimous consent, the Privilege of the floor was extended to the family of the PRESIDENT.

Administration of Oath of Office

Senator ALEXANDER presented himself at the Bar and the Oath of Office was administered by Senator PEELER.

Motion Adopted

Senator MASSEY asked unanimous consent for the PRESIDENT to address the Senate.

Senator ALEXANDER was recognized for brief remarks.

Remarks by Senator ALEXANDER

Members of the South Carolina State Senate, my heart is full with gratitude as you have entrusted me with the role of serving as PRESIDENT of the institution we all love and revere, the South Carolina State Senate.

This is an exciting yet humbling day. I am excited that Senator PEELER is our Chairman of the Senate Finance Committee. Chairman PEELER, you will always be the first PRESIDENT chosen from within our membership to lead us. You have served the South Carolina State Senate in the role of PRESIDENT with great distinction. Thank you.

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Likewise, I am humbled by your confidence in me to serve as your presiding officer to do our work for the people of the palmetto state. Thank you for your support.

If you will allow me a moment to grieve, today is the first day I have attended a legislative session day without the presence, the guidance and the counsel of Chairman LEATHERMAN. Like most of you, I sometimes received that “hand on the shoulder” from Chairman LEATHERMAN. That gesture was usually gentle but always instructive. And I will miss him, as I know you will too.

It was 1994 when I was first elected to the Senate, moving across the State House lobby from the House of Representatives. I was blessed to find a mentor, Senator J. Verne Smith, who took me under his wing. For those of you who had the honor to serve with Senator Smith, he sometimes had a very direct way of explaining things. I benefitted from his friendship, his counsel and even his blunt lessons.

I’ve learned from the myriad who have come before me, especially Senator HARVEY PEELER, Senator HUGH LEATHERMAN and Senator Verne Smith. Because of their examples as leaders, I cherish the traditions practiced in this Body that make the Senate so unique and necessary for our representative form of government. I pledge to uphold those traditions.

The South Carolina State Senate is an institution of rules. As your PRESIDENT, I will insist on adherence to the “rules of the Senate.”

The South Carolina State Senate is an institution of decorum. As your PRESIDENT, I will insist upon and enforce decorum in this Chamber.

The South Carolina Senate is an institution of fairness and compromise. As your PRESIDENT, I will be fair and do my part to foster compromise.

In St. Paul’s letter to the church in Rome, he wrote, “And we know that all things work together for good to them that love God, to them that are called according to his purpose.” So, I thank the good Lord and look forward to the ways his divine providence continues to guide me.

I would also like to thank my family, especially my wife Lynda who truly serves as a partner in my service in the State Senate, daughters Carren, Jennifer and Mari are here today along with my brothers and sisters, Neal, Anne, Susan and Bill, many of my grandchildren and other family members. As we all know, we do not fulfill our obligations to the Senate in isolation. It takes the support of family to be successful in the State Senate. Thank you to the entire Alexander family.

As I reflect on the meaning of this day, sweet memories of my parents Claude and Virginia Alexander fill my mind and my heart. It is from

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them that I learned the importance of public service and hard work because they provided that example for me.

I would also like to say thank you to the wonderful constituents of Senate District 1 of Oconee and Pickens counties. Your support is the reason I am able to serve. My home is called the “Golden Corner” of the State. That name is not because of a precious metal. Instead, it is a reference to the character of heart within our communities.

Again, thanks to each of you, my Senate colleagues. I cherish your friendship and deeply appreciate this opportunity. It is an honor and privilege to serve as your PRESIDENT. May God continue to bless you and this great State of South Carolina.

On motion of Senator SETZLER, with unanimous consent, the remarks of Senator ALEXANDER were ordered printed in the Journal.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the committee selection process in Rule 19 was waived and a vacancy was filled in the following manner:

Senator ALEXANDER filled a vacancy on the Legislative Oversight Committee.

Senator HUTTO filled a vacancy on the Interstate Cooperation Committee.

Senator GROOMS filled a vacancy on the Ethics Committee.

Senator CROMER vacated a seat on the Family and Veterans’ Services Committee.

Senator MASSEY filled a vacancy on the Agriculture and Natural Resources Committee as a 5th committee selection.

Senator DAVIS vacated a seat on the Agriculture and Natural Resources Committee and filled a vacancy on the Fish, Game and Forestry Committee as a 5th committee selection.

Senator TURNER vacated a seat on the Fish, Game and Forestry Committee and fills a vacancy on the Labor, Commerce and Industry Committee.

Senator YOUNG filled a vacancy on the Finance Committee.

Senator CASH vacated a seat on the Banking and Insurance Committee and filled a vacancy on the Transportation Committee.

Senator ADAMS vacated a seat on the Agriculture and Natural Resources Committee and filled a vacancy on the Banking and Insurance Committee.

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Senator GUSTAFSON vacated a seat on the Fish, Game and Forestry Committee.

Senator M. JOHNSON vacated a seat on the Fish, Game and Forestry Committee and filled a vacancy on the Rules Committee.

Senator KIMBRELL vacated a seat on the Corrections and Penology Committee and filled a vacancy on the Fish, Game and Forestry Committee.

STANDING COMMITTEE CHAIRMEN

In accordance with Rule 19, the following Senators assumed chairmanships of the standing committees:

FINANCE COMMITTEE

Senator Harvey S. Peeler, Jr., Chairman

LABOR, COMMERCE, AND INDUSTRY COMMITTEE

Senator Tom Davis, Chairman

LEGISLATIVE OVERSIGHT COMMITTEE

Senator Thomas C. Alexander, Chairman

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Local Appointments

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Robert Devore, 758 Haddon Road, Donalds, SC 29638-8956

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jennifer Susan Kottka Colton, 1619 Hunters Place Road, York, SC 29745-7691

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Katie Vaughn, 1939 Sharon Road, York, SC 29745-9339

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CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 177 Sen. Grooms
S. 187 Sen. Young
S. 188 Sen. Young
S. 189 Sen. Young
S. 214 Sen. Young
S. 217 Sen. Young
S. 262 Sen. Senn
S. 290 Sen. M. Johnson
S. 538 Sen. Rice
S. 586 Sen. Verdin
S. 591 Sens. Senn and Stephens
S. 639 Sen. Kimbrell

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 150 Sen. Adams
S. 290 Sen. Hembree

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 864 -- Senators M. Johnson and Climer: A SENATE RESOLUTION TO CONGRATULATE CHIEF OF POLICE STEVE PARKER UPON THE OCCASION OF HIS RETIREMENT FROM THE TEGA CAY POLICE DEPARTMENT, TO THANK HIM FOR NEARLY THREE DECADES OF OUTSTANDING SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION

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DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

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Senators RANKIN, SABB and CAMPSSEN spoke on the Bill.

Read the first time and, on motion of Senator RANKIN, with unanimous consent, S. 865 was ordered placed on the Calendar without reference.

S. 866 -- Senator Malloy: A SENATE RESOLUTION TO CONGRATULATE DR. ITALY ALBERT GREENE ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 867 -- Senator Fanning: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF PAMELA JENKINS, TO CELEBRATE HER LIFE AND ACHIEVEMENTS,

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AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 868 -- Senator Fanning: A SENATE RESOLUTION TO SALUTE JOHN CHARLES "BULLIT" KILLIAN OF CHESTER COUNTY FOR A LIFETIME OF SERVICE TO HIS COMMUNITY, STATE, AND NATION; TO CONGRATULATE HIM AT THE CELEBRATION OF HIS EIGHTIETH BIRTHDAY; AND TO WISH HIM MUCH HEALTH AND HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 869 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF PATRICK LASAINE THOMAS OF COLLETON COUNTY, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 870 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JOSHUA MATTHEWS OF BOWMAN, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 871 -- Senator McLeod: A SENATE RESOLUTION TO CONGRATULATE ANDREW HUGINE, JR., PH.D., PRESIDENT OF ALABAMA AGRICULTURAL & MECHANICAL UNIVERSITY, UPON THE OCCASION OF HIS RETIREMENT, TO HONOR HIM FOR HIS DECADES OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

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S. 872 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DIRECTOR BYRON SNELLGROVE UPON THE OCCASION OF HIS RETIREMENT AS DIRECTOR OF PUBLIC SAFETY, TO COMMEND HIM FOR HIS THIRTY-EIGHT YEARS OF DEDICATED SERVICE TO THE CITY OF CAYCE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 873 -- Senator Hutto: A SENATE RESOLUTION TO CONGRATULATE FRANK L. "VAL" VALENTA, JR., UPON THE OCCASION OF HIS RETIREMENT AS GENERAL COUNSEL OF THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES, TO COMMEND HIM FOR HIS FORTY-THREE YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 874 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE PAT G. SMITH, AGENCY DIRECTOR OF WIL LOU GRAY OPPORTUNITY SCHOOL, UPON THE OCCASION OF THE SCHOOL'S ONE HUNDREDTH ANNIVERSARY, TO COMMEND HIM FOR HIS FORTY-SIX YEARS OF DEDICATED SERVICE TO THE SCHOOL, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 875 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE THE TEACHERS, ADMINISTRATORS, AND STAFF OF WIL LOU GRAY OPPORTUNITY SCHOOL UPON THE OCCASION OF THE SCHOOL'S ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THEM FOR THEIR DEDICATED SERVICE TO THEIR STUDENTS AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

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S. 876 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE THE NEWBERRY ACADEMY GIRLS VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS A GIRLS VOLLEYBALL STATE CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 877 -- Senator Alexander: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GEORGE M. OXNER FOR HIS CONTRIBUTIONS TO THE AMERICAN LEGION DEPARTMENT OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 878 -- Senator Turner: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ARTHUR CARL NUTTALL AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 879 -- Senator Turner: A SENATE RESOLUTION TO COMMEND THE PROFESSIONAL ENGINEERS WHO LIVE AND WORK IN THE GREAT STATE OF SOUTH CAROLINA, TO ENCOURAGE ALL SOUTH CAROLINIANS TO HONOR OUR ENGINEERS FOR THEIR MANY CONTRIBUTIONS TO THE PALMETTO STATE'S QUALITY OF LIFE, AND TO RECOGNIZE TUESDAY, JANUARY 12, 2022, AS "PROFESSIONAL ENGINEERS DAY" IN SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 880 -- Senator Grooms: A CONCURRENT RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF ADDISON "JACK" GREENE, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME GREENTOWN ROAD IN BERKELEY COUNTY, FROM ITS INTERSECTION WITH HARRISTOWN ROAD TO ITS INTERSECTION WITH SANTEE RIVER ROAD, "ADDISON 'JACK'

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GREENE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 881 -- Senator Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE DOUG MCELVEEN FOR RECEIVING THE 2022 TIME DEALER OF THE YEAR AWARD.

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The Concurrent Resolution was adopted, ordered sent to the House.

S. 882 -- Senator Gambrell: A SENATE RESOLUTION TO CONGRATULATE AND HONOR KATHY D. HIPPO OF ANDERSON SCHOOL DISTRICT 3 UPON BEING NAMED 2022 SOUTH CAROLINA SUPERINTENDENT OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

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The Senate Resolution was adopted.

S. 883 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE MAIN STREET UNITED METHODIST CHURCH UPON THE OCCASION OF ITS ONE HUNDRED SEVENTY-FIFTH ANNIVERSARY, TO RECOGNIZE AND HONOR THE CHURCH FOR ITS DEEP HERITAGE IN THE DOWNTOWN COLUMBIA COMMUNITY, AND TO COMMEND ITS LEADERSHIP AND CONGREGATION FOR THEIR MANY YEARS OF SERVICE TO THIS COMMUNITY.

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The Senate Resolution was adopted.

S. 884 -- Senator Jackson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF WILLIAM "BILL" TERRELL OF COLUMBIA, TO CELEBRATE HIS LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

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S. 885 -- Senators Jackson and Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE JIMMY C. BALES OF EASTOVER, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 886 -- Senator Kimpson: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF JAY PATEL OF NORTH CHARLESTON AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 887 -- Senators Rice, Garrett, Adams, Kimbrell and Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-1520 SO AS TO REQUIRE COMMISSIONERS AND ALTERNATES TO A CONVENTION OF STATES OR TO A STATE RATIFICATION CONVENTION TO TAKE AN OATH, TO PROVIDE CRIMINAL PENALTIES FOR THOSE COMMISSIONERS AND ALTERNATES WHO ARE CONVICTED OF VIOLATING THE REQUIRED OATH; AND TO DEFINE RELEVANT TERMS.

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Read the first time and referred to the Committee on Judiciary.

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

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S. 889 -- Senators Loftis, Kimbrell, Verdin and Rice: A BILL TO AMEND SECTION 1-13-20, RELATING TO DECLARATION OF STATE HUMAN AFFAIRS POLICY, TO PROVIDE THAT AN INDIVIDUAL MAY NOT BE DISCRIMINATED AGAINST BECAUSE OF VACCINATION STATUS; TO AMEND SECTION 1-13-30, RELATING TO DEFINITIONS, TO PROVIDE A DEFINITION FOR AN IMMUNITY PASSPORT AND VACCINATION STATUS; AND TO AMEND CHAPTER 13, TITLE 1 OF THE 1976 CODE, RELATING TO DISCRIMINATION POLICY, TO ADD SECTION 1-13-75, TO PROVIDE THAT DISCRIMINATION BASED ON A PERSON'S VACCINATION STATUS OR POSSESSION OF AN IMMUNITY PASSPORT BE UNLAWFUL.

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Read the first time and referred to the Committee on Judiciary.

S. 890 -- Senators Loftis, Rice and Verdin: A BILL TO AMEND ARTICLE 6 OF CHAPTER 3, TITLE 16, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFUL HAZING, SO AS TO DEFINE NECESSARY TERMS, TO RESTRUCTURE THE OFFENSES AND PENALTIES ASSOCIATED WITH UNLAWFUL HAZING, AND TO REQUIRE TIMELY REPORTING OF HAZING INCIDENTS; TO AMEND SECTION 59-101-200, RELATING TO HAZING AND DEFINITIONS REGARDING HAZING, SO AS TO REVISE THE DEFINITION OF "HAZING" TO CONFORM TO THE DEFINITION CONTAINED IN SECTION 16-3-505; AND BY ADDING SECTION 59-101-220 SO AS TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING SHALL DEVELOP A COMPREHENSIVE ANTI-HAZING POLICY, TO SET MINIMUM PARAMETERS OF WHAT MUST BE INCLUDED IN THE POLICY, AND TO PROVIDE FOR THE PUBLICATION OF THE POLICY ON THE INSTITUTION'S WEBSITE.

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Read the first time and referred to the Committee on Judiciary.

S. 891 -- Senators Adams, Grooms, Garrett, Rice, Cash and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 15 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING CIVIL REMEDIES AND PROCEDURES, BY ADDING SECTION 15-1-350, TO PROVIDE THAT AN EMPLOYER WHO MANDATES THAT EMPLOYEES RECEIVE A COVID-19 VACCINE AS A CONDITION OF EMPLOYMENT IS LIABLE FOR ANY DAMAGES ARISING FROM AN ADVERSE HEALTH CONDITION SUFFERED BY HIS

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EMPLOYEE AS A RESULT OF RECEIVING THE VACCINE; AND TO PROVIDE AN EXEMPTION TO EMPLOYERS MANDATED BY FEDERAL LAW OR REGULATION TO REQUIRE HIS EMPLOYEES TO RECEIVE THE COVID-19 VACCINE.

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Read the first time and referred to the Committee on Judiciary.

S. 892 -- Senator Davis: A BILL TO AMEND SECTION 7-5-186, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO DEVELOP CERTAIN SECURITY PROTOCOLS AND TO CERTIFY COMPLIANCE AT LEAST ANNUALLY; TO AMEND SECTION 7-5-430, RELATING TO REGISTRATION BOOKS FOR ELECTIONS, SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO DEVELOP CERTAIN SECURITY PROTOCOLS FOR ELECTRONIC POLL BOOKS AND TO CERTIFY COMPLIANCE AT LEAST ANNUALLY; TO AMEND SECTIONS 7-13-320 AND 7-13-610, BOTH RELATING TO BALLOT STANDARDS, BOTH SO AS TO REQUIRE BALLOTS BE PRINTED ON PAPER WITH CERTAIN FEATURES; TO AMEND SECTION 7-13-1330, RELATING TO THE APPROVAL OF OPTICAL SCAN VOTING SYSTEMS, SO AS TO REQUIRE ANY OPTICAL SCAN VOTING SYSTEM TO BE CERTIFIED AS MEETING OR EXCEEDING THE MOST CURRENT FEDERAL VOTING SYSTEM STANDARDS; TO AMEND SECTION 7-13-1340, RELATING TO REQUIREMENTS FOR VOTE RECORDERS AND OPTICAL SCAN VOTING DEVICES, SO AS TO PROHIBIT CERTAIN FUNCTIONALITIES AND FEATURES DURING VOTING; TO AMEND SECTION 7-13-1370, RELATING TO BALLOT CARD SPECIFICATIONS, SO AS TO REQUIRE ALL BALLOT CARDS TO BE SOURCED SOLELY BY THE STATE ELECTION COMMISSION; TO AMEND SECTION 7-13-1620, RELATING TO THE VOTING SYSTEM APPROVAL PROCESS, SO AS TO REQUIRE A VOTING SYSTEM TO BE CERTIFIED AS MEETING OR EXCEEDING THE MOST CURRENT FEDERAL VOTING SYSTEM STANDARDS; TO AMEND SECTION 7-13-1640, RELATING TO VOTING MACHINE REQUIREMENTS, SO AS TO PROHIBIT CERTAIN FUNCTIONALITIES AND FEATURES DURING VOTING, AND TO REQUIRE CERTAIN ELECTRONIC RECORDS BE PRESERVED AS ELECTION RECORDS; TO AMEND SECTION 7-13-1710, RELATING TO VOTING MACHINE

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BALLOT SPECIFICATIONS, SO AS TO REQUIRE ALL VOTING MACHINE BALLOTS TO BE SOURCED SOLELY BY THE STATE ELECTION COMMISSION; AND TO REPEAL SECTION 7-13-440 RELATING TO VOTING MACHINE BALLOTS.

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Read the first time and referred to the Committee on Judiciary.

S. 893 -- Senator Davis: A BILL TO AMEND SECTION 7-15-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SPECIFICATIONS OF THE ABSENTEE BALLOT RETURN-ADDRESSED ENVELOPE, SO AS TO REQUIRE THE RETURN-ADDRESSED ENVELOPE TO BE MARKED "RETURN TO SENDER" IN THE EVENT THE ENVELOPE IS UNDELIVERABLE; TO AMEND SECTION 7-15-220, RELATING TO SIGNING AND WITNESSING THE ABSENTEE BALLOT APPLICANT'S OATH, SO AS TO DEFINE "PROOF OF IDENTITY", TO REQUIRE ABSENTEE BALLOT APPLICANTS TO INCLUDE PROOF OF IDENTITY TOGETHER WITH THEIR SIGNED OATHS, TO PROHIBIT A PERSON FROM SERVING AS A WITNESS FOR MORE THAN FIVE ABSENTEE BALLOT APPLICANTS, AND TO PROVIDE THAT IF AN ABSENTEE BALLOT APPLICANT FAILS TO INCLUDE THE REQUIRED PROOF OF IDENTITY, THEN HIS BALLOT MUST BE TREATED AS A PROVISIONAL BALLOT; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE PROCEDURAL REQUIREMENTS FOR ABSENTEE BALLOT APPLICATIONS, SO AS TO REVISE THE APPLICABLE PROCEDURES; TO AMEND SECTION 7-15-340, RELATING TO THE FORM OF AN ABSENTEE BALLOT APPLICATION, SO AS TO, AMONG OTHER THINGS, SPECIFY ADDITIONAL INFORMATION THAT MUST BE INCLUDED ON THE ABSENTEE BALLOT APPLICATION; TO AMEND SECTION 7-15-370, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES AND THE DUTIES OF THE COUNTY REGISTRATION BOARD, SO AS TO REQUIRE THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO FURNISH, AMONG OTHER THINGS, PRINTED INSTRUCTIONS RELATING TO ABSENTEE BALLOT APPLICANTS PROVIDING PROOF OF IDENTITY TOGETHER WITH THEIR SIGNED OATHS, AND RETURN-ADDRESSED ENVELOPES MARKED "RETURN TO SENDER" IN THE EVENT THE ENVELOPE IS UNDELIVERABLE; TO AMEND SECTION 7-15-380, RELATING

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TO THE ABSENTEE BALLOT APPLICANT'S OATH, SO AS TO REQUIRE, AMONG OTHER THINGS, ABSENTEE BALLOT APPLICANTS TO INCLUDE PROOF OF IDENTITY TOGETHER WITH THEIR SIGNED OATHS, TO PROHIBIT A PERSON FROM SERVING AS A WITNESS FOR MORE THAN FIVE ABSENTEE BALLOT APPLICANTS, AND TO PROVIDE THAT IF AN ABSENTEE BALLOT APPLICANT FAILS TO INCLUDE THE REQUIRED PROOF OF IDENTITY, THEN HIS BALLOT MUST BE TREATED AS A PROVISIONAL BALLOT; AND TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE BALLOTS, SO AS TO PROVIDE THAT A CANDIDATE OR A MEMBER OF A CANDIDATE'S PAID CAMPAIGN STAFF INCLUDING CAMPAIGN VOLUNTEERS IS NOT PERMITTED TO SERVE AS AN AUTHORIZED RETURNEE FOR ANY PERSON UNLESS THE PERSON IS A MEMBER OF THE VOTER'S IMMEDIATE FAMILY, TO PROVIDE THAT THE OATH SET FORTH IN SECTION 7-15-380 MUST BE SIGNED, INCLUDE PROOF OF IDENTITY, AND WITNESSED ON EACH RETURNED ENVELOPE, AND TO PROVIDE THAT IF AN ABSENTEE BALLOT APPLICANT FAILS TO INCLUDE THE REQUIRED PROOF OF IDENTITY, THEN HIS BALLOT MUST BE TREATED AS A PROVISIONAL BALLOT.

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Read the first time and referred to the Committee on Judiciary.

S. 894 -- Senator Davis: A BILL TO AMEND SECTION 7-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO ESTABLISH RULES AND REGULATIONS FOR VOTER REGISTRATIONS PERFORMED BY PRIVATE ENTITIES; AND TO AMEND SECTION 7-5-170, RELATING TO THE REQUIREMENTS FOR VOTER REGISTRATION, SO AS TO REQUIRE THE COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS TO DATE STAMP ALL VOTER REGISTRATION APPLICATIONS DELIVERED BY HAND OR BY MAIL.

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Read the first time and referred to the Committee on Judiciary.

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S. 895 -- Senator Davis: A BILL TO AMEND SECTION 7-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7-3-40, RELATING TO MONTHLY REPORTS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION OF PERSONS WHO HAVE DIED IN THE STATE, SO AS TO INCLUDE PERSONS WHO DIED OUT-OF-STATE; TO AMEND SECTION 7-5-186, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO CLARIFY THE STATE ELECTION COMMISSION'S DUTIES IN MAINTAINING AND ADMINISTERING THE DATABASE; AND TO AMEND SECTIONS 7-5-320, 7-5-330, AND 7-5-340, ALL RELATING TO VOTER REGISTRATION AND VOTER LIST MAINTENANCE, ALL SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO REMOVE VOTERS FROM THE OFFICIAL LIST OF ELIGIBLE VOTERS WITHIN SEVEN DAYS OF RECEIPT OF INFORMATION AFFECTING VOTER ELIGIBILITY.

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Read the first time and referred to the Committee on Judiciary.

S. 896 -- Senator McLeod: A BILL TO AMEND CHAPTER 23, TITLE 23 OF THE 1976 CODE, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, BY ADDING SECTION 23-23-160, TO REQUIRE THAT LAW ENFORCEMENT AGENCIES DEVELOP A USE OF FORCE POLICY, TO REQUIRE THAT THE SOUTH CAROLINA LAW ENFORCEMENT TRAINING COUNCIL DEVELOP A MODEL USE OF FORCE POLICY THAT MAY BE ADOPTED BY LAW ENFORCEMENT AGENCIES, TO MANDATE USE OF FORCE TRAINING AT THE CRIMINAL JUSTICE ACADEMY, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY THAT DOES NOT IMPLEMENT A USE OF FORCE POLICY LOSES QUALIFIED IMMUNITY FOR ITS OFFICERS, AND TO PROVIDE THAT LAW ENFORCEMENT OFFICERS IN A DEPARTMENT THAT DOES NOT ADOPT AN APPROVED USE OF FORCE POLICY ARE NOT SUBJECT TO QUALIFIED IMMUNITY FOR ANY INCIDENT THAT OCCURS WHICH WOULD BE ADDRESSED BY THE MODEL USE OF FORCE POLICY.

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Read the first time and referred to the Committee on Judiciary.

MONDAY, DECEMBER 6, 2021

S. 897 -- Senator McLeod: A BILL TO AMEND CHAPTER 1, TITLE 50 OF THE 1976 CODE, RELATING TO FISH, GAME, AND WATERCRAFT, BY ADDING SECTION 50-1-55, TO PROVIDE THAT BOAT LANDINGS AND RAMPS BE MARKED AND CATEGORIZED BY COUNTY.

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Read the first time and referred to the Committee on Fish, Game and Forestry.

S. 898 -- Senator Davis: A BILL TO AMEND SECTION 7-1-25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "DOMICILE", SO AS TO CLARIFY CIRCUMSTANCES UNDER WHICH A PERSON IS DEEMED TO HAVE CHANGED HIS DOMICILE FOR VOTING PURPOSES, AND TO REVISE THE FACTORS USED TO DETERMINE A PERSON'S INTENTION REGARDING HIS DOMICILE.

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Read the first time and referred to the Committee on Judiciary.

S. 899 -- Senators Loftis, Rice, Kimbrell and Corbin: A BILL TO MAKE SUPPLEMENTAL APPROPRIATIONS TO THE STATE HUMAN AFFAIRS COMMISSION TO MEET CERTAIN VACCINATION RIGHTS REQUIREMENTS; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA VACCINATION RIGHTS ACT OF 2022" BY ADDING SECTION 1-13-120 SO AS TO SET FORTH CERTAIN UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO REQUIREMENTS INVOLVING A PERSON'S VACCINATION STATUS OR THE POSSESSION OF AN IMMUNITY PASSPORT; TO AMEND SECTION 1-13-30, AS AMENDED, RELATING TO DEFINITIONS REGARDING THE STATE HUMAN AFFAIRS COMMISSION, SO AS TO DEFINE "VACCINATION STATUS" AND "IMMUNITY PASSPORT"; AND TO AMEND SECTION 1-13-20, RELATING TO THE POLICY AGAINST DISCRIMINATION, SO AS TO MAKE ADDITIONAL DECLARATIONS REGARDING THE PRIVACY OF MEDICAL RECORDS AND DISCRIMINATION BY VACCINATION STATUS.

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Read the first time and referred to the Committee on Finance.

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S. 900 -- Senators Loftis and Kimbrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PARENTAL BILL OF RIGHTS" BY ADDING CHAPTER 23 TO TITLE 63 SO AS TO PROVIDE NECESSARY FINDINGS AND DEFINITIONS, TO PROHIBIT CERTAIN GOVERNMENT INFRINGEMENT ON THE FUNDAMENTAL RIGHTS OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE, AND MENTAL HEALTH CARE OF THEIR CHILDREN EXCEPT IN LIMITED CIRCUMSTANCES, TO RESERVE ALL PARENTAL RIGHTS TO THE PARENTS OF CHILDREN IN THIS STATE AND TO PROVIDE A NONEXHAUSTIVE LIST OF SUCH RIGHTS, TO PROVIDE RELATED REQUIREMENTS CONCERNING PUBLIC EDUCATION INSTITUTIONS AND HEALTH CARE PROVIDERS, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE NOTWITHSTANDING CONTRARY PROVISIONS IN DECLARED STATES OF EMERGENCY; AND TO AMEND SECTION 63-5-340, RELATING TO THE AGE OF CONSENT FOR MINORS TO CERTAIN HEALTH CARE SERVICES, SO AS TO INCREASE THE AGE OF CONSENT TO EIGHTEEN.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 901 -- Senator Verdin: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

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Read the first time and referred to the Committee on Finance.

S. 902 -- Senators Malloy, Martin, M. Johnson, Garrett, Davis and Talley: A BILL TO AMEND CHAPTER 9, TITLE 42 OF THE 1976 CODE, RELATING TO WORKERS' COMPENSATION, BY ADDING SECTION 42-9-50, TO PROVIDE THAT EMPLOYEES MAY SEEK COMPENSATION FOR ADVERSE HEALTH

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CONDITIONS OR DEATH CAUSED BY AN EMPLOYER-MANDATED COVID-19 VACCINE.

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Senator MALLOY spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 903 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3791 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE STATE TREASURER AND DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT; AND TO REPEAL SECTION 12-6-3790 RELATING TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN'S FUND.

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Read the first time and referred to the Committee on Finance.

S. 904 -- Senator Shealy: A BILL TO AMEND SECTION 40-79-20(2) AND (6) OF THE 1976 CODE, RELATING TO ALARM SYSTEM DEFINITIONS, TO FURTHER DEFINE ALARM SYSTEM BUSINESS AND BURGLAR ALARM SYSTEM BUSINESS; AND TO AMEND SECTION 40-79-310(7) OF THE 1976 CODE, TO REMOVE CAMERA AND CARD ACCESS ALARMS FROM THE EXCLUSIONS FROM THE PROVISIONS OF CHAPTER 79, TITLE 40 OF THE 1976 CODE.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 905 -- Senator Shealy: A BILL TO AMEND SECTION 63-9-30(10) OF THE 1976 CODE, RELATING TO DEFINITIONS UNDER THE SOUTH CAROLINA ADOPTION ACT, TO PROVIDE THAT A "CHILD WITH CHALLENGING ADOPTION CIRCUMSTANCES" OR "CHILDREN WITH CHALLENGING ADOPTION CIRCUMSTANCES" MEANS CHILDREN WHO ARE MEMBERS

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OF A SIBLING GROUP, CHILDREN AGED SIX OR OLDER, OR CHILDREN WITH PHYSICAL, MENTAL, OR EMOTIONAL DISABILITIES; TO AMEND SECTION 63-9-60(B)(1)(A), SECTION 63-9-750(A), SECTION 63-9-1370(B), SECTION 63-9-1750(1), AND SECTION 63-9-2030(A) AND (D) OF THE 1976 CODE, ALL RELATING TO CERTAIN PROVISIONS UNDER THE SOUTH CAROLINA ADOPTION ACT, TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140(7) OF THE 1976 CODE, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME FOR CERTAIN ADOPTED CHILDREN, TO MAKE CONFORMING CHANGES; AND TO PROVIDE THAT A CHILD WHO FORMERLY QUALIFIED AS A SPECIAL NEEDS CHILD AND RECEIVED CERTAIN ADOPTION BENEFITS PURSUANT TO THIS STATUS SHALL CONTINUE TO RECEIVE THOSE BENEFITS.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 906 -- Senator Shealy: A BILL TO AMEND SECTION 43-35-10(3) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "EXPLOITATION" IN THE "OMNIBUS ADULT PROTECTION ACT", TO AMEND THE DEFINITION OF "EXPLOITATION" TO INCLUDE THE EXERCISE OF EXTREME UNDUE INFLUENCE OVER, COERCIVE PERSUASION OF, OR PSYCHOLOGICALLY DAMAGING MANIPULATION OF A VULNERABLE ADULT; AND TO FURTHER AMEND SECTION 43-35-10 BY ADDING A DEFINITION FOR "UNDUE INFLUENCE".

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 907 -- Senator Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 41, TITLE 44 OF THE 1976 CODE, RELATING TO ABORTIONS, BY ADDING SECTION 44-41-90 TO REQUIRE THE DISCLOSURE OF MEDICAL INFORMATION TO PERSONS WHO MAY RECEIVE A CHEMICALLY INDUCED ABORTION, WITH EXCEPTIONS.

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Read the first time and referred to the Committee on Medical Affairs.

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S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

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Read the first time and referred to the Committee on Transportation.

S. 909 -- Senator Williams: A BILL TO AUTHORIZE THE MARION COUNTY COUNCIL TO POSTPONE FOR ONE ADDITIONAL YEAR THE IMPLEMENTATION OF ITS COUNTYWIDE PROPERTY TAX EQUALIZATION AND REASSESSMENT PROGRAM FOR THE 2023 TAX YEAR.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 910 -- Senator Grooms: A BILL TO AMEND SECTIONS 1, 2, AND 3 OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 408 OF 2012, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NON-PARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT-LARGE; TO STAGGER TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982, AS LAST AMENDED BY ACT 296 OF 2012, RELATING TO APPORTIONING NINE SINGLE-MEMBER SCHOOL BOARD DISTRICTS IN THE COUNTY.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 911 -- Senators Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 13 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS OF THE DEPARTMENT OF COMMERCE, BY ADDING SECTION 13-1-55, TO PROHIBIT THE DEPARTMENT OF COMMERCE FROM OFFERING OR

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AWARDING INCENTIVES TO CERTAIN COMPANIES OWNED OR CONTROLLED BY THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY, AND TO PROHIBIT ANY COMPANY RECEIVING AN INCENTIVE FROM CONTRACTING WITH SUCH PROHIBITED COMPANIES; AND TO AMEND SECTION 4-12-30 OF THE 1976 CODE, RELATING TO FEES IN LIEU OF PROPERTY TAXES, BY ADDING AN APPROPRIATELY LETTERED NEW SUBSECTION TO PROHIBIT A COUNTY FROM ENTERING INTO AN AGREEMENT TO OFFER A FEE IN LIEU OF TAXES TO CERTAIN COMPANIES OWNED OR CONTROLLED BY THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 912 -- Senator Stephens: A BILL TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 913 -- Senators Rankin, Sabb and Talley: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 2, 2022, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4, WHOSE TERM WILL EXPIRE JULY 31, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2027; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIRST JUDICIAL CIRCUIT, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT,

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FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FIFTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIRST JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2022, AND THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE

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30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, TWELFTH JUDICIAL CIRCUIT, SEAT 3, TO FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2028; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT,

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FIFTEENTH JUDICIAL CIRCUIT, SEAT 3, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2022, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2026; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2022; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2022.

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The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

S. 914 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME CORSAIR STREET IN HORRY COUNTY "PATROLMAN FIRST CLASS JOE MCGARRY WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 915 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF CUSHMAN DRIVE AND BALDWIN ROAD IN RICHLAND COUNTY "DEPUTY DARRAL KEITH LANE, SR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 916 -- Senators Jackson and McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF PERCIVAL ROAD AND FAIRLAMB AVENUE IN RICHLAND COUNTY "DEPUTY JERRY LEE HURD, JR. MEMORIAL INTERSECTION" AND ERECT APPROPRIATE

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MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 917 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE US 701 BRIDGE OVER THE GREAT PEE DEE RIVER THE "CHARLES A. HINSON MEMORIAL BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 918 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 919 -- Senator Goldfinch: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 4493 -- Reps. Lucas and Murphy: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH

MONDAY, DECEMBER 6, 2021

ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED.

Read the first time and, on motion of Senator RANKIN, with unanimous consent, H. 4493 was ordered placed on the Calendar without reference.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Abbeville County Magistrate, with the term to commence April 30, 2018, and to expire April 30, 2022

Robert Devore, 758 Haddon Road, Donalds, SC 29638-8956

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Jennifer Susan Kottka Colton, 1619 Hunters Place Road, York, SC 29745-7691

Initial Appointment, York County Magistrate, with the term to commence April 30, 2019, and to expire April 30, 2023

Katie Vaughn, 1939 Sharon Road, York, SC 29745-9339

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 11:30 A.M.

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ed Brown of Blacksburg, S.C. Ed was the owner and operator of Ed Browns Rodeo for 52 years. He loved providing joy and entertainment to the community he cherished so much. Ed was a loving husband, devoted father and doting grandfather who will be dearly missed.

MONDAY, DECEMBER 6, 2021

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Walt Griffin of Gaffney, S.C. Dr. Griffin was the former President of Limestone University where he served from 1992 - 2017. He left a legacy of commitment and service to higher education that will never be forgotten. Walt was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James Harry Morton of Shelby, N.C. He formed Associates Tax Services and later opened Electronic Tax Center in Cherokee County. James was a member of the S. C. Tax Council, an Accredited Business and Tax Advisor and a member of the S.C. Society of Enrolled Agents to mention a few. He was a member of Buford Street United Methodist Church and served on the Cherokee County School Board. James was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:55 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:30 A.M., under the provisions of H. 4285, the *Sine Die* Resolution.

* * *

Tuesday, December 7, 2021
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:30 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Isaiah 1:18

Surely Isaiah puts it all into clear focus as he said: “ ‘Come now, let us reason together,’ says the Lord.”

Let us pray. Gracious God, once again as these Senators gather in session to deal with additional unfinished business, we ask You to bless them and their staff members as You alone can. Grant to these servants the wisdom -- and stamina -- they need to continue carrying out the work of our State, celebrating Your presence here, of course, and using their collective wisdom to benefit each and every South Carolinian. For as we all well know, the needs of so many of our citizens cry out for the best efforts that these Senators can offer. Therefore, truly, dear God, guide and lead the members of this Body as they reason together. All this we humbly pray in Your wondrous and loving name, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Reappointment, Board of Directors of the Jobs-Economic Development Authority, with the term to commence July 27, 2019, and to expire July 27, 2022

At-Large/Chairman:

Michael W. Nix, 108 White Oak Lane, Greenwood, SC 29646-9087

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

David E. Finley, 419 Woodfield Dr., Piedmont, SC 29673-8373

Referred to the Committee on Family and Veterans' Services.

Reappointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

Veterans Service Organization:

Jimmy E. Hawk, P. O. Box 349, Irmo, SC 29063-0349

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Stephen L. Jones, DHA, 6815 Back Bay Drive, Isle of Palms, SC 29451-2837

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nick A. Mesenburg, 60 Grand Oaks Way, Beaufort, SC 29907-1183

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Shawn T. Pinkston, 184 Scott Street, Charleston, SC 29492-7539
VICE Valerie A. Brunson

Referred to the Committee on Family and Veterans' Services.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor
Veterans' Service Organization:

Melvin Poole, 1634 Crestdale Road, Rock Hill, SC 29732-1498 *VICE*
vacant

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Ada D. Stewart, 1313 Ashland Drive, Columbia, SC 29229-8414

Referred to the Committee on Family and Veterans' Services.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Brenda Lopez Stewart, 110 Devon Road, Clinton, SC 29325-5208
VICE James R. Lorraine

Referred to the Committee on Family and Veterans' Services.

Reappointment, Department of Transportation Commission, with the term to commence February 15, 2022, and to expire February 15, 2026
2nd Congressional District:

William B. Dukes, 523 Carol Lane, Chapin, SC 29036

Referred to the Committee on Transportation.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Civic Organization:

Abbi Mason, 1126 Ambling Way, Mt. Pleasant, SC 29464-9052

Referred to the Committee on Medical Affairs.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Piedmont Region: organ and tissue recipients, family of recipients, and family of donors:

Curtis A. Nelson, 302 Scotch Rose Lane, Greer, SC 29650-5267 *VICE*
Richard M. "Marc" Jordan, Sr.

Referred to the Committee on Medical Affairs.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2020, and to expire July 28, 2023

3rd Congressional District:

Richard K. Blackwell, 308 Devon Way, Seneca, SC 29672-6819

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2018, and to expire April 1, 2022

Piedmont Region - organ and tissue recipients, family of tissue recipients, and family of donors:

Jason R. Chesney, 115 Summerville Place, Simpsonville, SC 29681-4649 *VICE* Lewis Cooley

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Patrick A. Dicks, 1830 Blacks Drive, Williston, SC 29853-3508 *VICE*
Carla J. Smalls

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Tony A. Foster, 105 Creekside Court, Greenwood, SC 29649-9540
VICE Mr. Oscar L. Douglas

Referred to the Committee on Corrections and Penology.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2018, and to expire June 30, 2022

At-Large:

Kathleen Love, 105 Tryon Drive, Summerville, SC 29485-8430 *VICE*
Ms. Lesa T. Chandler

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Malinda W. Terry, 9515 One Notch Road, Ladson, SC 29456-4963
VICE Robert J. Reid

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2020, and to expire June 9, 2023

Residential Care Administrator:

Edward G. Burton, 103 Stonecrest Road, # 29650, Greer, SC 29650-3422 *VICE* Timothy Slice

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 19, 2026

6th Congressional District:

Peter A. Smith, 120 Dunnemann Ave., Charleston, SC 29403-3529

Referred to the Committee on Family and Veterans' Services.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2020, and to expire June 30, 2024

1st Congressional District:

Barry D. Malphrus, 6036 Vaux Road, Beaufort, SC 29906-9472

Referred to the Committee on Medical Affairs.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611 *VICE* Mr. Gary C. Lemel

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large:

Doug A. Snyder, 178A Queen Street, Charleston, SC 29401-1969
VICE Devron H. Edwards

Referred to the Committee on Education.

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2018, and to expire October 18, 2022

At-Large:

Joy R. Cox, 1766 McKelvey Road, Fountain Inn, SC 29644-9104
VICE Angelica Louise Flewelling

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2021, and to expire October 18, 2025

1st Congressional District:

Renata Cristina Dasilva, 768 Redbud Lane, Summerville, SC 29486-6949

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2020, and to expire October 18, 2024

At-Large:

Elizabeth Joy Enns, 1339 Shimmer Light Circle, Rock Hill, SC 29732-7613

Referred to the Committee on Judiciary.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2020, and to expire October 18, 2024

5th Congressional District:

Ame E. Fuss, 29049 Snapper Point, Tega Cay, SC 29708-8403 *VICE*
Sheri Few

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Women, with the term to commence October 14, 2019, and to expire October 14, 2023

At-Large:

Carol L. Herring, 428 Guilford Road, Rock Hill, SC 29732-1940 *VICE*
Cindy F. Costa

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Commission on Women, with the term to commence October 18, 2018, and to expire October 18, 2022

At-Large:

Erin Mosley, 2832 East Pinewood, Chester, SC 29706-8621 *VICE*
Pamela A. Baker

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 14, 2018, and to expire March 14, 2022

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802 *VICE*
Louise Haynes

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 14, 2022, and to expire March 14, 2026

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802

Referred to the Committee on Medical Affairs.

TUESDAY, DECEMBER 7, 2021

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

4th Congressional District:

Bobby H. Mann, Jr., 140 Hammond Drive, Taylors, SC 29687-6923

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

2nd Congressional District:

L. Gregory Pearce, Jr., 810 Hampton Hill Road, Columbia, SC 29209-1024

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2021, and to expire May 30, 2023

Dietician, Clinical:

Robert Duffell-Hoffman, 501 Gillsbrook Rd., Lancaster, SC 29720-1915 *VICE* Kay MacInnis

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Hal J. Dillard, 101 Sugar Mill Road, Greer, SC 29650

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269 *VICE* Pamela W. Shealy

Referred to the Committee on Labor, Commerce and Industry.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, South Carolina State Board for Technical and Comprehensive Education, with the term to commence July 1, 2020, and to expire July 1, 2026

2nd Congressional District:

William H. Floyd III, 129 Forbidden Lane, Lexington, SC 29072-9331
VICE Robert E. Barnett

Referred to the Committee on Education.

Reappointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2021, and to expire June 30, 2025

Licensed consumer finance business restricted lender or supervised lender recommended by the Independent Consumer Finance Association:

James Daniel Walters, 301 Portabello Way, Simpsonville, SC 29681

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina State Board of Nursing, with the term to commence June 30, 2020, and to expire June 30, 2024

7th Congressional District: Registered Nurse

Jonela D. Davis, 2643 Henagan Lane, Myrtle Beach, SC 29588-5441

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

General Public:

Lindsey K. Mitcham, 332 Clay Road, Camden, SC 29020-1622

Referred to the Committee on Medical Affairs.

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2019, and to expire April 6, 2025

Veterinary Technician:

Tracy Tate, 562 Shadow Lane Road, Wagner, SC 29164-9158 VICE
William Marshall Liger III

Referred to the Committee on Agriculture and Natural Resources.

TUESDAY, DECEMBER 7, 2021

Initial Appointment, South Carolina State Housing Finance and Development Authority, with the term to commence August 15, 2020, and to expire August 15, 2024

At-Large:

James G. Fleshman II, 516 Windsong Point, Columbia, SC 29212
VICE Mr. Kenneth F. Ormand, Jr.

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

1st Congressional District:

Mary M. Amonitti, 45 Queens Folly Road, Apartment 651, Hilton Head Island, SC 29928-5189 *VICE* Chery F. C. Ludlam

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2021, and to expire June 30, 2024

4th Congressional District:

Stephen E. Hall, 6 Lotus Court, Greenville, SC 29609 *VICE* Vacant

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2019, and to expire June 30, 2022

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304 *VICE* Vacant

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2020, and to expire June 30, 2023

2nd Congressional District:

Kimberly P. Snipes, 8 Forest Walk Court, Irmo, SC 29063-9308 *VICE* Vacant

TUESDAY, DECEMBER 7, 2021

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Melody L. James, 152 Golden Pond Drive, Lexington, SC 29073

Referred to the Committee on Judiciary.

Reappointment, State Board for Technical and Comprehensive Education, with the term to commence July 1, 2019, and to expire July 1, 2025

5th Congressional District:

Ralph A. Odom, Jr., 877 Hillcroft Place, Rock Hill, SC 29732-2032

Referred to the Committee on Education.

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bills:

S. 141 Sen. Gustafson
S. 149 Sen. Garrett
S. 166 Sen. Garrett
S. 213 Sen. Gustafson
S. 217 Sens. Garrett and Gustafson
S. 219 Sen. Senn
S. 290 Sen. Garrett
S. 530 Sen. Gustafson
S. 586 Sen. Gustafson
S. 903 Sen. Adams

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 920 -- Senator Climer: A SENATE RESOLUTION TO CONGRATULATE AND COMMEND THOMAS F. HARTNETT FOR HIS FOURTEEN YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF THE PALMETTO STATE AS A PUBLIC MEMBER OF THE SOUTH CAROLINA LEGISLATIVE AUDIT COUNCIL AND, AS HE DEPARTS FROM THE AGENCY, TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

TUESDAY, DECEMBER 7, 2021

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The Senate Resolution was adopted.

S. 921 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE COMMAND SERGEANT MAJOR WILLIAM F. BOSTIC, JR. FOR RECEIVING THE LEGION OF MERIT MEDAL.

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The Senate Resolution was adopted.

S. 922 -- Senators Martin, Rice, Corbin, Cash, Gustafson, Climer, Loftis, Kimbrell and Peeler: A BILL TO AMEND SECTION 41-35-110(5) OF THE 1976 CODE, RELATING TO CONDITIONS OF ELIGIBILITY FOR UNEMPLOYMENT BENEFITS, TO PROVIDE THAT A PERSON SEPARATED FROM EMPLOYMENT FOR DEFYING A COVID-19 VACCINE MANDATE BE ELIGIBLE FOR UNEMPLOYMENT BENEFITS.

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Senator MARTIN spoke on the Bill.

Read the first time and referred to the Committee on Judiciary.

S. 923 -- Senators Turner, Hutto, Peeler, Martin, Climer, Bennett, Talley, Corbin, Senn and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-465 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE YOUTH PATRIOTIC SOCIETIES MAY ADDRESS PUBLIC SCHOOL STUDENTS DURING PATRIOTISM WEEK ABOUT HOW INVOLVEMENT IN THE YOUTH PATRIOTIC SOCIETY MAY FURTHER THE EDUCATIONAL INTEREST AND CIVIC INVOLVEMENT OF THE STUDENTS, AND TO PROVIDE RELATED PROCEDURES AND REQUIREMENTS; TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK, SO AS TO MAKE OBSERVATION OF PATRIOTISM WEEK IN PUBLIC SCHOOLS MANDATORY INSTEAD OF OPTIONAL, AND TO PROVIDE THIS OBSERVATION MUST INCLUDE TIME ALLOCATED FOR YOUTH PATRIOTIC SOCIETIES TO ADDRESS STUDENTS AS PROVIDED IN THIS ACT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2022.

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Read the first time and referred to the Committee on Education.

TUESDAY, DECEMBER 7, 2021

S. 924 -- Senators Kimbrell, Garrett, M. Johnson, Talley, Turner, Rice, Adams, Shealy and Climer: A BILL TO ENACT THE SOUTH CAROLINA JOB CREATION AND COMPETITIVENESS ACT OF 2022, BY REPEALING CHAPTER 6 AND 20, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA INCOME TAX ACT AND CORPORATE LICENSE FEES, BY ADDING CHAPTER 7 TO TITLE 12, RELATING TO INCOME TAX, TO PROVIDE THAT SOUTH CAROLINA TAXABLE INCOME FOR INDIVIDUALS, ESTATES, AND TRUSTS IS EQUAL TO THE THREE AND ONE-HALF PERCENT OF THE DIFFERENCE BETWEEN THE FEDERAL TAXABLE INCOME OF THE TAXPAYER AND THE STATE STANDARD DEDUCTION, TO PROVIDE FOR THE STATE STANDARD DEDUCTION, TO PROVIDE FOR AN EARNED INCOME TAX CREDIT, TO PROVIDE FOR INCOME TAXES PAID TO ANOTHER STATE, AND TO PROVIDE FOR THE TECHNICAL ASPECTS OF THE DEPARTMENT OF REVENUE IMPLEMENTING THIS CHAPTER; AND TO AMEND SECTION 12-36-2120 OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SALES AND USE TAX TO REPEAL CERTAIN EXEMPTIONS.

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Senator KIMBRELL spoke on the Bill.

Read the first time and referred to the Committee on Finance.

S. 925 -- Senators Bennett, Malloy, Massey, Williams, Young, Talley, Turner, Martin, Climer, Goldfinch, McElveen, Loftis, Shealy, Cromer, Corbin, M. Johnson, Gustafson, Hembree, Davis, Rice and Fanning: A BILL TO ENACT THE SOUTH CAROLINA TAX POLICY MODERNIZATION ACT BY AMENDING CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA INCOME TAX ACT; BY AMENDING CHAPTER 36, TITLE 12 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SALES AND USE TAX ACT; BY AMENDING CHAPTER 37, TITLE 12 OF THE 1976 CODE, RELATING TO THE ASSESSMENT OF PROPERTY TAXES; AND FOR OTHER RELATED TAX REFORM PURPOSES.

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Senator BENNETT spoke on the Bill.

Read the first time and referred to the Committee on Finance.

TUESDAY, DECEMBER 7, 2021

S. 926 -- Senator Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-11-145 SO AS TO PROVIDE AN ADDITIONAL ONE-TIME PAYMENT TO MEMBERS OF THE POLICE OFFICERS RETIREMENT SYSTEM WHO ARE KILLED IN THE LINE OF DUTY, AND TO SET FORTH THE AMOUNT OF THE PAYMENT DEPENDENT ON THE CIRCUMSTANCES OF THE DEATH.

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Read the first time and referred to the Committee on Finance.

S. 927 -- Senator Shealy: A BILL TO AMEND ARTICLE 1, CHAPTER 25, TITLE 16 OF THE 1976 CODE, RELATING TO GENERAL PROVISIONS CONCERNING DOMESTIC VIOLENCE, BY ADDING SECTION 16-25-130 TO CREATE THE OFFENSE OF COERCIVE CONTROL OVER ANOTHER PERSON, TO PROVIDE EXAMPLES OF THE TYPES OF BEHAVIOR AND EVIDENCE THAT MAY BE USED TO SUPPORT THE OFFENSE, TO PROVIDE A PENALTY, AND TO DEFINE NECESSARY TERMS.

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Read the first time and referred to the Committee on Judiciary.

S. 928 -- Senator Hembree: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JAMES ROBERT "ROBBIE" JORDAN, JR., TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 929 -- Senators Shealy and Harpootlian: A BILL TO AMEND CHAPTER 23, TITLE 17 OF THE 1976 CODE, RELATING TO PLEADING AND TRIAL, BY ADDING SECTION 17-23-180 TO PROVIDE THAT, IN A CRIMINAL CASE OR PROCEEDING IN WHICH A DEFENDANT IS ACCUSED OF CRIMINAL DOMESTIC VIOLENCE OR CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, A COURT MAY ADMIT EVIDENCE THAT THE DEFENDANT PREVIOUSLY COMMITTED ANOTHER VIOLATION OF SUCH AN OFFENSE.

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Read the first time and referred to the Committee on Judiciary.

TUESDAY, DECEMBER 7, 2021

S. 930 -- Senator Harpootlian: A BILL TO AMEND SECTION 42-3-20 OF THE 1976 CODE, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA WORKERS' COMPENSATION COMMISSION, TO PROVIDE FOR QUALIFICATIONS TO SERVE AS A COMMISSIONER; TO AMEND SECTION 42-3-40 OF THE 1976 CODE, RELATING TO COMMISSIONERS' SALARIES, TO PROVIDE THAT COMMISSIONERS ARE ENTITLED TO JUDICIAL RETIREMENT AS PROVIDED UNDER THE PROVISIONS OF CHAPTER 8 OF TITLE 9; TO AMEND SECTION 9-8-10(16) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "JUDGE", TO INCLUDE COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION; AND TO AMEND SECTION 9-8-40 OF THE 1976 CODE, RELATING TO MEMBERSHIP IN THE SYSTEM, TO PROVIDE FOR THE MEMBERSHIP OF COMMISSIONERS OF THE WORKERS' COMPENSATION COMMISSION.

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Read the first time and referred to the Committee on Judiciary.

S. 931 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE 1988 LOWER RICHLAND HIGH SCHOOL GRADUATE AND FORMER NBA PLAYER STANLEY ROBERTS ON THE OCCASION OF THE RETIREMENT OF HIS #53 LOWER RICHLAND BASKETBALL JERSEY, TO CELEBRATE HIM FOR HIS EXCEPTIONAL BASKETBALL CAREER, AND TO WISH HIM MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

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The Senate Resolution was adopted.

S. 932 -- Senator Young: A SENATE RESOLUTION TO CONGRATULATE MAJOR DWIGHT L. BRADHAM, JR. FOR RECEIVING THE SOUTH CAROLINA VETERANS AFFAIRS OFFICER OF THE YEAR AWARD FROM THE SOUTH CAROLINA ASSOCIATION OF COUNTY VETERANS AFFAIRS OFFICERS.

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The Senate Resolution was adopted.

S. 933 -- Senators Grooms, Loftis, Shealy, Goldfinch, Verdin, Rice, Cash, Adams, Gustafson, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Massey, Gambrell and Rankin: A

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BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO TAX CREDITS, BY ADDING SECTION 12-6-3690 TO PROVIDE AN INCOME TAX CREDIT FOR INSTRUCTION-RELATED EXPENSES FOR A PARENT OR GUARDIAN WHO TEACHES A QUALIFYING STUDENT AT HOME AND TO PROVIDE THE MANNER IN WHICH THE CREDIT MAY BE CLAIMED.

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Read the first time and referred to the Committee on Finance.

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 935 -- Senators Grooms, Loftis, Shealy, Goldfinch, Verdin, Rice, Cash, Adams, Gustafson, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell and Rankin: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

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Read the first time and referred to the Committee on Education.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

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Expression of Personal Interest

Senator MASSEY rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator MATTHEWS rose for an Expression of Personal Interest.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

Motion Adopted

On motion of Senator RANKIN, with unanimous consent, Staff Counsel Charlie Terreni and staff members from the Committee on Judiciary were authorized as necessary to be in that area behind the rail and were admitted to the floor of the Senate Chamber while debate was in progress on H. 4493, the Senate Redistricting Bill.

AMENDED, READ THE SECOND TIME

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE

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SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senator RANKIN spoke on the Bill.

RECESS

At 1:12 P.M., on motion of Senator MATTHEWS, the Senate recessed from business.

At 1:40 P.M., the Senate resumed.

Senator RANKIN resumed speaking on the Bill.

Senators RANKIN, CAMPSER, YOUNG, SABB, MATTHEWS, TALLEY and HARPOOTLIAN proposed the following amendment (AHB\865C001.BH.AHB21), which was adopted:

Amend the bill, as and if amended, Part II, by deleting SECTION 2 in its entirety and inserting:

/ SECTION 2. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2-1-75. Commencing with the 2024 General Election, one member of the Senate must be elected from each of the following districts:

DISTRICT 1

Area	Population
County: Oconee SC	78,607
County: Pickens SC	
Abel	2,291
Calhoun	3,546
Clemson	2,784
Issaqueena	1,625
Lawrence Chapel	1,668

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Morrison	5,468
Pike	1,598
Stone Church	2,016
University	7,248
West Central	3,616
County Pickens SC Subtotal	31,860
DISTRICT 1 Total	110,467
Area	Population

DISTRICT 2

Area	Population
County: Greenville SC	
BEREA	3,443
MONAVIEW	
Tract 22.04	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027	2244
Tract 23.01	
Blocks: 2020	0
Tract 37.04	
Blocks: 1000, 1001, 1002, 1003, 1005, 1006	1169
Tract 37.06	
Blocks: 1012	133
MONAVIEW Subtotal	3,546
SALUDA	2,296
WESTCLIFFE	
Tract 37.01	
Blocks: 1022, 1023, 1025	76
Tract 37.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 2000, 2001, 2002, 2003, 2004,	
2005, 2006, 2007, 2008, 2009, 2010, 2011,	
2012, 2013, 2014, 2015	1837
WESTCLIFFE Subtotal	1,913
WESTSIDE	
Tract 22.02	

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Blocks: 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 2013, 2014, 2015, 2028	490
Tract 22.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014	855
Tract 37.04	
Blocks: 1004, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014	2888
WESTSIDE Subtotal	4,233
County Greenville SC Subtotal	15,431
County: Pickens SC	
Albert R. Lewis	1,940
Arial Mill	1,893
Brushy Creek	2,398
Cedar Rock	1,798
Crescent Hill	1,896
Crestview	1,883
Crossroads	2,156
Crosswell	2,398
Dacusville	1,689
Easley	2,225
East Liberty	1,915
East Pickens	2,028
Flat Rock	2,186
Forest Acres	1,616
Fruit Mountain	1,600
Georges Creek	1,627
Glassy Mountain	2,090
Griffin	2,208
Holly Springs	1,971
Lenhardt	1,566
McAlister	1,770
McKissick	2,076
Mountain View	2,161
Nine Forks	1,909
Norris	1,851
North Central	1,938

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North Liberty	1,871
North Pickens	2,094
Pendleton	1,768
Pickensville	1,866
Pope Field	1,539
Praters Creek	1,391
Pumpkintown	2,141
Rices Creek	2,051
Rock Springs	2,252
Saluda	2,241
Sheffield	1,655
Simpson	2,164
Sitton	1,814
Six Mile	2,330
Six Mile Mountain	2,243
Skelton	1,725
Smith Grove	1,611
South Central	2,426
South Pickens	2,147
Tri County	907
Vinland	1,591
West Liberty	2,192
West Pickens	2,264
Woodside	2,475
Zion	1,998
County Pickens SC Subtotal	99,544
DISTRICT 2 Total	114,975
Area	Population

DISTRICT 3

Area	Population
County: Anderson SC	
Anderson 1/1	2,837
Anderson 1/2	1,772
Anderson 2/1	1,962
Anderson 2/2	5,186
Anderson 6/1	2,878
Appleton-Equinox	1,916
Bishop's Branch	3,108
Bowling Green	1,232
Brushy Creek	3,341

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Center Rock	3,616
Centerville Station A	4,083
Centerville Station B	4,150
Concrete	4,982
Cox Creek	1,878
Denver-Sandy Springs	2,091
Edgewood Station A	3,590
Edgewood Station B	2,776
Five Forks	2,051
Fork No. 1	1,967
Fork No. 2	2,241
Glenview	2,700
Green Pond Station A	3,705
Hammond Annex	2,618
Hammond School	3,547
Hopewell	2,228
Hunt Meadows	6,104
La France	1,516
Melton	855
Mount Tabor	3,316
Mt. Airy	3,365
North Point	2,584
Pendleton	4,750
Piercetown	3,100
Powdersville	5,048
Rock Mill	1,486
Three and Twenty	4,138
Town Creek	2,162
Townville	1,107
White Plains	4,799
County Anderson SC Subtotal	116,785
DISTRICT 3 Total	116,785
Area	Population

DISTRICT 4

Area	Population
County: Abbeville SC	24,295
County: Anderson SC	
Anderson 3/1	1,798
Anderson 3/2	2,093
Anderson 4/1	2,544

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Anderson 4/2	3,352
Anderson 5/B	2,459
Anderson 6/2	2,602
Barker's Creek	586
Belton	3,376
Belton Annex	2,832
Broadview	829
Broadway	1,332
Cedar Grove	2,437
Chiquola Mill	1,411
Craytonville	1,617
Flat Rock	2,591
Friendship	1,366
Gluck Mill	2,953
Hall	2,603
High Point	854
Homeland Park	933
Honea Path	2,192
Iva	2,661
Jackson Mill	2,001
Lakeside	3,816
Mountain Creek	1,751
Neals Creek	3,379
Pelzer	1,434
Piedmont	1,663
Rock Spring	1,172
Shirleys Store	1,232
Simpsonville	4,165
South Fant	2,489
Starr	1,304
Toney Creek	1,140
Varennnes	2,297
West Pelzer	3,080
West Savannah	893
Williamston	3,465
Williamston Mill	5,038
Wrights School	1,193
County Anderson SC Subtotal	86,933
DISTRICT 4 Total	111,228
Area	Population

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DISTRICT 5

Area	Population
County: Greenville SC	
CASTLE ROCK	4,104
CLEAR CREEK	2,355
DARBY RIDGE	3,930
EDWARDS FOREST	3,234
FOX CHASE	2,680
FROHAWK	2,213
GOWENSVILLE	2,810
JENNINGS MILL	2,193
LAUREL RIDGE	3,436
LOCUST HILL	2,122
MAPLE CREEK	4,336
MARIDELL	2,888
MOUNTAIN VIEW	3,378
ONEAL	4,570
SANDY FLAT	4,745
SKYLAND	4,056
SLATER MARIETTA	5,430
STONE VALLEY	3,525
SUBER MILL	5,075
TAYLORS	3,650
TIGERVILLE	4,784
TRADE	4,337
TUBBS MOUNTAIN	3,582
TYGER RIVER	2,462
County Greenville SC Subtotal	85,895
County: Spartanburg SC	
Apalache Baptist	4,795
Holly Springs Baptist	5,562
Landrum High School	3,992
Landrum United Methodist	4,488
Lyman Elementary	3,242
Motlow Creek Baptist	1,649
County Spartanburg SC Subtotal	23,728
DISTRICT 5 Total	109,623
Area	Population

DISTRICT 6

Area	Population
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County: Greenville SC

ALTAMONT FOREST	1,693
AVON	2,641
BOILING SPRINGS	2,750
BOTANY WOODS	2,739
BROOKGLENN	1,788
DEL NORTE	3,455
DEVENGER	2,313
EASTSIDE	3,795
EBENEZER	3,543
ENOREE	4,688
FURMAN	5,893
GREENVILLE 1	2,198
GREENVILLE 25	3,400
GREENVILLE 27	2,999
GREENVILLE 3	3,338

LAKEVIEW

Tract 23.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030	1169
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LAKEVIEW Subtotal 1,169

LEAWOOD

Tract 23.04

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2019, 2020, 2021, 2022, 2033	1103
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Tract 38.02

Blocks: 3016, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 5000, 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012	2261
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LEAWOOD Subtotal 3,364

MOUNTAIN CREEK 2,803

NORTHWOOD 2,740

PALMETTO 2,924

PARIS MOUNTAIN 1,705

PEBBLE CREEK 2,799

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POINSETT	4,944
RIVERSIDE	4,074
ROCK HILL	3,984
SEVIER	3,694
SILVERLEAF	2,967
SPRING FOREST	3,337
SUGAR CREEK	2,958
SULPHUR SPRINGS	4,421
TIMBERLAKE	3,420
TRAVELERS REST 1	3,695
TRAVELERS REST 2	2,619
WADE HAMPTON	4,440
WELLINGTON	2,137
County Greenville SC Subtotal	111,427
DISTRICT 6 Total	111,427
Area	Population

DISTRICT 7

Area	Population
County: Greenville SC	
AIKEN	2,882
BELLE MEADE	2,797
BELMONT	1,623
CAROLINA	2,657
CHESTNUT HILLS	3,090
CONESTEE	3,467
DONALDSON	2,250
GREENBRIAR	2,388
GREENVILLE 10	4,258
GREENVILLE 14	2,879
GREENVILLE 19	3,488
GREENVILLE 26	3,075
GREENVILLE 28	1,588
GREENVILLE 29	3,740
GREENVILLE 4	4,465
GREENVILLE 5	3,722
GREENVILLE 6	1,326
GREENVILLE 7	4,509
GREENVILLE 8	4,567
GROVE	3,512
LAKEVIEW	

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Tract 22.03

Blocks: 30290

Tract 23.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 1043, 2008, 2009, 2010, 2011, 2012,
2014, 2015, 2016, 2017, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2027,
2028, 2029, 2030, 2031, 2032, 2033, 2034,
2035, 2036, 2037, 2038, 2039, 20403850

Tract 23.03

Blocks: 1006, 2000, 2001, 2002, 2003, 2004,
2005, 2006, 2007, 2008, 2009, 2010, 2011,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020460

LAKEVIEW Subtotal4,310

LEAWOOD

Tract 23.04

Blocks: 2017, 2018, 2026, 2027, 2029, 2030,
2031, 2032, 2034, 2035, 2036578

LEAWOOD Subtotal578

MAULDIN 12,970

MAULDIN 33,409

MONAVIEW

Tract 7

Blocks: 3004, 30050

Tract 22.03

Blocks: 1000, 1001, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1010, 1011, 1012, 1013,
1019, 1020, 1021, 1022, 1023, 1024, 1025,
2000, 2001, 2002, 2003, 2004, 2005, 2006,
2007, 2017, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3010, 3011,
3012, 3013, 3014, 3015, 3016, 3017, 3018,
3019, 3020, 3021, 3022, 3023, 3024, 3025,
3026, 3027, 3030, 3031, 3032, 3033, 3034,
3035, 3036, 3037, 3038, 3039, 3040, 3041,

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3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3062, 3063, 3064	2382
Tract 23.02	
Blocks: 1029	0
Tract 23.03	
Blocks: 1033	0
MONAVIEW Subtotal	2,382
MT. PLEASANT	4,058
RANCH CREEK	4,300
REEDY FORK	4,524
ROYAL OAKS	2,245
SOUTHSIDE	3,356
TANGLEWOOD	4,775
WELCOME	4,589
WESTCLIFFE	
Tract 21.04	
Blocks: 1026, 1031, 1032, 1033, 1034, 1035, 1036, 1037	148
Tract 36.01	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030	1447
Tract 37.05	
Blocks: 1015, 1016, 1017, 1018, 1019, 1020	185
WESTCLIFFE Subtotal	1,780
WESTSIDE	
Tract 22.02	
Blocks: 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2020, 2021, 2026	310
Tract 22.03	
Blocks: 1014, 1015, 1016, 1017, 1018, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2028, 2029, 2030, 2031, 2032	564
WESTSIDE Subtotal	874
WOODMONT	4,225
County Greenville SC Subtotal	110,658
DISTRICT 7 Total	110,658

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Area Population

DISTRICT 8

Area Population

County: Greenville SC

ASHTON LAKES	4,068
BRIDGE FORK	2,014
DOVE TREE	2,632
FEASTER	2,321
FOUNTAIN INN 1	5,157
FOUNTAIN INN 2	2,728
GRAZE BRANCH	2,277
GREENVILLE 16	2,502
GREENVILLE 17	2,107
GREENVILLE 18	2,136
GREENVILLE 20	1,610
GREENVILLE 21	1,793
GREENVILLE 22	3,046
GREENVILLE 23	2,783
GREENVILLE 24	7,307
HILLCREST	3,560
HOLLY TREE	1,813
MAULDIN 2	6,409
MAULDIN 4	4,642
MAULDIN 5	4,817
MAULDIN 6	2,930
MAULDIN 7	2,654
MISSION	3,421
RIVERWALK	3,213
ROCKY CREEK	3,075
SIMPSONVILLE 1	4,067
SIMPSONVILLE 2	3,107
SIMPSONVILLE 3	3,685
SIMPSONVILLE 4	3,140
SIMPSONVILLE 5	3,783
SIMPSONVILLE 6	3,936
STANDING SPRINGS	2,507
STONEHAVEN	2,677
SYCAMORE	4,357
WOODRUFF LAKES	3,493
County Greenville SC Subtotal	115,767

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DISTRICT 8 Total	115,767
Area	Population

DISTRICT 9

Area	Population
County: Greenville SC	
BAKER CREEK	2,435
DUNKLIN	3,829
FORK SHOALS	3,047
LONG CREEK	2,484
MOORE CREEK	5,570
NEELY FARMS	4,822
PIEDMONT	5,218
PINEVIEW	1,985
RAINTREE	5,224
VERDMONT	3,123
WARE PLACE	3,160
County Greenville SC Subtotal	40,897
County: Laurens SC	67,539
County: Union SC	
Black Rock	499
Carlisle	644
Excelsior	2,166
Monarch Box 2	695
Santuck	941
Union Ward 2	1,319
Union Ward 3	1,226
County Union SC Subtotal	7,490
DISTRICT 9 Total	115,926
Area	Population

DISTRICT 10

Area	Population
County: Greenwood SC	69,351
County: Lexington SC	
BARR ROAD 1	1,987
BEULAH CHURCH	3,318
LAKE MURRAY 1	3,078
LAKE MURRAY 2	
Tract 210.21	

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Blocks: 0002, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1017, 1018, 1019, 1020, 1021,
 1022, 1023, 1024, 1025 1303

Tract 210.46

Blocks: 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1025 709

LAKE MURRAY 2 Subtotal 2,012
 LEXINGTON NO. 1 4,224
 LEXINGTON NO. 3 4,896
 MIDWAY 1,904
 MOUNT HOREB 3,132
 PARK ROAD 1 3,091
 PARK ROAD 2 1,852
 PILGRIM CHURCH 4,006
 PROVIDENCE CHURCH 3,212
 RIDGE ROAD

Tract 213.03

Blocks: 0003, 0004, 1000, 1001, 1002, 1003,
 1005, 1006, 1007, 1008, 1009, 1010, 1011,
 1012, 1013, 1014, 1015, 1016, 1017, 1018,
 1019, 1020, 1021, 1022, 1023, 1024, 1025,
 1026, 1027, 1028, 1029, 1030, 1031, 1032,
 1033, 1034, 1035 1246

RIDGE ROAD Subtotal 1,246
 County Lexington SC Subtotal 37,958

County: Saluda SC

Centennial 770
 Higgins/Zoar 1,303
 Holly 1,227
 Hollywood 1,697
 Pleasant Grove 924
 County Saluda SC Subtotal 5,921

DISTRICT 10 Total 113,230

Area	Population
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DISTRICT 11

Area	Population
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County: Spartanburg SC

Arcadia Elementary 3,246
 Bethany Baptist 3,284
 Boiling Springs 9th Grade 6,645

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Boiling Springs Elementary	7,524
Boiling Springs High School	2,556
Boiling Springs Intermediate	5,936
Boling Springs Jr. High	2,149
C.C. Woodson Recreation	2,374
Carlisle Wesleyan	2,337
Chapman Elementary	3,126
Chapman High School	5,423
Cleveland Elementary	4,464
Cooley Springs Baptist	4,474
Cornerstone Baptist	2,294
Ebenezer Baptist	1,522
Fairforest Elementary	4,920
Gramling Methodist	2,501
Greater St. James	4,474
Hayne Baptist	6,402
Hendrix Elementary	4,154
Hope	2,106
Jesse Bobo Elementary	3,037
Lake Bowen Baptist	6,603
Mt. Moriah Baptist	2,596
Oakland Elementary	3,205
Park Hills Elementary	2,594
Powell Saxon Una	4,548
Southside Baptist	2,023
Swofford Career Center	5,388
Whitlock Jr. High	2,894
County Spartanburg SC Subtotal	114,799
DISTRICT 11 Total	114,799
Area	Population

DISTRICT 12

Area	Population
County: Greenville SC	
CANEBRAKE	3,597
CIRCLE CREEK	4,410
GRANITE CREEK	4,167
OAKVIEW	3,861
PELHAM FALLS	1,570
ROLLING GREEN	2,152
THORNBLADE	5,118

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County Greenville SC Subtotal	24,875
County: Spartanburg SC	
Abner Creek Baptist	3,407
Anderson Mill Baptist	2,445
Anderson Mill Elementary	3,612
Beech Springs Intermediate	3,386
Canaan	2,078
Cedar Grove Baptist	2,380
D. R. Hill Middle School	4,636
Duncan United Methodist	2,665
Fairforest Middle School	5,043
Holy Communion	4,050
Lyman Town Hall	6,647
Mt. Zion Gospel Baptist	1,353
Pelham Fire Station	3,298
Poplar Springs Fire Station	3,580
Reidville Fire Station	5,659
River Ridge Elementary	4,456
Roebuck Bethlehem	2,334
Roebuck Elementary	4,420
Startex Fire Station	1,804
Travelers Rest Baptist	5,948
Trinity Methodist	3,200
Trinity Presbyterian	2,749
Victor Mill Methodist	4,138
Wellford Fire Station	4,862
Woodland Heights Recreation Center	3,347
County Spartanburg SC Subtotal	91,497
DISTRICT 12 Total	116,372
Area	Population

DISTRICT 13

Area	Population
County: Greenville SC	
BELLS CROSSING	4,279
KILGORE FARMS	4,034
SPARROWS POINT	3,721
WALNUT SPRINGS	8,550
County Greenville SC Subtotal	20,584
County: Spartanburg SC	
Beaumont Methodist	1,445

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Ben Avon Methodist	1,994
Bethany Wesleyan	4,245
Broome High School	1,393
Cannons Elementary	1,766
Cavins Hobbysville	1,496
Converse Fire Station	1,963
Croft Baptist	2,110
Cross Anchor Fire Station	1,219
Cudd Memorial	2,556
Daniel Morgan Technology Center	1,608
Dayton Fire Station	2,893
E.P. Todd Elementary	3,928
Eastside Baptist	1,891
Enoree First Baptist	2,322
Gable Middle School	4,093
Glendale Fire Station	2,157
Jesse Boyd Elementary	2,629
Morningside Baptist	2,639
Mt. Calvary Presbyterian	4,901
Pacolet Elementary	3,545
Pauline Glenn Springs Elementary	1,635
R.D. Anderson Vocational	2,213
Reidville Elementary	4,379
Spartanburg High School	3,122
St. John's Lutheran	1,687
West View Elementary	2,420
White Stone Methodist	1,323
Woodruff Elementary	4,799
Woodruff Fire Station	1,977
Woodruff Leisure Center	2,356
County Spartanburg SC Subtotal	78,704
County: Union SC	
Bonham	1,576
Buffalo Box 1	1,491
Cross Keys	1,206
East Buffalo	603
Jonesville Box 1	1,571
Jonesville Box 2	1,819
Putnam	1,013
Union Ward 1 Box 1	1,056
Union Ward 1 Box 2	1,651

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Union Ward 4 Box 1	1,594
Union Ward 4 Box 2	663
West Springs	380
County Union SC Subtotal	14,623
DISTRICT 13 Total	113,911
Area	Population

DISTRICT 14

Area	Population
County: Cherokee SC	56,216
County: Spartanburg SC	
Carlisle Fosters Grove	3,495
Cherokee Springs Fire Station	2,841
Chesnee Elementary	5,134
Cowpens Depot Museum	1,970
Cowpens Fire Station	2,821
Mayo Elementary	3,008
County Spartanburg SC Subtotal	19,269
County: Union SC	
Adamsburg	928
Kelton	1,352
Lockhart	936
Monarch Box 1	1,915
County Union SC Subtotal	5,131
County: York SC	
Bethany	3,160
Bethel	2,376
Bowling Green	2,396
Clover	2,855
Cotton Belt	2,889
Hampton Mill	2,488
Hickory Grove	1,686
Larne	2,496
Mill Creek	1,673
Rock Creek	2,154
Roosevelt	2,250
Sharon	2,164
Smyrna	1,134
County York SC Subtotal	29,721
DISTRICT 14 Total	110,337
Area	Population

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DISTRICT 15

Area	Population
County: York SC	
Adnah	1,222
Airport	2,449
Allison Creek	1,579
Anderson Road	
Tract 609.01	
Blocks: 3005	0
Anderson Road Subtotal	0
Bethel School	5,156
Bullocks Creek	646
Cannon Mill	2,748
Celanese	5,409
Delphia	3,211
Ebenezer	1,556
Ebinport	4,179
Fewell Park	1,759
Filbert	2,805
Hands Mill	2,279
Harvest	1,663
Hollis Lakes	2,992
India Hook	2,347
Lakeshore	3,565
Lakewood	2,313
Laurel Creek	1,806
McConnells	2,445
Mt. Gallant	2,156
New Home	3,390
Newport	2,916
Northside	2,637
Northwestern	2,915
Oakridge	3,919
Oakwood	3,126
Old Pointe	2,293
Pole Branch	3,242
River Hills	2,305
River's Edge	3,602
Rock Hill No. 5	2,352
Rock Hill No. 7	4,236
Rosewood	5,363

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Tirzah	3,120
Tools Fork	2,355
University	1,895
Wylie	2,600
York No. 1	3,685
York No. 2	5,078
County York SC Subtotal	115,314
DISTRICT 15 Total	115,314

Area	Population
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DISTRICT 16

Area	Population
County: Lancaster SC	
Black Horse Run	5,711
Gold Hill	1,601
Harrisburg	5,297
Lake House	2,503
Pleasant Valley	4,742
Possum Hollow	4,291
River Road	3,523
Shelley Mullis	2,722
The Lodge	2,853
County Lancaster SC Subtotal	33,243
County: York SC	
Baxter	1,798
Carolina	2,475
Crescent	2,704
Dobys Bridge	3,983
Fort Mill No. 1	4,390
Fort Mill No. 2	7,581
Fort Mill No. 3	2,938
Fort Mill No. 4	2,336
Fort Mill No. 5	4,050
Fort Mill No. 6	2,139
Gold Hill	4,779
Kanawha	3,691
Nation Ford	4,332
Orchard Park	2,997
Palmetto	2,952
Pleasant Road	4,953

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Riverview	2,460
Shoreline	3,018
Springdale	
Tract 611.01	
Blocks: 1010	0
Springdale Subtotal	0
Springfield	3,272
Stateline	3,674
Steele Creek	3,684
Tega Cay	1,629
Waterstone	3,275
Windjammer	2,608
County York SC Subtotal	81,718
DISTRICT 16 Total	114,961
Area	Population

DISTRICT 17

Area	Population
County: Chester SC	32,294
County: Fairfield SC	20,948
County: Lancaster SC	
Osceola	6,426
Van Wyck	1,302
County Lancaster SC Subtotal	7,728
County: York SC	
Anderson Road	
Tract 609.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1037, 1038, 1041, 1042, 1043,	
1044, 1045, 1046, 1047, 1048, 1049, 1050,	
1051, 1052, 1053, 1054, 1055, 1056, 1057,	
1058, 1059, 1060, 1061, 1062, 1063, 1064,	
1065, 1066, 1067, 1068, 1069, 1070, 1071,	
1073, 1074, 1075, 1076, 1077, 3073, 3074,	
3075, 3076, 3077, 3078, 3079, 3080, 3081,	
3082, 3083, 3084, 3085, 3086, 3087, 3088,	
3089	2638

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Tract 612.04

Blocks: 1000, 1001, 1002, 1003, 1019, 1023,
1024, 1025, 1026, 2044, 2045, 204957

Anderson Road Subtotal	2,695
Catawba	4,313
Edgewood	4,234
Fairgrounds	5,042
Ferry Branch	1,954
Friendship	1,326
Highland Park	2,150
Hopewell	2,054
Independence	1,401
Lesslie	2,181
Manchester	2,077
Mt. Holly	4,180
Neelys Creek	1,612
Ogden	3,208
Rock Hill No. 2	2,444
Rock Hill No. 3	2,890
Rock Hill No. 4	3,576
Rock Hill No. 6	2,394
Rock Hill No. 8	1,601
Six Mile	1,774

Springdale

Tract 609.01

Blocks: 10400

Tract 612.04

Blocks: 1004, 1005, 1006, 1007, 1008, 1009,
1010, 1011, 1012, 1013, 1014, 1015, 1016,
1017, 1018, 1020, 1021, 1022, 1027, 1028,
1029, 1031, 1032, 1033, 1034, 1035, 1036,
1037, 1038, 2018, 20292231

Tract 612.05

Blocks: 2044, 2045, 20500

Springdale Subtotal2,231

County York SC Subtotal55,337

DISTRICT 17 Total116,307

Area	Population
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DISTRICT 18

Area	Population
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County: Lexington SC	
AMICKS FERRY	3,919
BUSH RIVER	2,120
CHAPIN	4,743
COLDSTREAM	2,431
DREHER ISLAND	2,160
DUTCHMAN SHORES	3,304
IRMO	3,241
LINCREEK	3,141
MURRAYWOOD	2,684
OLD LEXINGTON	4,121
QUAIL VALLEY	2,730
RIVER BLUFF	4,281
SEVEN OAKS	2,488
ST. MICHAEL	2,685
County Lexington SC Subtotal	44,048
County: Newberry SC	37,719
County: Richland SC	
Ballentine 1	2,309
Ballentine 2	2,585
Dutch Fork 1	1,683
Dutch Fork 2	1,931
Dutch Fork 3	3,596
Dutch Fork 4	2,474
Oak Pointe 1	1,871
Oak Pointe 2	1,120
Oak Pointe 3	1,532
Riversprings 1	1,567
Riversprings 2	1,883
Riversprings 3	1,954
Spring Hill	3,572
Springville 1	2,866
Springville 2	2,620
County Richland SC Subtotal	33,563
DISTRICT 18 Total	115,330
Area	Population
DISTRICT 19	
Area	Population
County: Richland SC	
Ardincaple	944

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Beatty Road	2,018
Blythewood 3	3,818
College Place	2,288
Dennyside	1,696
Fairlawn	4,466
Fairwold	1,046
Friarsgate 1	2,515
Friarsgate 2	2,064
Greenview	2,022
Harbison 1	3,481
Harbison 2	1,865
Keels 2	2,846
Killian	4,335
Kingswood	4,179
Lincolnshire	2,980
Longleaf	2,991
Meadowlake	3,678
Monticello	2,478
Old Friarsgate	2,035
Parkridge 1	1,534
Parkridge 2	1,784
Pine Grove	2,726
Rice Creek 1	2,404
Rice Creek 2	4,189
Ridgewood	987
Riverside	2,275
Riverwalk	3,706
Sandlapper	4,584
Spring Valley West	4,099
Valley State Park	5,427
Walden	6,558
Ward 20	2,383
Ward 22	2,175
Ward 29	2,030
Westminster	3,214
Whitewell	3,325
County Richland SC Subtotal	107,145
DISTRICT 19 Total	107,145
Area	Population

DISTRICT 20

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Area	Population
County: Charleston SC	
Charleston 10	1,336
Charleston 11	2,040
Charleston 12	4,169
Charleston 13	1,457
Charleston 14	1,748
Charleston 3	1,062
Charleston 4	1,145
Charleston 5	1,053
Charleston 6	1,736
Charleston 7	2,498
Charleston 8	1,697
Charleston 9	1,389
James Island 10	2,195
James Island 11	2,559
James Island 15	2,166
James Island 17	2,355
James Island 19	2,233
James Island 20	1,976
James Island 22	1,920
James Island 6	2,102
James Island 7	2,684
James Island 8A	1,842
James Island 8B	2,568
James Island 9	1,837
St. Andrews 1	885
St. Andrews 10	1,484
St. Andrews 11	1,127
St. Andrews 12	1,305
St. Andrews 13	1,603
St. Andrews 14	1,977
St. Andrews 15	2,036
St. Andrews 16	1,233
St. Andrews 17	2,290
St. Andrews 18	2,724
St. Andrews 19	424
St. Andrews 2	1,393
St. Andrews 20	3,922
St. Andrews 21	1,385
St. Andrews 23	1,491

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St. Andrews 24	2,004
St. Andrews 25	2,305
St. Andrews 26	1,848
St. Andrews 27	6,553
St. Andrews 29	5,106
St. Andrews 3	1,571
St. Andrews 30	2,771
St. Andrews 31	1,800
St. Andrews 4	1,993
St. Andrews 5	1,669
St. Andrews 6	1,432
St. Andrews 7	2,117
St. Andrews 8	1,100
St. Andrews 9	1,743
County Charleston SC Subtotal	107,058
DISTRICT 20 Total	107,058
Area	Population

DISTRICT 21

Area	Population
County: Richland SC	
Bluff	3,208
Brandon 1	3,590
Brandon 2	3,750
Caughman Road	2,657
Dentsville	3,133
Eastover	1,502
Edgewood	2,771
Gadsden	1,606
Garners	1,378
Hampton	2,831
Hopkins 1	1,825
Hopkins 2	2,151
Horrell Hill	3,759
Hunting Creek	693
Keels 1	3,359
Keenan	2,553
Lykesland	2,531
McEntire	1,070
Meadowfield	2,326
Mill Creek	2,127

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Oakwood	1,335
Olympia	6,111
Pennington 1	1,292
Pennington 2	2,115
Pine Lakes 1	1,810
Pine Lakes 2	2,522
Pinewood	3,022
South Beltline	2,584
Trinity	2,530
Ward 11	2,190
Ward 12	2,039
Ward 13	2,788
Ward 14	2,026
Ward 15	1,271
Ward 18	2,026
Ward 19	2,163
Ward 21	2,570
Ward 23	1,308
Ward 31	1,728
Ward 32	1,205
Ward 33	1,388
Ward 34	1,476
Ward 6	1,834
Ward 7	1,809
Ward 8	1,591
Ward 9	1,379
Webber	1,598
Woodlands	2,909
County Richland SC Subtotal	107,439
DISTRICT 21 Total	107,439
Area	Population

DISTRICT 22

Area	Population
County: Richland SC	
Arcadia	2,200
Blythewood 1	2,980
Blythewood 2	3,379
Briarwood	4,389
Bridge Creek	3,169
Cooper	1,436

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East Forest Acres	1,545
Gregg Park	3,319
Kelly Mill	3,420
Lake Carolina	4,965
Longcreek	6,737
Mallet Hill	4,292
Midway	4,819
North Forest Acres	1,968
North Springs 1	1,758
North Springs 2	4,509
North Springs 3	2,863
Parkway 1	3,460
Parkway 2	3,503
Parkway 3	2,592
Polo Road	5,320
Ridge View 1	3,895
Ridge View 2	4,697
Round Top	951
Satchelford	2,010
South Forest Acres	1,995
Spring Valley	3,870
Trenholm Road	1,467
Valhalla	3,719
Ward 16	1,642
Ward 17	2,113
Ward 24	1,365
Ward 25	2,579
Wildewood	3,982
Woodfield	5,058
County Richland SC Subtotal	111,966
DISTRICT 22 Total	111,966
Area	Population

DISTRICT 23

Area	Population
County: Lexington SC	
BARR ROAD 2	5,274
BOILING SPRINGS	3,727
BOILING SPRINGS SOUTH	2,300
Carolina Springs	3,348
CEDARCREST	2,743

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CONGAREE 1	3,187
CONGAREE 2	1,720
CROMER	2,172
EDMUND 1	2,575
EDMUND 2	3,266
EMMANUEL CHURCH	3,261
FAIRVIEW	2,329
FAITH CHURCH	2,732
GASTON 1	2,574
GASTON 2	3,512
KITTI WAKE	2,646
LEESVILLE	3,412
LEXINGTON NO. 2	2,995
LEXINGTON NO. 4	5,186
MACK-EDISTO	1,323
OAKWOOD	4,509
OLD BARNWELL ROAD	3,267
PELION 1	2,527
PELION 2	2,508
Platt Springs 1	2,044
Platt Springs 2	5,471
POND BRANCH	3,645
RED BANK	6,015
RED BANK SOUTH 1	3,973
RED BANK SOUTH 2	2,756
SAND HILL	3,638
SHARPE'S HILL	3,806
SPRINGDALE	2,813
SPRINGDALE SOUTH	1,069
ST. DAVIDS	3,939
WHITE KNOLL	4,115
County Lexington SC Subtotal	116,377
DISTRICT 23 Total	116,377
Area	Population

DISTRICT 24

Area	Population
County: Aiken SC	
Aiken No. 1	1,505
Aiken No. 2	1,717
Aiken No. 3	3,160

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Aiken No. 4	1,087
Aiken No. 47	1,460
Aiken No. 5	1,616
Aiken No. 6	1,387
Anderson Pond No. 69	2,136
Beech Island	2,354
Belvedere No. 62	1,827
Belvedere No. 9	2,621
Carolina Heights	2,099
Cedar Creek No. 64	1,897
College Acres	2,379
Couchton	1,878
Fox Creek No. 58	2,036
Fox Creek No. 73	1,878
Gem Lakes No. 60	1,461
Gem Lakes No. 77	1,882
Gloverville	1,678
Hammond No. 48	1,613
Hammond No. 81	1,804
Hitchcock No. 66	1,463
Hollow Creek	1,529
Jackson	2,182
Levels No. 52	1,521
Levels No. 72	1,425
Levels No. 83	1,492
Millbrook	2,408
Montmorenci No. 22	2,507
Montmorenci No. 78	1,438
N. Augusta No. 25	2,565
N. Augusta No. 26	1,559
N. Augusta No. 27	1,927
N. Augusta No. 28	1,392
N. Augusta No. 29	2,320
N. Augusta No. 54	2,076
N. Augusta No. 55	1,352
N. Augusta No. 67	1,676
N. Augusta No. 68	3,300
N. Augusta No. 80	1,279
New Ellenton	2,247
Pine Forest	2,668
Redds Branch	2,311

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Sandstone No. 70	1,597
Sandstone No. 79	1,571
Shaws Fork	970
Shiloh	2,730
Silver Bluff	2,651
Six Points No. 35	2,953
Six Points No. 46	1,967
Sleepy Hollow No. 65	2,170
South Aiken No. 75	2,359
South Aiken No. 76	2,642
SRS	0
Talatha	2,655
Warrenville	2,939
County Aiken SC Subtotal	111,316
DISTRICT 24 Total	111,316
Area	Population

DISTRICT 25

Area	Population
County: Aiken SC	
Ascauga Lake No. 63	1,341
Ascauga Lake No. 84	1,548
Bath	1,431
Belvedere No. 44	2,152
Belvedere No. 74	1,083
Breezy Hill	4,804
China Springs	2,546
Clearwater	1,424
Eureka	2,614
Graniteville	1,930
Langley	2,324
Lynwood	1,463
Midland Valley No. 51	3,282
Midland Valley No. 71	2,999
Misty Lakes	3,058
Vaucluse	3,073
Willow Springs	2,282
County Aiken SC Subtotal	39,354
County: Edgefield SC	25,657
County: Lexington SC	
BATESBURG	3,002

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GILBERT	3,311
HOLLOW CREEK	3,790
LAKE MURRAY 2	
Tract 210.45	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005	
1006, 1007, 1008, 1009, 1010, 1011, 1012	3395
LAKE MURRAY 2 Subtotal	3,395
MIMS	2,387
RIDGE ROAD	
Tract 213.03	
Blocks: 1004	13
Tract 213.09	
Blocks: 1017, 1018, 1019, 1020, 1021, 1022,	
1023, 1024, 1025, 1026, 1027, 1028, 1029,	
1030, 1031, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 1039, 1040, 1041, 1042, 1045,	
1047, 1052, 1053, 1066, 1067	653
Tract 214.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1042, 1043,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 1056, 1057, 1065, 1074	944
RIDGE ROAD Subtotal	1,610
ROUND HILL	6,417
SUMMIT	2,284
County Lexington SC Subtotal	26,196
County: McCormick SC	9,526
County: Saluda SC	
Clyde	348
Delmar	597
Fruit Hill	928
Holstons	1,402
Mayson	620
Mt. Willing	395
Pleasant Cross	285
Richland	897
Ridge Spring/Monetta	1,120

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Saluda No. 1	2,449
Saluda No. 2	2,429
Sardis	776
Ward	695
County Saluda SC Subtotal	12,941
DISTRICT 25 Total	113,674
Area	Population

DISTRICT 26

Area	Population
County: Calhoun SC	
Bethel	1,398
Center Hill	1,588
Dixie	2,510
Fall Branch	672
Murph Hill	605
Sandy Run	2,347
County Calhoun SC Subtotal	9,120
County: Lexington SC	
CAYCE 2A	2,176
CAYCE NO. 1	2,866
CAYCE NO. 2	2,839
CAYCE NO. 3	1,041
CHALK HILL	5,361
CHALLEDON	2,449
EDENWOOD	3,352
GARDENDALE	2,190
GRENADIER	2,905
HOOK'S STORE	3,746
LEAPHART ROAD	2,916
MT. HEBRON	2,040
PINE RIDGE 1	1,876
PINE RIDGE 2	3,753
PINEVIEW	2,909
QUAIL HOLLOW	3,015
SALUDA RIVER	3,061
SANDY RUN	1,437
SWANSEA 1	1,997
SWANSEA 2	2,666
WEST COLUMBIA NO. 1	1,929
WEST COLUMBIA NO. 2	1,650

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WEST COLUMBIA NO. 3	1,034
WEST COLUMBIA NO. 4	2,838
WESTOVER	2,086
WHITEHALL	2,750
WOODLAND HILLS	2,530
County Lexington SC Subtotal	69,412
County: Richland SC	
Skyland	1,964
St. Andrews	2,109
Ward 1	6,183
Ward 10	1,991
Ward 2	2,394
Ward 3	2,011
Ward 30	2,342
Ward 4	1,969
Ward 5	8,651
County Richland SC Subtotal	29,614
DISTRICT 26 Total	108,146
Area	Population

DISTRICT 27

Area	Population
County: Chesterfield SC	
Angelus-Cararrh	1,082
Bay Springs	581
Black Creek	740
Center Grove-Winzo	2,067
Courthouse	2,989
Dudley-Mangum	1,565
Grants Mill	1,876
Jefferson	3,080
Mcbee	2,402
Middendorf	1,520
Mt. Croghan	564
Ousleydale	1,201
Pageland No. 1	3,250
Pageland No. 2	3,116
Patrick	1,073
Pee Dee	466
Ruby	1,599
Shiloh	849

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Snow Hill-Vaughn	949
County Chesterfield SC Subtotal	30,969
County: Kershaw SC	
Buffalo	1,767
Camden No. 5	1,103
Camden No. 5-A	794
Elgin No. 2	2,644
Elgin No. 4	3,154
Gates Ford	592
Liberty Hill	663
Lugoff No. 1	2,070
Lugoff No. 2	2,692
Lugoff No. 3	2,228
Lugoff No. 4	1,838
Rabon's X Roads	2,641
Salt Pond	2,096
Shaylor's Hill	1,149
Springdale	2,434
Westville	2,552
County Kershaw SC Subtotal	30,417
County: Lancaster SC	
Antioch	1,256
Camp Creek	1,242
Carmel	790
Chesterfield Ave	2,160
College Park	1,738
Douglas	2,896
Dwight	3,035
Elgin	2,238
Erwin Farm	3,126
Gooch's Cross Road	4,299
Heath Springs	1,954
Hyde Park	2,818
Jacksonham	1,550
Kershaw North	2,756
Kershaw South	2,024
Lancaster East	2,899
Lancaster West	1,531
Lynwood Drive	3,857
Midway	2,459
Pleasant Hill	1,904

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Rich Hill	1,729
Riverside	1,176
Spring Hill	1,814
Unity	2,033
University	1,761
County Lancaster SC Subtotal	55,045
DISTRICT 27 Total	116,431
Area	Population

DISTRICT 28

Area	Population
County: Horry SC	
ADRIAN	3,879
ATLANTIC BEACH	246
BROOKSVILLE #1	4,354
BROOKSVILLE #2	1,727
CAROLINA BAYS	3,534
CAROLINA FOREST #1	4,796
CAROLINA FOREST #2	3,046
CHERRY GROVE #1	3,035
CHERRY GROVE #2	1,554
COOL SPRINGS	819
CRESENT	2,463
DAISY	2,329
DOGWOOD	2,167
DUNES #2	2,274
DUNES #3	1,246
EBENEZER	2,832
EMERALD FOREST #1	4,136
EMERALD FOREST #3	5,088
HICKORY GROVE	2,334
HORRY	2,121
LEON	2,435
LITTLE RIVER #1	2,524
LITTLE RIVER #2	4,425
LITTLE RIVER #3	2,014
MAPLE	2,147
MT. VERNON	1,028
NIXONS XROADS #1	3,233
NIXONS XROADS #2	4,312
NIXONS XROADS #3	2,452

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OCEAN DRIVE #1	2,720
OCEAN DRIVE #2	2,024
OCEAN DRIVE #3	2,220
POPLAR HILL	1,329
RED BLUFF	1,749
SALEM	3,368
SHELL	2,021
TILLY SWAMP	2,808
WAMPEE	3,161
WHITE OAK	1,094
WINDY HILL #1	1,795
WINDY HILL #2	3,104
County Horry SC Subtotal	105,943
DISTRICT 28 Total	105,943
Area	Population

DISTRICT 29

Area	Population
County: Chesterfield SC	
Brocks Mill	2,423
Cash	1,355
Cheraw No. 1	1,940
Cheraw No. 2	1,610
Cheraw No. 3	2,658
Cheraw No. 4	2,318
County Chesterfield SC Subtotal	12,304
County: Darlington SC	
ANTIOCH	2,372
AUBURN	843
BETHEL	926
BLACK CREEK-CLYDE	1,862
BURNT BRANCH	1,000
DARLINGTON NO. 1	450
DARLINGTON NO. 2	2,238
DARLINGTON NO. 3	3,945
DARLINGTON NO. 4	1,854
DARLINGTON NO. 5	2,187
DARLINGTON NO. 6	2,768
DOVESVILLE	1,999
HARTSVILLE NO. 1	1,966
HARTSVILLE NO. 4	1,468

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HARTSVILLE NO. 5	3,295
HARTSVILLE NO. 6	1,751
HARTSVILLE NO. 7	2,061
HARTSVILLE NO. 8	3,642
HARTSVILLE NO. 9	2,283
HIGH HILL	4,043
INDIAN BRANCH	1,178
KELLEYTOWN	2,363
LAKE SWAMP	1,907
LAMAR NO. 1	1,081
LAMAR NO. 2	1,978
LYDIA	933
MECHANICSVILLE	2,306
NEW MARKET	1,544
OATES	1,364
SOCIETY HILL	861
SWIFT CREEK	1,499
County Darlington SC Subtotal	59,967
County: Lee SC	
Bishopville No. 1	2,118
Bishopville No. 2	970
Bishopville No. 3	958
Bishopville No. 4	1,595
Cypress	781
Elliott	526
Lynchburg	758
Manville	943
Mt. Clio	256
South Lynchburg	458
St. Charles	1,164
County Lee SC Subtotal	10,527
County: Marlboro SC	26,667
County: Sumter SC	
MAYESVILLE	614
SAINT JOHN	1,513
SALEM	480
County Sumter SC Subtotal	2,607
DISTRICT 29 Total	112,072
Area	Population

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DISTRICT 30

Area	Population
County: Darlington SC	
PALMETTO	2,938
County Darlington SC Subtotal	2,938
County: Dillon SC	28,292
County: Florence SC	
Back Swamp	1,101
Brookgreen	1,150
Florence Ward 1	1,595
Florence Ward 10	1,078
Florence Ward 2	1,930
Florence Ward 3	1,954
Florence Ward 5	1,864
Florence Ward 9	2,034
Gilbert	3,555
Mars Bluff No. 2	2,265
Quinby	1,316
Spaulding	1,474
County Florence SC Subtotal	21,316
County: Horry SC	
ALLSBROOK	1,175
AYNOR	3,011
BAYBORO-GURLEY	2,252
DOGBLUFF	1,990
EAST LORIS	4,339
GALLIVANTS FERRY	342
GREEN SEA	1,597
JERIGANS CROSSROADS	1,129
LIVE OAK	1,328
METHODIST-MILL SWAMP	2,132
MT. OLIVE	2,021
PLEASANT VIEW	1,047
SWEET HOME	1,940
WEST LORIS	1,421
County Horry SC Subtotal	25,724
County: Marion SC	29,183
DISTRICT 30 Total	107,453
Area	Population

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DISTRICT 31

Area	Population
County: Florence SC	
Cartersville	1,142
Claussen	2,856
Coles Crossroads	3,889
Cowards No. 1	1,447
Cowards No. 2	1,730
Delmae No. 1	4,361
Delmae No. 2	2,328
Ebenezer No. 1	4,992
Ebenezer No. 2	3,944
Ebenezer No. 3	1,995
Effingham	1,595
Elim-Glenwood	2,575
Evergreen	1,484
Florence Ward 11	1,428
Florence Ward 12	3,662
Florence Ward 14	3,103
Florence Ward 15	964
Florence Ward 4	1,125
Florence Ward 6	1,161
Florence Ward 7	2,826
Florence Ward 8	2,411
Friendfield	766
Greenwood	3,368
Hannah	1,007
High Hill	784
Johnsonville	3,452
Kingsburg-Stone	1,359
Leo	477
Mars Bluff No. 1	5,161
McAllister Mill	1,246
Mill Branch	858
Oak Grove-Sardis	1,602
Olanta	1,944
Pamplico No. 1	1,558
Pamplico No. 2	963
Prospect	664
Salem	925
Savannah Grove	6,121

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Scranton	1,317
South Florence 1	4,235
South Florence 2	3,023
Tans Bay	2,613
Timmons ville 1	2,145
Timmons ville 2	2,017
Vox	954
West Florence 1	4,948
West Florence 2	2,156
County Florence SC Subtotal	106,681
DISTRICT 31 Total	106,681
Area	Population

DISTRICT 32

Area	Population
County: Berkeley SC	
Alvin	1,230
Eadytown	869
Moultrie	1,770
Russellville	1,755
Shulerville	488
St. Stephen 1	2,059
St. Stephen 2	2,178
County Berkeley SC Subtotal	10,349
County: Charleston SC	
Awendaw	
Tract 50.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1054, 1055, 2005, 2007, 2009, 2013, 2015, 2020, 2116, 2117, 2118, 2119, 2120, 2121	827
Tract 50.02	
Blocks: 1021, 1022, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049,	

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1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1097, 1108, 1109, 1111, 1168	794
Awendaw Subtotal	1,621
Christ Church	1,164
McClellanville	1,975
County Charleston SC Subtotal	4,760
County: Florence SC	
Lake City No. 1	2,213
Lake City No. 2	1,668
Lake City No. 3	2,414
Lake City No. 4	2,767
County Florence SC Subtotal	9,062
County: Georgetown SC	
ANDREWS	2,446
ANDREWS OUTSIDE	1,623
BETHEL	1,675
BLACK RIVER	2,338
BROWN'S FERRY	2,135
CARVER'S BAY	356
CHOPPEE	1,396
DREAM KEEPERS	1,275
FOLLY GROVE	1,148
GEORGETOWN NO. 1	1,032
GEORGETOWN NO. 3	2,283
GEORGETOWN NO. 4	658
GEORGETOWN NO. 5	2,691
KENSINGTON	1,604
LAMBERT TOWN	743
MYERSVILLE	531
PEE DEE	896
PENNY ROYAL	962
PLANTERSVILLE	874
PLEASANT HILL	1,153
POTATO BED FERRY	842
SAMPIT	1,257
SANTEE	1,671

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SPRING GULLY	2,875
WINYAH BAY	1,299
County Georgetown SC Subtotal	35,763
County: Horry SC	
BROWNWAY	2,844
CEDAR GROVE	2,619
FOUR MILE	3,452
INLAND	513
JUNIPER BAY	3,535
PAWLEYS SWAMP	1,045
PORT HARRELSON	742
County Horry SC Subtotal	14,750
County: Williamsburg SC	31,026
DISTRICT 32 Total	105,710
Area	Population

DISTRICT 33

Area	Population
County: Horry SC	
COASTAL CAROLINA	4,770
COASTAL LANE #1	1,778
COASTAL LANE #2	3,667
DUNES #1	3,552
EAST CONWAY	1,707
EMERALD FOREST #2	7,144
FORESTBROOK	5,010
HOMEWOOD	2,512
JACKSON BLUFF	940
JAMESTOWN	5,234
JET PORT #1	2,911
JET PORT #2	1,778
JET PORT #3	2,309
JET PORT #4	3,298
MYRTLE TRACE	1,747
MYRTLEWOOD #1	2,332
MYRTLEWOOD #2	2,301
MYRTLEWOOD #3	2,458
NORTH CONWAY #1	2,692
NORTH CONWAY #2	1,514
OCEAN FOREST #1	1,813
OCEAN FOREST #2	2,330

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OCEAN FOREST #3	2,972
PALMETTO BAYS	6,073
RACEPATH #1	2,273
RACEPATH #2	2,803
RED HILL #1	4,769
RED HILL #2	3,554
RIVER OAKS	4,849
SEA OATS #1	3,365
SEA OATS #2	4,298
TODDVILLE	2,168
WACCAMAW	6,778
WEST CONWAY	1,334
WILD WING	6,674
County Horry SC Subtotal	115,707
DISTRICT 33 Total	115,707
Area	Population

DISTRICT 34

Area	Population
County: Georgetown SC	
MURRELL'S INLET NO. 1	3,991
MURRELL'S INLET NO. 2	3,000
MURRELL'S INLET NO. 3	1,233
MURRELL'S INLET NO. 4	1,927
PAWLEY'S ISLAND NO. 1	3,539
PAWLEY'S ISLAND NO. 2	4,544
PAWLEY'S ISLAND NO. 3	2,809
PAWLEY'S ISLAND NO. 4	3,231
PAWLEY'S ISLAND NO. 5	3,367
County Georgetown SC Subtotal	27,641
County: Horry SC	
BURGESS #1	2,897
BURGESS #2	3,853
BURGESS #3	2,697
BURGESS #4	2,435
BURGESS #5	2,276
DEERFIELD	4,572
ENTERPRISE #1	3,161
ENTERPRISE #2	2,555
GARDEN CITY #1	2,768
GARDEN CITY #2	1,528

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GARDEN CITY #3	2,475
GARDEN CITY #4	1,553
GLENNS BAY	2,976
LAKE PARK #1	3,408
LAKE PARK #2	3,109
LAKE PARK #3	3,213
MARLOWE #1	2,887
MARLOWE #2	3,431
MARLOWE #3	6,090
SEA WINDS	5,472
SOCASTEE #1	3,175
SOCASTEE #2	3,171
SOCASTEE #3	5,795
SOCASTEE #4	2,633
SURFSIDE #1	3,054
SURFSIDE #2	1,068
SURFSIDE #3	3,248
SURFSIDE #4	3,405
County Horry SC Subtotal	88,905
DISTRICT 34 Total	116,546
Area	Population

DISTRICT 35

Area	Population
County: Kershaw SC	
Airport	1,946
Antioch	1,231
Bethune	1,838
Camden No. 1	2,357
Camden No. 2 & 3	559
Camden No. 6	534
Cassatt	2,601
Charlotte Thompson	2,009
Doby's Mill	3,060
E. Camden-Hermitage	798
Elgin No. 1	3,419
Elgin No. 3	1,969
Elgin No. 5	2,255
Elgin No. 6	2,041
Hobkirk's Hill	2,222
Malvern Hill	2,169

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Riverdale	1,376
Whites Gardens	2,602
County Kershaw SC Subtotal	34,986
County: Lee SC	
Ashland/Stokes Bridge	695
Ashwood	896
Cedar Creek	373
Hickory Hill	478
Ionia	986
Rattlesnake Springs	401
Schrocks Mill/Lucknow	628
Spring Hill	794
St. Matthews	235
Turkey Creek	221
Woodrow	297
County Lee SC Subtotal	6,004
County: Richland SC	
Bookman	4,721
Estates	3,005
Pontiac 1	4,592
Pontiac 2	3,436
Ward 26	10,666
County Richland SC Subtotal	26,420
County: Sumter SC	
BUNRS-DOWNS	1,297
CHERRYVALE	1,290
DALZELL 1	2,498
DALZELL 2	2,040
DELAINE	2,106
EBENEZER 1	2,093
EBENEZER 2	2,515
FOLSOM PARK	2,980
GREEN SWAMP	4,461
HILLCREST	1,527
HORATIO	652
MANCHESTER FOREST	2,258
OAKLAND PLANTATION 1	1,948
OAKLAND PLANTATION 2	1,610
PALMETTO PARK	2,593
PINEWOOD	2,592
REMBERT	2,888

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SAINT PAUL	3,117
SHAW	2,088
SOUTH LIBERTY	810
SWAN LAKE	1,576
THOMAS SUMTER	1,588
County Sumter SC Subtotal	46,527
DISTRICT 35 Total	113,937
Area	Population

DISTRICT 36

Area	Population
County: Calhoun SC	
Cameron	844
Creston	267
Fort Motte	309
Lone Star	1,226
Midway	416
St. Matthews	1,937
County Calhoun SC Subtotal	4,999
County: Clarendon SC	31,144
County: Orangeburg SC	
Elloree 1	1,310
Elloree 2	950
Eutawville 1	1,861
Eutawville 2	2,519
Providence	1,372
Santee 1	1,844
Santee 2	1,507
Vance	1,904
County Orangeburg SC Subtotal	13,267
County: Sumter SC	
BATES	746
BIRNIE	1,237
CAUSEWAY BRANCH 1	1,767
CAUSEWAY BRANCH 2	1,316
CROSSWELL	2,173
FURMAN	2,392
GREEN SWAMP 2	1,441
HAMPTON PARK	1,061
LEMIRA	1,967
LORING	1,774

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MAGNOLIA-HARMONY	1,213
MAYEWOOD	1,723
MCCRAYS MILL 1	2,366
MCCRAYS MILL 2	2,353
MILLWOOD	1,019
MORRIS COLLEGE	1,750
MULBERRY	1,731
OSWEGO	1,564
POCOTALIGO 1	2,970
POCOTALIGO 2	2,335
PRIVATEER	3,361
SALTERSTOWN	1,262
SAVAGE-GLOVER	708
SECOND MILL	2,195
SOUTH RED BAY	1,084
SPECTRUM	1,811
STONE HILL	814
SUMTER HIGH 1	1,024
SUMTER HIGH 2	1,849
SUNSET	2,001
TURKEY CREEK	1,686
WILDER	1,222
WILSON HALL	2,507
County Sumter SC Subtotal	56,422
DISTRICT 36 Total	105,832
Area	Population

DISTRICT 37

Area	Population
County: Berkeley SC	
Bethera	350
Bonneau	1,892
Bonneau Beach	2,100
Boulder Bluff	3,803
Bushy Park	42
Cainhoy	1,522
Carnes Cross Roads 1	2,474
Cordesville	1,777
Cross	1,630
Cypress	3,422
Fifty-two	2,566

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Fox Bank	3,894
Horseshoe	2,005
Huger	1,972
Jamestown	716
Liberty Hall	3,754
Macedonia	2,245
Macedonia 2	306
McBeth	1,324
Medway	4,026
Moncks Corner 1	3,070
Moncks Corner 2	2,658
Moncks Corner 3	3,461
Moncks Corner 4	2,159
Old 52	2,162
Pimlico	1,586
Pine Grove	0
Pinopolis	2,417
Pomflant	6
Sedgefield 2	5,590
The Village	3,549
Whitesville 1	3,433
Whitesville 2	1,511
Yellow House	3,772
County Berkeley SC Subtotal	77,194
County: Charleston SC	
Mt. Pleasant 27	4,062
Mt. Pleasant 28	1,560
Mt. Pleasant 29	385
Mt. Pleasant 30	2,607
Mt. Pleasant 31	2,093
Mt. Pleasant 32	3,609
Mt. Pleasant 33	5,428
Mt. Pleasant 34	2,358
Mt. Pleasant 35	7,539
County Charleston SC Subtotal	29,641
DISTRICT 37 Total	106,835
Area	Population

DISTRICT 38

Area	Population
County: Charleston SC	

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Ladson	5,160
Licolnville	3,471
County Charleston SC Subtotal	8,631
County: Dorchester SC	
Ashborough East	2,166
Ashborough East 2	1,045
Ashborough West	924
Ashborough West 2	1,538
Bacons Bridge	3,470
Bacons Bridge 2	1,332
Beech Hill	1,657
Beech Hill 2	2,209
Brandy mill	993
Brandy mill 2	1,956
Briarwood	2,153
Briarwood 2	1,522
Briarwood 3	1,008
Butternut	2,971
Carolina	2,965
Central	2,206
Central 2	2,486
Clemson	2,367
Clemson 2	4,253
Clemson 3	2,849
Coastal	2,082
Coastal 2	2,266
Coastal 3	1,179
Cypress	4,762
Cypress 2	1,273
Dorchester	1,644
Dorchester 2	1,166
Flowertown	3,521
Flowertown 2	2,389
Flowertown 3	2,321
Germantown	2,026
Greenhurst	1,875
Greenwave	2,208
Irongate	881
Irongate 2	836
Irongate 3	880
Knightsville	2,214

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Miles/Jamison	2,931
Newington	1,417
Newington 2	961
North Summerville	620
North Summerville 2	1,964
Sawmill Branch	2,109
Spann	1,788
Stallsville	1,429
Tranquil	1,339
Tranquil 3	2,136
Trolley	2,522
Tupperway	1,344
Tupperway 2	1,657
County Dorchester SC Subtotal	97,810
DISTRICT 38 Total	106,441
Area	Population

DISTRICT 39

Area	Population
County: Berkeley SC	
Beverly Hills	2,179
Cane Bay	5,038
Cane Bay East	1,877
Cane Bay North	2,008
Cane Bay South	3,131
Carnes Cross Road 2	1,460
Central	3,890
Cobblestone	3,345
Devon Forest 1	3,611
Devon Forest 2	2,516
Hilton Cross Rd	2,729
Howe Hall 1	4,146
Lebanon	1,161
Live Oak	2,502
Nexton	2,619
North Creek	1,017
Sedgefield 3	957
Seventy Eight	2,595
Stratford 1	4,310
Stratford 5	2,648
Tramway	2,172

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Wassamassaw 1	1,636
Wassamassaw 2	3,703
Weatherstone	3,499
Wildcat Trail	459
County Berkeley SC Subtotal	65,208
County: Dorchester SC	
Four Hole	1,452
Grover	1,184
Harleyville	1,016
Indian Field	794
Indian Field 2	1,186
Reevesville	1,344
Rosinville	1,717
Rosses	1,375
St. George No. 1	1,711
St. George No. 2	1,053
County Dorchester SC Subtotal	12,832
County: Orangeburg SC	
Bethel	895
Bowman 1	1,720
Bowman 2	1,038
Branchville 1	1,425
Branchville 2	680
Brookdale	1,673
Four Holes	753
Holly Hill 1	2,662
Holly Hill 2	2,468
Nix	1,579
Orangeburg Ward 2	988
Orangeburg Ward 3	2,075
Orangeburg Ward 4	2,768
Rowesville	758
Suburban 1	1,296
Suburban 2	748
Suburban 3	2,035
Suburban 4	769
Whittaker	1,613
County Orangeburg SC Subtotal	27,943
DISTRICT 39 Total	105,983
Area	Population

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DISTRICT 40

Area	Population
County: Aiken SC	
Monetta	1,868
New Holland	1,315
Oak Grove	1,804
Perry	1,242
Salley	888
Tabernacle	962
Wagener	2,870
Ward	2,206
White Pond	1,184
Windsor No. 43	2,037
Windsor No. 82	1,762
County Aiken SC Subtotal	18,138
County: Allendale SC	8,039
County: Bamberg SC	13,311
County: Barnwell SC	20,589
County: Colleton SC	
Ashton-Lodge	734
Bells	464
Berea-Smoaks	1,245
Edisto	466
Ruffin	370
Williams	404
County Colleton SC Subtotal	3,683
County: Orangeburg SC	
Bolentown	1,973
Cope	904
Cordova 1	2,071
Cordova 2	2,622
Edisto	1,541
Jamison	2,405
Limestone 1	2,616
Limestone 2	2,430
Neeses-Livingston	1,757
North 1	1,789
North 2	1,769
Norway	1,671
Orangeburg Ward 1	1,035
Orangeburg Ward 10	1,018

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Orangeburg Ward 5	1,022
Orangeburg Ward 6	1,095
Orangeburg Ward 7	958
Orangeburg Ward 8	1,022
Orangeburg Ward 9	805
Pine Hill	1,650
Springfield	1,601
Suburban 5	1,805
Suburban 6	1,308
Suburban 7	2,517
Suburban 8	1,169
Suburban 9	2,460
County Orangeburg SC Subtotal	43,013
DISTRICT 40 Total	106,773
Area	Population

DISTRICT 41

Area	Population
County: Charleston SC	
James Island 2	7,318
Johns Island 1A	2,742
Johns Island 1B	3,313
Johns Island 3A	5,443
St. Andrews 22	1,516
St. Andrews 28	4,758
St. Andrews 32	1,476
St. Andrews 33	1,037
St. Andrews 34	3,060
St. Andrews 35	2,078
St. Andrews 36	2,058
St. Andrews 37	6,444
St. Pauls 3	2,385
St. Pauls 5	1,821
St. Pauls 6	2,907
County Charleston SC Subtotal	48,356
County: Colleton SC	
Canady's	763
Cottageville	2,438
Horse Pen	1,050
Hudson Mill	734
Maple Cane	1,477

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Peeples	2,134
Round O	1,562
Sidneys	901
Stokes	980
Walterboro No. 5	2,136
Wolfe Creek	608
County Colleton SC Subtotal	14,783
County: Dorchester SC	
Archdale 2	2,115
Ashley River	3,361
Coosaw	4,919
Coosaw 2	3,371
Coosaw 3	2,322
Delemars	1,091
Givhans	1,419
Givhans 2	1,679
King's Grant	2,190
King's Grant 2	2,819
Lincoln	3,780
Oakbrook	6,235
Oakbrook 2	2,002
Ridgeville	1,268
Ridgeville 2	2,001
Saul Dam	793
Tranquil 2	2,264
County Dorchester SC Subtotal	43,629
DISTRICT 41 Total	106,768
Area	Population

DISTRICT 42

Area	Population
County: Charleston SC	
Charleston 15	2,793
Charleston 16	1,384
Charleston 17	1,307
Charleston 18	1,735
Charleston 19	986
Charleston 20	1,576
Charleston 21	1,168
Deer Park 1A	2,730
Deer Park 1B	7,708

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Deer Park 2A	5,042
Deer Park 2B	3,280
Deer Park 2C	1,540
Deer Park 3	4,771
North Charleston 1	1,110
North Charleston 10	2,970
North Charleston 11	1,055
North Charleston 12	1,379
North Charleston 13	1,662
North Charleston 14	931
North Charleston 15	2,365
North Charleston 16	1,555
North Charleston 17	1,526
North Charleston 18	3,448
North Charleston 19	1,843
North Charleston 2	1,789
North Charleston 20	1,280
North Charleston 21	2,704
North Charleston 22	2,642
North Charleston 23	3,360
North Charleston 24	5,435
North Charleston 25	1,018
North Charleston 26	922
North Charleston 27	3,061
North Charleston 28	3,038
North Charleston 29	2,738
North Charleston 3	1,594
North Charleston 30	2,995
North Charleston 4	1,807
North Charleston 5	2,709
North Charleston 6	2,048
North Charleston 7	2,354
North Charleston 8	1,267
County Charleston SC Subtotal	98,625
County: Dorchester SC	
Archdale	1,733
Patriot	3,087
Windsor	1,405
Windsor 2	1,044
County Dorchester SC Subtotal	7,269
DISTRICT 42 Total	105,894

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Area	Population
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DISTRICT 43

Area	Population
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County: Beaufort SC

Beaufort 3	1,932
Burton 2A	8,096
Burton 2B	3,410
Burton 2C	2,785
Chechessee 1	1,772
Ladys Island 1A	2,323
Ladys Island 1B	2,121
Ladys Island 2A	2,096
Ladys Island 2B	1,732
Ladys Island 2C	1,336
Ladys Island 3A	1,138
Ladys Island 3B	1,738
Ladys Island 3C	1,568
Mossy Oaks 1A	1,447
Mossy Oaks 1B	1,624
Mossy Oaks 2	1,781
Port Royal 1	1,960
Port Royal 2	2,070
St. Helena 1A	1,651
St. Helena 1B	1,663
St. Helena 1C	1,396
St. Helena 2A	1,556
St. Helena 2B	1,756
St. Helena 2C	1,192
County Beaufort SC Subtotal	50,143

County: Charleston SC

Awendaw

Tract 50.01

Blocks: 1009, 1037, 1038, 1039, 1041, 10530

Tract 50.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1023, 1024, 1135, 1136, 1137, 1138,
1139, 1140, 1141, 1142, 1143, 1144, 1145,

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1146, 1152, 1153, 1154, 1155, 1156, 1166, 1167	0
Tract 9901	
Blocks: 0003, 0004	0
Awendaw Subtotal	0
Charleston 1	795
Charleston 2	976
Edisto Island	1,884
Folly Beach 1	920
Folly Beach 2	1,196
Isle Of Palms 1A	1,120
Isle of Palms 1B	1,524
Isle of Palms 1C	1,758
James Island 12	1,661
James Island 13	2,088
James Island 14	1,129
James Island 5A	1,875
James Island 5B	1,108
Kiawah Island	2,012
Mt. Pleasant 1	1,904
Mt. Pleasant 10	1,358
Mt. Pleasant 11	1,903
Mt. Pleasant 14	2,113
Mt. Pleasant 16	948
Mt. Pleasant 2	1,564
Mt. Pleasant 21	2,194
Mt. Pleasant 22	2,266
Mt. Pleasant 3	1,914
Mt. Pleasant 37	4,732
Mt. Pleasant 38	2,331
Mt. Pleasant 39	5,875
Mt. Pleasant 4	2,032
Mt. Pleasant 5	1,644
Mt. Pleasant 6	2,648
Mt. Pleasant 7	1,353
Mt. Pleasant 8	1,193
Mt. Pleasant 9	1,354
Sullivans Island	1,891
Town of Seabrook	2,178
County Charleston SC Subtotal	63,441
County: Colleton SC	

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Edisto Beach	1,253
Green Pond	
Tract 9708	
Blocks: 1053, 1056, 1057, 1058, 1059, 1060,	
1061, 1063, 1064, 1065, 1066, 1067, 1068,	
1069, 1070, 1071, 1072, 1073, 1074, 1075,	
1076, 1077, 1078, 1079, 1080, 1081, 1082,	
1083, 1084, 1085, 1086, 1087, 1088, 1089,	
1090, 1091, 1092, 2017, 2018, 2019, 2020,	
2026, 2027, 2028, 2029, 2030, 2031, 2074,	
2075, 2076, 2077, 2078, 2079, 2080, 2081,	
2082, 2083, 2084, 2085, 2086, 2088, 2089	117
Green Pond Subtotal	117
County Colleton SC Subtotal	1,370
DISTRICT 43 Total	114,954
Area	Population

DISTRICT 44

Area	Population
County: Berkeley SC	
Daniel Island 1	2,858
Daniel Island 2	2,513
Daniel Island 3	2,658
Daniel Island 4	4,103
Discovery	3,657
Foster Creek 1	1,863
Foster Creek 2	2,960
Foster Creek 3	2,732
Hanahan 1	3,439
Hanahan 2	2,527
Hanahan 3	2,578
Hanahan 4	2,486
Hanahan 5	2,829
Harbour Lake	3,979
Howe Hall 2	1,993
Royle	1,991
Sangaree 1	2,055
Sangaree 2	2,316
Sangaree 3	2,109
Sedgefield 1	3,030
St. James	3,114

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Stone Lake	1,899
Stratford 2	2,110
Stratford 3	3,338
Stratford 4	3,016
Westview 1	1,824
Westview 2	2,417
Westview 3	2,624
Westview 4	2,092
County Berkeley SC Subtotal	77,110
County: Charleston SC	
Mt. Pleasant 12	3,436
Mt. Pleasant 13	1,630
Mt. Pleasant 15	2,919
Mt. Pleasant 17	3,786
Mt. Pleasant 18	1,528
Mt. Pleasant 19	2,968
Mt. Pleasant 20	1,715
Mt. Pleasant 23	2,724
Mt. Pleasant 24	1,040
Mt. Pleasant 25	1,402
Mt. Pleasant 26	734
Mt. Pleasant 36	2,481
North Charleston 9	2,754
County Charleston SC Subtotal	29,117
DISTRICT 44 Total	106,227
Area	Population

DISTRICT 45

Area	Population
County: Beaufort SC	
Beaufort 1	1,606
Beaufort 2	1,438
Burton 1A	3,780
Burton 1B	2,305
Burton 1C	2,843
Burton 1D	3,232
Burton 3	3,109
Dale Lobeco	1,448
Seabrook 1	2,057
Seabrook 2	1,196
Seabrook 3	2,161

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Sheldon 1	1,434
Sheldon 2	1,100
County Beaufort SC Subtotal	27,709
County: Charleston SC	
James Island 1A	2,687
James Island 1B	1,408
James Island 3	1,069
Johns Island 3B	2,184
Johns Island 4	1,860
St. Pauls 1	1,103
St. Pauls 2A	1,261
St. Pauls 2B	1,786
St. Pauls 4	2,400
Wadmalaw Island 1	1,406
Wadmalaw Island 2	1,442
County Charleston SC Subtotal	18,606
County: Colleton SC	
Green Pond	
Tract 9703.02	
Blocks: 2004, 2007, 2008, 2010, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2044	298
Tract 9708	
Blocks: 2003, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2021, 2022, 2023, 2024, 2025, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073	690
Green Pond Subtotal	988
Hendersonville	1,353
Jacksonboro	457
Mashawville	948
Peniel	1,754
Petits	365
Rice Patch	847
Ritter	924
Sniders	978
Walterboro No. 1	1,918

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Walterboro No. 2	1,996
Walterboro No. 3	1,960
Walterboro No. 4	2,161
Walterboro No. 6	2,119
County Colleton SC Subtotal	18,768
County: Hampton SC	18,561
County: Jasper SC	
COOSAWHATCHIE	599
GILLISONVILLE	816
GRAHAMVILLE 1	1,675
GRAHAMVILLE 2	4,213
GRAYS	943
HARDEEVILLE 1	2,211
HARDEEVILLE 2	1,668
HARDEEVILLE 3	941
LEVY	3,059
OAKATIE	1,178
PINELAND	966
RIDGELAND 1	1,593
RIDGELAND 2	1,993
RIDGELAND 3	1,348
TILLMAN	1,007
County Jasper SC Subtotal	24,210
DISTRICT 45 Total	107,854
Area	Population

DISTRICT 46

Area	Population
County: Beaufort SC	
Belfair	2,568
Bluffton 1A	2,885
Bluffton 1B	1,769
Bluffton 1C	3,263
Bluffton 1D	3,776
Bluffton 2A	2,380
Bluffton 2B	2,351
Bluffton 2C	3,831
Bluffton 2D	2,976
Bluffton 2E	3,197
Bluffton 3	1,289
Bluffton 4A	1,384

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Bluffton 4B	2,308
Bluffton 4C	3,038
Bluffton 4D	2,483
Bluffton 5A	2,881
Bluffton 5B	1,906
Chechessee 2	2,442
Daufuskie	557
Hilton Head 10	2,663
Hilton Head 11	1,505
Hilton Head 12	969
Hilton Head 13	1,196
Hilton Head 14	1,050
Hilton Head 15A	588
Hilton Head 15B	936
Hilton Head 1A	2,249
Hilton Head 1B	1,923
Hilton Head 2A	2,048
Hilton Head 2B	3,809
Hilton Head 2C	1,703
Hilton Head 3	1,002
Hilton Head 4A	906
Hilton Head 4B	1,300
Hilton Head 4C	1,125
Hilton Head 4D	1,140
Hilton Head 5A	1,078
Hilton Head 5B	975
Hilton Head 5C	1,041
Hilton Head 6	1,474
Hilton Head 7A	1,608
Hilton Head 7B	1,716
Hilton Head 8	1,059
Hilton Head 9A	1,878
Hilton Head 9B	1,462
Moss Creek	1,677
New River	4,169
Palmetto Bluff	931
Rose Hill	2,053
Sandy Pointe	2,470
Sun City 1	1,417
Sun City 2	1,148
Sun City 3	1,662

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Sun City 4	1,336
Sun City 5	1,463
Sun City 6	1,345
Sun City 7	1,222
Sun City 8	2,685
County Beaufort SC Subtotal	109,265
County: Jasper SC	
OAKATIE 2	1,893
SUN CITY	2,688
County Jasper SC Subtotal	4,581
DISTRICT 46 Total	113,846

“ /

Renumber sections to conform.

Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 41; Nays 2

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Rice	Sabb
Scott	Setzler	Shealy
Talley	Turner	Verdin
Williams	Young	

Total--41

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NAYS

Fanning

Stephens

Total--2

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

Objection

On motion of Senator RANKIN, with unanimous consent, S. 865 was ordered to receive a third reading on Wednesday, December 8, 2021.

Senator SENN objected.

AMENDED, READ THE SECOND TIME

H. 4493 -- Reps. Lucas and Murphy: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

Senators RANKIN, CAMPSER, YOUNG, SABB, MATTHEWS, TALLEY and HARPOOTLIAN proposed the following amendment (AHB\4493C003.BH.AHB21), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ PART I

United States Census

SECTION 1. Section 1-1-715 of the 1976 Code is amended to read:

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“Section 1-1-715. (A) The United States Census of ~~2010~~ 2020 is adopted as the true and correct enumeration of the inhabitants of this State, and of the several counties, municipalities, and other political subdivisions of this State.

(B) The geographic assignments in Sections 2-1-45 and 2-1-75 are derived from the decennial census P.L. 94-171 redistricting data released by the United States Census Bureau on August 12, 2021, and September 16, 2021.”

PART II
Senate Reapportionment

SECTION 2. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2-1-75. Commencing with the 2024 General Election, one member of the Senate must be elected from each of the following districts:

DISTRICT 1

Area	Population
County: Oconee SC	78,607
County: Pickens SC	
Abel	2,291
Calhoun	3,546
Clemson	2,784
Issaqueena	1,625
Lawrence Chapel	1,668
Morrison	5,468
Pike	1,598
Stone Church	2,016
University	7,248
West Central	3,616
County Pickens SC Subtotal	31,860
DISTRICT 1 Total	110,467
Area	Population

DISTRICT 2

Area	Population
County: Greenville SC	
BEREA	3,443
MONAVIEW	

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Tract 22.04	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027	2244
Tract 23.01	
Blocks: 2020	0
Tract 37.04	
Blocks: 1000, 1001, 1002, 1003, 1005, 1006	1169
Tract 37.06	
Blocks: 1012	133
MONAVIEW Subtotal	3,546
SALUDA	2,296
WESTCLIFFE	
Tract 37.01	
Blocks: 1022, 1023, 1025	76
Tract 37.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 2000, 2001, 2002, 2003, 2004,	
2005, 2006, 2007, 2008, 2009, 2010, 2011,	
2012, 2013, 2014, 2015	1837
WESTCLIFFE Subtotal	1,913
WESTSIDE	
Tract 22.02	
Blocks: 1012, 1013, 1014, 1015, 1016, 1017,	
1018, 1019, 2013, 2014, 2015, 2028	490
Tract 22.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014	855
Tract 37.04	
Blocks: 1004, 1007, 1008, 1009, 1010, 1011,	
1012, 1013, 1014, 1015, 1016, 1017, 1018,	
1019, 1020, 1021, 1022, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 2013, 2014	2888
WESTSIDE Subtotal	4,233
County Greenville SC Subtotal	15,431
County: Pickens SC	

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Albert R. Lewis	1,940
Arial Mill	1,893
Brushy Creek	2,398
Cedar Rock	1,798
Crescent Hill	1,896
Crestview	1,883
Crossroads	2,156
Crosswell	2,398
Dacusville	1,689
Easley	2,225
East Liberty	1,915
East Pickens	2,028
Flat Rock	2,186
Forest Acres	1,616
Fruit Mountain	1,600
Georges Creek	1,627
Glassy Mountain	2,090
Griffin	2,208
Holly Springs	1,971
Lenhardt	1,566
McAlister	1,770
McKissick	2,076
Mountain View	2,161
Nine Forks	1,909
Norris	1,851
North Central	1,938
North Liberty	1,871
North Pickens	2,094
Pendleton	1,768
Pickensville	1,866
Pope Field	1,539
Praters Creek	1,391
Pumpkintown	2,141
Rices Creek	2,051
Rock Springs	2,252
Saluda	2,241
Sheffield	1,655
Simpson	2,164
Sitton	1,814
Six Mile	2,330
Six Mile Mountain	2,243

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Skelton	1,725
Smith Grove	1,611
South Central	2,426
South Pickens	2,147
Tri County	907
Vinland	1,591
West Liberty	2,192
West Pickens	2,264
Woodside	2,475
Zion	1,998
County Pickens SC Subtotal	99,544
DISTRICT 2 Total	114,975
Area	Population

DISTRICT 3

Area	Population
County: Anderson SC	
Anderson 1/1	2,837
Anderson 1/2	1,772
Anderson 2/1	1,962
Anderson 2/2	5,186
Anderson 6/1	2,878
Appleton-Equinox	1,916
Bishop's Branch	3,108
Bowling Green	1,232
Brushy Creek	3,341
Center Rock	3,616
Centerville Station A	4,083
Centerville Station B	4,150
Concrete	4,982
Cox Creek	1,878
Denver-Sandy Springs	2,091
Edgewood Station A	3,590
Edgewood Station B	2,776
Five Forks	2,051
Fork No. 1	1,967
Fork No. 2	2,241
Glenview	2,700
Green Pond Station A	3,705
Hammond Annex	2,618
Hammond School	3,547

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Hopewell	2,228
Hunt Meadows	6,104
La France	1,516
Melton	855
Mount Tabor	3,316
Mt. Airy	3,365
North Point	2,584
Pendleton	4,750
Piercetown	3,100
Powdersville	5,048
Rock Mill	1,486
Three and Twenty	4,138
Town Creek	2,162
Townville	1,107
White Plains	4,799
County Anderson SC Subtotal	116,785
DISTRICT 3 Total	116,785
Area	Population

DISTRICT 4

Area	Population
County: Abbeville SC	24,295
County: Anderson SC	
Anderson 3/1	1,798
Anderson 3/2	2,093
Anderson 4/1	2,544
Anderson 4/2	3,352
Anderson 5/B	2,459
Anderson 6/2	2,602
Barker's Creek	586
Belton	3,376
Belton Annex	2,832
Broadview	829
Broadway	1,332
Cedar Grove	2,437
Chiquola Mill	1,411
Craytonville	1,617
Flat Rock	2,591
Friendship	1,366
Gluck Mill	2,953
Hall	2,603

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High Point	854
Homeland Park	933
Honea Path	2,192
Iva	2,661
Jackson Mill	2,001
Lakeside	3,816
Mountain Creek	1,751
Neals Creek	3,379
Pelzer	1,434
Piedmont	1,663
Rock Spring	1,172
Shirleys Store	1,232
Simpsonville	4,165
South Fant	2,489
Starr	1,304
Toney Creek	1,140
Varennnes	2,297
West Pelzer	3,080
West Savannah	893
Williamston	3,465
Williamston Mill	5,038
Wrights School	1,193
County Anderson SC Subtotal	86,933
DISTRICT 4 Total	111,228
Area	Population

DISTRICT 5

Area	Population
County: Greenville SC	
CASTLE ROCK	4,104
CLEAR CREEK	2,355
DARBY RIDGE	3,930
EDWARDS FOREST	3,234
FOX CHASE	2,680
FROHAWK	2,213
GOWENSVILLE	2,810
JENNINGS MILL	2,193
LAUREL RIDGE	3,436
LOCUST HILL	2,122
MAPLE CREEK	4,336
MARIDELL	2,888

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MOUNTAIN VIEW	3,378
ONEAL	4,570
SANDY FLAT	4,745
SKYLAND	4,056
SLATER MARIETTA	5,430
STONE VALLEY	3,525
SUBER MILL	5,075
TAYLORS	3,650
TIGERVILLE	4,784
TRADE	4,337
TUBBS MOUNTAIN	3,582
TYGER RIVER	2,462
County Greenville SC Subtotal	85,895
County: Spartanburg SC	
Apalache Baptist	4,795
Holly Springs Baptist	5,562
Landrum High School	3,992
Landrum United Methodist	4,488
Lyman Elementary	3,242
Motlow Creek Baptist	1,649
County Spartanburg SC Subtotal	23,728
DISTRICT 5 Total	109,623
Area	Population

DISTRICT 6

Area	Population
County: Greenville SC	
ALTAMONT FOREST	1,693
AVON	2,641
BOILING SPRINGS	2,750
BOTANY WOODS	2,739
BROOKGLENN	1,788
DEL NORTE	3,455
DEVENGER	2,313
EASTSIDE	3,795
EBENEZER	3,543
ENOREE	4,688
FURMAN	5,893
GREENVILLE 1	2,198
GREENVILLE 25	3,400
GREENVILLE 27	2,999

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GREENVILLE 3	3,338
LAKEVIEW	
Tract 23.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2028,	
2029, 2030	1169
LAKEVIEW Subtotal	1,169
LEAWOOD	
Tract 23.04	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2019, 2020, 2021,	
2022, 2033	1103
Tract 38.02	
Blocks: 3016, 4000, 4001, 4002, 4003, 4004,	
4005, 4006, 4007, 4008, 4009, 4010, 4011,	
5000, 5001, 5002, 5003, 5004, 5005, 5006,	
5007, 5008, 5009, 5010, 5011, 5012	2261
LEAWOOD Subtotal	3,364
MOUNTAIN CREEK	2,803
NORTHWOOD	2,740
PALMETTO	2,924
PARIS MOUNTAIN	1,705
PEBBLE CREEK	2,799
POINSETT	4,944
RIVERSIDE	4,074
ROCK HILL	3,984
SEVIER	3,694
SILVERLEAF	2,967
SPRING FOREST	3,337
SUGAR CREEK	2,958
SULPHUR SPRINGS	4,421
TIMBERLAKE	3,420
TRAVELERS REST 1	3,695
TRAVELERS REST 2	2,619
WADE HAMPTON	4,440
WELLINGTON	2,137
County Greenville SC Subtotal	111,427
DISTRICT 6 Total	111,427

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Area	Population
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DISTRICT 7

Area	Population
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County: Greenville SC

AIKEN	2,882
BELLE MEADE	2,797
BELMONT	1,623
CAROLINA	2,657
CHESTNUT HILLS	3,090
CONESTEE	3,467
DONALDSON	2,250
GREENBRIAR	2,388
GREENVILLE 10	4,258
GREENVILLE 14	2,879
GREENVILLE 19	3,488
GREENVILLE 26	3,075
GREENVILLE 28	1,588
GREENVILLE 29	3,740
GREENVILLE 4	4,465
GREENVILLE 5	3,722
GREENVILLE 6	1,326
GREENVILLE 7	4,509
GREENVILLE 8	4,567
GROVE	3,512

LAKEVIEW

Tract 22.03

Blocks: 3029	0
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Tract 23.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040	3850
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Tract 23.03

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Blocks: 1006, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020	460
LAKEVIEW Subtotal	4,310
LEAWOOD	
Tract 23.04	
Blocks: 2017, 2018, 2026, 2027, 2029, 2030, 2031, 2032, 2034, 2035, 2036	578
LEAWOOD Subtotal	578
MAULDIN 1	2,970
MAULDIN 3	3,409
MONAVIEW	
Tract 7	
Blocks: 3004, 3005	0
Tract 22.03	
Blocks: 1000, 1001, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2017, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3062, 3063, 3064	2382
Tract 23.02	
Blocks: 1029	0
Tract 23.03	
Blocks: 1033	0
MONAVIEW Subtotal	2,382
MT. PLEASANT	4,058
RANCH CREEK	4,300
REEDY FORK	4,524
ROYAL OAKS	2,245
SOUTHSIDE	3,356
TANGLEWOOD	4,775

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WELCOME	4,589
WESTCLIFFE	
Tract 21.04	
Blocks: 1026, 1031, 1032, 1033, 1034, 1035	
1036, 1037	148
Tract 36.01	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3007, 3008, 3009, 3010, 3011, 3012,	
3013, 3014, 3015, 3016, 3017, 3018, 3019,	
3020, 3021, 3022, 3023, 3024, 3025, 3026,	
3027, 3028, 3029, 3030	1447
Tract 37.05	
Blocks: 1015, 1016, 1017, 1018, 1019, 1020	185
WESTCLIFFE Subtotal	1,780
WESTSIDE	
Tract 22.02	
Blocks: 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 2020, 2021, 2026	310
Tract 22.03	
Blocks: 1014, 1015, 1016, 1017, 1018, 2008,	
2009, 2010, 2011, 2012, 2013, 2014, 2015,	
2016, 2028, 2029, 2030, 2031, 2032	564
WESTSIDE Subtotal	874
WOODMONT	4,225
County Greenville SC Subtotal	110,658
DISTRICT 7 Total	110,658
Area	Population

DISTRICT 8

Area	Population
County: Greenville SC	
ASHETON LAKES	4,068
BRIDGE FORK	2,014
DOVE TREE	2,632
FEASTER	2,321
FOUNTAIN INN 1	5,157
FOUNTAIN INN 2	2,728
GRAZE BRANCH	2,277
GREENVILLE 16	2,502
GREENVILLE 17	2,107
GREENVILLE 18	2,136

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GREENVILLE 20	1,610
GREENVILLE 21	1,793
GREENVILLE 22	3,046
GREENVILLE 23	2,783
GREENVILLE 24	7,307
HILLCREST	3,560
HOLLY TREE	1,813
MAULDIN 2	6,409
MAULDIN 4	4,642
MAULDIN 5	4,817
MAULDIN 6	2,930
MAULDIN 7	2,654
MISSION	3,421
RIVERWALK	3,213
ROCKY CREEK	3,075
SIMPSONVILLE 1	4,067
SIMPSONVILLE 2	3,107
SIMPSONVILLE 3	3,685
SIMPSONVILLE 4	3,140
SIMPSONVILLE 5	3,783
SIMPSONVILLE 6	3,936
STANDING SPRINGS	2,507
STONEHAVEN	2,677
SYCAMORE	4,357
WOODRUFF LAKES	3,493
County Greenville SC Subtotal	115,767
DISTRICT 8 Total	115,767
Area	Population

DISTRICT 9

Area	Population
County: Greenville SC	
BAKER CREEK	2,435
DUNKLIN	3,829
FORK SHOALS	3,047
LONG CREEK	2,484
MOORE CREEK	5,570
NEELY FARMS	4,822
PIEDMONT	5,218
PINEVIEW	1,985
RAINTREE	5,224

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VERDMONT	3,123
WARE PLACE	3,160
County Greenville SC Subtotal	40,897
County: Laurens SC	67,539
County: Union SC	
Black Rock	499
Carlisle	644
Excelsior	2,166
Monarch Box 2	695
Santuck	941
Union Ward 2	1,319
Union Ward 3	1,226
County Union SC Subtotal	7,490
DISTRICT 9 Total	115,926
Area	Population

DISTRICT 10

Area	Population
County: Greenwood SC	69,351
County: Lexington SC	
BARR ROAD 1	1,987
BEULAH CHURCH	3,318
LAKE MURRAY 1	3,078
LAKE MURRAY 2	
Tract 210.21	
Blocks: 0002, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1017, 1018, 1019, 1020, 1021,	
1022, 1023, 1024, 1025	1303
Tract 210.46	
Blocks: 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1025	709
LAKE MURRAY 2 Subtotal	2,012
LEXINGTON NO. 1	4,224
LEXINGTON NO. 3	4,896
MIDWAY	1,904
MOUNT HOREB	3,132
PARK ROAD 1	3,091
PARK ROAD 2	1,852
PILGRIM CHURCH	4,006
PROVIDENCE CHURCH	3,212
RIDGE ROAD	

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Tract 213.03

Blocks: 0003, 0004, 1000, 1001, 1002, 1003,
1005, 1006, 1007, 1008, 1009, 1010, 1011,
1012, 1013, 1014, 1015, 1016, 1017, 1018,
1019, 1020, 1021, 1022, 1023, 1024, 1025,
1026, 1027, 1028, 1029, 1030, 1031, 1032,
1033, 1034, 1035 1246

RIDGE ROAD Subtotal 1,246

County Lexington SC Subtotal 37,958

County: Saluda SC

Centennial 770

Higgins/Zoar 1,303

Holly 1,227

Hollywood 1,697

Pleasant Grove 924

County Saluda SC Subtotal 5,921

DISTRICT 10 Total 113,230

Area	Population
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DISTRICT 11

Area	Population
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County: Spartanburg SC

Arcadia Elementary 3,246

Bethany Baptist 3,284

Boiling Springs 9th Grade 6,645

Boiling Springs Elementary 7,524

Boiling Springs High School 2,556

Boiling Springs Intermediate 5,936

Boling Springs Jr. High 2,149

C.C. Woodson Recreation 2,374

Carlisle Wesleyan 2,337

Chapman Elementary 3,126

Chapman High School 5,423

Cleveland Elementary 4,464

Cooley Springs Baptist 4,474

Cornerstone Baptist 2,294

Ebenezer Baptist 1,522

Fairforest Elementary 4,920

Gramling Methodist 2,501

Greater St. James 4,474

Hayne Baptist 6,402

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Hendrix Elementary	4,154
Hope	2,106
Jesse Bobo Elementary	3,037
Lake Bowen Baptist	6,603
Mt. Moriah Baptist	2,596
Oakland Elementary	3,205
Park Hills Elementary	2,594
Powell Saxon Una	4,548
Southside Baptist	2,023
Swofford Career Center	5,388
Whitlock Jr. High	2,894
County Spartanburg SC Subtotal	114,799
DISTRICT 11 Total	114,799
Area	Population

DISTRICT 12

Area	Population
County: Greenville SC	
CANEBRAKE	3,597
CIRCLE CREEK	4,410
GRANITE CREEK	4,167
OAKVIEW	3,861
PELHAM FALLS	1,570
ROLLING GREEN	2,152
THORNBLADE	5,118
County Greenville SC Subtotal	24,875
County: Spartanburg SC	
Abner Creek Baptist	3,407
Anderson Mill Baptist	2,445
Anderson Mill Elementary	3,612
Beech Springs Intermediate	3,386
Canaan	2,078
Cedar Grove Baptist	2,380
D. R. Hill Middle School	4,636
Duncan United Methodist	2,665
Fairforest Middle School	5,043
Holy Communion	4,050
Lyman Town Hall	6,647
Mt. Zion Gospel Baptist	1,353
Pelham Fire Station	3,298
Poplar Springs Fire Station	3,580

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Reidville Fire Station	5,659
River Ridge Elementary	4,456
Roebuck Bethlehem	2,334
Roebuck Elementary	4,420
Startex Fire Station	1,804
Travelers Rest Baptist	5,948
Trinity Methodist	3,200
Trinity Presbyterian	2,749
Victor Mill Methodist	4,138
Wellford Fire Station	4,862
Woodland Heights Recreation Center	3,347
County Spartanburg SC Subtotal	91,497
DISTRICT 12 Total	116,372
Area	Population

DISTRICT 13

Area	Population
County: Greenville SC	
BELLS CROSSING	4,279
KILGORE FARMS	4,034
SPARROWS POINT	3,721
WALNUT SPRINGS	8,550
County Greenville SC Subtotal	20,584
County: Spartanburg SC	
Beaumont Methodist	1,445
Ben Avon Methodist	1,994
Bethany Wesleyan	4,245
Broome High School	1,393
Cannons Elementary	1,766
Cavins Hobbysville	1,496
Converse Fire Station	1,963
Croft Baptist	2,110
Cross Anchor Fire Station	1,219
Cudd Memorial	2,556
Daniel Morgan Technology Center	1,608
Dayton Fire Station	2,893
E.P. Todd Elementary	3,928
Eastside Baptist	1,891
Enoree First Baptist	2,322
Gable Middle School	4,093
Glendale Fire Station	2,157

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Jesse Boyd Elementary	2,629
Morningside Baptist	2,639
Mt. Calvary Presbyterian	4,901
Pacolet Elementary	3,545
Pauline Glenn Springs Elementary	1,635
R.D. Anderson Vocational	2,213
Reidville Elementary	4,379
Spartanburg High School	3,122
St. John's Lutheran	1,687
West View Elementary	2,420
White Stone Methodist	1,323
Woodruff Elementary	4,799
Woodruff Fire Station	1,977
Woodruff Leisure Center	2,356
County Spartanburg SC Subtotal	78,704
County: Union SC	
Bonham	1,576
Buffalo Box 1	1,491
Cross Keys	1,206
East Buffalo	603
Jonesville Box 1	1,571
Jonesville Box 2	1,819
Putnam	1,013
Union Ward 1 Box 1	1,056
Union Ward 1 Box 2	1,651
Union Ward 4 Box 1	1,594
Union Ward 4 Box 2	663
West Springs	380
County Union SC Subtotal	14,623
DISTRICT 13 Total	113,911
Area	Population

DISTRICT 14

Area	Population
County: Cherokee SC	56,216
County: Spartanburg SC	
Carlisle Fosters Grove	3,495
Cherokee Springs Fire Station	2,841
Chesnee Elementary	5,134
Cowpens Depot Museum	1,970
Cowpens Fire Station	2,821

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Mayo Elementary	3,008
County Spartanburg SC Subtotal	19,269
County: Union SC	
Adamsburg	928
Kelton	1,352
Lockhart	936
Monarch Box 1	1,915
County Union SC Subtotal	5,131
County: York SC	
Bethany	3,160
Bethel	2,376
Bowling Green	2,396
Clover	2,855
Cotton Belt	2,889
Hampton Mill	2,488
Hickory Grove	1,686
Larne	2,496
Mill Creek	1,673
Rock Creek	2,154
Roosevelt	2,250
Sharon	2,164
Smyrna	1,134
County York SC Subtotal	29,721
DISTRICT 14 Total	110,337
Area	Population

DISTRICT 15

Area	Population
County: York SC	
Adnah	1,222
Airport	2,449
Allison Creek	1,579
Anderson Road	
Tract 609.01	
Blocks: 3005	0
Anderson Road Subtotal	0
Bethel School	5,156
Bullocks Creek	646
Cannon Mill	2,748
Celanese	5,409
Delphia	3,211

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Ebenezer	1,556
Ebinport	4,179
Fewell Park	1,759
Filbert	2,805
Hands Mill	2,279
Harvest	1,663
Hollis Lakes	2,992
India Hook	2,347
Lakeshore	3,565
Lakewood	2,313
Laurel Creek	1,806
McConnells	2,445
Mt. Gallant	2,156
New Home	3,390
Newport	2,916
Northside	2,637
Northwestern	2,915
Oakridge	3,919
Oakwood	3,126
Old Pointe	2,293
Pole Branch	3,242
River Hills	2,305
River's Edge	3,602
Rock Hill No. 5	2,352
Rock Hill No. 7	4,236
Rosewood	5,363
Tirzah	3,120
Tools Fork	2,355
University	1,895
Wylie	2,600
York No. 1	3,685
York No. 2	5,078
County York SC Subtotal	115,314
DISTRICT 15 Total	115,314
Area	Population

DISTRICT 16

Area	Population
County: Lancaster SC	
Black Horse Run	5,711
Gold Hill	1,601

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Harrisburg	5,297
Lake House	2,503
Pleasant Valley	4,742
Possum Hollow	4,291
River Road	3,523
Shelley Mullis	2,722
The Lodge	2,853
County Lancaster SC Subtotal	33,243
County: York SC	
Baxter	1,798
Carolina	2,475
Crescent	2,704
Dobys Bridge	3,983
Fort Mill No. 1	4,390
Fort Mill No. 2	7,581
Fort Mill No. 3	2,938
Fort Mill No. 4	2,336
Fort Mill No. 5	4,050
Fort Mill No. 6	2,139
Gold Hill	4,779
Kanawha	3,691
Nation Ford	4,332
Orchard Park	2,997
Palmetto	2,952
Pleasant Road	4,953
Riverview	2,460
Shoreline	3,018
Springdale	
Tract 611.01	
Blocks: 1010	0
Springdale Subtotal	0
Springfield	3,272
Stateline	3,674
Steele Creek	3,684
Tega Cay	1,629
Waterstone	3,275
Windjammer	2,608
County York SC Subtotal	81,718
DISTRICT 16 Total	114,961
Area	Population

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DISTRICT 17

Area	Population
County: Chester SC	32,294
County: Fairfield SC	20,948
County: Lancaster SC	
Osceola	6,426
Van Wyck	1,302
County Lancaster SC Subtotal	7,728
County: York SC	
Anderson Road	
Tract 609.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1037, 1038, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1073, 1074, 1075, 1076, 1077, 3073, 3074, 3075, 3076, 3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085, 3086, 3087, 3088, 3089	2638
Tract 612.04	
Blocks: 1000, 1001, 1002, 1003, 1019, 1023, 1024, 1025, 1026, 2044, 2045, 2049	57
Anderson Road Subtotal	2,695
Catawba	4,313
Edgewood	4,234
Fairgrounds	5,042
Ferry Branch	1,954
Friendship	1,326
Highland Park	2,150
Hopewell	2,054
Independence	1,401
Lesslie	2,181
Manchester	2,077
Mt. Holly	4,180
Neelys Creek	1,612

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Ogden	3,208
Rock Hill No. 2	2,444
Rock Hill No. 3	2,890
Rock Hill No. 4	3,576
Rock Hill No. 6	2,394
Rock Hill No. 8	1,601
Six Mile	1,774
Springdale	
Tract 609.01	
Blocks: 1040	0
Tract 612.04	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1020, 1021, 1022, 1027, 1028,	
1029, 1031, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 2018, 2029	2231
Tract 612.05	
Blocks: 2044, 2045, 2050	0
Springdale Subtotal	2,231
County York SC Subtotal	55,337
DISTRICT 17 Total	116,307
Area	Population

DISTRICT 18

Area	Population
County: Lexington SC	
AMICKS FERRY	3,919
BUSH RIVER	2,120
CHAPIN	4,743
COLDSTREAM	2,431
DREHER ISLAND	2,160
DUTCHMAN SHORES	3,304
IRMO	3,241
LINCREEK	3,141
MURRAYWOOD	2,684
OLD LEXINGTON	4,121
QUAIL VALLEY	2,730
RIVER BLUFF	4,281
SEVEN OAKS	2,488
ST. MICHAEL	2,685
County Lexington SC Subtotal	44,048

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County: Newberry SC	37,719
County: Richland SC	
Ballentine 1	2,309
Ballentine 2	2,585
Dutch Fork 1	1,683
Dutch Fork 2	1,931
Dutch Fork 3	3,596
Dutch Fork 4	2,474
Oak Pointe 1	1,871
Oak Pointe 2	1,120
Oak Pointe 3	1,532
Riversprings 1	1,567
Riversprings 2	1,883
Riversprings 3	1,954
Spring Hill	3,572
Springville 1	2,866
Springville 2	2,620
County Richland SC Subtotal	33,563
DISTRICT 18 Total	115,330
Area	Population

DISTRICT 19

Area	Population
County: Richland SC	
Ardincaple	944
Beatty Road	2,018
Blythewood 3	3,818
College Place	2,288
Dennyside	1,696
Fairlawn	4,466
Fairwold	1,046
Friarsgate 1	2,515
Friarsgate 2	2,064
Greenview	2,022
Harbison 1	3,481
Harbison 2	1,865
Keels 2	2,846
Killian	4,335
Kingswood	4,179
Lincolnshire	2,980
Longleaf	2,991

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Meadowlake	3,678
Monticello	2,478
Old Friarsgate	2,035
Parkridge 1	1,534
Parkridge 2	1,784
Pine Grove	2,726
Rice Creek 1	2,404
Rice Creek 2	4,189
Ridgewood	987
Riverside	2,275
Riverwalk	3,706
Sandlapper	4,584
Spring Valley West	4,099
Valley State Park	5,427
Walden	6,558
Ward 20	2,383
Ward 22	2,175
Ward 29	2,030
Westminster	3,214
Whitewell	3,325
County Richland SC Subtotal	107,145
DISTRICT 19 Total	107,145
Area	Population

DISTRICT 20

Area	Population
County: Charleston SC	
Charleston 10	1,336
Charleston 11	2,040
Charleston 12	4,169
Charleston 13	1,457
Charleston 14	1,748
Charleston 3	1,062
Charleston 4	1,145
Charleston 5	1,053
Charleston 6	1,736
Charleston 7	2,498
Charleston 8	1,697
Charleston 9	1,389
James Island 10	2,195
James Island 11	2,559

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James Island 15	2,166
James Island 17	2,355
James Island 19	2,233
James Island 20	1,976
James Island 22	1,920
James Island 6	2,102
James Island 7	2,684
James Island 8A	1,842
James Island 8B	2,568
James Island 9	1,837
St. Andrews 1	885
St. Andrews 10	1,484
St. Andrews 11	1,127
St. Andrews 12	1,305
St. Andrews 13	1,603
St. Andrews 14	1,977
St. Andrews 15	2,036
St. Andrews 16	1,233
St. Andrews 17	2,290
St. Andrews 18	2,724
St. Andrews 19	424
St. Andrews 2	1,393
St. Andrews 20	3,922
St. Andrews 21	1,385
St. Andrews 23	1,491
St. Andrews 24	2,004
St. Andrews 25	2,305
St. Andrews 26	1,848
St. Andrews 27	6,553
St. Andrews 29	5,106
St. Andrews 3	1,571
St. Andrews 30	2,771
St. Andrews 31	1,800
St. Andrews 4	1,993
St. Andrews 5	1,669
St. Andrews 6	1,432
St. Andrews 7	2,117
St. Andrews 8	1,100
St. Andrews 9	1,743
County Charleston SC Subtotal	107,058
DISTRICT 20 Total	107,058

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Area	Population
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DISTRICT 21

Area	Population
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County: Richland SC

Bluff	3,208
Brandon 1	3,590
Brandon 2	3,750
Caughman Road	2,657
Dentsville	3,133
Eastover	1,502
Edgewood	2,771
Gadsden	1,606
Garners	1,378
Hampton	2,831
Hopkins 1	1,825
Hopkins 2	2,151
Horrell Hill	3,759
Hunting Creek	693
Keels 1	3,359
Keenan	2,553
Lykesland	2,531
McEntire	1,070
Meadowfield	2,326
Mill Creek	2,127
Oakwood	1,335
Olympia	6,111
Pennington 1	1,292
Pennington 2	2,115
Pine Lakes 1	1,810
Pine Lakes 2	2,522
Pinewood	3,022
South Beltline	2,584
Trinity	2,530
Ward 11	2,190
Ward 12	2,039
Ward 13	2,788
Ward 14	2,026
Ward 15	1,271
Ward 18	2,026
Ward 19	2,163

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Ward 21	2,570
Ward 23	1,308
Ward 31	1,728
Ward 32	1,205
Ward 33	1,388
Ward 34	1,476
Ward 6	1,834
Ward 7	1,809
Ward 8	1,591
Ward 9	1,379
Webber	1,598
Woodlands	2,909
County Richland SC Subtotal	107,439
DISTRICT 21 Total	107,439
Area	Population

DISTRICT 22

Area	Population
County: Richland SC	
Arcadia	2,200
Blythewood 1	2,980
Blythewood 2	3,379
Briarwood	4,389
Bridge Creek	3,169
Cooper	1,436
East Forest Acres	1,545
Gregg Park	3,319
Kelly Mill	3,420
Lake Carolina	4,965
Longcreek	6,737
Mallet Hill	4,292
Midway	4,819
North Forest Acres	1,968
North Springs 1	1,758
North Springs 2	4,509
North Springs 3	2,863
Parkway 1	3,460
Parkway 2	3,503
Parkway 3	2,592
Polo Road	5,320
Ridge View 1	3,895

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Ridge View 2	4,697
Round Top	951
Satchelford	2,010
South Forest Acres	1,995
Spring Valley	3,870
Trenholm Road	1,467
Valhalla	3,719
Ward 16	1,642
Ward 17	2,113
Ward 24	1,365
Ward 25	2,579
Wildewood	3,982
Woodfield	5,058
County Richland SC Subtotal	111,966
DISTRICT 22 Total	111,966
Area	Population

DISTRICT 23

Area	Population
County: Lexington SC	
BARR ROAD 2	5,274
BOILING SPRINGS	3,727
BOILING SPRINGS SOUTH	2,300
Carolina Springs	3,348
CEDARCREST	2,743
CONGAREE 1	3,187
CONGAREE 2	1,720
CROMER	2,172
EDMUND 1	2,575
EDMUND 2	3,266
EMMANUEL CHURCH	3,261
FAIRVIEW	2,329
FAITH CHURCH	2,732
GASTON 1	2,574
GASTON 2	3,512
KITTI WAKE	2,646
LEESVILLE	3,412
LEXINGTON NO. 2	2,995
LEXINGTON NO. 4	5,186
MACK-EDISTO	1,323
OAKWOOD	4,509

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OLD BARNWELL ROAD	3,267
PELION 1	2,527
PELION 2	2,508
Platt Springs 1	2,044
Platt Springs 2	5,471
POND BRANCH	3,645
RED BANK	6,015
RED BANK SOUTH 1	3,973
RED BANK SOUTH 2	2,756
SAND HILL	3,638
SHARPE'S HILL	3,806
SPRINGDALE	2,813
SPRINGDALE SOUTH	1,069
ST. DAVIDS	3,939
WHITE KNOLL	4,115
County Lexington SC Subtotal	116,377
DISTRICT 23 Total	116,377
Area	Population

DISTRICT 24

Area	Population
County: Aiken SC	
Aiken No. 1	1,505
Aiken No. 2	1,717
Aiken No. 3	3,160
Aiken No. 4	1,087
Aiken No. 47	1,460
Aiken No. 5	1,616
Aiken No. 6	1,387
Anderson Pond No. 69	2,136
Beech Island	2,354
Belvedere No. 62	1,827
Belvedere No. 9	2,621
Carolina Heights	2,099
Cedar Creek No. 64	1,897
College Acres	2,379
Couchton	1,878
Fox Creek No. 58	2,036
Fox Creek No. 73	1,878
Gem Lakes No. 60	1,461
Gem Lakes No. 77	1,882

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Gloverville	1,678
Hammond No. 48	1,613
Hammond No. 81	1,804
Hitchcock No. 66	1,463
Hollow Creek	1,529
Jackson	2,182
Levels No. 52	1,521
Levels No. 72	1,425
Levels No. 83	1,492
Millbrook	2,408
Montmorenci No. 22	2,507
Montmorenci No. 78	1,438
N. Augusta No. 25	2,565
N. Augusta No. 26	1,559
N. Augusta No. 27	1,927
N. Augusta No. 28	1,392
N. Augusta No. 29	2,320
N. Augusta No. 54	2,076
N. Augusta No. 55	1,352
N. Augusta No. 67	1,676
N. Augusta No. 68	3,300
N. Augusta No. 80	1,279
New Ellenton	2,247
Pine Forest	2,668
Redds Branch	2,311
Sandstone No. 70	1,597
Sandstone No. 79	1,571
Shaws Fork	970
Shiloh	2,730
Silver Bluff	2,651
Six Points No. 35	2,953
Six Points No. 46	1,967
Sleepy Hollow No. 65	2,170
South Aiken No. 75	2,359
South Aiken No. 76	2,642
SRS	0
Talatha	2,655
Warrenville	2,939
County Aiken SC Subtotal	111,316
DISTRICT 24 Total	111,316
Area	Population

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DISTRICT 25

Area	Population
County: Aiken SC	
Ascauga Lake No. 63	1,341
Ascauga Lake No. 84	1,548
Bath	1,431
Belvedere No. 44	2,152
Belvedere No. 74	1,083
Breezy Hill	4,804
China Springs	2,546
Clearwater	1,424
Eureka	2,614
Graniteville	1,930
Langley	2,324
Lynwood	1,463
Midland Valley No. 51	3,282
Midland Valley No. 71	2,999
Misty Lakes	3,058
Vaocluse	3,073
Willow Springs	2,282
County Aiken SC Subtotal	39,354
County: Edgefield SC	25,657
County: Lexington SC	
BATESBURG	3,002
GILBERT	3,311
HOLLOW CREEK	3,790
LAKE MURRAY 2	
Tract 210.45	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012	3,395
LAKE MURRAY 2 Subtotal	3,395
MIMS	2,387
RIDGE ROAD	
Tract 213.03	
Blocks: 1004	13
Tract 213.09	
Blocks: 1017, 1018, 1019, 1020, 1021, 1022,	
1023, 1024, 1025, 1026, 1027, 1028, 1029,	
1030, 1031, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 1039, 1040, 1041, 1042, 1045,	
1047, 1052, 1053, 1066, 1067	653

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Tract 214.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1016, 1017, 1018, 1019,
 1020, 1021, 1022, 1023, 1024, 1025, 1026,
 1027, 1028, 1029, 1030, 1031, 1032, 1033,
 1034, 1035, 1036, 1037, 1038, 1042, 1043,
 1048, 1049, 1050, 1051, 1052, 1053, 1054,
 1055, 1056, 1057, 1065, 1074944

RIDGE ROAD Subtotal 1,610

ROUND HILL 6,417

SUMMIT 2,284

County Lexington SC Subtotal 26,196

County: McCormick SC 9,526

County: Saluda SC

Clyde 348

Delmar 597

Fruit Hill 928

Holstons 1,402

Mayson 620

Mt. Willing 395

Pleasant Cross 285

Richland 897

Ridge Spring/Monetta 1,120

Saluda No. 1 2,449

Saluda No. 2 2,429

Sardis 776

Ward 695

County Saluda SC Subtotal 12,941

DISTRICT 25 Total 113,674

Area	Population
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DISTRICT 26

Area	Population
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County: Calhoun SC

Bethel 1,398

Center Hill 1,588

Dixie 2,510

Fall Branch 672

Murph Hill 605

Sandy Run 2,347

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County Calhoun SC Subtotal	9,120
County: Lexington SC	
CAYCE 2A	2,176
CAYCE NO. 1	2,866
CAYCE NO. 2	2,839
CAYCE NO. 3	1,041
CHALK HILL	5,361
CHALLEDON	2,449
EDENWOOD	3,352
GARDENDALE	2,190
GRENADIER	2,905
HOOK'S STORE	3,746
LEAPHART ROAD	2,916
MT. HEBRON	2,040
PINE RIDGE 1	1,876
PINE RIDGE 2	3,753
PINEVIEW	2,909
QUAIL HOLLOW	3,015
SALUDA RIVER	3,061
SANDY RUN	1,437
SWANSEA 1	1,997
SWANSEA 2	2,666
WEST COLUMBIA NO. 1	1,929
WEST COLUMBIA NO. 2	1,650
WEST COLUMBIA NO. 3	1,034
WEST COLUMBIA NO. 4	2,838
WESTOVER	2,086
WHITEHALL	2,750
WOODLAND HILLS	2,530
County Lexington SC Subtotal	69,412
County: Richland SC	
Skyland	1,964
St. Andrews	2,109
Ward 1	6,183
Ward 10	1,991
Ward 2	2,394
Ward 3	2,011
Ward 30	2,342
Ward 4	1,969
Ward 5	8,651
County Richland SC Subtotal	29,614

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DISTRICT 26 Total	108,146
Area	Population

DISTRICT 27

Area	Population
County: Chesterfield SC	
Angelus-Cararrh	1,082
Bay Springs	581
Black Creek	740
Center Grove-Winzo	2,067
Courthouse	2,989
Dudley-Mangum	1,565
Grants Mill	1,876
Jefferson	3,080
Mcbee	2,402
Middendorf	1,520
Mt. Croghan	564
Ousleydale	1,201
Pageland No. 1	3,250
Pageland No. 2	3,116
Patrick	1,073
Pee Dee	466
Ruby	1,599
Shiloh	849
Snow Hill-Vaughn	949
County Chesterfield SC Subtotal	30,969
County: Kershaw SC	
Buffalo	1,767
Camden No. 5	1,103
Camden No. 5-A	794
Elgin No. 2	2,644
Elgin No. 4	3,154
Gates Ford	592
Liberty Hill	663
Lugoff No. 1	2,070
Lugoff No. 2	2,692
Lugoff No. 3	2,228
Lugoff No. 4	1,838
Rabon's X Roads	2,641
Salt Pond	2,096
Shaylor's Hill	1,149

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Springdale	2,434
Westville	2,552
County Kershaw SC Subtotal	30,417
County: Lancaster SC	
Antioch	1,256
Camp Creek	1,242
Carmel	790
Chesterfield Ave	2,160
College Park	1,738
Douglas	2,896
Dwight	3,035
Elgin	2,238
Erwin Farm	3,126
Gooch's Cross Road	4,299
Heath Springs	1,954
Hyde Park	2,818
Jacksonham	1,550
Kershaw North	2,756
Kershaw South	2,024
Lancaster East	2,899
Lancaster West	1,531
Lynwood Drive	3,857
Midway	2,459
Pleasant Hill	1,904
Rich Hill	1,729
Riverside	1,176
Spring Hill	1,814
Unity	2,033
University	1,761
County Lancaster SC Subtotal	55,045
DISTRICT 27 Total	116,431
Area	Population

DISTRICT 28

Area	Population
County: Horry SC	
ADRIAN	3,879
ATLANTIC BEACH	246
BROOKSVILLE #1	4,354
BROOKSVILLE #2	1,727
CAROLINA BAYS	3,534

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CAROLINA FOREST #1	4,796
CAROLINA FOREST #2	3,046
CHERRY GROVE #1	3,035
CHERRY GROVE #2	1,554
COOL SPRINGS	819
CRESENT	2,463
DAISY	2,329
DOGWOOD	2,167
DUNES #2	2,274
DUNES #3	1,246
EBENEZER	2,832
EMERALD FOREST #1	4,136
EMERALD FOREST #3	5,088
HICKORY GROVE	2,334
HORRY	2,121
LEON	2,435
LITTLE RIVER #1	2,524
LITTLE RIVER #2	4,425
LITTLE RIVER #3	2,014
MAPLE	2,147
MT. VERNON	1,028
NIXONS XROADS #1	3,233
NIXONS XROADS #2	4,312
NIXONS XROADS #3	2,452
OCEAN DRIVE #1	2,720
OCEAN DRIVE #2	2,024
OCEAN DRIVE #3	2,220
POPLAR HILL	1,329
RED BLUFF	1,749
SALEM	3,368
SHELL	2,021
TILLY SWAMP	2,808
WAMPEE	3,161
WHITE OAK	1,094
WINDY HILL #1	1,795
WINDY HILL #2	3,104
County Horry SC Subtotal	105,943
DISTRICT 28 Total	105,943
Area	Population

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DISTRICT 29

Area	Population
County: Chesterfield SC	
Brocks Mill	2,423
Cash	1,355
Cheraw No. 1	1,940
Cheraw No. 2	1,610
Cheraw No. 3	2,658
Cheraw No. 4	2,318
County Chesterfield SC Subtotal	12,304
County: Darlington SC	
ANTIOCH	2,372
AUBURN	843
BETHEL	926
BLACK CREEK-CLYDE	1,862
BURNT BRANCH	1,000
DARLINGTON NO. 1	450
DARLINGTON NO. 2	2,238
DARLINGTON NO. 3	3,945
DARLINGTON NO. 4	1,854
DARLINGTON NO. 5	2,187
DARLINGTON NO. 6	2,768
DOVESVILLE	1,999
HARTSVILLE NO. 1	1,966
HARTSVILLE NO. 4	1,468
HARTSVILLE NO. 5	3,295
HARTSVILLE NO. 6	1,751
HARTSVILLE NO. 7	2,061
HARTSVILLE NO. 8	3,642
HARTSVILLE NO. 9	2,283
HIGH HILL	4,043
INDIAN BRANCH	1,178
KELLEYTOWN	2,363
LAKE SWAMP	1,907
LAMAR NO. 1	1,081
LAMAR NO. 2	1,978
LYDIA	933
MECHANICSVILLE	2,306
NEW MARKET	1,544
OATES	1,364
SOCIETY HILL	861

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SWIFT CREEK	1,499
County Darlington SC Subtotal	59,967
County: Lee SC	
Bishopville No. 1	2,118
Bishopville No. 2	970
Bishopville No. 3	958
Bishopville No. 4	1,595
Cypress	781
Elliott	526
Lynchburg	758
Manville	943
Mt. Clio	256
South Lynchburg	458
St. Charles	1,164
County Lee SC Subtotal	10,527
County: Marlboro SC	26,667
County: Sumter SC	
MAYESVILLE	614
SAINT JOHN	1,513
SALEM	480
County Sumter SC Subtotal	2,607
DISTRICT 29 Total	112,072
Area	Population

DISTRICT 30

Area	Population
County: Darlington SC	
PALMETTO	2,938
County Darlington SC Subtotal	2,938
County: Dillon SC	28,292
County: Florence SC	
Back Swamp	1,101
Brookgreen	1,150
Florence Ward 1	1,595
Florence Ward 10	1,078
Florence Ward 2	1,930
Florence Ward 3	1,954
Florence Ward 5	1,864
Florence Ward 9	2,034
Gilbert	3,555
Mars Bluff No. 2	2,265

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Quinby	1,316
Spaulding	1,474
County Florence SC Subtotal	21,316
County: Horry SC	
ALLSBROOK	1,175
AYNOR	3,011
BAYBORO-GURLEY	2,252
DOGBLUFF	1,990
EAST LORIS	4,339
GALLIVANTS FERRY	342
GREEN SEA	1,597
JERIGANS CROSSROADS	1,129
LIVE OAK	1,328
METHODIST-MILL SWAMP	2,132
MT. OLIVE	2,021
PLEASANT VIEW	1,047
SWEET HOME	1,940
WEST LORIS	1,421
County Horry SC Subtotal	25,724
County: Marion SC	29,183
DISTRICT 30 Total	107,453
Area	Population

DISTRICT 31

Area	Population
County: Florence SC	
Cartersville	1,142
Claussen	2,856
Coles Crossroads	3,889
Cowards No. 1	1,447
Cowards No. 2	1,730
Delmae No. 1	4,361
Delmae No. 2	2,328
Ebenezer No. 1	4,992
Ebenezer No. 2	3,944
Ebenezer No. 3	1,995
Effingham	1,595
Elim-Glenwood	2,575
Evergreen	1,484
Florence Ward 11	1,428
Florence Ward 12	3,662

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Florence Ward 14	3,103
Florence Ward 15	964
Florence Ward 4	1,125
Florence Ward 6	1,161
Florence Ward 7	2,826
Florence Ward 8	2,411
Friendfield	766
Greenwood	3,368
Hannah	1,007
High Hill	784
Johnsonville	3,452
Kingsburg-Stone	1,359
Leo	477
Mars Bluff No. 1	5,161
McAllister Mill	1,246
Mill Branch	858
Oak Grove-Sardis	1,602
Olanta	1,944
Pamplico No. 1	1,558
Pamplico No. 2	963
Prospect	664
Salem	925
Savannah Grove	6,121
Scranton	1,317
South Florence 1	4,235
South Florence 2	3,023
Tans Bay	2,613
Timmons ville 1	2,145
Timmons ville 2	2,017
Vox	954
West Florence 1	4,948
West Florence 2	2,156
County Florence SC Subtotal	106,681
DISTRICT 31 Total	106,681
Area	Population

DISTRICT 32

Area	Population
County: Berkeley SC	
Alvin	1,230
Eadytown	869

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Moultrie	1,770
Russellville	1,755
Shulerville	488
St. Stephen 1	2,059
St. Stephen 2	2,178
County Berkeley SC Subtotal	10,349
County: Charleston SC	
Awendaw	
Tract 50.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1007, 1008, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1040, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1054, 1055, 2005, 2007, 2009, 2013, 2015, 2020, 2116, 2117, 2118, 2119, 2120, 2121	827
Tract 50.02	
Blocks: 1021, 1022, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1097, 1108, 1109, 1111, 1168	794
Awendaw Subtotal	1,621
Christ Church	1,164
McClellanville	1,975
County Charleston SC Subtotal	4,760
County: Florence SC	
Lake City No. 1	2,213
Lake City No. 2	1,668
Lake City No. 3	2,414
Lake City No. 4	2,767
County Florence SC Subtotal	9,062
County: Georgetown SC	

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ANDREWS	2,446
ANDREWS OUTSIDE	1,623
BETHEL	1,675
BLACK RIVER	2,338
BROWN'S FERRY	2,135
CARVER'S BAY	356
CHOPPEE	1,396
DREAM KEEPERS	1,275
FOLLY GROVE	1,148
GEORGETOWN NO. 1	1,032
GEORGETOWN NO. 3	2,283
GEORGETOWN NO. 4	658
GEORGETOWN NO. 5	2,691
KENSINGTON	1,604
LAMBERT TOWN	743
MYERSVILLE	531
PEE DEE	896
PENNY ROYAL	962
PLANTERSVILLE	874
PLEASANT HILL	1,153
POTATO BED FERRY	842
SAMPIT	1,257
SANTEE	1,671
SPRING GULLY	2,875
WINYAH BAY	1,299
County Georgetown SC Subtotal	35,763
County: Horry SC	
BROWNWAY	2,844
CEDAR GROVE	2,619
FOUR MILE	3,452
INLAND	513
JUNIPER BAY	3,535
PAWLEYS SWAMP	1,045
PORT HARRELSON	742
County Horry SC Subtotal	14,750
County: Williamsburg SC	31,026
DISTRICT 32 Total	105,710
Area	Population

DISTRICT 33	
Area	Population

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County: Horry SC	
COASTAL CAROLINA	4,770
COASTAL LANE #1	1,778
COASTAL LANE #2	3,667
DUNES #1	3,552
EAST CONWAY	1,707
EMERALD FOREST #2	7,144
FORESTBROOK	5,010
HOMEWOOD	2,512
JACKSON BLUFF	940
JAMESTOWN	5,234
JET PORT #1	2,911
JET PORT #2	1,778
JET PORT #3	2,309
JET PORT #4	3,298
MYRTLE TRACE	1,747
MYRTLEWOOD #1	2,332
MYRTLEWOOD #2	2,301
MYRTLEWOOD #3	2,458
NORTH CONWAY #1	2,692
NORTH CONWAY #2	1,514
OCEAN FOREST #1	1,813
OCEAN FOREST #2	2,330
OCEAN FOREST #3	2,972
PALMETTO BAYS	6,073
RACEPATH #1	2,273
RACEPATH #2	2,803
RED HILL #1	4,769
RED HILL #2	3,554
RIVER OAKS	4,849
SEA OATS #1	3,365
SEA OATS #2	4,298
TODDVILLE	2,168
WACCAMAW	6,778
WEST CONWAY	1,334
WILD WING	6,674
County Horry SC Subtotal	115,707
DISTRICT 33 Total	115,707
Area	Population

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DISTRICT 34

Area	Population
County: Georgetown SC	
MURRELL'S INLET NO. 1	3,991
MURRELL'S INLET NO. 2	3,000
MURRELL'S INLET NO. 3	1,233
MURRELL'S INLET NO. 4	1,927
PAWLEY'S ISLAND NO. 1	3,539
PAWLEY'S ISLAND NO. 2	4,544
PAWLEY'S ISLAND NO. 3	2,809
PAWLEY'S ISLAND NO. 4	3,231
PAWLEY'S ISLAND NO. 5	3,367
County Georgetown SC Subtotal	27,641
County: Horry SC	
BURGESS #1	2,897
BURGESS #2	3,853
BURGESS #3	2,697
BURGESS #4	2,435
BURGESS #5	2,276
DEERFIELD	4,572
ENTERPRISE #1	3,161
ENTERPRISE #2	2,555
GARDEN CITY #1	2,768
GARDEN CITY #2	1,528
GARDEN CITY #3	2,475
GARDEN CITY #4	1,553
GLENNS BAY	2,976
LAKE PARK #1	3,408
LAKE PARK #2	3,109
LAKE PARK #3	3,213
MARLOWE #1	2,887
MARLOWE #2	3,431
MARLOWE #3	6,090
SEA WINDS	5,472
SOCASTEE #1	3,175
SOCASTEE #2	3,171
SOCASTEE #3	5,795
SOCASTEE #4	2,633
SURFSIDE #1	3,054
SURFSIDE #2	1,068
SURFSIDE #3	3,248

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SURFSIDE #4	3,405
County Horry SC Subtotal	88,905
DISTRICT 34 Total	116,546
Area	Population

DISTRICT 35

Area	Population
County: Kershaw SC	
Airport	1,946
Antioch	1,231
Bethune	1,838
Camden No. 1	2,357
Camden No. 2 & 3	559
Camden No. 6	534
Cassatt	2,601
Charlotte Thompson	2,009
Doby's Mill	3,060
E. Camden-Hermitage	798
Elgin No. 1	3,419
Elgin No. 3	1,969
Elgin No. 5	2,255
Elgin No. 6	2,041
Hobkirk's Hill	2,222
Malvern Hill	2,169
Riverdale	1,376
Whites Gardens	2,602
County Kershaw SC Subtotal	34,986
County: Lee SC	
Ashland/Stokes Bridge	695
Ashwood	896
Cedar Creek	373
Hickory Hill	478
Ionia	986
Rattlesnake Springs	401
Schrocks Mill/Lucknow	628
Spring Hill	794
St. Matthews	235
Turkey Creek	221
Woodrow	297
County Lee SC Subtotal	6,004
County: Richland SC	

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Bookman	4,721
Estates	3,005
Pontiac 1	4,592
Pontiac 2	3,436
Ward 26	10,666
County Richland SC Subtotal	26,420
County: Sumter SC	
BUNRS-DOWNS	1,297
CHERRYVALE	1,290
DALZELL 1	2,498
DALZELL 2	2,040
DELAINE	2,106
EBENEZER 1	2,093
EBENEZER 2	2,515
FOLSOM PARK	2,980
GREEN SWAMP	4,461
HILLCREST	1,527
HORATIO	652
MANCHESTER FOREST	2,258
OAKLAND PLANTATION 1	1,948
OAKLAND PLANTATION 2	1,610
PALMETTO PARK	2,593
PINEWOOD	2,592
REMBERT	2,888
SAINT PAUL	3,117
SHAW	2,088
SOUTH LIBERTY	810
SWAN LAKE	1,576
THOMAS SUMTER	1,588
County Sumter SC Subtotal	46,527
DISTRICT 35 Total	113,937
Area	Population

DISTRICT 36

Area	Population
County: Calhoun SC	
Cameron	844
Creston	267
Fort Motte	309
Lone Star	1,226
Midway	416

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St. Matthews	1,937
County Calhoun SC Subtotal	4,999
County: Clarendon SC	31,144
County: Orangeburg SC	
Elloree 1	1,310
Elloree 2	950
Eutawville 1	1,861
Eutawville 2	2,519
Providence	1,372
Santee 1	1,844
Santee 2	1,507
Vance	1,904
County Orangeburg SC Subtotal	13,267
County: Sumter SC	
BATES	746
BIRNIE	1,237
CAUSEWAY BRANCH 1	1,767
CAUSEWAY BRANCH 2	1,316
CROSSWELL	2,173
FURMAN	2,392
GREEN SWAMP 2	1,441
HAMPTON PARK	1,061
LEMIRA	1,967
LORING	1,774
MAGNOLIA-HARMONY	1,213
MAYEWOOD	1,723
MCCRAYS MILL 1	2,366
MCCRAYS MILL 2	2,353
MILLWOOD	1,019
MORRIS COLLEGE	1,750
MULBERRY	1,731
OSWEGO	1,564
POCOTALIGO 1	2,970
POCOTALIGO 2	2,335
PRIVATEER	3,361
SALTERSTOWN	1,262
SAVAGE-GLOVER	708
SECOND MILL	2,195
SOUTH RED BAY	1,084
SPECTRUM	1,811
STONE HILL	814

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SUMTER HIGH 1	1,024
SUMTER HIGH 2	1,849
SUNSET	2,001
TURKEY CREEK	1,686
WILDER	1,222
WILSON HALL	2,507
County Sumter SC Subtotal	56,422
DISTRICT 36 Total	105,832

Area	Population
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DISTRICT 37

Area	Population
County: Berkeley SC	
Bethera	350
Bonneau	1,892
Bonneau Beach	2,100
Boulder Bluff	3,803
Bushy Park	42
Cainhoy	1,522
Carnes Cross Roads 1	2,474
Cordesville	1,777
Cross	1,630
Cypress	3,422
Fifty-two	2,566
Fox Bank	3,894
Horseshoe	2,005
Huger	1,972
Jamestown	716
Liberty Hall	3,754
Macedonia	2,245
Macedonia 2	306
McBeth	1,324
Medway	4,026
Moncks Corner 1	3,070
Moncks Corner 2	2,658
Moncks Corner 3	3,461
Moncks Corner 4	2,159
Old 52	2,162
Pimlico	1,586
Pine Grove	0

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Pinopolis	2,417
Pomflant	6
Sedgefield 2	5,590
The Village	3,549
Whitesville 1	3,433
Whitesville 2	1,511
Yellow House	3,772
County Berkeley SC Subtotal	77,194
County: Charleston SC	
Mt. Pleasant 27	4,062
Mt. Pleasant 28	1,560
Mt. Pleasant 29	385
Mt. Pleasant 30	2,607
Mt. Pleasant 31	2,093
Mt. Pleasant 32	3,609
Mt. Pleasant 33	5,428
Mt. Pleasant 34	2,358
Mt. Pleasant 35	7,539
County Charleston SC Subtotal	29,641
DISTRICT 37 Total	106,835
Area	Population

DISTRICT 38

Area	Population
County: Charleston SC	
Ladson	5,160
Licolnville	3,471
County Charleston SC Subtotal	8,631
County: Dorchester SC	
Ashborough East	2,166
Ashborough East 2	1,045
Ashborough West	924
Ashborough West 2	1,538
Bacons Bridge	3,470
Bacons Bridge 2	1,332
Beech Hill	1,657
Beech Hill 2	2,209
Brandymill	993
Brandymill 2	1,956
Briarwood	2,153
Briarwood 2	1,522

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Briarwood 3	1,008
Butternut	2,971
Carolina	2,965
Central	2,206
Central 2	2,486
Clemson	2,367
Clemson 2	4,253
Clemson 3	2,849
Coastal	2,082
Coastal 2	2,266
Coastal 3	1,179
Cypress	4,762
Cypress 2	1,273
Dorchester	1,644
Dorchester 2	1,166
Flowertown	3,521
Flowertown 2	2,389
Flowertown 3	2,321
Germantown	2,026
Greenhurst	1,875
Greenwave	2,208
Irongate	881
Irongate 2	836
Irongate 3	880
Knightsville	2,214
Miles/Jamison	2,931
Newington	1,417
Newington 2	961
North Summerville	620
North Summerville 2	1,964
Sawmill Branch	2,109
Spann	1,788
Stallsville	1,429
Tranquil	1,339
Tranquil 3	2,136
Trolley	2,522
Tupperway	1,344
Tupperway 2	1,657
County Dorchester SC Subtotal	97,810
DISTRICT 38 Total	106,441
Area	Population

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DISTRICT 39

Area	Population
County: Berkeley SC	
Beverly Hills	2,179
Cane Bay	5,038
Cane Bay East	1,877
Cane Bay North	2,008
Cane Bay South	3,131
Carnes Cross Road 2	1,460
Central	3,890
Cobblestone	3,345
Devon Forest 1	3,611
Devon Forest 2	2,516
Hilton Cross Rd	2,729
Howe Hall 1	4,146
Lebanon	1,161
Live Oak	2,502
Nexton	2,619
North Creek	1,017
Sedgefield 3	957
Seventy Eight	2,595
Stratford 1	4,310
Stratford 5	2,648
Tramway	2,172
Wassamassaw 1	1,636
Wassamassaw 2	3,703
Weatherstone	3,499
Wildcat Trail	459
County Berkeley SC Subtotal	65,208
County: Dorchester SC	
Four Hole	1,452
Grover	1,184
Harleyville	1,016
Indian Field	794
Indian Field 2	1,186
Reevesville	1,344
Rosinville	1,717
Rosses	1,375
St. George No. 1	1,711
St. George No. 2	1,053
County Dorchester SC Subtotal	12,832

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County: Orangeburg SC	
Bethel	895
Bowman 1	1,720
Bowman 2	1,038
Branchville 1	1,425
Branchville 2	680
Brookdale	1,673
Four Holes	753
Holly Hill 1	2,662
Holly Hill 2	2,468
Nix	1,579
Orangeburg Ward 2	988
Orangeburg Ward 3	2,075
Orangeburg Ward 4	2,768
Rowesville	758
Suburban 1	1,296
Suburban 2	748
Suburban 3	2,035
Suburban 4	769
Whittaker	1,613
County Orangeburg SC Subtotal	27,943
DISTRICT 39 Total	105,983
Area	Population

DISTRICT 40

Area	Population
County: Aiken SC	
Monetta	1,868
New Holland	1,315
Oak Grove	1,804
Perry	1,242
Salley	888
Tabernacle	962
Wagener	2,870
Ward	2,206
White Pond	1,184
Windsor No. 43	2,037
Windsor No. 82	1,762
County Aiken SC Subtotal	18,138
County: Allendale SC	8,039
County: Bamberg SC	13,311

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County: Barnwell SC	20,589
County: Colleton SC	
Ashton-Lodge	734
Bells	464
Berea-Smoaks	1,245
Edisto	466
Ruffin	370
Williams	404
County Colleton SC Subtotal	3,683
County: Orangeburg SC	
Bolentown	1,973
Cope	904
Cordova 1	2,071
Cordova 2	2,622
Edisto	1,541
Jamison	2,405
Limestone 1	2,616
Limestone 2	2,430
Neeses-Livingston	1,757
North 1	1,789
North 2	1,769
Norway	1,671
Orangeburg Ward 1	1,035
Orangeburg Ward 10	1,018
Orangeburg Ward 5	1,022
Orangeburg Ward 6	1,095
Orangeburg Ward 7	958
Orangeburg Ward 8	1,022
Orangeburg Ward 9	805
Pine Hill	1,650
Springfield	1,601
Suburban 5	1,805
Suburban 6	1,308
Suburban 7	2,517
Suburban 8	1,169
Suburban 9	2,460
County Orangeburg SC Subtotal	43,013
DISTRICT 40 Total	106,773
Area	Population

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DISTRICT 41

Area	Population
County: Charleston SC	
James Island 2	7,318
Johns Island 1A	2,742
Johns Island 1B	3,313
Johns Island 3A	5,443
St. Andrews 22	1,516
St. Andrews 28	4,758
St. Andrews 32	1,476
St. Andrews 33	1,037
St. Andrews 34	3,060
St. Andrews 35	2,078
St. Andrews 36	2,058
St. Andrews 37	6,444
St. Pauls 3	2,385
St. Pauls 5	1,821
St. Pauls 6	2,907
County Charleston SC Subtotal	48,356
County: Colleton SC	
Canady's	763
Cottageville	2,438
Horse Pen	1,050
Hudson Mill	734
Maple Cane	1,477
Peeples	2,134
Round O	1,562
Sidneys	901
Stokes	980
Walterboro No. 5	2,136
Wolfe Creek	608
County Colleton SC Subtotal	14,783
County: Dorchester SC	
Archdale 2	2,115
Ashley River	3,361
Coosaw	4,919
Coosaw 2	3,371
Coosaw 3	2,322
Delemars	1,091
Givhans	1,419
Givhans 2	1,679

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King's Grant	2,190
King's Grant 2	2,819
Lincoln	3,780
Oakbrook	6,235
Oakbrook 2	2,002
Ridgeville	1,268
Ridgeville 2	2,001
Saul Dam	793
Tranquil 2	2,264
County Dorchester SC Subtotal	43,629
DISTRICT 41 Total	106,768
Area	Population

DISTRICT 42

Area	Population
County: Charleston SC	
Charleston 15	2,793
Charleston 16	1,384
Charleston 17	1,307
Charleston 18	1,735
Charleston 19	986
Charleston 20	1,576
Charleston 21	1,168
Deer Park 1A	2,730
Deer Park 1B	7,708
Deer Park 2A	5,042
Deer Park 2B	3,280
Deer Park 2C	1,540
Deer Park 3	4,771
North Charleston 1	1,110
North Charleston 10	2,970
North Charleston 11	1,055
North Charleston 12	1,379
North Charleston 13	1,662
North Charleston 14	931
North Charleston 15	2,365
North Charleston 16	1,555
North Charleston 17	1,526
North Charleston 18	3,448
North Charleston 19	1,843
North Charleston 2	1,789

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North Charleston 20	1,280
North Charleston 21	2,704
North Charleston 22	2,642
North Charleston 23	3,360
North Charleston 24	5,435
North Charleston 25	1,018
North Charleston 26	922
North Charleston 27	3,061
North Charleston 28	3,038
North Charleston 29	2,738
North Charleston 3	1,594
North Charleston 30	2,995
North Charleston 4	1,807
North Charleston 5	2,709
North Charleston 6	2,048
North Charleston 7	2,354
North Charleston 8	1,267
County Charleston SC Subtotal	98,625
County: Dorchester SC	
Archdale	1,733
Patriot	3,087
Windsor	1,405
Windsor 2	1,044
County Dorchester SC Subtotal	7,269
DISTRICT 42 Total	105,894
Area	Population

DISTRICT 43

Area	Population
County: Beaufort SC	
Beaufort 3	1,932
Burton 2A	8,096
Burton 2B	3,410
Burton 2C	2,785
Chechessee 1	1,772
Ladys Island 1A	2,323
Ladys Island 1B	2,121
Ladys Island 2A	2,096
Ladys Island 2B	1,732
Ladys Island 2C	1,336
Ladys Island 3A	1,138

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Ladys Island 3B	1,738
Ladys Island 3C	1,568
Mossy Oaks 1A	1,447
Mossy Oaks 1B	1,624
Mossy Oaks 2	1,781
Port Royal 1	1,960
Port Royal 2	2,070
St. Helena 1A	1,651
St. Helena 1B	1,663
St. Helena 1C	1,396
St. Helena 2A	1,556
St. Helena 2B	1,756
St. Helena 2C	1,192
County Beaufort SC Subtotal	50,143
County: Charleston SC	
Awendaw	
Tract 50.01	
Blocks: 1009, 1037, 1038, 1039, 1041, 1053	0
Tract 50.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1023, 1024, 1135, 1136, 1137, 1138,	
1139, 1140, 1141, 1142, 1143, 1144, 1145,	
1146, 1152, 1153, 1154, 1155, 1156, 1166,	
1167	0
Tract 9901	
Blocks: 0003, 0004	0
Awendaw Subtotal	0
Charleston 1	795
Charleston 2	976
Edisto Island	1,884
Folly Beach 1	920
Folly Beach 2	1,196
Isle Of Palms 1A	1,120
Isle of Palms 1B	1,524
Isle of Palms 1C	1,758
James Island 12	1,661
James Island 13	2,088
James Island 14	1,129
James Island 5A	1,875

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James Island 5B	1,108
Kiawah Island	2,012
Mt. Pleasant 1	1,904
Mt. Pleasant 10	1,358
Mt. Pleasant 11	1,903
Mt. Pleasant 14	2,113
Mt. Pleasant 16	948
Mt. Pleasant 2	1,564
Mt. Pleasant 21	2,194
Mt. Pleasant 22	2,266
Mt. Pleasant 3	1,914
Mt. Pleasant 37	4,732
Mt. Pleasant 38	2,331
Mt. Pleasant 39	5,875
Mt. Pleasant 4	2,032
Mt. Pleasant 5	1,644
Mt. Pleasant 6	2,648
Mt. Pleasant 7	1,353
Mt. Pleasant 8	1,193
Mt. Pleasant 9	1,354
Sullivans Island	1,891
Town of Seabrook	2,178
County Charleston SC Subtotal	63,441
County: Colleton SC	
Edisto Beach	1,253
Green Pond	
Tract 9708	
Blocks: 1053, 1056, 1057, 1058, 1059, 1060,	
1061, 1063, 1064, 1065, 1066, 1067, 1068,	
1069, 1070, 1071, 1072, 1073, 1074, 1075,	
1076, 1077, 1078, 1079, 1080, 1081, 1082,	
1083, 1084, 1085, 1086, 1087, 1088, 1089,	
1090, 1091, 1092, 2017, 2018, 2019, 2020,	
2026, 2027, 2028, 2029, 2030, 2031, 2074,	
2075, 2076, 2077, 2078, 2079, 2080, 2081,	
2082, 2083, 2084, 2085, 2086, 2088, 2089	117
Green Pond Subtotal	117
County Colleton SC Subtotal	1,370
DISTRICT 43 Total	114,954
Area	Population

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DISTRICT 44

Area	Population
County: Berkeley SC	
Daniel Island 1	2,858
Daniel Island 2	2,513
Daniel Island 3	2,658
Daniel Island 4	4,103
Discovery	3,657
Foster Creek 1	1,863
Foster Creek 2	2,960
Foster Creek 3	2,732
Hanahan 1	3,439
Hanahan 2	2,527
Hanahan 3	2,578
Hanahan 4	2,486
Hanahan 5	2,829
Harbour Lake	3,979
Howe Hall 2	1,993
Royle	1,991
Sangaree 1	2,055
Sangaree 2	2,316
Sangaree 3	2,109
Sedgefield 1	3,030
St. James	3,114
Stone Lake	1,899
Stratford 2	2,110
Stratford 3	3,338
Stratford 4	3,016
Westview 1	1,824
Westview 2	2,417
Westview 3	2,624
Westview 4	2,092
County Berkeley SC Subtotal	77,110
County: Charleston SC	
Mt. Pleasant 12	3,436
Mt. Pleasant 13	1,630
Mt. Pleasant 15	2,919
Mt. Pleasant 17	3,786
Mt. Pleasant 18	1,528
Mt. Pleasant 19	2,968
Mt. Pleasant 20	1,715

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Mt. Pleasant 23	2,724
Mt. Pleasant 24	1,040
Mt. Pleasant 25	1,402
Mt. Pleasant 26	734
Mt. Pleasant 36	2,481
North Charleston 9	2,754
County Charleston SC Subtotal	29,117
DISTRICT 44 Total	106,227

Area	Population
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DISTRICT 45

Area	Population
County: Beaufort SC	
Beaufort 1	1,606
Beaufort 2	1,438
Burton 1A	3,780
Burton 1B	2,305
Burton 1C	2,843
Burton 1D	3,232
Burton 3	3,109
Dale Lobeco	1,448
Seabrook 1	2,057
Seabrook 2	1,196
Seabrook 3	2,161
Sheldon 1	1,434
Sheldon 2	1,100
County Beaufort SC Subtotal	27,709
County: Charleston SC	
James Island 1A	2,687
James Island 1B	1,408
James Island 3	1,069
Johns Island 3B	2,184
Johns Island 4	1,860
St. Pauls 1	1,103
St. Pauls 2A	1,261
St. Pauls 2B	1,786
St. Pauls 4	2,400
Wadmalaw Island 1	1,406
Wadmalaw Island 2	1,442
County Charleston SC Subtotal	18,606

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County: Colleton SC

Green Pond

Tract 9703.02

Blocks: 2004, 2007, 2008, 2010, 2012, 2013,
2014, 2015, 2016, 2017, 2018, 2021, 2022,
2044298

Tract 9708

Blocks: 2003, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2021, 2022, 2023,
2024, 2025, 2032, 2033, 2034, 2035, 2036,
2037, 2038, 2039, 2040, 2041, 2042, 2043,
2044, 2045, 2046, 2047, 2048, 2049, 2050,
2051, 2052, 2053, 2056, 2057, 2058, 2059,
2060, 2061, 2062, 2063, 2064, 2065, 2066,
2067, 2068, 2069, 2070, 2071, 2072, 2073690

Green Pond Subtotal988

Hendersonville1,353

Jacksonboro457

Mashawville948

Peniel1,754

Petits365

Rice Patch847

Ritter924

Sniders978

Walterboro No. 11,918

Walterboro No. 21,996

Walterboro No. 31,960

Walterboro No. 42,161

Walterboro No. 62,119

County Colleton SC Subtotal18,768

County: Hampton SC18,561

County: Jasper SC

COOSAWHATCHIE599

GILLISONVILLE816

GRAHAMVILLE 11,675

GRAHAMVILLE 24,213

GRAYS943

HARDEEVILLE 12,211

HARDEEVILLE 21,668

HARDEEVILLE 3941

LEVY3,059

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OAKATIE	1,178
PINELAND	966
RIDGELAND 1	1,593
RIDGELAND 2	1,993
RIDGELAND 3	1,348
TILLMAN	1,007
County Jasper SC Subtotal	24,210
DISTRICT 45 Total	107,854

Area	Population
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DISTRICT 46

Area	Population
County: Beaufort SC	
Belfair	2,568
Bluffton 1A	2,885
Bluffton 1B	1,769
Bluffton 1C	3,263
Bluffton 1D	3,776
Bluffton 2A	2,380
Bluffton 2B	2,351
Bluffton 2C	3,831
Bluffton 2D	2,976
Bluffton 2E	3,197
Bluffton 3	1,289
Bluffton 4A	1,384
Bluffton 4B	2,308
Bluffton 4C	3,038
Bluffton 4D	2,483
Bluffton 5A	2,881
Bluffton 5B	1,906
Chechessee 2	2,442
Daufuskie	557
Hilton Head 10	2,663
Hilton Head 11	1,505
Hilton Head 12	969
Hilton Head 13	1,196
Hilton Head 14	1,050
Hilton Head 15A	588
Hilton Head 15B	936
Hilton Head 1A	2,249

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Hilton Head 1B	1,923
Hilton Head 2A	2,048
Hilton Head 2B	3,809
Hilton Head 2C	1,703
Hilton Head 3	1,002
Hilton Head 4A	906
Hilton Head 4B	1,300
Hilton Head 4C	1,125
Hilton Head 4D	1,140
Hilton Head 5A	1,078
Hilton Head 5B	975
Hilton Head 5C	1,041
Hilton Head 6	1,474
Hilton Head 7A	1,608
Hilton Head 7B	1,716
Hilton Head 8	1,059
Hilton Head 9A	1,878
Hilton Head 9B	1,462
Moss Creek	1,677
New River	4,169
Palmetto Bluff	931
Rose Hill	2,053
Sandy Pointe	2,470
Sun City 1	1,417
Sun City 2	1,148
Sun City 3	1,662
Sun City 4	1,336
Sun City 5	1,463
Sun City 6	1,345
Sun City 7	1,222
Sun City 8	2,685
County Beaufort SC Subtotal	109,265
County: Jasper SC	
OAKATIE 2	1,893
SUN CITY	2,688
County Jasper SC Subtotal	4,581
DISTRICT 46 Total	113,846

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PART III

House of Representatives Reapportionment

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SECTION 3. Chapter 1, Title 2 of the 1976 Code is amended by adding:

“Section 2-1-45. Beginning with the 2022 General Election, one representative of the House of Representatives must be elected from each of the following districts:

DISTRICT 1

Area	Population
County: Oconee SC	
Holly Springs	652
Keowee	2,771
Long Creek	628
Madison	923
Mountain Rest	1,326
Richland	1,620
Salem	2,988
Stamp Creek	2,750
Tamassee	1,764
Walhalla 1	5,967
Walhalla 2	5,316
West Union	3,010
Westminster 1	4,767
Westminster 2	3,336
County Oconee SC Subtotal	37,818
County: Pickens SC	
Albert R. Lewis	
Tract 102.01	
Blocks: 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2031	80
Tract 102.02	
Blocks: 1002, 1003, 1004, 1008, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 3000, 3001, 3002, 3004, 3005, 3010, 3011, 3012, 3013	901
Albert R. Lewis Subtotal	981
Holly Springs	
Tract 101	
Blocks: 1007, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1029, 1030, 1031, 1032, 1038, 1039, 1040, 1041, 1047, 1048, 1049, 1050,	

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1051, 1052, 1053, 1054, 1055, 1056, 1057,	
1058, 1059, 1060, 1061, 1062, 1063, 1064,	
1065, 1066, 1067, 1070, 1071, 1072, 1073,	
1074, 1075, 1077, 1078, 1079, 1080, 1081,	
1082, 1083, 1084, 1085, 1086, 1087, 1088,	
1089, 1090, 1091, 1092, 1093, 1094, 1095,	
1096, 1097, 1098, 1099, 1101, 1106, 1107,	
1118, 1119, 1120, 1121, 1122, 1123, 1124,	
1136	574
Tract 102.01	
Blocks: 2003, 2004, 2005, 2006, 2060	19
Holly Springs Subtotal	593
Mountain View	2,161
Six Mile Mountain	
Tract 103.01	
Blocks: 1006, 1007, 1008, 1009, 1010, 1011,	
1027, 1028, 1034, 1035, 1036, 2000, 2002,	
2003, 2005, 2006, 2007, 2033	702
Six Mile Mountain Subtotal	702
County Pickens SC Subtotal	4,437
DISTRICT 1 Total	42,255
Area	Population

DISTRICT 2

Area	Population
County: Oconee SC	
Bountyland	2,717
Earles Grove	1,433
Fair Play	1,314
Friendship	3,195
New Hope	2,801
Newry-Corinth	421
Oakway	2,043
Ravenel	3,842
Return	1,177
Seneca 1	4,318
Seneca 2	3,068
Seneca 3	2,076
Seneca 4	4,356
Shiloh	2,567
South Union	2,247

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Tokeena-Providence	1,865
Utica	1,349
County Oconee SC Subtotal	40,789
County: Pickens SC	
Stone Church	
Tract 112.02	
Blocks: 2061	0
Stone Church Subtotal	0
County Pickens SC Subtotal	0
DISTRICT 2 Total	40,789
Area	Population

DISTRICT 3

Area	Population
County: Pickens SC	
Abel	2,291
Calhoun	3,546
Clemson	2,784
Flat Rock	
Tract 110.03	
Blocks: 2028, 2029, 2030, 2031, 2037, 2038,	
2039, 2040, 2041, 2043	254
Tract 110.04	
Blocks: 3031, 3032, 3033, 3034, 3035, 3036,	
3037, 3042, 3043, 3044, 3045	234
Flat Rock Subtotal	488
Issaqueena	1,625
Lawrence Chapel	1,668
Morrison	5,468
Norris	
Tract 103.01	
Blocks: 1057, 1059, 1060, 2019, 2020, 2021,	
2022, 2023, 2053, 2054, 2055, 2056	366
Tract 110.04	
Blocks: 3001, 3004, 3005, 3006, 3007, 3008,	
3009, 3010, 3011, 3014, 3015, 3016, 3017,	
3018, 3019, 3020, 3021, 3022, 3023, 3030	350
Tract 111.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1017, 1018, 1019, 1020, 1021,	

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1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1061, 1063	844
Norris Subtotal	1,560
North Central	1,938
Pike	1,598
Praters Creek	
Tract 104.03	
Blocks: 1051	0
Tract 110.01	
Blocks: 2027, 2028	0
Praters Creek Subtotal	0
Six Mile	2,330
Six Mile Mountain	
Tract 103.01	
Blocks: 1039, 1040, 1041, 1047, 1049, 1050, 1051, 1052, 1054, 1055, 1056, 1058, 2001, 2004, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2018, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2034, 2039, 2040, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2057	1332
Tract 103.02	
Blocks: 1000, 1001, 1002, 1004, 1005	209
Six Mile Mountain Subtotal	1,541
South Central	2,426
Stone Church	
Tract 112.02	
Blocks: 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058	11
Tract 112.06	
Blocks: 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 2001, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025	1897
Tract 112.07	

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Blocks: 1004, 1015, 1016, 1017, 1018, 1022	108
Stone Church Subtotal	2,016
University	7,248
West Central	3,616
West Liberty	
Tract 110.04	
Blocks: 3028	0
West Liberty Subtotal	0
County Pickens SC Subtotal	42,143
DISTRICT 3 Total	42,143
Area	Population

DISTRICT 4

Area	Population
County: Pickens SC	
Albert R. Lewis	
Tract 102.02	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2030, 2031	959
Albert R. Lewis Subtotal	959
Arial Mill	1,893
Cedar Rock	1,798
Crescent Hill	1,896
Crossroads	2,156
Dacusville	1,689
East Liberty	1,915
East Pickens	2,028
Georges Creek	
Tract 106.03	
Blocks: 1000, 1001, 1002, 1003, 1014, 1015, 1016, 1017	323
Tract 106.04	
Blocks: 3016	18
Georges Creek Subtotal	341
Glassy Mountain	2,090
Griffin	2,208
Holly Springs	
Tract 101	

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1008, 1023, 1024, 1025, 1026, 1027, 1028, 1033, 1034, 1035, 1036, 1037, 1042, 1043, 1044, 1045, 1046, 1068, 1069, 1076, 1100, 1102, 1103, 1104, 1105, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1125, 1126, 1127, 1128, 1129, 1130,1131, 1132, 1133, 1134, 1135, 2007, 2008, 2009, 2010, 2011, 2012, 2022, 2023, 2024, 2025, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064	844
Tract 104.01	
Blocks: 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1021, 1022, 1023, 1024	534
Holly Springs Subtotal	1,378
Lenhardt	
Tract 106.03	
Blocks: 1004, 1005, 1011, 1012, 1013	729
Lenhardt Subtotal	729
Nine Forks	1,909
Norris	
Tract 110.04	
Blocks: 3000, 3002, 3003, 3012, 3013, 3029	291
Norris Subtotal	291
North Liberty	1,871
North Pickens	2,094
Praters Creek	
Tract 102.02	
Blocks: 1019, 1020	23
Tract 103.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1029, 1030, 1031, 1032, 1033, 1037, 1038, 1042, 1043, 1044, 1045, 1046, 1048, 1053	593
Tract 104.03	

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Blocks: 1029, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1049, 1050, 1052, 1053, 1054	458
Tract 104.04	
Blocks: 1042, 1043, 1044	0
Tract 110.01	
Blocks: 2024, 2025, 2026, 2029, 2030, 2031, 2032, 2033	317
Praters Creek Subtotal	1,391
Pumpkintown	2,141
Rices Creek	2,051
Skelton	1,725
South Pickens	2,147
Vinland	
Tract 106.03	
Blocks: 2008, 2009, 2010, 2011, 2012	590
Tract 106.04	
Blocks: 3008, 3015, 3019, 3020	246
Vinland Subtotal	836
West Liberty	
Tract 110.04	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 2025, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2043, 3024, 3025, 3026, 3027	2031
Tract 110.05	
Blocks: 2042, 2043, 2044, 2045	161
West Liberty Subtotal	2,192
West Pickens	2,264
County Pickens SC Subtotal	41,992
DISTRICT 4 Total	41,992
Area	Population
DISTRICT 5	
Area	Population
County: Greenville SC	
WESTCLIFFE	

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Tract 36.01	
Blocks: 3000, 3009, 3013, 3014, 3015, 3016,	
3017, 3018, 3019, 3021, 3022, 3023	282
Tract 37.01	
Blocks: 1022, 1023, 1025	76
Tract 37.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015	2022
WESTCLIFFE Subtotal	2,380
WESTSIDE	
Tract 22.04	
Blocks: 1000, 1001	84
Tract 37.04	
Blocks: 1004, 1007, 1008, 1009, 1010, 1011,	
1012, 1013, 1014, 1015, 1016, 1017, 1018,	
1019, 1020, 1021, 1022, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 2013, 2014	2888
WESTSIDE Subtotal	2,972
County Greenville SC Subtotal	5,352
County: Pickens SC	
Brushy Creek	2,398
Crestview	1,883
Crosswell	2,398
Easley	2,225
Flat Rock	
Tract 110.03	
Blocks: 1007, 1008, 1009, 1010, 2004, 2006,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2032,	
2033, 2034, 2035, 2036, 2044, 2045, 2046	1520
Tract 110.04	
Blocks: 1042, 1043, 3038, 3039, 3040, 3041	175
Tract 110.05	
Blocks: 2035, 2036, 2037, 2038, 2039	3
Flat Rock Subtotal	1,698

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Forest Acres	1,616
Fruit Mountain	1,600
Georges Creek	
Tract 106.04	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 3017, 3018, 3022, 3023	1064
Tract 108.02	
Blocks: 3025, 3026, 3027, 3028, 3029, 3030,	
3031, 3032	222
Georges Creek Subtotal	1,286
Lenhardt	
Tract 108.02	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3007, 3008, 3009, 3010, 3011, 3012,	
3013, 3014, 3015, 3016, 3017, 3018, 3019,	
3020, 3021, 3022, 3023, 3024, 3033	837
Lenhardt Subtotal	837
McKissick	2,076
Pendleton	1,768
Pickensville	1,866
Pope Field	1,539
Rock Springs	
Tract 106.04	
Blocks: 2007, 2009, 2010, 2011, 2012, 2013,	
2014, 2017, 2018, 2019, 2020, 2021, 2022,	
2023, 2024	761
Tract 108.02	
Blocks: 2055, 2056, 2057, 2058, 2059, 2060,	
2061, 2064, 2066, 2067, 2069, 2070, 2071	367
Rock Springs Subtotal	1,128
Sheffield	1,655
Simpson	2,164
Sitton	1,814
Smith Grove	1,611
Vinland	
Tract 106.03	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2013, 2014, 2015	743
Tract 106.04	
Blocks: 3007	12
Vinland Subtotal	755

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Woodside	2,475
Zion	1,998
County Pickens SC Subtotal	36,790
DISTRICT 5 Total	42,142
Area	Population

DISTRICT 6

Area	Population
County: Anderson SC	
Anderson 1/1	2,837
Bishop's Branch	3,108
Brushy Creek	
Tract 101.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1011, 1012, 1013,	
1014, 1015, 1016, 1017, 1018, 1019, 3000,	
3003, 3004, 3005, 3006, 3007, 3008, 3009,	
3013, 3014, 3015, 3016, 3017, 3018, 3019,	
3020, 3021, 3023, 3024, 3025	2054
Tract 101.07	
Blocks: 1019	215
Tract 101.08	
Blocks: 1040, 2000, 2001, 2007, 2030	616
Brushy Creek Subtotal	2,885
Edgewood Station A	
Tract 8	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013	518
Tract 9	
Blocks: 1007, 1008	3
Tract 10	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1015,	
1017, 1018, 1020, 1023, 1024, 1025, 1026,	
1027, 1041, 1042, 1043, 1044, 1045, 1046,	
1047, 1048, 1051, 1052, 1053	1309
Tract 111	
Blocks: 2017, 2018, 2025, 2026, 2027, 2028,	
2029, 2035, 2037, 2038, 2039, 2040, 2041	506
Edgewood Station A Subtotal	2,336

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Edgewood Station B	2,776
Five Forks	2,051
Hopewell	2,228
La France	
Tract 106.02	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027, 2029, 2030, 2031, 2033, 2036	869
Tract 107.01	
Blocks: 1041, 1042, 1043	14
Tract 107.02	
Blocks: 2023, 2024, 2025, 2030, 2031, 2032,	
2033, 2034, 2035	270
La France Subtotal	1,153
Melton	855
North Point	2,584
Pendleton	
Tract 107.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1032, 1033, 1034, 2000, 2001,	
2002, 2003, 2004, 2005, 2006, 2007, 2008,	
2009, 2010, 2011, 2012, 2013, 2014, 2015,	
2016, 2017, 2018, 2019, 2020, 2021, 2022,	
2023, 2024, 2025, 2026, 2027, 2028, 2029,	
2030, 2031, 2032, 2033, 2034, 2035, 2036,	
2037, 2038, 2039, 2040, 2041, 2042, 2043,	
2044, 2045, 2046, 2047, 2048, 2049, 2050,	
2051, 2052, 2053, 2054, 2055, 2056, 2057,	
2058, 2059, 2060, 2061, 2062, 2063, 2064,	
2065, 2066, 2067, 2068, 2069, 2070, 2071,	
2072, 2073, 2074, 2075, 2076, 2077, 2078,	
2079, 2080, 2081, 2082, 2083, 2085, 2086	1713
Tract 107.02	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,	
1008, 1009, 1010, 1011, 1012, 1013, 1014,	
1015, 1016, 1017, 1018, 1020, 1023, 1024,	

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1025, 1026, 1027, 1028, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2026, 2027, 2028, 2029, 3021, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068	2838
Pendleton Subtotal	4,551
Piercetown	
Tract 105.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1019, 1029, 1033, 1034, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2050	2984
Piercetown Subtotal	2,984
Three and Twenty	4,138
Town Creek	2,162
White Plains	
Tract 101.06	
Blocks: 3010, 3011, 3012, 3022	183
Tract 101.08	
Blocks: 2024, 2025, 2026, 2027, 2032, 2033, 2034	536
Tract 105.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,	

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1048, 1049, 1050, 1051, 1052, 1053, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2025, 2026, 2027, 2028, 2029, 2030, 2031	2880
White Plains Subtotal	3,599
County Anderson SC Subtotal	40,247
DISTRICT 6 Total	40,247
Area	Population

DISTRICT 7

Area	Population
County: Abbeville SC	
Broadmouth	
Tract 9501	
Blocks: 1031, 1037, 1038, 1039, 1040, 1075	67
Broadmouth Subtotal	67
Keowee	
Tract 9501	
Blocks: 1047, 1048, 1049	14
Keowee Subtotal	14
County Abbeville SC Subtotal	81
County: Anderson SC	
Anderson 3/2	
Tract 113.02	
Blocks: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2038, 2039, 2040, 2041	536
Tract 123	
Blocks: 2015, 2016, 2017, 2018, 2040, 2041, 2042, 2043, 2044	259
Anderson 3/2 Subtotal	795
Anderson 4/2	3,352
Barker's Creek	586
Belton	3,376
Belton Annex	2,832
Bowling Green	
Tract 104.06	
Blocks: 1024, 1028, 1030, 1035, 1036, 1037	293
Bowling Green Subtotal	293
Broadview	829
Broadway	1,332

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Cedar Grove	2,437
Chiquola Mill	1,411
Craytonville	1,617
Friendship	1,366
Hall	2,603
High Point	854
Honea Path	2,192
Iva	2,661

Jackson Mill

Tract 117.02

Blocks: 1003, 1004, 1005, 1006, 1016, 2000, 2001, 2013, 3000, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3039, 3040, 3041, 3042, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3060, 3061, 3062, 3063, 3064, 3065, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3073, 3074, 3075, 3076, 3077, 3078, 3080, 3081, 3082, 3087, 3088, 3089	1197
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Jackson Mill Subtotal	1,197
Neals Creek	3,379
Rock Spring	1,172
Shirleys Store	1,232
South Fant	

Tract 119.02

Blocks: 1005, 1006, 1007, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 2020, 2021, 2022, 2026, 2027, 2028, 2034, 2035, 2036	1299
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South Fant Subtotal	1,299
Toney Creek	1,140
Wrights School	1,193
County Anderson SC Subtotal	39,148
County: Greenville SC	

DUNKLIN

Tract 32.02

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Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2021, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 3034, 3035	1063
DUNKLIN Subtotal	1,063
County Greenville SC Subtotal	1,063
DISTRICT 7 Total	40,292
Area	Population

DISTRICT 8

Area	Population
County: Anderson SC	
Anderson 5/B	2,459
Anderson 6/2	2,602
Appleton-Equinox	1,916
Center Rock	3,616
Centerville Station A	4,083
Centerville Station B	4,150
Denver-Sandy Springs	2,091
Edgewood Station A	
Tract 111	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2019, 2020, 2021, 2022, 2023, 2024, 2030, 2031, 2032, 2033, 2034, 2036	1254
Edgewood Station A Subtotal	1,254
Fork No. 1	1,967
Fork No. 2	2,241
Green Pond Station A	3,705
La France	
Tract 106.02	
Blocks: 2032, 2037, 2038, 2039, 2042	78
Tract 107.01	
Blocks: 1044, 1047	26
Tract 108	
Blocks: 2015, 2017, 2018, 2019, 2020, 2021	259
La France Subtotal	363
Lakeside	3,816

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Mount Tabor	3,316
Pendleton	
Tract 107.01	
Blocks: 1029, 1030, 1031, 1035, 1036, 1037,	
1038, 1039, 1040, 1045, 1046	199
Pendleton Subtotal	199
South Fant	
Tract 6	
Blocks: 4000, 4004, 4007, 4008, 4009, 4010,	
4011, 4012, 4013, 4014, 4015, 4016, 4017,	
4018, 4019, 4020, 4021, 4022, 4027, 4028,	
4029, 4030, 4031, 4032, 4035, 4036, 4037,	
4038, 4039, 4040, 4041, 4042, 4043, 4044,	
4045, 4046	437
Tract 7.02	
Blocks: 2051, 2052, 2057, 2058, 2059, 2060	56
Tract 119.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1011,	
2023, 2024, 2025, 2029, 2030, 2031, 2032	697
South Fant Subtotal	1,190
Townville	1,107
Varennnes	
Tract 119.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1020,	
1030, 1031, 1032, 1033, 1034, 1035, 1036,	
1043	918
Tract 120.02	
Blocks: 2026, 2027, 2028, 2029, 2030, 2031	152
Varennnes Subtotal	1,070
County Anderson SC Subtotal	41,145
DISTRICT 8 Total	41,145
Area	Population
DISTRICT 9	
Area	Population
County: Anderson SC	
Anderson 1/2	1,772
Anderson 2/1	1,962
Anderson 2/2	5,186

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Anderson 3/1	1,798
Anderson 3/2	
Tract 3	
Blocks: 1024	6
Tract 5	
Blocks: 1004, 1019	0
Tract 112.03	
Blocks: 2004, 2006	149
Tract 123	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2010, 2019, 2020, 2021,	
2024, 2025, 2026, 2027, 2028, 2029, 2030,	
2031, 2037, 2038, 2039, 2050	1143
Anderson 3/2 Subtotal	1,298
Anderson 4/1	2,544
Anderson 6/1	2,878
Bowling Green	
Tract 104.05	
Blocks: 2025, 2026, 2027, 2028, 2030, 2031,	
2032, 2033, 2034, 2035	715
Tract 104.06	
Blocks: 1029, 1031, 1032, 1033, 1034	224
Bowling Green Subtotal	939
Cox Creek	1,878
Glenview	2,700
Hammond Annex	2,618
Hammond School	3,547
Pelzer	1,434
Piercetown	
Tract 105.01	
Blocks: 1020, 1021, 1027, 1028, 1046	116
Piercetown Subtotal	116
South Fant	
Tract 6	
Blocks: 4023	0
South Fant Subtotal	0
West Pelzer	
Tract 103	
Blocks: 1016, 1017, 1018, 1020, 1021, 1024,	
1029, 2005, 2007, 2012, 2015, 2017, 2018,	
2019, 2020, 2021, 2022, 2023, 2024, 2025,	

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2026, 2027, 2028, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 4036, 4037	1601
West Pelzer Subtotal	1,601
White Plains	
Tract 105.01	
Blocks: 1022, 1023, 1024, 1025, 1026, 1030, 1031, 1047, 1048, 1049, 1050	347
Tract 105.02	
Blocks: 1054, 1055, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2032	853
White Plains Subtotal	1,200
Williamston	3,465
Williamston Mill	5,038
County Anderson SC Subtotal	41,974
DISTRICT 9 Total	41,974
Area	Population

DISTRICT 10

Area	Population
County: Anderson SC	
Brushy Creek	
Tract 101.06	
Blocks: 1010, 3001, 3002	456
Brushy Creek Subtotal	456
Concrete	4,982
Hunt Meadows	6,104
Mt. Airy	3,365
Piedmont	1,663
Powdersville	5,048
Simpsonville	4,165
West Pelzer	
Tract 103	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1019, 2000, 2001, 2002,	

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2003, 2004, 2006, 2008, 2009, 2010, 2011,
2013, 2014, 2016 1479
West Pelzer Subtotal 1,479
County Anderson SC Subtotal 27,262

County: Greenville SC

AIKEN

Tract 21.04

Blocks: 1014, 1015, 1021, 1022, 1023, 1024,
1025, 1027, 1028, 1029, 1030 574
AIKEN Subtotal 574

GROVE

Tract 35

Blocks: 1012, 1045, 1046, 1047, 1048, 1049,
1050, 1051, 1053, 1054, 1055, 1056, 1057,
1058, 1059, 1060, 1062, 1063, 1064 389
GROVE Subtotal 389

PIEDMONT

Tract 33.01

Blocks: 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2019, 2020, 2021,
2022, 2023, 2024, 2025, 2026, 2027, 2028,
2031, 2032, 2036, 2037, 2038, 2048, 2049,
4000, 4001, 4002, 4003, 4004, 4005, 4006,
4007, 4008, 4009, 4010, 4011, 4012, 4013,
4014, 4015, 4016, 4017, 4018, 4019, 4020,
4021, 4022, 4023, 4024, 4025, 4026, 4030,
4031 2307
PIEDMONT Subtotal 2,307

TANGLEWOOD

Tract 36.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 4000, 4001, 4002, 4003, 4004, 4005,
4014, 4015, 4016, 4017, 4018, 4019 2486
TANGLEWOOD Subtotal 2,486

WELCOME

Tract 21.06

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,

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1020, 1021, 1022, 1023, 1024, 1025, 1026,	
2000, 2001, 2002, 2003, 2004, 2005, 2006,	
2007, 2008, 2009, 2010, 2011, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2021,	
3010, 3011, 3012, 3013, 3014, 3015	2523
WELCOME Subtotal	2,523
WESTCLIFFE	
Tract 21.04	
Blocks: 1026, 1031, 1032, 1033, 1034, 1035,	
1036, 1037	148
Tract 36.01	
Blocks: 3003, 3011, 3012, 3020, 3024, 3025,	
3026, 3027, 3028, 3029, 3030	427
WESTCLIFFE Subtotal	575
County Greenville SC Subtotal	8,854
County: Pickens SC	
McAlister	1,770
Rock Springs	
Tract 109.03	
Blocks: 3000, 3001, 3002, 3003, 3004, 3007,	
3008, 3009, 3010, 3011, 3012, 3013, 3014,	
3015, 3016, 3017, 3018, 3019, 3020, 3021,	
3022, 3023, 3024, 3025, 3026, 3027, 3043	1124
Rock Springs Subtotal	1,124
Saluda	2,241
Tri County	907
County Pickens SC Subtotal	6,042
DISTRICT 10 Total	42,158
Area	Population

DISTRICT 11

Area	Population
County: Abbeville SC	
Abbeville No. 1	2,348
Abbeville No. 2	2,160
Abbeville No. 3	2,169
Abbeville No. 4	1,188
Antreville	1,725
Broadmouth	
Tract 9501	

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1032, 1033, 1034, 1035, 1036, 1041, 1042, 1043, 1044, 1053, 1058, 1060, 1061, 1070, 1071, 1073, 1074, 2020	663
Broadmouth Subtotal	663
Calhoun Falls	2,347
Cold Springs	1,483
Donalds	851
Due West	2,698
Hall's Store	1,021
Keowee	
Tract 9501	
Blocks: 1050, 1051, 1052, 1054, 1055, 1056, 1057, 1059, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069	498
Tract 9502	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 2049, 2050, 3036	1354
Tract 9503	
Blocks: 1000, 1002, 1003, 1042	40
Keowee Subtotal	1,892
Lebanon	1,008
Lowndesville	1,572
Smithville	1,089
County Abbeville SC Subtotal	24,214
County: Anderson SC	
Flat Rock	2,591
Gluck Mill	2,953
Homeland Park	933
Jackson Mill	

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Tract 117.02

Blocks: 2002, 2003, 2004, 2005, 2006, 2007,
2008, 2009, 2010, 2011, 2012, 2014, 2015,
2016, 2017, 2018, 2019, 2020, 2021, 2022,
2023, 2024, 2025, 2026, 2027, 2028, 3092,
3093, 4025, 4026, 4027, 4028, 4029, 4030,
4031, 4032, 4033, 4034, 4039, 4040, 4041,
4042, 4043, 4044, 4045, 4046, 4047, 4048,
4049, 4050 766

Tract 122

Blocks: 4026, 4027, 4028, 4030, 4044, 4047,
4050, 4051, 4052, 4056, 4062 38

Jackson Mill Subtotal 804

Mountain Creek 1,751

Rock Mill 1,486

Starr 1,304

Varenes

Tract 119.01

Blocks: 1019, 1021, 1022, 1029, 1037, 1038,
1039, 1040, 1041, 1042, 2000, 2001, 2002,
2003, 2004, 2005, 2006, 2008, 2009, 2010,
2011, 2012, 2013, 3024, 3025, 3027 1227

Varenes Subtotal 1,227

West Savannah 893

County Anderson SC Subtotal 13,942

County: Laurens SC

BREWERTON - PRINCETON 1,123

MARTINS-POPLAR SPRINGS 1,078

County Laurens SC Subtotal 2,201

DISTRICT 11 Total 40,357

Area Population

DISTRICT 12

Area Population

County: Greenwood SC

Ashley River Run 1,200

Bee's Ferry 2,229

Bradley 315

Callison

Tract 9709

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Blocks: 1003, 1004, 1005, 1006	134
Callison Subtotal	134
Civic Center	2,025
Emerald	1,032
Fairhope Ferry	2,396
Gideon's Way	
Tract 9706.02	
Blocks: 1000, 1008, 1016, 1017	11
Tract 9707.02	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,	
1008, 1009, 1010, 1011, 1012, 1013, 1014,	
1015, 1016, 1017, 1018, 1022, 1023, 1024,	
1029, 1044	1226
Gideon's Way Subtotal	1,237
Grandiflora Glen	1,491
Greenwood Mill	
Tract 9704.01	
Blocks: 1000, 1009, 1010, 1013, 1014, 1015,	
1016, 1017, 3009, 3010	113
Greenwood Mill Subtotal	113
Hope's Ferry	1,889
Laco	1,824
Levi's Knoll	3,385
Liberty	1,741
Loblolly Pines	1,765
Marshall Oaks	1,199
Mimosa Crest	
Tract 9702.02	
Blocks: 3006, 3007, 3008, 3009	383
Tract 9703.01	
Blocks: 3000, 3001	0
Mimosa Crest Subtotal	383
Mountain Laurel	1,998
New Market	1,613
Ninety Six	
Tract 9707.02	
Blocks: 1027, 1028, 1030, 1031, 1032, 1033,	
1034, 1035, 1037, 1038, 1039, 1040, 1041,	
1042, 1043, 2000, 2001, 2002, 2003, 2004,	
2005, 2006, 2021, 2022, 2023, 2036, 4037	620
Ninety Six Subtotal	620

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Pebble Stone Way	1,255
Troy	216
Verdery	
Tract 9708.02	
Blocks: 2024, 2027, 2028, 2029, 2030, 2031,	
2032, 2033, 2034, 2035, 2036, 2037, 2038,	
2039, 2040, 2041, 2042, 2043, 2044, 2045,	
2046, 2047, 2048, 2049, 2050, 2051, 2052,	
2053, 2054, 2055, 2056, 2057, 2058, 2059,	
2060, 2061, 2062, 2063, 2067, 2068, 2069,	
2071, 2073, 2074, 2075	410
Tract 9709	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2013,	
2017, 2018, 2019, 2020, 2021, 2086	278
Verdery Subtotal	688
County Greenwood SC Subtotal	30,748
County: McCormick SC	9,526
DISTRICT 12 Total	40,274
Area	Population

DISTRICT 13

Area	Population
County: Greenwood SC	
Airport	1,700
Allie's Crossing	1,154
Angel Oak's Crossing	1,709
Biltmore Pines	1,559
Callison	
Tract 9708.02	
Blocks: 2070	15
Tract 9709	
Blocks: 1000, 1001, 1002, 1007, 1008, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1029, 1030,	
1031, 1032, 1033, 1034, 1035, 1036, 1037,	
1038, 1039, 1040, 1041, 1042, 1043, 1044,	
1045, 1046, 1047, 1048, 1049, 1050, 1051,	
1052, 1053, 1054, 1055, 2026, 2051	961

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Tract 9710

Blocks: 1039, 1040, 2003, 2004, 2006, 2007,
2008, 2009, 2010, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2050, 2051, 2055,
2070338

Callison Subtotal 1,314

Cokesbury 1,437

Coronaca 1,605

Emerald High 710

Epworth 1,004

Georgetown 1,570

Gideon's Way

Tract 9707.02

Blocks: 10016

Gideon's Way Subtotal6

Glendale 928

Graham's Glen 1,271

Greenwood High 1,381

Greenwood Mill

Tract 9704.01

Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
1007, 1008, 1011, 1012, 3000, 3001, 3002,
3003, 3004, 3005, 3006, 3007, 3008, 3011,
3012, 3013, 3014, 3015, 3017, 3018, 3019,
3020, 3021, 3028, 3072 1079

Greenwood Mill Subtotal 1,079

Harris 1,061

Hodges 1,941

Lower Lake 1,361

Maxwellton Pike 994

Mimosa Crest

Tract 9702.02

Blocks: 4005, 4006, 4007, 4008, 4009, 4010,
4011 862

Mimosa Crest Subtotal 862

New Castle 1,437

Ninety Six

Tract 9707.02

Blocks: 1036, 2007, 2008, 2009, 2010, 2015,
2016, 2017, 2018, 2019, 2020, 2024, 2025,
2026, 2027, 2028, 2029, 2030, 2031, 2032,

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2033, 2034, 2035, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 4036	697
Ninety Six Subtotal	697
Ninety Six Mill	1,198
Parson's Mill	1,706
Pinecrest	1,401
Riley	344
Rutherford Shoals	1,176
Sandridge	945
Shoals Junction	505
Sparrows Grace	1,679
Stonewood	1,145
Verdery Tract 9708.02 Blocks: 2019, 2020, 2021, 2022, 2023, 2025, 2026	523
Verdery Subtotal	523
Ware Shoals	1,201
County Greenwood SC Subtotal	38,603
County: Laurens SC MOUNT OLIVE	1,830
County Laurens SC Subtotal	1,830
DISTRICT 13 Total	40,433
Area	Population

DISTRICT 14

Area	Population
County: Laurens SC BAILEY	1,703
BARKSDALE-NARINE	1,644
CLINTON 3 Tract 9208 Blocks: 2028, 2029, 2030, 2031, 2032, 2033, 2037, 2038, 2039, 2040, 2041, 2045	456
CLINTON 3 Subtotal	456
CLINTON MILL Tract 9207 Blocks: 1001, 1003, 1004, 1006, 1008, 1011, 1012, 1013, 1026, 1027	430
CLINTON MILL Subtotal	430

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CROSS HILL	2,286
EKOM	919
GRAY COURT	2,098
GREENPOND	2,496
HICKORY TAVERN	3,523
JONES	
Tract 9201.04	
Blocks: 1003, 1004, 1005, 1006, 1011, 1018,	
1019, 1020, 1021, 1026, 1027, 1028, 1029,	
1030, 1031, 1032, 1033, 1034, 1035, 1038,	
1043, 3006	654
Tract 9201.05	
Blocks: 2054	0
JONES Subtotal	654
LAURENS 1	1,037
LAURENS 2	964
LAURENS 3	2,155
LAURENS 4	1,308
LAURENS 5	2,349
LAURENS 6	1,848
LONG BRANCH	
Tract 9205.01	
Blocks: 1060, 1061, 1062, 1063, 1064, 1065,	
1066, 1067, 1068, 1069, 1070, 1072, 1085,	
1086, 1087, 1088, 1089, 1090, 1091, 1092,	
1093, 1094, 1095, 1096	670
Tract 9205.04	
Blocks: 2000, 2001, 2010, 2011, 2012, 2013,	
2014, 2015, 2019	304
Tract 9206	
Blocks: 1002, 1003, 1004, 1005, 1006, 1009,	
1010, 1011, 1012, 1013, 1014, 1017, 1018,	
1019, 1020, 1021, 1022, 1023, 1024, 1025,	
1026, 1027, 1028, 1029, 1030, 1031, 1032,	
1033, 1034, 1035, 1036, 1037, 1038, 1039,	
1040, 1041, 1042, 1043, 1044, 1045, 1046,	
1047, 1048, 1049, 1050, 1051, 1052, 1053,	
1054, 1055, 1056, 1057	823
Tract 9207	
Blocks: 1007, 1014, 1015	6
LONG BRANCH Subtotal	1,803

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LYDIA MILL

Tract 9203.02
 Blocks: 2033 0

Tract 9207
 Blocks: 2026, 2027, 2037, 2040, 2042, 3000,
 3001, 3002, 3003, 3004, 3008, 3011, 3012,
 3013, 3014, 3015, 3016, 3017, 3018, 3019,
 3020, 3021, 3024, 3025, 3026, 3027, 3028,
 3029, 3030, 3031, 3032, 3033, 3034, 3035,
 3036, 3037, 3038, 3041, 3042, 3043, 3044,
 3045, 3046, 3055, 3056 925

Tract 9208
 Blocks: 3029, 3030, 3032, 3042, 3043, 3044,
 3051, 3052, 3053, 3057, 3060, 3061 150

LYDIA MILL Subtotal 1,075

MADDENS 1,899

MOUNTVILLE 970

ORA-LANFORD 1,492

OWINGS

Tract 9201.04
 Blocks: 1022, 1023, 1024, 1025, 1036, 1037,
 1039, 1040, 1044 73

Tract 9201.05
 Blocks: 2055 0

Tract 9201.08
 Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
 1008, 1009, 1010, 1011, 1012, 1013, 1014,
 1015, 1016, 1018, 1019, 1020, 1023, 1024,
 1025, 1030, 2009, 2010, 2014, 2018, 2020,
 2021, 2022, 2023, 2024, 2025, 2026, 2027,
 2028, 2029, 2033, 2034 625

OWINGS Subtotal 698

TRINITY RIDGE 1,922

WATERLOO 2,259

WATTSVILLE 2,870

County Laurens SC Subtotal 40,858

DISTRICT 14 Total 40,858

Area Population

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DISTRICT 15

Area	Population
County: Berkeley SC	
Foster Creek 1	
Tract 208.09	
Blocks: 1034, 1035, 1036	0
Tract 208.10	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1007, 1008, 1009, 1010, 1013	561
Tract 209.04	
Blocks: 1000	0
Foster Creek 1 Subtotal	561
Hanahan 1	
Tract 208.09	
Blocks: 1032, 1033, 1038	0
Tract 208.10	
Blocks: 1011	0
Tract 209.04	
Blocks: 1001, 1002	0
Hanahan 1 Subtotal	0
Harbour Lake	3,979
Howe Hall 1	4,146
Howe Hall 2	1,993
Liberty Hall	
Tract 208.07	
Blocks: 2027, 4000, 4001, 4002, 4003, 4004,	
4005, 4006, 4007	1572
Liberty Hall Subtotal	1,572
Sedgefield 1	3,030
Sedgefield 3	957
St. James	
Tract 208.09	
Blocks: 1022, 1023	0
Tract 208.10	
Blocks: 1000, 2002, 2003, 2004, 2005, 2006,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2016, 2017, 2018, 2025, 2026	2366
St. James Subtotal	2,366
County Berkeley SC Subtotal	18,604
County: Charleston SC	

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Deer Park 1A2,730
Deer Park 1B
 Tract 31.07
 Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
 3006, 3007, 3008, 3009, 3010, 3011, 3012,
 3018, 3019, 3020, 3069, 3070 1453
 Tract 31.13
 Blocks: 1000, 10050
 Tract 31.15
 Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1016, 1017, 1018, 1019,
 1020, 1021, 1022, 1023, 1024, 1025, 2000,
 2001, 2002, 2003, 2004, 2024, 2025, 3000,
 3001, 3027, 3029, 30303202
Deer Park 1B Subtotal4,655
Deer Park 2A
 Tract 31.13
 Blocks: 10140
 Tract 31.15
 Blocks: 3002, 3003, 3004, 3005, 3006, 3007,
 3008, 3009, 3010, 3011, 3012, 3013, 3014,
 3015, 3016, 3017, 3018, 3019, 3020, 3021,
 3022, 3023, 3024, 3025, 3026, 3031, 3032,
 3033, 3034, 3035, 3036, 3037, 3038, 3039,
 3040, 3041, 3042, 3043, 3044, 3045, 3046,
 3047, 3048, 3049, 3050, 3051, 3052 1440
 Tract 31.16
 Blocks: 3007, 3008 1119
 Tract 31.17
 Blocks: 1006, 1007, 1008, 2000, 2001, 2002,
 2004, 2005, 2006, 2007, 2008 1685
Deer Park 2A Subtotal4,244
Deer Park 2B
 Tract 31.16
 Blocks: 1000, 1003, 2000, 2001, 2002, 2003,
 2004, 2005, 2006, 2008, 2009, 2010, 2011,
 2012, 2013, 2014, 2015, 2016, 2017, 2018,
 2019, 2020, 2022, 3009, 30102393
 Tract 31.17

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Blocks: 2003, 2009, 2010, 2016, 2017, 2018,
2019, 2020627
Deer Park 2B Subtotal3,020
Deer Park 2C1,540
Deer Park 34,771
North Charleston 292,738
County Charleston SC Subtotal23,698
DISTRICT 15 Total42,302
Area Population

DISTRICT 16
Area Population

County: Greenville SC
BELLS CROSSING

Tract 30.08
Blocks: 2001, 2002, 2003, 2004, 2006, 2007,
2008, 2009, 2010, 2011, 20121481

Tract 30.09
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 30181541

BELLS CROSSING Subtotal3,022
FOUNTAIN INN 15,157
FOUNTAIN INN 22,728
GRAZE BRANCH2,277
PINEVIEW1,985

RAINTREE

Tract 30.13
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 10161824

Tract 31.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2035,
2036, 2037, 2038, 2040904

RAINTREE Subtotal2,728
SIMPSONVILLE 3

Tract 30.11
Blocks: 1018, 1020, 1021, 1051, 1052, 1053266
SIMPSONVILLE 3 Subtotal266

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SIMPSONVILLE 5

Tract 30.11

Blocks: 105461

Tract 31.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1008, 1009, 1013, 1045, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025 1179

SIMPSONVILLE 5 Subtotal 1,240

SYCAMORE4,357

WALNUT SPRINGS8,550

County Greenville SC Subtotal 32,310

County: Laurens SC

COOKS4,556

JONES

Tract 9201.04

Blocks: 1000, 1001, 1002, 1007, 1008, 1009,
1010, 1012, 1013, 1014, 1015, 1016, 10173

Tract 9201.05

Blocks: 1011, 1012, 1013, 1017, 1018, 1019,
1022, 1023, 1024, 1025, 1026, 1027, 1028,
1029, 1030, 1031, 1032, 1033, 1034, 1035,
1036, 1037, 2003, 2004, 2005, 2006, 2007,
2008, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2019, 2020, 2021,
2022, 2023, 2024, 2025, 2026, 2027, 2028,
2029, 2030, 2031, 2032, 2033, 2034, 2035,
2045, 2046, 2047, 2048, 2049, 2050, 2051,
2052, 2053, 2064, 20652245

Tract 9201.06

Blocks: 2024, 202536

JONES Subtotal 2,284

OWINGS

Tract 9201.02

Blocks: 10540

Tract 9201.05

Blocks: 2036, 2037, 2039, 2040, 2041, 2042,
2043, 2044, 2056, 2057, 2058, 2059, 2060,
2061, 2062, 2063595

Tract 9201.08

Blocks: 1000, 2000, 20010

OWINGS Subtotal595

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YOUNGS	2,036
County Laurens SC Subtotal	9,471
DISTRICT 16 Total	41,781
Area	Population

DISTRICT 17	
Area	Population

County: Greenville SC

ALTAMONT FOREST	1,693
CLEAR CREEK	

Tract 26.06	
Blocks: 2000, 2001, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011	1232

Tract 26.11	
Blocks: 1008	73

CLEAR CREEK Subtotal	1,305
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DARBY RIDGE

Tract 26.06	
Blocks: 2002, 2003	188

Tract 26.11	
Blocks: 1003, 1004, 1005, 1006, 1007	947

Tract 27.03	
Blocks: 1000, 1001, 1002, 1003, 1004	571

Tract 39.02	
Blocks: 1000, 1001, 1002, 1003, 1026, 1038,	
1039, 1040, 1041	417

DARBY RIDGE Subtotal	2,123
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EBENEZER

Tract 39.03	
Blocks: 1022, 1023, 1024, 1027, 2000, 2001,	
2002, 2003, 2004, 2005, 2006, 2007, 2008,	
2009, 2010, 2011, 2012, 2013, 2014, 2015,	
2016, 2017, 2018, 2019, 2020, 2021, 2022,	
2023, 2024, 2025, 2026, 2027, 3018, 3026,	
3027, 3033, 3034, 3035, 3036, 3037, 3038,	
3039, 3040, 3041, 3042, 3043	2681

Tract 39.05	
Blocks: 1015, 1016, 2040, 2041, 2042	395

Tract 39.06

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Blocks: 1012, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023359
EBENEZER Subtotal 3,435
GOWENSVILLE

Tract 24.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1011, 1012, 1013,
1014, 1031, 1032, 1033, 1034, 1036, 1037,
1040, 1041, 2015, 3000, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3008, 3009, 3010,
3011, 3015, 3018, 3020, 3021, 3023, 3024,
3026, 3027, 3028, 3029, 3030, 3031, 3032,
3033, 3034, 3036, 3038, 3040, 3041, 3042,
3043, 3044, 3045, 3046, 3047, 3048, 3049,
3050, 3051, 3052, 3053, 3054, 3055, 3056,
3057, 3058, 3059, 3060, 3061, 3062, 3063,
3064, 3065, 3066, 3067, 3068, 3069 1563
GOWENSVILLE Subtotal 1,563
JENNINGS MILL2,193
MARIDELL2,888
MOUNTAIN VIEW3,378
SANDY FLAT4,745
SLATER MARIETTA5,430
TIGERVILLE4,784
TRAVELERS REST 1

Tract 27.01

Blocks: 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1027, 1028, 1030,
1031, 1032, 1033, 1034, 1035, 1036, 1039,
1048515

Tract 38.03

Blocks: 1000, 2000, 200120

Tract 39.02

Blocks: 1010, 1012, 1013, 1014, 1015, 1016,
1017, 1018, 1019, 1020, 1021, 1027, 1028,
1029, 1032, 1033, 1034, 1035, 1036, 1037212

Tract 39.05

Blocks: 205728

Tract 39.06

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Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031	1596
TRAVELERS REST 1 Subtotal	2,371
TRAVELERS REST 2	2,619
TUBBS MOUNTAIN	3,582
County Greenville SC Subtotal	42,109
DISTRICT 17 Total	42,109
Area	Population

DISTRICT 18

Area	Population
County: Greenville SC	
CASTLE ROCK	4,104
CLEAR CREEK	
Tract 26.06	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006	536
Tract 26.11	
Blocks: 1009, 1010	514
CLEAR CREEK Subtotal	1,050
FOX CHASE	2,680
FROHAWK	2,213
GOWENSVILLE	
Tract 24.03	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009	305
Tract 24.04	
Blocks: 1010, 1015, 1016, 1017, 1018, 1019, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1035, 1038, 1039, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1089, 1090, 1093, 1094	942
GOWENSVILLE Subtotal	1,247
LAUREL RIDGE	3,436
LOCUST HILL	2,122
MAPLE CREEK	

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Tract 25.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1015, 1016, 1018, 1031, 1055, 3000,
3001, 3002, 3003831

Tract 25.05

Blocks: 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2029, 2030, 2031,
2032, 2046, 2050536

MAPLE CREEK Subtotal1,367

ONEAL4,570

SKYLAND4,056

STONE VALLEY

Tract 26.10

Blocks: 2006, 2007, 2009, 2010, 2011, 20121138

Tract 26.11

Blocks: 2015, 2016, 2017, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 20271320

STONE VALLEY Subtotal2,458

SUBER MILL

Tract 25.03

Blocks: 3004, 3005, 3006, 3007, 3008, 3009,
3010, 3011, 3012, 3013, 3014, 3015, 3016,
3017, 3018, 3019, 3020, 3021, 3022, 3023,
3024, 3025, 3026, 3027, 3028, 3029, 3030,
3031, 3032, 3033, 3034, 3035, 3036, 4005,
4009, 4010, 4011, 4012, 4013, 4014, 4015,
4016, 4017, 4018, 4019, 4020, 4021, 4022,
4023, 4024, 4025, 4026, 4039, 4040, 4041,
4042, 4043, 4044, 4045, 40463797

Tract 26.04

Blocks: 1000, 1022, 1023, 1024, 1025, 1034,
1035, 1036, 1037, 1038, 1053, 1054, 2000,
2001, 2002, 2003, 2004, 2007, 2015, 2016,
2017, 2018, 20191010

SUBER MILL Subtotal4,807

TAYLORS

Tract 26.04

Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1019, 1020,

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1021, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1055, 1058, 1059, 1062	1320
TAYLORS Subtotal	1,320
TRADE	4,337
TYGER RIVER	2,462
County Greenville SC Subtotal	42,229
DISTRICT 18 Total	42,229
Area	Population

DISTRICT 19

Area	Population
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County: Greenville SC

AIKEN

Tract 22.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1025, 1026, 1027, 1028, 1029, 2016, 2017, 2018, 2029	854
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AIKEN Subtotal	854
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BEREA	3,443
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EBENEZER

Tract 37.01

Blocks: 3000, 3008	64
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Tract 39.03

Blocks: 3044, 3045	44
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EBENEZER Subtotal	108
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ENOREE	4,688
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FURMAN	5,893
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LAKEVIEW

Tract 22.03

Blocks: 3029	0
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Tract 23.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030	1169
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Tract 23.02

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1030, 1035, 2008, 2009, 2010,
2011, 2012, 2014, 2015, 2016, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025,
2026, 2027, 2028, 2029, 2030, 2031, 2032,
2033, 2034, 2035, 2036, 2037, 2038, 2039,
20402788
LAKEVIEW Subtotal3,957
LEAWOOD
Tract 23.04
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012831
Tract 38.02
Blocks: 3016, 4000, 4001, 4002, 4003, 4004,
4005, 4006, 4007, 4008, 4009, 4010, 5000,
5001, 5002, 5003, 5004, 5005, 50061695
LEAWOOD Subtotal2,526
MONAVIEW
Tract 22.03
Blocks: 1000, 1013, 1019, 1020, 2006, 2007,
3000, 3001, 3002, 3003, 3004, 3005, 3006,
3007, 3008, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 3016, 3017, 3018, 3019, 3020,
3021, 3022, 3023, 3024, 3025, 3026, 3027,
3031, 3032, 3033, 3034, 3035, 3036, 3037,
3038, 3039, 3040, 3041, 3042, 3043, 3044,
3045, 3046, 3047, 3048, 3049, 3051, 3054,
3058, 30591467
Tract 22.04
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
20272244
Tract 23.01
Blocks: 20200
Tract 23.02
Blocks: 10290

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Tract 37.04	
Blocks: 1000, 1001, 1002, 1003, 1005, 1006	1169
Tract 37.06	
Blocks: 1012	133
MONAVIEW Subtotal	5,013
PARIS MOUNTAIN	
Tract 38.02	
Blocks: 3014, 3015, 3017, 3018	612
PARIS MOUNTAIN Subtotal	612
POINSETT	4,944
SALUDA	2,296
SULPHUR SPRINGS	4,421
TRAVELERS REST 1	
Tract 38.03	
Blocks: 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2011, 2013, 2015	744
Tract 39.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011	580
TRAVELERS REST 1 Subtotal	1,324
WESTSIDE	
Tract 22.02	
Blocks: 2008, 2009, 2010, 2011, 2012	131
Tract 22.03	
Blocks: 1014, 1015, 1016, 1017, 1018, 2008,	
2009, 2010, 2011, 2012, 2013, 2014, 2028,	
2029, 2030, 2031	494
Tract 22.04	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,	
1008, 1009, 1010, 1011, 1012, 1013, 1014	771
WESTSIDE Subtotal	1,396
County Greenville SC Subtotal	41,475
DISTRICT 19 Total	41,475
Area	Population
DISTRICT 20	
Area	Population
County: Greenville SC	
AVON	2,641
BOILING SPRINGS	

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Tract 26.09	
Blocks: 4003, 4004, 4005, 4006, 4007, 4008,	
4009	1001
Tract 28.17	
Blocks: 1005	132
BOILING SPRINGS Subtotal	1,133
BOTANY WOODS	
Tract 18.03	
Blocks: 1006, 1007, 1008, 1009, 1015, 1016,	
1017, 1018, 1019	429
BOTANY WOODS Subtotal	429
BROOKGLENN	1,788
DARBY RIDGE	
Tract 27.03	
Blocks: 1005, 1006, 1007, 1008, 1009, 1010,	
1011, 1012, 1013, 1014, 1015, 1016, 1017,	
1018, 1019, 1020, 1021, 1022, 1023	1807
DARBY RIDGE Subtotal	1,807
DEL NORTE	3,455
EASTSIDE	3,795
EDWARDS FOREST	3,234
GREENVILLE 1	
Tract 11.01	
Blocks: 2006, 2007, 2008, 2009, 2010, 2011,	
2012, 2013, 2014, 2015, 2016, 4027	442
GREENVILLE 1 Subtotal	442
GREENVILLE 27	
Tract 12.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006	1707
GREENVILLE 27 Subtotal	1,707
MOUNTAIN CREEK	2,803
NORTHWOOD	2,740
PARIS MOUNTAIN	
Tract 27.01	
Blocks: 1049, 1051, 1052, 1053, 1054, 1056,	
2019, 2020, 2021, 2022, 2023, 2024, 2025,	
2026, 2027, 2028, 2029, 2030, 2031, 2032,	
2033, 2034, 2035	1093
PARIS MOUNTAIN Subtotal	1,093
PEBBLE CREEK	2,799

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SEVIER	3,694
SILVERLEAF	
Tract 26.04	
Blocks: 2013, 2014, 2020, 2023, 2024, 2025,	
2026	728
Tract 26.13	
Blocks: 1008	22
SILVERLEAF Subtotal	750
STONE VALLEY	
Tract 26.10	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2008	1,067
STONE VALLEY Subtotal	1,067
TAYLORS	
Tract 26.04	
Blocks: 1056, 1057, 1060, 1061, 2005, 2006,	
2008, 2009, 2010, 2011, 2012, 3000, 3001,	
3002, 3003, 3004, 3005, 3006, 3007, 3008,	
3009, 3010, 3011, 3012, 3013, 3014, 3015	2,330
TAYLORS Subtotal	2,330
WADE HAMPTON	4,440
County Greenville SC Subtotal	42,147
DISTRICT 20 Total	42,147
Area	Population

DISTRICT 21

Area	Population
County: Greenville SC	
ASHETON LAKES	4,068
CANEBRAKE	3,597
CIRCLE CREEK	
Tract 28.14	
Blocks: 3007, 3008, 4000, 4001, 4002, 4003,	
4004, 4005, 4007	1,836
CIRCLE CREEK Subtotal	1,836
GRANITE CREEK	4,167
MAPLE CREEK	
Tract 25.03	
Blocks: 1014, 1017, 1019, 1020, 1021, 1022,	
1023, 1024, 1025, 1026, 1027, 1028, 1029,	

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1030, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060	1236
Tract 25.05	
Blocks: 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 2033, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2047	1733
MAPLE CREEK Subtotal	2,969
OAKVIEW	3,861
PALMETTO	2,924
PELHAM FALLS	1,570
RIVERSIDE	4,074
SILVERLEAF	
Tract 26.12	
Blocks: 3022, 3023, 3024	528
Tract 26.13	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007	1689
SILVERLEAF Subtotal	2,217
STONEHAVEN	2,677
SUBER MILL	
Tract 25.03	
Blocks: 2007, 2008, 2009, 2025, 2026, 2027, 2032, 2033, 2034	268
SUBER MILL Subtotal	268
SUGAR CREEK	2,958
THORNBLADE	5,118
County Greenville SC Subtotal	42,304
DISTRICT 21 Total	42,304
Area	Population
DISTRICT 22	
Area	Population
County: Greenville SC	
BOILING SPRINGS	

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Tract 28.17

Blocks: 1006, 1012, 2000, 2001, 2006, 2007,
2008, 2010, 2011, 2012, 2013, 2014 1617

BOILING SPRINGS Subtotal 1,617

BOTANY WOODS

Tract 18.03

Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023 1829

Tract 18.05

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2011, 2012, 2013, 2014, 2015, 2016 481

BOTANY WOODS Subtotal 2,310

DEVENGER 2,313

DOVE TREE 2,632

FEASTER 2,321

GREENVILLE 1

Tract 11.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
4000, 4001, 4002, 4003, 4004, 4005, 4006,
4007, 4008, 4009, 4010, 4011, 4012, 4013,
4014, 4015, 4016, 4017, 4018, 4019, 4020,
4021, 4022, 4023, 4024, 4025, 4026, 4028,
4029, 4030 1725

Tract 11.02

Blocks: 1005 31

GREENVILLE 1 Subtotal 1,756

GREENVILLE 24

Tract 18.08

Blocks: 1006, 1007, 1008, 1009, 1010, 1014,
1015, 1016, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1025, 1026, 1029, 1030,
1031, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2029, 2030, 2031,
2032, 2039, 3000, 3001, 3002, 3003, 3004,
3005, 3012 2536

GREENVILLE 24 Subtotal 2,536

GREENVILLE 25

Tract 18.10

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Blocks: 2002, 2003, 2004, 2005, 2006, 2007	241
GREENVILLE 25 Subtotal	241
GREENVILLE 27	
Tract 12.03	
Blocks: 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027	646
Tract 12.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008	646
GREENVILLE 27 Subtotal	1,292
GREENVILLE 28	
Tract 12.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1010, 1011, 1015	508
GREENVILLE 28 Subtotal	508
GREENVILLE 3	3,338
GREENVILLE 4	
Tract 10	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1007, 1008, 1009, 1010, 1011, 1012, 1013,	
1014, 1015, 1018	784
Tract 11.02	
Blocks: 2005, 2010, 2011, 2012, 2013, 2014,	
2017, 2018, 2019	473
GREENVILLE 4 Subtotal	1,257
GREENVILLE 5	
Tract 1	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1026, 1027, 1042, 1055	1243
Tract 10	
Blocks: 1000, 1016, 1017, 1019, 2015	339
GREENVILLE 5 Subtotal	1,582
MISSION	3,421
ROCK HILL	3,984
ROLLING GREEN	2,152
SPRING FOREST	3,337
TIMBERLAKE	3,420

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WELLINGTON	2,137
County Greenville SC Subtotal	42,154
DISTRICT 22 Total	42,154
Area	Population

DISTRICT 23	
Area	Population

County: Greenville SC
AIKEN

Tract 21.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1013, 1019, 1020488

Tract 22.02
Blocks: 1005, 1006, 1007, 1008, 1009, 1010,
1011, 1020, 1021, 1022, 1023, 1024, 1030,
1031, 1032, 1033, 2019966

AIKEN Subtotal 1,454

CHESTNUT HILLS

Tract 21.07
Blocks: 1000, 1001, 1005, 1006, 1014, 1018,
2000, 2001, 2002, 2003, 2004, 2005, 2006,
2007, 2008, 2012, 2013, 2014, 2027, 2028,
2031, 2032, 2033, 2034, 2037 1403

Tract 21.08
Blocks: 2017, 2018, 2019, 2020, 2028, 2029 73

CHESTNUT HILLS Subtotal 1,476

GREENVILLE 10

Tract 1
Blocks: 1021, 1022, 1023, 1024, 1025, 1029,
1030, 1031, 1032, 1033, 1034, 1035, 1036,
1037, 1038, 1039, 1040, 1041, 1043, 1044,
1045, 1046, 1047, 1048, 1049, 1050, 1051,
1052, 1053, 1054 1367

Tract 2
Blocks: 1000, 1024, 1033, 1034, 1035, 1036,
103720

Tract 43
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1017, 1021, 2000, 2001, 2002, 2003, 2004,

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2005, 2006, 2007, 2008, 2013, 2014, 2015, 2016, 2017, 2018	1077
GREENVILLE 10 Subtotal	2,464
GREENVILLE 14	2,879
GREENVILLE 17	
Tract 42	
Blocks: 1006, 1007	308
GREENVILLE 17 Subtotal	308
GREENVILLE 21	
Tract 14	
Blocks: 1002	313
GREENVILLE 21 Subtotal	313
GREENVILLE 23	
Tract 14	
Blocks: 1005, 1006, 1008, 1009, 1010	360
GREENVILLE 23 Subtotal	360
GREENVILLE 24	
Tract 44	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2023, 2024, 2025, 2034, 2035, 2036, 2042	736
GREENVILLE 24 Subtotal	736
GREENVILLE 25	
Tract 18.10	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 2000, 2001, 2008	3159
GREENVILLE 25 Subtotal	3,159
GREENVILLE 26	3,075
GREENVILLE 28	
Tract 12.04	
Blocks: 1009, 1036, 1037, 1038	1080
GREENVILLE 28 Subtotal	1,080
GREENVILLE 4	
Tract 9	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1014, 1018, 1019, 1020, 1021, 1022, 1023, 1028, 1029, 1030, 1031, 1032, 1033, 1035	726

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Tract 11.02	
Blocks: 2002, 2003, 2004	115
Tract 23.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1034, 1035, 1036, 1037, 1038, 1039,	
1040, 1041, 1042, 1043, 1044, 1045, 1046,	
1047, 1048, 1049, 1050, 1051, 1054, 1055,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2028, 2029, 2030, 2031, 2032, 2033	1202
Tract 23.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037	1165
GREENVILLE 4 Subtotal	3,208
GREENVILLE 5	
Tract 1	
Blocks: 1028	33
Tract 2	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1007, 1008, 1009, 1010, 1011, 1012, 1013,	
1014, 1015, 1016, 1017, 1018, 1019, 1020,	
1021, 1022, 1023, 1025, 1026, 1027, 1028,	
1029, 1030, 1031, 1032, 1041, 1042, 1043,	
1044, 1045, 1046, 1047	580
Tract 7	
Blocks: 1000, 1007, 1008	5
Tract 9	
Blocks: 1012, 1013, 1015, 1016, 1017, 1025,	
1026, 1027, 1034, 1036, 1037, 1038, 1039,	
1040	435
Tract 10	
Blocks: 1020, 1021, 1022, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 2013, 2014, 2016, 2017,	
2018, 2019, 2020, 2021, 2022, 2023, 2024,	
2025, 2026, 2027	1087

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GREENVILLE 5 Subtotal	2,140
GREENVILLE 6	1,326
GREENVILLE 7	4,509
GREENVILLE 8	
Tract 2	
Blocks: 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2018, 2019	113
Tract 4	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020	239
Tract 5	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
2000, 2001, 2002, 2003, 2004, 2005, 2006,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 2027	1387
Tract 7	
Blocks: 1013, 1014, 1015, 1016, 1017, 1018,	
1019, 1020, 1021, 1025, 1026, 1027, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1040, 1041, 1042,	
1043, 2012, 2013, 2014, 2015	1302
Tract 21.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1064, 1065, 1066	427
Tract 21.08	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 2000, 2001,	
2002, 2003, 2004, 2005, 2006, 2007, 2008	972
GREENVILLE 8 Subtotal	4,440

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LAKEVIEW

Tract 23.02

Blocks: 1031, 1032, 1033, 1034, 1036, 1037,
1038, 1039, 1040, 1041, 1042, 1043 1062

Tract 23.03

Blocks: 1006, 2000, 2001, 2002, 2003, 2004,
2005, 2006, 2007, 2008, 2009, 2010, 2011,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020 460

LAKEVIEW Subtotal 1,522

LEAWOOD

Tract 23.04

Blocks: 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020, 2021, 2022, 2026, 2027, 2029,
2030, 2031, 2032, 2033, 2034, 2035, 2036 850

Tract 38.02

Blocks: 4011, 5007, 5008, 5009, 5010, 5011,
5012 566

LEAWOOD Subtotal 1,416

MONAVIEW

Tract 7

Blocks: 3004, 3005 0

Tract 22.03

Blocks: 1001, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1021, 1022,
1023, 1024, 1025, 2000, 2001, 2002, 2003,
2004, 2005, 2017, 3030, 3050, 3052, 3053,
3055, 3056, 3057, 3060, 3062, 3063, 3064 915

Tract 23.03

Blocks: 1033 0

MONAVIEW Subtotal 915

WELCOME

Tract 21.05

Blocks: 1009, 1010, 1011, 1012, 1013, 1014,
1015, 1034, 1035, 1036, 1037, 1038, 1039,
1040, 1041, 1042, 1043, 1044, 1045, 1046,
1047, 1048, 1049, 1050, 1051, 1052, 1053,
1054, 1055, 1056, 1057, 1058, 1059, 1060,
1061, 1062, 1063, 1067, 1068 961

Tract 21.06

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Blocks: 2012, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3016, 3017,
3018, 3019, 3020, 3021, 3022, 3023, 3024,
3025, 3026, 3027, 3028, 3029 1105
WELCOME Subtotal 2,066
WESTCLIFFE
Tract 36.01
Blocks: 3001, 3002, 3004, 3005, 3006, 3007,
3008, 3010 738
WESTCLIFFE Subtotal 738
WESTSIDE
Tract 22.02
Blocks: 1012, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 2004, 2005, 2006, 2007, 2013,
2014, 2015, 2020, 2021, 2026, 2028 669
Tract 22.03
Blocks: 2015, 2016, 2032 70
WESTSIDE Subtotal 739
County Greenville SC Subtotal 40,323
DISTRICT 23 Total 40,323
Area Population

DISTRICT 24
Area Population

County: Greenville SC

CHESTNUT HILLS

Tract 21.07
Blocks: 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1015, 1016, 1017, 1020, 1021, 1022,
1023, 1024, 1025, 2009, 2010, 2011, 2015,
2016, 2017, 2018, 2019, 2020, 2021, 2022,
2023, 2024, 2025, 2026, 2029, 2030, 2035,
2036 1110
Tract 21.08
Blocks: 2011, 2012, 2013, 2014, 2015, 2016,
2021, 2022, 2025, 2026, 2027 341
CHESTNUT HILLS Subtotal 1,451
GREENVILLE 10
Tract 2

TUESDAY, DECEMBER 7, 2021

Blocks: 1038, 1039, 1040, 2000, 2001, 2013, 2014, 2015, 2016, 2017, 2020, 2021	817
Tract 4	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2015	783
Tract 42	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1008, 1009, 1010, 1011	194
GREENVILLE 10 Subtotal	1,794
GREENVILLE 16	2,502
GREENVILLE 17	
Tract 4	
Blocks: 2008, 2009, 2019	127
Tract 42	
Blocks: 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 2000, 2001, 2002, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021	1672
GREENVILLE 17 Subtotal	1,799
GREENVILLE 18	2,136
GREENVILLE 19	
Tract 15.01	
Blocks: 1011, 1029, 1030, 1036	190
Tract 19	
Blocks: 2021, 2024	0
GREENVILLE 19 Subtotal	190
GREENVILLE 20	
Tract 14	
Blocks: 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1025, 1026, 1027, 1028, 1029, 1030, 2009, 2017, 2018, 2019, 2020	1385
GREENVILLE 20 Subtotal	1,385
GREENVILLE 21	
Tract 14	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2010, 2011, 2012, 2013, 2014, 2015, 2016	1480
GREENVILLE 21 Subtotal	1,480
GREENVILLE 22	3,046

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GREENVILLE 23

Tract 14

Blocks: 10044

Tract 19

Blocks: 1012, 1013, 1014, 2002, 2003, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2025, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3040, 3041, 4051, 4052, 4053,
4054, 40552419

GREENVILLE 23 Subtotal2,423

GREENVILLE 24

Tract 18.08

Blocks: 1027, 1028, 3006, 3007, 3008, 3009,
3010, 3011853

Tract 19

Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3038,
4000, 4001, 4002, 4003, 4004, 4005, 4006,
4007, 4008, 4009, 4010, 4011, 4012, 4013,
4014, 4015, 4016, 4017, 4018, 4019, 4020,
4021, 4022, 4023, 4024, 4025, 4026, 4027,
4028, 4029, 4030, 4031, 4032, 4033, 4036,
4037, 4038, 4039, 4040, 4041, 4042, 4043,
4044, 4045, 4046, 4047, 4048, 4049, 4050,
4056, 4057, 40582858

Tract 44

Blocks: 2022, 2026, 2027, 2028, 2029, 2030,
2031, 2032, 2033, 2037, 2038, 2039, 2040,
2041324

GREENVILLE 24 Subtotal4,035

GREENVILLE 8

Tract 21.08

Blocks: 2009, 2010127

GREENVILLE 8 Subtotal127

MAULDIN 1

Tract 29.03

Blocks: 4007, 400816

Tract 29.04

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Blocks: 1000, 1001, 1002, 1004, 1008, 1009,
1010, 1011, 1012, 1013, 1014, 1015, 1016,
1017, 1018, 1019, 1020, 1021, 1022, 1023,
1024, 1025, 1026, 1027, 1028, 1029, 1030,
1031, 1032, 1033, 1034, 1035, 1036, 1037,
10382868
MAULDIN 1 Subtotal2,884
MAULDIN 26,409
MAULDIN 4
Tract 29.03
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 30121504
MAULDIN 4 Subtotal1,504
MAULDIN 5
Tract 28.11
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1022, 1023,
1024, 1025, 1026, 1027, 1028, 1029, 1030,
1031, 1032, 1033, 1035, 1036, 1037, 1038,
1039, 1040, 1041, 1042, 10432839
Tract 28.12
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016219
MAULDIN 5 Subtotal3,058
MAULDIN 6
Tract 29.03
Blocks: 2002, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020911
MAULDIN 6 Subtotal911
ROCKY CREEK3,075
SOUTHSIDE
Tract 21.03
Blocks: 1015, 2011, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2021, 2022, 2023,
2024, 2025, 2026, 2027, 2028, 2029, 2030,
2031, 2032, 2033, 2034, 2035, 2036, 2037,
2039, 2041, 2042, 2043, 2044, 2045, 20462027
SOUTHSIDE Subtotal2,027

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County Greenville SC Subtotal	42,236
DISTRICT 24 Total	42,236
Area	Population

DISTRICT 25

Area	Population
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County: Greenville SC

BELLE MEADE2,797

BELMONT1,623

CAROLINA2,657

CHESTNUT HILLS

Tract 21.07

Blocks: 1002, 1003, 1004, 1019, 1026, 1027,

1028163

CHESTNUT HILLS Subtotal163

CONESTEE

Tract 20.05

Blocks: 1024, 10260

Tract 29.01

Blocks: 1064, 1065, 2001, 2002, 3000, 3001,

3002, 3003, 3004, 3005, 3006, 3007, 3008,

3009, 3010, 3011, 3012, 3013, 3028, 3029,

3030, 3038479

Tract 29.04

Blocks: 2022, 20239

CONESTEE Subtotal488

DONALDSON

Tract 33.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,

1016, 1017, 3000, 3001, 3002, 3003, 3004,

3005, 3006, 3007118

Tract 33.04

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,

2006, 2007, 2008, 2009, 2010, 2024897

Tract 34.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,

1006, 1007, 1008, 1009, 1010, 1011, 1012,

1013, 1014, 1015, 1016, 1017, 1018, 1019,

1020, 1021, 1022, 1023, 1024, 1025, 1026,

1027, 1028, 1029, 1030, 1031, 1032, 1033,

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1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 10501111
DONALDSON Subtotal2,126
GREENVILLE 19
Tract 15.01
Blocks: 1033, 1034, 1035, 1037380
Tract 15.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 2004, 2005, 2006, 2007, 2008,
2009, 2010, 2011, 2012, 2013, 2014, 2015,
2016, 2017, 2018, 2019, 2020, 2021, 2022,
2023, 20242496
Tract 19
Blocks: 2022, 2023, 2026, 2027, 2028, 2029,
2030, 2031, 2032, 2033422
GREENVILLE 19 Subtotal3,298
GREENVILLE 20
Tract 14
Blocks: 1021, 1022, 1023, 1024225
GREENVILLE 20 Subtotal225
GREENVILLE 29
Tract 19
Blocks: 3026, 3027, 3028, 3036, 3037, 3039454
Tract 29.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
1055, 1056, 1057, 1058, 1059, 1060, 1061,
1062, 1063, 1066, 1067, 1068, 1069, 1070,
1071, 10723286

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Tract 29.04
Blocks: 10060
GREENVILLE 29 Subtotal 3,740
GROVE
Tract 20.03
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2017, 2020, 2021, 2022, 2023, 2024,
2028 769
Tract 35
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1013,
1014, 1015, 1016, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1025, 1026, 1027, 1028,
1029, 1030, 1031, 1032, 1033, 1034, 1035,
1038, 1039, 1040, 1052, 1061, 2000, 2001,
2002, 2003, 2004, 2005, 2006, 2007, 2008,
2009, 2010, 2011, 2012, 2013, 2014, 2015,
20162354
GROVE Subtotal 3,123
MAULDIN 1
Tract 29.04
Blocks: 1003, 1005, 100786
MAULDIN 1 Subtotal86
MT. PLEASANT4,058
PIEDMONT
Tract 33.01
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2029, 2030, 2033, 2034,
2035, 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3026, 3027,
4027, 4028, 40292784
Tract 35
Blocks: 1017, 1036, 1037, 1041, 1042, 1043,
1044 127
PIEDMONT Subtotal2,911
REEDY FORK
Tract 32.03
Blocks: 2001, 2006, 2007, 2008 1237

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Tract 33.04

Blocks: 1002, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1013, 1014,
1015, 1016, 1017, 1018, 1019, 1020, 1021,
1022, 2021, 2023, 4014, 4015, 4016, 4017,
4018, 4019, 4020, 4021, 4022, 40232220

REEDY FORK Subtotal3,457

ROYAL OAKS2,245

SOUTHSIDE

Tract 21.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1016, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1027,
1028, 2038, 20401329

SOUTHSIDE Subtotal1,329

TANGLEWOOD

Tract 36.01

Blocks: 1021, 1022, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 4006, 4007, 4008, 4009,
4010, 4011, 4012, 4013, 4020, 40212282

Tract 36.02

Blocks: 2010, 2015, 20167

TANGLEWOOD Subtotal2,289

WOODMONT

Tract 33.03

Blocks: 1006, 1007, 1008, 1009, 1010, 1011,
1012, 1013, 1014, 1015, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1028,
1029, 1030, 1031, 3008, 3009, 3010, 3011,
3012, 3013, 3014, 3015, 3016, 4000, 4001,
4002, 4003, 4004, 4005, 4006, 4007, 4008,
4009, 4010, 4011, 4012, 4013, 4014, 40153992

WOODMONT Subtotal3,992

County Greenville SC Subtotal40,607

DISTRICT 25 Total40,607

Area Population

DISTRICT 26

Area Population

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County: York SC

Carolina	2,475
Dobys Bridge	3,983
Fort Mill No. 1	4,390
Fort Mill No. 2	7,581
Fort Mill No. 3	2,938
Fort Mill No. 4	2,336
Fort Mill No. 5	4,050
Nation Ford	4,332
Riverview	2,460

Springdale

Tract 611.01

Blocks: 1010	0
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Springdale Subtotal	0
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Springfield	3,272
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Stateline

Tract 610.06

Blocks: 1014	0
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Tract 610.07

Blocks: 3003, 3006, 3007, 3008, 3009, 3010,	
3011, 3012, 3013, 3014, 3015, 3016, 3017,	
3018, 3019, 3020, 4000, 4001, 4002, 4003,	
4004, 4005	3646

Stateline Subtotal	3,646
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County York SC Subtotal	41,463
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DISTRICT 26 Total	41,463
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Area	Population
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DISTRICT 27

Area	Population
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County: Greenville SC

BRIDGE FORK	2,014
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GREENBRIAR	2,388
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HILLCREST	3,560
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HOLLY TREE

Tract 28.12

Blocks: 3010, 3011	426
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HOLLY TREE Subtotal	426
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MAULDIN 3	3,409
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MAULDIN 4

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Tract 29.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1028, 1029,
1030, 1031, 1032, 1033, 1034, 1035, 1036,
1037, 1038, 1039, 1040, 1041, 1042, 1043,
1044, 1045, 1046, 1047, 1048, 1049, 1050,
1051, 1052, 1056, 1057, 1058, 1059, 1060,
1061, 1062, 1063, 1064, 1065, 1066, 1067,
1068, 1069, 1070, 1071, 1072, 1073, 1074,
1075, 1076, 1077, 1078, 1079, 1080, 1081,
1082, 1084, 1085, 1086, 1087, 1089, 1090,
1091, 1092, 1093, 1094, 1095, 1100, 1101,
1102, 1103, 11042952

Tract 30.10

Blocks: 2000, 2001, 2002, 2003, 2004 186

MAULDIN 4 Subtotal3,138

MAULDIN 5

Tract 28.11

Blocks: 1018, 1019, 1020, 1021, 10341759

Tract 28.12

Blocks: 1022, 1023, 1029, 1054, 10550

MAULDIN 5 Subtotal 1,759

MAULDIN 6

Tract 28.12

Blocks: 1045, 1046, 1047, 1049, 1050, 1051,
1052, 1053, 1056, 1057, 1058, 1059604

Tract 29.03

Blocks: 2000, 2001, 2003, 2004, 2005, 2021,
2022, 2023, 2024, 2025, 2026, 2027, 2028,
2029, 2030, 2031, 2032, 2033, 2034, 2035,
2036, 2037, 2038, 20391415

MAULDIN 6 Subtotal2,019

MAULDIN 72,654

MOORE CREEK

Tract 30.17

Blocks: 2004, 2006, 2007, 2008, 2013, 2014,
2029529

MOORE CREEK Subtotal529

SIMPSONVILLE 14,067

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SIMPSONVILLE 2	3,107
SIMPSONVILLE 3	
Tract 30.05	
Blocks: 1002, 1006, 1007, 1008, 1010, 1011,	
1012, 1013, 1014, 1015, 1016, 1017, 1018,	
1019, 1020, 1021, 1022, 1023, 1024, 1025,	
1026, 1027, 1028, 1029, 1030, 1031, 1032,	
1033, 1034, 1035, 1036, 1037, 1038, 1041,	
1047	1230
Tract 30.11	
Blocks: 1015, 1016, 1017, 1019, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1029, 2000,	
2001, 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2028	2189
SIMPSONVILLE 3 Subtotal	3,419
SIMPSONVILLE 4	3,140
SIMPSONVILLE 5	
Tract 30.05	
Blocks: 1039, 1040, 1042, 1043, 1044, 1045,	
1046, 1048, 1049, 1050, 1051, 1052, 1053,	
1054	124
Tract 30.11	
Blocks: 1030, 1031, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1040, 1041, 1042,	
1043, 1044, 1045, 1046, 1047, 1048, 1055,	
1056, 1058, 1059, 1060, 1061, 1062, 1063,	
1064, 1065, 1068	2419
Tract 31.01	
Blocks: 1007	0
SIMPSONVILLE 5 Subtotal	2,543
SIMPSONVILLE 6	3,936
County Greenville SC Subtotal	42,108
DISTRICT 27 Total	42,108
Area	Population
DISTRICT 28	
Area	Population
County: Greenville SC	

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BAKER CREEK2,435

CONESTEE

Tract 29.01

Blocks: 2000, 2003, 2004, 2005, 2006, 2007,
2008, 2009, 2010, 2011, 3014, 3015, 3016,
3017, 3018, 3019, 3020, 3021, 3022, 3023,
3024, 3025, 3026, 3027, 3031, 3032, 3033,
3034, 3035, 3036, 3037, 30392294

Tract 29.04

Blocks: 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2024, 2025, 2026, 2027, 2028,
2029, 2033685

CONESTEE Subtotal2,979

DONALDSON

Tract 33.04

Blocks: 2011, 2012, 2013124

DONALDSON Subtotal124

DUNKLIN

Tract 31.04

Blocks: 1030, 1031, 1033, 1034, 1035, 1036,
1037, 1038, 1039, 1041, 1042, 1043, 1044,
1045, 1046238

Tract 32.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
1056, 1057, 1058, 1059, 1060, 2020, 2022,
3000, 3001, 3002, 3003, 3004, 3006, 3007,
3010, 3011, 3012, 3013, 3014, 3015, 3016,
3017, 3018, 3019, 3020, 3021, 3022, 3023,
3024, 3025, 3026, 3027, 3028, 3029, 3030,
3031, 3032, 30332525

Tract 32.04

Blocks: 10403

DUNKLIN Subtotal2,766

FORK SHOALS3,047

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GREENVILLE 29

Tract 29.01

Blocks: 10730

GREENVILLE 29 Subtotal0

LONG CREEK2,484

MOORE CREEK

Tract 30.14

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 10182903

Tract 30.17

Blocks: 2015, 2023, 2024, 202551

Tract 33.04

Blocks: 4000, 4001, 4002, 4003, 4004, 4005,
4006, 4007, 4008, 4009, 4010, 4011, 4012,
40132087

MOORE CREEK Subtotal5,041

NEELY FARMS4,822

RAINTREE

Tract 30.13

Blocks: 1010, 1011, 1012, 1013, 1014, 1015,
1017, 1018, 1019, 1020, 1021, 1022, 1023,
1024, 1025, 1026, 1027, 1028, 10292496

RAINTREE Subtotal2,496

RANCH CREEK4,300

REEDY FORK

Tract 32.03

Blocks: 2000, 2002, 2003, 2004, 2005, 2009,
2010, 2011, 2012, 2015, 2016, 2017, 2023,
2032, 2033, 2034, 2035, 2036, 2037, 2038,
2039, 2040, 2041, 2042, 2046, 2047, 2048,
2049487

Tract 33.04

Blocks: 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2022580

REEDY FORK Subtotal1,067

STANDING SPRINGS2,507

VERDMONT3,123

WARE PLACE3,160

WOODMONT

Tract 33.03

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Blocks: 1027, 4016, 4017, 4018, 4019, 4020,	
4025, 4027	233
WOODMONT Subtotal	233
County Greenville SC Subtotal	40,584
DISTRICT 28 Total	40,584
Area	Population

DISTRICT 29	
Area	Population

County: Cherokee SC	
Allens	1,748
Alma Mill	
Tract 9705.02	
Blocks: 4013, 4014, 6008, 6009	18
Alma Mill Subtotal	18
Draytonville	2,786
Gaffney Ward No. 3	1,596
Gaffney Ward No. 4	1,999
Gaffney Ward No. 5	2,019
Gaffney Ward No. 6	1,976
Goucher and Thicketty	2,047
Little John and Sarratt's	584
Musgrove Mill	2,129
Pleasant Meadows	1,035
Timber Ridge	1,423
White Plains	2,451
Wilkinsville and Metcalf	928
County Cherokee SC Subtotal	22,739
County: Spartanburg SC	
Cowpens Depot Museum	1,970
Cowpens Fire Station	
Tract 222.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 4000, 4001, 4002, 4003, 4004,	
4005, 4010, 4011, 4012, 4013, 4014, 4015,	
4016	1753

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Cowpens Fire Station Subtotal	1,753
Pacolet Elementary	3,545
County Spartanburg SC Subtotal	7,268
County: York SC	
Bullocks Creek	646
Delphia	
Tract 614.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 3000, 3001, 3002, 3003, 3004, 3006,	
3007, 3008, 3024, 3025	1593
Tract 615.05	
Blocks: 2004, 2005, 2006, 2007, 2011, 2013,	
2014, 2016	893
Tract 616.01	
Blocks: 2039, 2040, 2041	0
Delphia Subtotal	2,486
Hickory Grove	1,686
McConnells	2,445
Oakridge	
Tract 614.03	
Blocks: 2009, 2010, 2011, 2012, 2013, 2023,	
2024, 2025, 2026, 2027, 3021, 3023, 3025,	
3026, 3032, 3033, 3034	886
Oakridge Subtotal	886
Sharon	2,164
Smyrna	1,134
York No. 1	
Tract 615.03	
Blocks: 2010, 2011, 2012, 2019, 2020, 2021,	
2022, 2035, 2036, 2037, 2038, 2039, 2042	249
Tract 615.05	
Blocks: 2008, 2009, 2010	70
Tract 616.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2017, 2018, 2019, 2020,	
2021, 2022, 2023	468
York No. 1 Subtotal	787
County York SC Subtotal	12,234
DISTRICT 29 Total	42,241
Area	Population

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DISTRICT 30

Area

Population

County: Cherokee SC

Alma Mill

Tract 9703.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1012, 1013, 1015, 1016,
 1020, 1021, 1022, 1035, 1036, 1037, 1038,
 1045, 1046, 3000, 3001, 3002, 3003, 3004,
 3007, 3008, 3009, 3010, 3011, 3012, 3013,
 3014, 3015, 3016, 3017, 3018, 3019, 3020,
 3021, 4000, 4001, 4002, 4003, 4004, 4005,
 4006, 4007, 4008, 4009, 4010, 4011, 4012,
 4013, 4014, 4015, 4016, 4017, 4018, 4019,
 4020, 4021, 4022, 4023, 4024, 4025, 4026,
 4027, 4028, 4029, 4030, 4031, 4032, 4033,
 4034, 4035, 4036, 4037, 4038, 4039, 40402514

Tract 9705.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2026,
 2027, 2028, 2043, 3000, 6000, 6001, 6003,
 6004, 6005, 6006, 6013536

Tract 9705.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 2000, 2001, 2002, 2003,
 2004, 2005, 2006, 2007, 2008, 2009, 2010,
 2011255

Alma Mill Subtotal3,305
 Antioch and King's Creek2,366
 Ashworth1,810
 Blacksburg Ward No. 11,611
 Blacksburg Ward No. 22,166
 Ezells and Butler2,385
 Gaffney Ward No. 11,501
 Gaffney Ward No. 21,688
 Grassy Pond3,198
 Holly Grove and Buffalo2,154
 Limestone Mill1,810
 Macedonia2,846
 Morgan2,116
 Ninety Nine and Cherokee Falls1,401

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Pleasant Grove	1,587
Wood's	1,533
County Cherokee SC Subtotal	33,477
County: Spartanburg SC	
Chesnee Elementary	5,134
Mayo Elementary	3,008
County Spartanburg SC Subtotal	8,142
DISTRICT 30 Total	41,619
Area	Population

DISTRICT 31

Area	Population
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County: Spartanburg SC

Arcadia Elementary	3,246
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Bethany Baptist

Tract 203.01

Blocks: 2005, 2006, 2008, 2009, 2017	27
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Tract 216

Blocks: 1006, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1033, 1034, 1035,	
1039, 1040, 1043, 1044, 1045, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 1056, 1057, 1058, 1059, 1060, 1061,	
1062, 1063, 1064, 1065, 1066, 1067, 1070,	
1071, 1072, 1073, 1074, 1075, 1077, 1078,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2028, 2029, 2030, 2031, 2032, 2033, 2034,	
2035, 2036, 2037	3226

Bethany Baptist Subtotal	3,253
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C.C. Woodson Recreation

Tract 207.01

Blocks: 2000, 2020, 2021, 2022, 2023, 2024	17
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Tract 207.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1015, 1016, 1017, 1018, 1026, 1027,	

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1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1043, 1044, 1045, 1059, 1060, 2005, 2006	660
Tract 209	
Blocks: 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042	204
Tract 210.01	
Blocks: 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014	1478
C.C. Woodson Recreation Subtotal	2,359
Cleveland Elementary	4,464
Cornerstone Baptist	
Tract 211	
Blocks: 1020, 2000, 2001, 2002, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 3000, 3001, 3002, 3003, 3004, 3005, 3014, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4024, 4025, 4033, 4034	2294
Tract 221.01	
Blocks: 2030	0
Cornerstone Baptist Subtotal	2,294
E.P. Todd Elementary	
Tract 211	
Blocks: 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4023, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4035, 4036, 4038	914
E.P. Todd Elementary Subtotal	914
Ebenezer Baptist	1,522
Hayne Baptist	
Tract 218.05	
Blocks: 1009, 1014, 1019, 1020	443

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Tract 219.04	
Blocks: 1015, 1037, 1038	35
Hayne Baptist Subtotal	478
Holy Communion	
Tract 206.02	
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,	
1009, 1010, 1011, 1012, 1013, 1014, 1015,	
1016, 1017, 1018, 1019, 1020, 1021, 1022,	
1024, 1025, 1027	1641
Tract 220.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009	1065
Tract 220.07	
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,	
1009, 1010, 1011, 1012, 1013	814
Holy Communion Subtotal	3,520
Jesse Bobo Elementary	3,037
Mt. Moriah Baptist	
Tract 209	
Blocks: 1000, 1001, 1005, 1006, 1007, 1008	326
Tract 210.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 2000	1134
Tract 211	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1007, 1008, 1009, 1014, 1015, 1016, 1017,	
1018, 1019, 1023, 2003	641
Tract 212	
Blocks: 1019, 1020, 1021, 1022, 1023, 1024,	
1025, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1047, 1048, 1049, 1050, 1051, 1052,	
1053, 1054, 1055, 1056, 1057, 1058, 1059,	
1081, 1082, 1101, 1102, 1103, 1104, 1105,	
1110, 1111, 1112, 1121, 1122, 1123, 1124,	
1125, 1126, 1127, 1128	351
Mt. Moriah Baptist Subtotal	2,452
Mt. Zion Gospel Baptist	
Tract 207.02	
Blocks: 1014, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1046, 1047, 1048, 1049, 1050,	

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1051, 2000, 2001, 2002, 2003, 2004, 2007, 2008, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2042	1201
Mt. Zion Gospel Baptist Subtotal	1,201
Park Hills Elementary	2,594
Powell Saxon Una	4,548
Roebuck Bethlehem	
Tract 220.07	
Blocks: 1019, 1020, 1023, 1025, 1026, 1029, 1030	20
Roebuck Bethlehem Subtotal	20
Roebuck Elementary	
Tract 220.06	
Blocks: 2015, 2016, 2017	210
Tract 220.07	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2011, 2012	190
Roebuck Elementary Subtotal	400
Southside Baptist	2,023
White Stone Methodist	
Tract 221.01	
Blocks: 1026, 2015, 2023, 2024, 2025, 2026, 2027, 2028, 2031, 2032, 2033, 2034, 2035, 2037, 2038, 2039, 2040, 2041, 2042, 2045, 2046, 2048, 2049, 2051, 2053, 2054, 2055	456
White Stone Methodist Subtotal	456
Woodland Heights Recreation Center	
Tract 206.01	
Blocks: 2016, 2032	0
Tract 206.02	
Blocks: 1000, 1001, 1002, 1023, 1026	441
Tract 206.03	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 3001, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022	1400
Tract 207.01	

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Blocks: 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3007, 3008, 3009, 3010, 3011, 3015,	
3016, 3017	1478
Tract 207.02	
Blocks: 2013, 2014, 2015, 2016, 2017, 2018,	
2019, 2020, 2021, 2022, 2023, 2024, 2025,	
2041	28
Woodland Heights Recreation Center Subtotal.....	3,347
County Spartanburg SC Subtotal	42,128
DISTRICT 31 Total	42,128
Area	Population

DISTRICT 32

Area	Population
County: Spartanburg SC	
Beaumont Methodist	1,445
Ben Avon Methodist	
Tract 213.02	
Blocks: 1000, 1001, 1007, 1011, 1012, 1013,	
1014, 1015, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1029, 1030,	
1036, 1037, 1038, 1039, 1040, 1041, 1042,	
1043, 1044, 1045, 1046	509
Ben Avon Methodist Subtotal	509
Bethany Baptist	
Tract 216	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1007, 2000, 2001, 2002, 2003, 2004, 2005,	
2006	31
Bethany Baptist Subtotal	31
Cannons Elementary	1,766
Carlisle Fosters Grove	3,495
Chapman Elementary	3,126
Cherokee Springs Fire Station	2,841
Converse Fire Station	1,963
Cornerstone Baptist	
Tract 211	
Blocks: 1021, 4000	0
Cornerstone Baptist Subtotal	0
Cowpens Fire Station	

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Tract 222.02	
Blocks: 4006, 4007, 4008, 4009	79
Tract 223.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029	989
Cowpens Fire Station Subtotal	1,068
Cudd Memorial	2,556
Daniel Morgan Technology Center	1,608
Dayton Fire Station	2,893
Eastside Baptist	
Tract 213.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2010,	
2011, 2012, 2013, 2014	332
Tract 213.03	
Blocks: 1008, 1009, 1010, 1011, 1012, 1013,	
1014, 1017, 1018, 1019, 1020, 1021, 1022,	
1023, 1024, 1026, 1027, 1028, 1029, 1030,	
1031, 1032, 1033, 1034, 1036, 1037, 1038,	
1049, 1050, 1051, 1052, 1053, 1054, 1055,	
1056, 1057, 1058, 1059, 1060, 1061, 1062,	
1063, 1064, 1065, 1066, 1067, 1068, 1069,	
1070, 1071, 1072, 1073, 1074, 1075, 1076,	
1077, 1078, 1079, 1080, 1095, 1097, 1098,	
1099, 1100, 1101, 1102, 1107, 1108, 1109,	
1110	1281
Tract 222.01	
Blocks: 2046	0
Eastside Baptist Subtotal	1,613
Hayne Baptist	
Tract 218.03	
Blocks: 3022, 3023, 3024, 3025, 3026, 3027,	
3028, 3029, 3030, 3031, 3032	975
Tract 218.05	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2017, 2018, 2019, 2020, 2021,	
2023, 3000, 3001, 3002, 3003, 3008, 3009,	

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3010, 3011, 3012, 3013, 3014, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025	1866
Tract 218.06	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 3000, 3001, 3002, 3003, 3004, 3005, 3008, 3009	1855
Hayne Baptist Subtotal	4,696
Jesse Boyd Elementary	2,629
Mt. Moriah Baptist	
Tract 211	
Blocks: 1000, 1010, 1011, 1012, 1013, 1022	40
Tract 212	
Blocks: 1042, 1043, 1044, 1045, 1046, 1106, 1107, 1108, 1109, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 3034	104
Mt. Moriah Baptist Subtotal	144
Spartanburg High School	
Tract 213.02	
Blocks: 2003, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2022, 2023, 2024, 2025, 2026, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2041, 2043	750
Tract 213.03	
Blocks: 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2021, 2022, 2023	1345
Spartanburg High School Subtotal	2,095
St. John's Lutheran	1,687
West View Elementary	2,420
Whitlock Jr. High	
Tract 214.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 2000, 2001, 2002, 2003, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2026, 2027, 2028, 2029, 2030, 3000, 3001, 3002, 3005, 3006, 3020	1164
Tract 214.03	

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1012, 1013, 1014,	
1015, 1019	867
Whitlock Jr. High Subtotal	2,031
County Spartanburg SC Subtotal	40,616
DISTRICT 32 Total	40,616
Area	Population

DISTRICT 33

Area	Population
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County: Spartanburg SC

Ben Avon Methodist

Tract 221.01

Blocks: 1000, 1002, 1003, 1004, 1005, 1006,	
2016, 2017	395

Tract 221.02

Blocks: 1004, 1005, 1011, 1012, 1013, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1029, 1030,	
1031, 1032, 1033, 1034, 2020	1090

Ben Avon Methodist Subtotal	1,485
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Broome High School	1,393
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C.C. Woodson Recreation

Tract 207.02

Blocks: 1040, 1041, 1042, 1053, 1054	15
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C.C. Woodson Recreation Subtotal	15
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Canaan	2,078
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Cavins Hobbysville	1,496
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Croft Baptist	2,110
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Cross Anchor Fire Station	1,219
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E.P. Todd Elementary

Tract 211

Blocks: 4037	0
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Tract 220.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 2000, 2001,	
2002, 2003, 2004, 2005, 2007, 2008, 2009,	
2010, 2011, 2012, 2016, 2017	2392

Tract 220.04

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015	622
E.P. Todd Elementary Subtotal	3,014
Eastside Baptist Tract 221.02	
Blocks: 1000, 1001, 1002, 1003, 1006, 1007, 1008, 1009, 1010, 1014, 1015	278
Eastside Baptist Subtotal	278
Enoree First Baptist	2,322
Gable Middle School	4,093
Glendale Fire Station	2,157
Morningside Baptist	2,639
Mt. Calvary Presbyterian	4,901
Mt. Zion Gospel Baptist Tract 207.02	
Blocks: 1052, 1055, 1056, 1057, 1058	152
Mt. Zion Gospel Baptist Subtotal	152
Pauline Glenn Springs Elementary	1,635
R.D. Anderson Vocational Tract 220.06	
Blocks: 3017, 3018, 3019, 3020, 3021, 3022, 3036	177
Tract 234.02	
Blocks: 2023, 2031, 2032, 2033, 2034, 2037, 2038, 2039, 2040, 2041	729
Tract 235	
Blocks: 1005, 1008, 1035, 2000, 2001, 2002, 2005, 2009, 2010, 2011, 2012, 2013, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024	547
Tract 238.05	
Blocks: 2014, 2015, 2016, 2017, 2018, 2035, 2036, 2037, 2038, 2039, 2045	226
R.D. Anderson Vocational Subtotal	1,679
Roebuck Bethlehem Tract 220.06	
Blocks: 2000, 2001, 2002, 2003, 2005, 2006	359
Tract 220.07	
Blocks: 1000, 1001, 1014, 1015, 1016, 1017, 1018, 1021, 1022, 1024, 1027, 1028, 1031, 1032, 1033, 1034	1955

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Roebuck Bethlehem Subtotal	2,314
Roebuck Elementary	
Tract 220.03	
Blocks: 2006, 2013, 2014, 2015, 2021, 2022,	
2023, 2024, 2025, 2026, 2027, 2028, 2029	217
Tract 220.06	
Blocks: 2004, 2007, 2008, 2009, 2010, 2011,	
2012, 2013, 2014, 2018, 3000, 3001, 3002,	
3003, 3004, 3005, 3006, 3007, 3008, 3009,	
3010, 3011, 3012, 3013, 3014, 3015, 3016,	
3025, 3026, 3035, 3038	2338
Tract 220.07	
Blocks: 2007, 2008, 2009, 2010, 2013, 2014,	
2015, 2016, 2019, 2020, 2021, 2022, 2023,	
2024, 2025, 2027, 2028, 2029, 2030, 2031,	
2032, 2033, 2034, 2035	1465
Roebuck Elementary Subtotal	4,020
Spartanburg High School	
Tract 213.03	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006	1027
Spartanburg High School Subtotal	1,027
White Stone Methodist	
Tract 221.01	
Blocks: 1022, 2036, 2043, 2044, 2047, 2050,	
2052	0
Tract 238.04	
Blocks: 1000, 1001, 1002, 1003, 2000, 2001,	
2002, 2003, 2004, 2005	117
Tract 239.01	
Blocks: 1015, 1016, 1017, 1018, 1020, 1021,	
1022, 1023, 1024, 1025, 1026, 1027, 1028,	
1029, 1030, 1031, 1033, 1036, 1037, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 1056, 1057, 1058, 1059, 1060, 1061,	
1062, 1063, 1064, 1065, 1066, 1067, 1068	750
White Stone Methodist Subtotal	867
Woodland Heights Recreation Center	
Tract 220.07	
Blocks: 1002	0

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Woodland Heights Recreation Center Subtotal.....	0
County Spartanburg SC Subtotal	40,894
DISTRICT 33 Total	40,894
Area	Population

DISTRICT 34	
Area	Population

County: Spartanburg SC

Abner Creek Baptist

Tract 232.02

Blocks: 4001, 4002, 4003, 4004, 4005, 4041,	
4076	60

Tract 234.08

Blocks: 2020, 2021, 2022, 2023, 2024	226
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Abner Creek Baptist Subtotal	286
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Anderson Mill Baptist	2,445
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Anderson Mill Elementary	3,612
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Bethany Wesleyan

Tract 234.02

Blocks: 1018, 2003, 2004, 2006, 2012, 2013,	
2014, 2015, 2018, 2019	705

Tract 234.07

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013	2980

Bethany Wesleyan Subtotal	3,685
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Fairforest Middle School	5,043
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Holy Communion

Tract 219.02

Blocks: 3000, 3001, 3003, 3004, 3005, 3006,	
3008, 3009, 3010	530

Holy Communion Subtotal	530
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Hope

Tract 218.04

Blocks: 1008, 1017, 1018, 1019, 1020, 1021	114
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Tract 228.06

Blocks: 1000, 1001, 1002, 1004, 2024, 2025,	
2028	573

Hope Subtotal	687
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Poplar Springs Fire Station	3,580
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R.D. Anderson Vocational	
Tract 220.06	
Blocks: 3023, 3024, 3031, 3032, 3033, 3034,	
3037	0
Tract 234.02	
Blocks: 2022, 2024, 2025, 2026, 2027, 2028,	
2029, 2030, 2035	67
R.D. Anderson Vocational Subtotal	67
Reidville Elementary	
Tract 234.09	
Blocks: 1024, 1025, 1026, 1027, 1039, 1040	55
Reidville Elementary Subtotal	55
Reidville Fire Station	
Tract 232.02	
Blocks: 4006, 4007	43
Tract 234.08	
Blocks: 1008, 1009, 1010, 1011, 1012, 1013,	
1014, 1015, 1016, 1017, 2002, 2003, 2004,	
2005, 2006, 2007, 2008, 2011, 2012, 2014,	
2016, 2017, 2018, 2047, 2048, 2049	3484
Tract 234.09	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,	
1008, 1009, 1010, 1011, 1012, 1013, 1014,	
1015, 1016, 1017, 1018, 1019, 1020, 1021,	
1022, 1023	1031
Reidville Fire Station Subtotal	4,558
River Ridge Elementary	4,456
Travelers Rest Baptist	5,948
Trinity Methodist	3,200
Trinity Presbyterian	2,749
Wellford Fire Station	
Tract 230.02	
Blocks: 1011, 1014, 1015, 1016, 1017, 1018,	
1019, 1020, 1021, 1022, 1023, 1024, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1040, 1041, 1042,	
1043, 1044, 1045, 1046, 1047, 1048, 1050,	
1051, 1052, 1053, 1054, 1055, 1056, 1057,	
1058, 1059, 1060, 1061, 1062, 1063, 1064,	
1065, 1066, 1067	712
Tract 231.03	

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Blocks: 1016, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1026, 1035, 1063, 1064,
1065, 1066, 1067, 1068, 1069, 1070, 1071,
1072, 1082, 1083, 1084, 1085, 1087, 1088,
1090, 1091, 1094, 1095445
Tract 231.04
Blocks: 3003, 3004, 3005, 3006, 3034, 30350
Wellford Fire Station Subtotal 1,157
County Spartanburg SC Subtotal42,058
DISTRICT 34 Total42,058
Area Population

DISTRICT 35

Area Population

County: Greenville SC

BELLS CROSSING

Tract 28.15
Blocks: 2001, 2003, 2004, 2005, 2006629

Tract 30.08
Blocks: 2000, 2005628

BELLS CROSSING Subtotal 1,257

CIRCLE CREEK

Tract 28.14
Blocks: 40060

Tract 28.22
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1019, 1020, 10212574

CIRCLE CREEK Subtotal2,574

HOLLY TREE

Tract 28.15
Blocks: 3009, 3010403

Tract 30.08
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,
1009, 1015984

HOLLY TREE Subtotal 1,387

KILGORE FARMS4,034

RIVERWALK3,213

SPARROWS POINT3,721

WOODRUFF LAKES3,493

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County Greenville SC Subtotal 19,679

County: Spartanburg SC

Abner Creek Baptist

Tract 232.02

Blocks: 4008, 4009, 4010, 4011, 4012, 4013,
4014, 4015, 4016, 4017, 4018, 4019, 4020,
4021, 4025, 4026, 4027, 4028, 4029, 4030,
4031, 4032, 4033, 4034, 4035, 4036, 4037,
4038, 4039, 4040, 4042, 4043, 4044, 4045,
4046, 4047, 4048, 4049, 4050, 4051, 4052,
4053, 4054, 4055, 4059, 4060, 4061, 4064,
4080, 4081, 4096, 4097885

Tract 234.05

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
2048, 2049, 20512236

Abner Creek Baptist Subtotal 3,121

Bethany Wesleyan

Tract 234.02

Blocks: 2016, 20170

Tract 235

Blocks: 1000, 1001, 1002, 1003, 1004, 1009,
1010, 1011, 1012, 1013, 1016, 1020, 1021560

Bethany Wesleyan Subtotal560

Pelham Fire Station 3,298

R.D. Anderson Vocational

Tract 235

Blocks: 1006, 1007, 1026, 1027, 1030, 1031,
1032, 1036, 1037, 2003, 2004, 2006, 2007,
2008, 2040, 2041, 2042, 2043467

R.D. Anderson Vocational Subtotal467

Reidville Elementary

Tract 234.05

Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,

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3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029	1890
Tract 234.08	
Blocks: 2039, 2040	6
Tract 234.09	
Blocks: 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1041, 1042, 1043, 1044, 1045, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043	2428
Reidville Elementary Subtotal	4,324
Reidville Fire Station	
Tract 234.08	
Blocks: 2010, 2013, 2015, 2019, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2041, 2042, 2043, 2044, 2045	1101
Reidville Fire Station Subtotal	1,101
Woodruff Elementary	4,799
Woodruff Fire Station	1,977
Woodruff Leisure Center	2,356
County Spartanburg SC Subtotal	22,003
DISTRICT 35 Total	41,682
Area	Population

DISTRICT 36

Area	Population
County: Spartanburg SC	
Apalache Baptist	4,795
Beech Springs Intermediate	3,386
Cedar Grove Baptist	2,380
D. R. Hill Middle School	4,636
Duncan United Methodist	2,665
Fairforest Elementary	
Tract 228.05	

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Blocks: 2005, 2011, 2012, 2013, 2014, 2015,
2016, 2017, 2018, 2019, 2025, 2026, 2027,
2032, 2033, 2035, 2036, 2037 1046

Tract 228.06

Blocks: 1003, 1005, 1006, 1007, 3007, 3008,
3012, 3014, 3015, 3016, 3017, 3019, 3020,
3021, 3022, 3023, 3024, 3025, 3028, 3029,
3037, 3041, 3042, 3043, 3044, 3045, 3046,
3047, 3048, 3049, 3050, 3051, 3052, 3062,
3063 2239

Tract 230.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1012, 1013,
1025, 1026, 1027, 1049 1225

Fairforest Elementary Subtotal 4,510

Lyman Elementary 3,242

Lyman Town Hall 6,647

Startex Fire Station 1,804

Victor Mill Methodist 4,138

Wellford Fire Station

Tract 228.05

Blocks: 2021, 2023, 2028, 2029, 2030, 2031,
2038, 2039, 2040 168

Tract 228.06

Blocks: 3026, 3027, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3053, 3054, 3055, 3056,
3057, 3058, 3059, 3060, 3061 402

Tract 230.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2048,
2049, 2050, 2051, 2052 919

Tract 231.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1025, 1027, 1028, 1029,
1030, 1031, 1032, 1033, 1034, 1036, 1037,
1038, 1039, 1040, 1041, 1042, 1043, 1044,
1045, 1046, 1047, 1048, 1049, 1050, 1051,
1053, 1054, 1055, 1056, 1057, 1058, 1059,

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1060, 1061, 1062, 1073, 1074, 1075, 1076,
1077, 1086, 1089, 1092, 1093 1537
Tract 231.04
Blocks: 2000, 2001, 3007, 3008, 3009, 3010,
3011, 3012, 3013, 3014, 3015, 3016, 3017,
3019, 3020, 3021, 3022, 3028 679
Wellford Fire Station Subtotal 3,705
County Spartanburg SC Subtotal 41,908
DISTRICT 36 Total 41,908
Area Population

DISTRICT 37

Area Population

County: Spartanburg SC
Boiling Springs 9th Grade 6,645
Boiling Springs Elementary 7,524
Boiling Springs High School
Tract 224.05
Blocks: 1000, 1001, 1003, 1006, 1007, 1008,
1009, 1010 1187
Tract 224.10
Blocks: 1001, 1002, 2015, 2016 513
Boiling Springs High School Subtotal 1,700
Boiling Springs Intermediate 5,936
Boiling Springs Jr. High
Tract 224.05
Blocks: 1005, 2003, 2005, 2006, 2007, 2008,
2009, 2010, 2011, 2012, 2013, 2014, 2015,
2016, 2018, 2019, 2020, 2021, 2022 1924
Boiling Springs Jr. High Subtotal 1,924
Chapman High School
Tract 228.04
Blocks: 2021, 2022, 2023, 2024, 2025, 2034 526
Tract 229.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 2000,

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2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2059, 2060, 2061, 2062, 2064, 2065, 2066, 2067, 2078, 2079	2013
Tract 229.02	
Blocks: 1004, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2012, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 4004, 4005, 4006, 4010, 4011, 4012, 4013, 4014, 4015, 4023, 4026, 4027, 4029, 4030, 4038, 4039, 4040, 4046	1096
Chapman High School Subtotal	3,635
Fairforest Elementary	
Tract 228.05	
Blocks: 1005, 1006, 1008	210
Tract 228.06	
Blocks: 3004, 3005, 3006, 3009	200
Fairforest Elementary Subtotal	410
Greater St. James	4,474
Hayne Baptist	
Tract 218.04	
Blocks: 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015	603
Tract 218.05	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1012, 1013, 1015, 1016, 1017, 1018, 1021, 2015, 2016, 2022, 3015, 3016	442
Tract 219.04	
Blocks: 1000, 1001, 1002, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1035, 1036	183
Hayne Baptist Subtotal	1,228
Hendrix Elementary	4,154
Hope	
Tract 218.03	
Blocks: 1023, 2020, 3017, 3018	0
Tract 218.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 1013,	

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1014, 1015, 1016, 2000, 2001, 2002, 2003,	
2004	1419
Tract 218.05	
Blocks: 3006	0
Hope Subtotal	1,419
Oakland Elementary	
Tract 224.04	
Blocks: 2008, 2009, 2010, 2011, 2024, 2025,	
2026, 2028, 2029, 3023, 3025, 3027, 3028,	
3029	1114
Tract 224.05	
Blocks: 1002, 1004	779
Tract 224.10	
Blocks: 2019	0
Oakland Elementary Subtotal	1,893
Whitlock Jr. High	
Tract 214.02	
Blocks: 1005, 1006, 1007, 1008, 1009	863
Whitlock Jr. High Subtotal	863
County Spartanburg SC Subtotal	41,805
DISTRICT 37 Total	41,805
Area	Population

DISTRICT 38

Area	Population
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County: Spartanburg SC	
Boiling Springs High School	
Tract 224.04	
Blocks: 3024, 3026	56
Tract 224.10	
Blocks: 2007, 2008, 2009, 2010, 2011, 2012	800
Boiling Springs High School Subtotal	856
Boling Springs Jr. High	
Tract 224.05	
Blocks: 2000, 2001, 2002, 2004	219
Tract 228.04	
Blocks: 3007	6
Boling Springs Jr. High Subtotal	225
Carlisle Wesleyan	2,337
Chapman High School	

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Tract 228.03	
Blocks: 1019, 1020, 1021, 1022, 1023, 1037,	
1038, 1039, 1040	362
Tract 228.04	
Blocks: 3016, 3017, 3021, 3022, 3023, 3024,	
3025, 3026, 3027	662
Tract 229.02	
Blocks: 2000, 2001, 2002, 2003, 2011, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2036,	
4000, 4001, 4002, 4003, 4007, 4008, 4009,	
4016, 4017, 4018, 4019, 4028, 4048	764
Chapman High School Subtotal	1,788
Cooley Springs Baptist	4,474
Gramling Methodist	2,501
Holly Springs Baptist	5,562
Lake Bowen Baptist	6,603
Landrum High School	3,992
Landrum United Methodist	4,488
Motlow Creek Baptist	1,649
Oakland Elementary	
Tract 224.04	
Blocks: 2004, 2005, 2006, 2007, 2012, 2013,	
2014, 2015, 2016, 2018, 2019, 2020, 2022,	
2023, 2027, 2030, 3008, 3016, 3017, 3018,	
3019, 3021, 3022	1312
Oakland Elementary Subtotal	1,312
Swofford Career Center	5,388
County Spartanburg SC Subtotal	41,175
DISTRICT 38 Total	41,175
Area	Population
DISTRICT 39	
Area	Population
County: Lexington SC	
BATESBURG	3,002
BOILING SPRINGS	
Tract 210.37	
Blocks: 1010, 1011, 1012, 1013, 1014, 1015,	
1016, 1017, 1018, 1019, 1020, 1021, 1024,	
1025, 1026, 1027, 1044, 1045	1440

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Tract 213.11

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1007, 1019494

BOILING SPRINGS Subtotal 1,934

GILBERT 3,311

HOLLOW CREEK 3,790

LEESVILLE 3,412

MIMS

Tract 214.02

Blocks: 1010, 1018, 1019, 1041, 1043, 1051,
1052, 1053, 1054, 1055, 1056, 4033, 4034,
4035, 4036, 4037, 4038, 4039, 4040, 4041369

Tract 214.03

Blocks: 1004, 1005, 1006, 1007, 1008, 1009,
1011, 1012, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1024, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 1043, 1044, 1047, 1048, 1049, 1050,
1051, 1052, 1053 1048

Tract 214.04

Blocks: 2055, 2064 16

MIMS Subtotal 1,433

POND BRANCH 3,645

RIDGE ROAD 2,856

SUMMIT 2,284

County Lexington SC Subtotal 25,667

County: Saluda SC

Centennial 770

Clyde 348

Delmar 597

Fruit Hill

Tract 9602.01

Blocks: 2048, 4000, 4001, 4003, 4007, 4008,
4009, 4010, 4011, 4012, 4013 187

Fruit Hill Subtotal 187

Higgins/Zoar 1,303

Holly 1,227

Hollywood 1,697

Holstons 1,402

Mayson

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Tract 9602.01

Blocks: 3006, 3007, 3008, 3009, 3011, 3012,
3013, 3014, 3015, 3016, 3019, 3026, 3027,
3031, 3048, 3049, 4002323

Mayson Subtotal323

Mt. Willing395

Pleasant Grove924

Richland

Tract 9602.02

Blocks: 1005, 1006, 1007, 1036, 1040, 1041,
1042, 1043, 1044, 1045, 1047165

Tract 9604

Blocks: 1003, 1007, 1008, 1009, 1010, 1011,
1012, 1013, 1014, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1029, 1030, 1031, 1032, 1033, 1034, 1035,
1036, 1037, 1038, 1039, 1040, 1041, 1042,
1043, 1044, 1045, 1046, 1047, 1048, 1050,
1051, 1052, 1053, 1054, 1055, 1056, 1057,
1062, 1063, 1089, 1090, 1091, 1092, 1093,
1094, 1095, 1112, 1113, 1135, 1137, 1139695

Richland Subtotal860

Ridge Spring/Monetta

Tract 9604

Blocks: 2006, 2007, 2008, 2009, 2010, 2012,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2035, 2036, 2037,
2038, 2039, 2040, 2047, 2048, 2049, 2050,
2051, 2052, 2053, 2054, 2055, 2056, 2057,
2058, 2059, 2060, 2061, 2062, 2063, 2064,
2065, 2066, 2067, 2068, 2069, 2070, 2071,
2072, 2073, 2074, 2075, 2076, 2077, 2078,
2079, 2080, 2081, 2082, 2083, 2084, 2085,
2086, 2087, 2088, 2089, 2090, 2091, 2092,
2093, 2094, 2095, 2096, 2097, 2098, 2099,
2100, 2101, 2102, 2103, 2104, 2105, 2106,
2107, 2108, 2109, 2110, 2111, 2112, 2113,
2114, 2115, 2116, 2117, 2118, 2119, 2120,
2121, 2122, 3000, 3001, 3002, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3021, 3022,

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3023, 3024, 3025, 3026, 3029, 3030, 3031,
3033, 3039 1012
Ridge Spring/Monetta Subtotal 1,012
Saluda No. 1
Tract 9602.02
Blocks: 1008, 1010, 1011, 1012, 1020, 1021,
1022, 1030, 1031, 1032, 1033, 1034, 1035,
2007, 2011, 2012, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2029, 2030, 2031,
2032, 2033, 2034, 2035, 2042, 2043, 2046,
2047, 2048, 2049, 2055, 2056, 2057, 2058,
2059, 2067, 2068, 2073, 2084, 2085, 2087,
2088, 2089, 2090, 2091 1011
Saluda No. 1 Subtotal 1,011
Saluda No. 2
Tract 9602.01
Blocks: 1007, 1008, 1011, 1012, 1013, 1014,
1015, 1016, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1025, 1026, 1027, 1028,
1029, 1030, 1031, 1032, 1033, 1034, 1035,
1036, 1037, 1038, 1039, 1040, 1041, 1042,
1043, 1044, 1045, 1046, 1047, 1048, 1049,
1050, 1051, 1052, 1053, 1054, 1055, 1056,
1057, 1058, 1059, 1060, 1061, 1062, 1063,
1064, 1065, 1066, 1067, 1068, 1069, 1070,
1071, 1072, 1073, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2038, 2049, 3041, 3042 1932
Tract 9602.02
Blocks: 2036, 2037, 2044, 2045 150
Saluda No. 2 Subtotal 2,082
Sardis 776
Ward
Tract 9604
Blocks: 1049, 1060, 1061, 1064, 1065, 1082,
1083, 1084, 1085, 1086, 1087, 1088, 1096,
1114, 1115, 1136 112
Ward Subtotal 112
County Saluda SC Subtotal 15,026

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DISTRICT 39 Total 40,693
Area Population

DISTRICT 40
Area Population

County: Lexington SC

AMICKS FERRY

Tract 212.05

Blocks: 2008, 2010, 2011 411

AMICKS FERRY Subtotal 411

DREHER ISLAND 2,160

County Lexington SC Subtotal 2,571

County: Newberry SC 37,719

DISTRICT 40 Total 40,290

Area Population

DISTRICT 41
Area Population

County: Chester SC

Baldwin Mill

Tract 202

Blocks: 1010, 1011, 1012, 1013, 1014, 1015,
1016, 1017, 1018, 1022, 1023, 1024, 1025,
1026, 1027, 1028, 1029, 1030, 1031, 1032,
1033, 1034, 1035, 1036, 1037, 1038, 1039,
1040, 1041, 1042, 1043, 1044, 1045, 2010,
2011, 2012, 2013, 2014, 2018, 2019, 2020,
2021 842

Tract 203

Blocks: 2000, 2001, 2006 241

Tract 205

Blocks: 3006, 3008, 3010, 3011, 3013, 3014,
3016, 3017, 3022, 3023, 3024, 3025, 3026,
3029, 3030, 3031, 3032, 3033, 3034, 3035,
3036, 3037 444

Tract 206.01

Blocks: 1000, 1001, 1002, 1003, 1004 24

Baldwin Mill Subtotal 1,551

Chester Ward 1

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Tract 202	
Blocks: 2000, 2001, 2003	56
Tract 203	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1012, 1013, 1014, 1015, 1016, 1017, 1021, 1022, 1023, 1024, 1025, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 4012, 4013, 4014, 4015, 4016, 4017, 4021, 4022, 4023, 4024, 4025	1771
Tract 204	
Blocks: 1051, 1053, 1058, 1059, 1060, 1062, 1063, 1064	46
Chester Ward 1 Subtotal	1,873
Chester Ward 2	1,439
Chester Ward 3	2,099
Chester Ward 4	
Tract 201	
Blocks: 2016, 2017, 2018, 2019, 2020, 2021, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048	579
Tract 202	
Blocks: 4000, 4001, 4002, 4005, 4006	62
Tract 203	
Blocks: 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4018, 4019, 4020, 4026, 4027, 4028, 4029, 4030	456
Tract 206.02	
Blocks: 1042, 1058, 1060, 1061	308
Chester Ward 4 Subtotal	1,405
Chester Ward 5	
Tract 201	
Blocks: 1029, 1031, 1032	0
Tract 202	
Blocks: 4024	79
Tract 206.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020,	

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2021, 2022, 2049, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008	517
Tract 206.02	
Blocks: 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2032, 2046, 2047, 2063, 2064, 2065	494
Chester Ward 5 Subtotal	1,090
Eureka Mill	
Tract 201	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2022, 2023, 2034	556
Tract 203	
Blocks: 1000, 1007, 1008, 1009, 1010, 1011, 1018, 1019, 1020, 4000, 4001, 4002, 4003	507
Tract 204	
Blocks: 2027, 2028, 2029, 2030, 2031, 2033, 2034	501
Tract 206.02	
Blocks: 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1054	457
Eureka Mill Subtotal	2,021
Halsellville	303
Lowrys	
Tract 204	
Blocks: 2024, 2025, 2026	131
Lowrys Subtotal	131
Rodman	
Tract 204	
Blocks: 2036, 2037, 2039, 2040, 2041, 2042, 2043, 2044, 2045	398
Rodman Subtotal	398
Wilksburg	
Tract 205	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051,	

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1052, 1053, 1054, 1055, 1056, 1057, 1058,	
1059, 1060, 1063, 1064, 2002	719
Wilksburg Subtotal	719
County Chester SC Subtotal	13,029
County: Fairfield SC	20,948
County: Richland SC	
Blythewood 2	
Tract 101.04	
Blocks: 1020, 1021, 1022, 1023, 1024, 1025,	
1026, 1027, 1028, 1029, 1030, 2000, 2001,	
2002, 2003, 2004, 2005, 2006, 2007, 2008,	
2009, 2010, 2011, 2012, 2013, 2014, 2015,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2028, 2029, 2030, 2031, 2032, 2033, 2034,	
2035, 2036, 2037, 2038, 2039, 2040, 2041,	
2042, 3010, 3030, 3031, 3032	1959
Tract 101.06	
Blocks: 1000, 1005, 1006, 1026, 1027, 1028,	
1034, 1035, 1036, 1037, 1041, 1045, 1048,	
1049	119
Blythewood 2 Subtotal	2,078
Kelly Mill	3,420
Round Top	951
County Richland SC Subtotal	6,449
DISTRICT 41 Total	40,426
Area	Population

DISTRICT 42

Area	Population
County: Laurens SC	
CLINTON 1	2,550
CLINTON 2	2,759
CLINTON 3	
Tract 9206	
Blocks: 3111	0
Tract 9208	
Blocks: 1035, 1036, 1037, 1038, 1041, 1042,	
1046, 1047, 1048, 1049, 1050, 1051, 1052,	
1053, 1055, 1056, 1057, 1058, 1059, 1060,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	

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2014, 2015, 2016, 2017, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2034, 2035, 2036, 2043, 2044, 2046	1892
CLINTON 3 Subtotal	1,892
CLINTON MILL	
Tract 9206	
Blocks: 3004, 3005, 3066, 3067, 3079, 3080, 3081, 3082, 3087, 3088, 3089, 3090, 3124	190
Tract 9207	
Blocks: 1000, 1002, 1005, 1009, 1010, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1028, 1029, 1030, 2007, 2015, 2016, 2025, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4041, 4042, 4043, 4044, 4045, 4046, 4047, 4048, 4049, 4050	1691
CLINTON MILL Subtotal	1,881
JOANNA	3,039
LONG BRANCH	
Tract 9206	
Blocks: 1000, 1001, 1015, 1016	47
LONG BRANCH Subtotal	47
LYDIA MILL	
Tract 9207	
Blocks: 2014, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2028, 2029, 2031, 2032, 2033, 2034, 2035, 2036, 2038, 2039, 2041, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3057, 3058, 3059, 3060, 3061, 3062	990
Tract 9208	
Blocks: 3031, 3045, 3056, 3062	21
LYDIA MILL Subtotal	1,011
County Laurens SC Subtotal	13,179
County: Union SC	27,244
DISTRICT 42 Total	40,423
Area	Population

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DISTRICT 43

Area	Population
County: Chester SC	
Baldwin Mill	
Tract 205	
Blocks: 3004, 3005, 3007, 3009, 3012, 3015,	
3018, 3019, 3020, 3021, 3027, 3028	508
Baldwin Mill Subtotal	508
Baton Rouge	988
Beckhamville	1,237
Blackstock	918
Chester Ward 1	
Tract 204	
Blocks: 1046, 1047, 1048, 1049, 1050, 1054,	
1055, 1056, 1057, 1061	402
Tract 205	
Blocks: 3003	48
Chester Ward 1 Subtotal	450
Chester Ward 4	
Tract 206.02	
Blocks: 1043, 1044, 1045, 1050, 1051	14
Chester Ward 4 Subtotal	14
Chester Ward 5	
Tract 206.02	
Blocks: 2004, 2005, 2006, 2007, 2016, 2017,	
2018, 2019, 2022, 2023, 2024, 2025, 2031,	
2033, 2034, 2040, 2044, 2045	564
Chester Ward 5 Subtotal	564
Edgemoor	1,611
Eureka Mill	
Tract 206.02	
Blocks: 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1052, 1055, 1056, 1057, 1059	421
Eureka Mill Subtotal	421
Fort Lawn	2,436
Great Falls	1,813
Hazelwood	1,120
Lando	339
Lando/ Lansford	1,228
Lowrys	

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Tract 204

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1052, 1065,
1066, 1067, 2003, 2004, 2005, 2006, 2007,
2008, 2009, 2010, 2014, 2021, 2022, 2023 1048

Tract 205

Blocks: 1000, 3000, 3001, 3002 354

Lowrys Subtotal 1,402

Richburg 1,946

Rodman

Tract 204

Blocks: 2000, 2001, 2002, 2011, 2012, 2013,
2015, 2016, 2017, 2018, 2019, 2020, 2032,
2035, 2038 109

Tract 206.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1046, 1047, 1048, 1049, 1053, 2000,
2001, 2002, 2003, 2020, 2021, 2026, 2027,
2028, 2029, 2030, 2068 997

Tract 207

Blocks: 1003, 1004, 1005, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1057, 1062, 1063, 1064 468

Rodman Subtotal 1,574

Rossville 643

Wilksburg

Tract 205

Blocks: 1001, 1002, 1003 53

Wilksburg Subtotal 53

County Chester SC Subtotal 19,265

County: York SC

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Anderson Road

Tract 609.01

Blocks: 1035, 1043, 1049, 1050, 1051, 1052,
1053, 1054, 1055, 1056, 1057, 1058, 1059,
1060, 1061, 1062, 1063, 1064, 1065, 1066,
1070, 1073, 1075, 1076, 1077824

Anderson Road Subtotal824

Catawba4,313

Ferry Branch1,954

Friendship

Tract 612.02

Blocks: 1000, 1003, 1004, 1005, 1009, 1010,
1012, 1013, 1014, 2000, 2001269

Tract 612.05

Blocks: 2029, 2030, 2031, 2035, 2036, 2037,
2038, 2040, 2047740

Friendship Subtotal1,009

Hopewell

Tract 612.02

Blocks: 1001, 1002, 1006, 1007, 1008, 1011330

Tract 612.03

Blocks: 20160

Tract 612.05

Blocks: 1004, 1005, 1006, 1007, 1008, 1009,
1011, 1039, 2039, 2041, 2042, 2046532

Hopewell Subtotal862

Independence1,401

Lesslie2,181

Manchester

Tract 609.01

Blocks: 1036, 1039, 10720

Tract 612.04

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2027,
2028, 2030, 2036, 2038, 2040, 2041, 2042,
2043, 2050, 2051, 2052, 2053, 2054, 2055,
2063, 2064, 2065, 2066, 2067, 2068, 2077,
2078, 20791617

Manchester Subtotal1,617

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Mt. Holly

Tract 612.05	
Blocks: 1030, 1031	0
Tract 613.01	
Blocks: 2021, 2028	165
Tract 613.02	
Blocks: 2002, 2004, 2007, 2008, 2009, 2010,	
2011, 2012, 2014, 2015, 2016, 2017, 2018,	
2019, 2020, 2026, 2027, 2028, 2029, 2030,	
2031, 2032, 2033, 2034, 2035, 2036, 2037,	
2038, 2040, 2041, 2042	1133

Mt. Holly Subtotal	1,298
Neelys Creek	1,612
Six Mile	1,774

Springdale

Tract 609.01	
Blocks: 1040	0
Tract 612.04	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1020, 1021, 1022, 1027, 1028,	
1029, 1031, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 2018, 2029	2231

Tract 612.05	
Blocks: 2044, 2045, 2050	0

Springdale Subtotal	2,231
County York SC Subtotal	21,076

DISTRICT 43 Total 40,341

Area	Population
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DISTRICT 44

Area	Population
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County: Lancaster SC

Black Horse Run	5,711
Gold Hill	1,601
Harrisburg	5,297
Lake House	2,503
Osceola	6,426
Pleasant Valley	4,742
Possum Hollow	4,291

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River Road	3,523
Shelley Mullis	2,722
The Lodge	2,853
Van Wyck	
Tract 112.09	
Blocks: 3020, 3024, 3025, 3029, 3030, 3031,	
3032, 3033, 3038, 3039, 3040, 3041, 3042,	
3043, 3044, 3045, 3046, 3047, 3049, 3050,	
3051, 3052, 3053, 3054, 3055, 3056, 3057,	
3058, 3059, 3060, 3062, 3063, 3064, 3065,	
3066, 3067, 3069, 3070, 3094, 3095, 3096	650
Tract 112.11	
Blocks: 1018, 1019, 1020, 1022, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047	135
Van Wyck Subtotal	785
County Lancaster SC Subtotal	40,454
DISTRICT 44 Total	40,454
Area	Population

DISTRICT 45

Area	Population
County: Kershaw SC	
Liberty Hill	663
Rabon's X Roads	2,641
Salt Pond	
Tract 9704.01	
Blocks: 1008, 1009, 1010, 1011, 1012, 3011,	
3014, 3015, 3016, 3017, 3024, 3025, 4014,	
4015, 4023, 4024, 4030, 4034, 4035, 4036,	
4037, 4038, 4039, 4040, 4041, 4042, 4045,	
4046	1,142
Salt Pond Subtotal	1,142
Shaylor's Hill	1,149
County Kershaw SC Subtotal	5,595
County: Lancaster SC	
Carmel	790
Chesterfield Ave	2,160
College Park	1,738

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Douglas	2,896
Elgin	
Tract 106	
Blocks: 1025, 2000, 2001, 2002, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027, 2028, 2029, 2030, 2031, 2032, 2033,	
2034, 2035, 2036, 2037, 2038, 2039, 2040,	
3000, 3001, 3002, 3003, 3004, 3005, 3006,	
3007, 3008, 3014, 3015, 3021	1507
Tract 110.01	
Blocks: 3004, 3005, 3010, 3011, 3012, 3013,	
3014, 3015, 3016, 3017, 4026, 4036	375
Elgin Subtotal	1,882
Erwin Farm	3,126
Gooch's Cross Road	4,299
Heath Springs	1,954
Jacksonham	1,550
Lancaster East	2,899
Lancaster West	1,531
Lynwood Drive	3,857
Pleasant Hill	1,904
Riverside	1,176
Unity	
Tract 109	
Blocks: 3000, 3001, 3002, 3008, 3009	116
Tract 111	
Blocks: 3001, 3002, 3003, 3004, 3005, 3006,	
3007, 3022, 3023, 3024, 3025, 3026, 3027,	
3028, 3029, 3039, 3040, 3041, 3042, 3043,	
3044, 3045, 3049, 3050	543
Unity Subtotal	659
University	1,761
Van Wyck	
Tract 111	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1010, 1014, 1015, 1016,	
1017, 1024, 1025, 1026, 1040, 1041, 1084,	
1085, 1086, 3016, 3017, 3018	291
Tract 112.09	

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Blocks: 3027, 3028, 3048, 3061, 3068, 3071,
3072, 3073, 3074, 3075, 3076, 3077, 3078,
3079, 3080, 3081, 3082, 3083, 3084, 3085,
3086, 3087, 3088, 3089, 3090, 3091, 3092,
3093224
Tract 112.11
Blocks: 10482
Van Wyck Subtotal517
County Lancaster SC Subtotal34,699
DISTRICT 45 Total40,294
Area Population

DISTRICT 46

Area Population

County: York SC

Adnah1,222

Airport2,449

Anderson Road

Tract 609.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1037, 1038, 1041, 1042, 1044, 1045,
1046, 1047, 1048, 1074, 3073, 3074, 3075,
3076, 3077, 3078, 3079, 3080, 3081, 3082,
3083, 3084, 3085, 3086, 3087, 3088, 30891729

Tract 612.04

Blocks: 1000, 1001, 1002, 1003, 1019, 1023,
1024, 1025, 102657

Anderson Road Subtotal1,786

Celanese

Tract 609.01

Blocks: 2002, 2003, 2004, 2005, 2006, 2007,
2008, 2009, 3060, 3061, 3062, 3063, 3064,
3065, 3066, 3067, 3068, 3069, 3070, 3071,
30722044

Celanese Subtotal2,044

Ebenezer

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Tract 609.09	
Blocks: 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1029, 1030,	
1031, 1032, 1033, 1037, 1038, 1039, 1040	..... 1495
Ebenezer Subtotal	..... 1,495
Ebinport	..... 4,179
Fairgrounds	
Tract 601.02	
Blocks: 3004	..... 85
Tract 605.01	
Blocks: 3009	..... 0
Tract 607	
Blocks: 1014, 1016, 1017, 1024, 2015, 2016,	
2017, 2018, 2019, 2020	..... 377
Tract 609.08	
Blocks: 2000	..... 42
Fairgrounds Subtotal	..... 504
Fewell Park	..... 1,759
Friendship	
Tract 612.05	
Blocks: 2012, 2019, 2032, 2033, 2034, 2048	..... 317
Friendship Subtotal	..... 317
Harvest	..... 1,663
Hollis Lakes	..... 2,992
Hopewell	
Tract 612.05	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2013,	
2014, 2015, 2016, 2017, 2018, 2020, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2028,	
2043, 2049	..... 1192
Hopewell Subtotal	..... 1,192
Newport	..... 2,916
Northside	
Tract 601.02	
Blocks: 1021, 1022, 2000, 2001, 2002, 2003,	
2004, 2005, 2006, 2007, 2008, 2010	..... 301
Tract 602	
Blocks: 1000, 1001, 1002, 2000, 4000, 4001,	
4002, 4003, 4004, 4019, 4020 212

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Northside Subtotal513

Northwestern

Tract 614.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
2008, 2009, 2010, 2011, 2012, 2013, 2019,
20262716

Northwestern Subtotal2,716

Oakwood

Tract 607

Blocks: 30000

Tract 608.03

Blocks: 3000, 3001, 3002, 3003116

Tract 608.04

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2029, 2030, 3000, 30011527

Oakwood Subtotal1,643

Old Pointe2,293

Rock Hill No. 4

Tract 609.08

Blocks: 1000, 1001, 1002, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1013, 1014, 10221034

Rock Hill No. 4 Subtotal1,034

Rock Hill No. 5

Tract 601.02

Blocks: 1003, 1004, 1005, 1006, 1007, 1008,
1009, 1010, 1011, 1012, 1013, 1014, 1015,
1016, 1017, 1018, 1019, 1020, 1023, 1024,
1025, 1026, 1027, 1028, 1029, 1030, 1031,
2009, 2011, 2012, 2013, 2014, 2015, 3000,
3001, 3002, 3003, 3005, 3006, 3007, 3008,
3009, 3010, 3011, 3012, 3013, 3014, 3015,
30162157

Tract 605.01

Blocks: 3010, 3011, 3012, 3013, 3014, 3015,
3020, 3026103

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Tract 606	
Blocks: 1000, 1001, 1002	9
Tract 607	
Blocks: 2009	19
Rock Hill No. 5 Subtotal	2,288
Rock Hill No. 7	
Tract 607	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2010, 2011, 2012, 2013	580
Tract 608.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 3013,	
4000, 4002, 4003, 4004, 4006, 4007, 4008,	
4009	2666
Rock Hill No. 7 Subtotal	3,246
Tirzah	
Tract 609.04	
Blocks: 2014, 2027, 2028	183
Tract 615.06	
Blocks: 4011, 4012	44
Tirzah Subtotal	227
Tools Fork	
Tract 614.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1025, 1026, 1029, 1043	1705
Tools Fork Subtotal	1,705
University	1,895
County York SC Subtotal	42,078
DISTRICT 46 Total	42,078
Area	Population
DISTRICT 47	
Area	Population
County: York SC	
Allison Creek	
Tract 615.06	

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1011, 1012, 1017, 1023, 1024, 1025	512
Allison Creek Subtotal	512
Bethany	3,160
Bethel School	5,156
Bowling Green	
Tract 617.05	
Blocks: 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 4000, 4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4014, 4015, 4016, 4017, 4018, 4019, 4020, 4021, 4022, 4023, 4024, 4025	1933
Bowling Green Subtotal	1,933
Cannon Mill	2,748
Clover	2,855
Cotton Belt	2,889
Delphia	
Tract 615.05	
Blocks: 1020, 1021, 1022, 1023	294
Delphia Subtotal	294
Filbert	2,805
Hampton Mill	2,488
Hands Mill	
Tract 615.06	
Blocks: 1027, 1028, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045	764
Hands Mill Subtotal	764
Larne	2,496
New Home	3,390
Rock Creek	2,154
Roosevelt	2,250
Tirzah	
Tract 609.04	
Blocks: 2015, 2017, 2018, 2031	355
Tract 615.05	
Blocks: 1001	0
Tract 615.06	
Blocks: 1033, 1034, 1035, 1046, 1047, 2007, 2008, 2009, 3000, 3001, 3002, 3003, 3004,	

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4001, 4002, 4003, 4004, 4005, 4006, 4007, 4008, 4009, 4010, 4013	2538
Tract 616.02	
Blocks: 3006	0
Tirzah Subtotal	2,893
Tools Fork	
Tract 614.03	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005, 3013	334
Tools Fork Subtotal	334
York No. 1	
Tract 615.03	
Blocks: 1013, 1026	0
Tract 615.04	
Blocks: 3050	0
Tract 616.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1029, 1044, 1045, 1056, 1057, 1058	402
York No. 1 Subtotal	402
York No. 2	
Tract 615.05	
Blocks: 1000, 1002, 1003, 1004, 1005, 1010, 1011, 1012, 1013, 1016, 1024	351
Tract 616.02	
Blocks: 1020, 1021, 2011, 2012, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 3003, 3004, 3005, 3007, 3008, 3009, 3010, 3011, 3012, 3019, 3020, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 4000, 4001, 4002, 4003, 4004, 4006, 4010, 4011, 4012, 4013, 4014, 4015, 4016, 4017, 4018, 4021, 4022, 4023, 4024, 4025, 4026, 5002, 5003, 5004, 5005, 5006, 5007, 5008, 5009, 5010, 5011, 5012, 5013, 5014	2246
York No. 2 Subtotal	2,597
County York SC Subtotal	42,120
DISTRICT 47 Total	42,120

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Area	Population
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DISTRICT 48

Area	Population
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County: York SC

Allison Creek

Tract 609.10

Blocks: 2000, 2001, 2002, 2003, 2004, 2007, 2008, 2009, 2031	1067
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Allison Creek Subtotal	1,067
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Anderson Road

Tract 609.01

Blocks: 3005	0
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Anderson Road Subtotal	0
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Bethel	2,376
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Bowling Green

Tract 617.05

Blocks: 3001, 3002, 3003, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022	463
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Bowling Green Subtotal	463
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Celanese

Tract 608.04

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043	1709
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Tract 609.01

Blocks: 2000, 2001, 2010, 3000, 3001, 3002, 3003, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3053, 3054, 3055, 3056, 3057, 3058, 3059, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097	1656
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Tract 609.13	
Blocks: 3013	0
Celanese Subtotal	3,365
Hands Mill	
Tract 609.10	
Blocks: 2006, 2010, 2011, 2012, 2013, 2014	1503
Tract 609.11	
Blocks: 1022	12
Hands Mill Subtotal	1,515
India Hook	2,347
Lakeshore	3,565
Lakewood	2,313
Laurel Creek	1,806
Mill Creek	1,673
Mt. Gallant	2,156
Oakwood	
Tract 608.04	
Blocks: 3002, 3003, 3004, 3005, 3006, 3007,	
3008, 3009, 3010, 3011, 3012	1483
Oakwood Subtotal	1,483
Pole Branch	3,242
River Hills	2,305
River's Edge	3,602
Rock Hill No. 7	
Tract 608.03	
Blocks: 2000, 2001, 2002, 2003	990
Rock Hill No. 7 Subtotal	990
Rosewood	5,363
Wylie	2,600
County York SC Subtotal	42,231
DISTRICT 48 Total	42,231
Area	Population
 DISTRICT 49	
Area	Population
 County: York SC	
Anderson Road	
Tract 609.01	
Blocks: 1067, 1068, 1069, 1071	85
Tract 612.04	

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Blocks: 2044, 2045, 20490
Anderson Road Subtotal 85
Delphia
Tract 615.05
Blocks: 1014, 1015, 1017, 1018, 1019, 1025,
1026, 1027, 2001, 2002, 2003, 2012, 2015431
Delphia Subtotal431
Ebenezer
Tract 609.09
Blocks: 1034, 1035, 103661
Ebenezer Subtotal61
Edgewood 4,234
Fairgrounds
Tract 605.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1025, 1026, 1027, 1028, 1029, 1030,
1031, 1032, 1033, 1034, 1035, 1036, 1037,
1038, 2000, 2001, 2003, 2004, 2005, 2013,
2014, 2015, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 30082422
Tract 606
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,
1009 1710
Tract 609.08
Blocks: 2001, 2020 134
Tract 614.04
Blocks: 2000, 2001, 2002, 2003, 2024, 2025272
Fairgrounds Subtotal4,538
Highland Park 2,150
Manchester
Tract 612.04
Blocks: 2046, 2047, 2048460
Manchester Subtotal460
Mt. Holly
Tract 613.01
Blocks: 1018, 1019, 1020, 1021, 1023, 1024,
2000, 2001, 2002, 2003, 2004, 2005, 2006,
2007, 2008, 2009, 2010, 2011, 2012, 2013,

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2014, 2015, 2016, 2017, 2018, 2019, 2020,
20222153
Tract 613.02
Blocks: 2021, 2022, 2023, 2024, 2025, 2039729
Mt. Holly Subtotal2,882
Northside
Tract 602
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,
1009, 1010, 1011, 1012, 1013, 1014, 1015,
1016, 1017, 1018, 2001, 2002, 2003, 2004,
2005, 2006, 2007, 4005, 4006, 4007, 4008,
4009, 4010, 4011, 4012, 4013, 4014, 4015,
4016, 4021, 4022, 40261758
Tract 603
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006209
Tract 605.01
Blocks: 2025, 2026, 3016, 3017, 3018, 3019,
3021, 3022, 3028, 3029, 3030, 3031, 3032,
3033157
Northside Subtotal2,124
Northwestern
Tract 605.01
Blocks: 1021, 1022, 1023, 10240
Tract 614.04
Blocks: 2004, 2005, 2006, 2007, 2014, 2020,
2021, 2022, 2023199
Northwestern Subtotal199
Oakridge
Tract 614.03
Blocks: 1024, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 2000, 2001, 2002, 2004, 2005, 2006,
2007, 2008, 2014, 2015, 2016, 2017, 2020,
2021, 2022, 3006, 3007, 3008, 3009, 3010,
3011, 3012, 3014, 3015, 3016, 3017, 3018,
3019, 3020, 3022, 3024, 3027, 3028, 3029,
3030, 3031, 3035, 3036, 30372595
Tract 614.04
Blocks: 2015, 2016, 2017, 2018, 2027, 2028,
2029, 2031, 2032, 2037, 2040, 2041, 2042438

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Oakridge Subtotal	3,033
Ogden	3,208
Rock Hill No. 2	2,444
Rock Hill No. 3	2,890
Rock Hill No. 4	
Tract 609.08	
Blocks: 1003, 1004, 1012, 1015, 1016, 1017,	
1018, 1019, 1020, 1021, 1023, 2002, 2003,	
2004, 2005, 2006, 2007, 2008, 2009, 2010,	
2011, 2012, 2013, 2014, 2015, 2016, 2017,	
2018, 2019, 2021, 2022, 2023, 2024, 2025,	
2026, 2027, 2028	2542
Rock Hill No. 4 Subtotal	2,542
Rock Hill No. 5	
Tract 605.01	
Blocks: 3023, 3024, 3025, 3027	64
Rock Hill No. 5 Subtotal	64
Rock Hill No. 6	2,394
Rock Hill No. 8	1,601
Tools Fork	
Tract 614.03	
Blocks: 1006, 1007, 1008, 1009, 1027, 1028	316
Tools Fork Subtotal	316
York No. 1	
Tract 615.03	
Blocks: 1031, 1032	0
Tract 616.01	
Blocks: 1015, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1030, 1031,	
1032, 1033, 1034, 1035, 1036, 1037, 1038,	
1039, 1040, 1041, 1042, 1043, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 1059, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2024, 2025, 2026, 2027,	
2028, 2029, 2030, 2031, 2032, 2033, 2034,	
2035, 2036, 2037, 2038, 2042, 2043, 2044,	
2045	2496
York No. 1 Subtotal	2,496
York No. 2	
Tract 615.05	
Blocks: 1006, 1007, 1008, 1009, 2000, 2017	679

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Tract 616.02

Blocks: 1022, 3013, 3014, 3015, 3016, 3017,
3018, 3021, 3022, 3023, 4005, 4007, 4008,
4009, 4019, 4020, 5000, 5001, 5015, 5016,
5017, 5018 1802

York No. 2 Subtotal 2,481

County York SC Subtotal 40,633

DISTRICT 49 Total 40,633

Area Population

DISTRICT 50

Area Population

County: Kershaw SC

Airport

Tract 9706.04

Blocks: 2051, 2052, 2068, 2069 160

Airport Subtotal 160

Antioch 1,231

Cassatt 2,601

Charlotte Thompson 2,009

Malvern Hill 2,169

Springdale

Tract 9706.04

Blocks: 2049, 2050, 2055, 2056, 2057, 2058 69

Springdale Subtotal 69

Whites Gardens 2,602

County Kershaw SC Subtotal 10,841

County: Lee SC 16,531

County: Sumter SC

DALZELL 1 2,498

HILLCREST 1,527

MAYESVILLE 614

OAKLAND PLANTATION 1 1,948

OSWEGO

Tract 4.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024 610

OSWEGO Subtotal 610

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REMBERT	2,888
SAINT JOHN	1,513
SALEM	480
THOMAS SUMTER	1,588
County Sumter SC Subtotal	13,666
DISTRICT 50 Total	41,038
Area	Population

DISTRICT 51

Area	Population
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County: Sumter SC

BATES	746
BIRNIE	1,237
BUNRS-DOWNS	

Tract 9.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2015, 2016, 2019, 2030, 2031

BUNRS-DOWNS Subtotal	275
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CROSSWELL	2,173
DALZELL 2	2,040
EBENEZER 1	2,093
FOLSOM PARK	2,980
LEMIRA	1,967
LORING	1,774
MAGNOLIA-HARMONY	1,213
MAYEWOOD	1,723
MILLWOOD	1,019
MORRIS COLLEGE	1,750
MULBERRY	1,731

OSWEGO

Tract 4.02

Blocks: 1025, 1026, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2029, 2030, 2031,
2032, 2033, 2034, 2035, 2036, 2037, 2038,
2039, 2040, 2043, 2044, 2045, 2046, 2047,
2048, 2049, 2050, 2051, 2052, 3004

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OSWEGO Subtotal	954
PALMETTO PARK	2,593
SALTERSTOWN	1,262
SAVAGE-GLOVER	708
SOUTH LIBERTY	810
SOUTH RED BAY	1,084
SPECTRUM	1,811
STONE HILL	814
SUMTER HIGH 1	1,024
SUMTER HIGH 2	1,849
SUNSET	2,001
TURKEY CREEK	1,686
WILDER	1,222
County Sumter SC Subtotal	40,539
DISTRICT 51 Total	40,539
Area	Population

DISTRICT 52

Area

Population

County: Kershaw SC

Airport

Tract 9705

Blocks: 2000

7

Tract 9706.01

Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3037, 3038, 3039, 3040,
3041, 3042, 3043, 3044, 3045, 3046

1567

Tract 9706.04

Blocks: 2053, 2067, 2079, 2080

20

Tract 9708

Blocks: 5000, 5001

192

Airport Subtotal

1,786

Camden No. 1

2,357

Camden No. 2 & 3

559

Camden No. 5

1,103

Camden No. 5-A

794

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Camden No. 6	534
Doby's Mill	3,060
E. Camden-Hermitage	798
Elgin No. 1	3,419
Elgin No. 2	2,644
Elgin No. 3	1,969
Elgin No. 4	3,154
Elgin No. 5	2,255
Elgin No. 6	2,041
Hobkirk's Hill	2,222
Lugoff No. 1	2,070
Lugoff No. 2	2,692
Lugoff No. 3	2,228
Lugoff No. 4	1,838
Riverdale	1,376
Salt Pond	
Tract 9704.01	
Blocks: 1032, 2000, 2001, 2002, 2003, 2004,	
2005, 2006, 2007, 2008, 2009, 2010, 2011,	
2012, 2013, 2014, 2015, 2016, 2017, 2018,	
2019, 2020, 2021, 2022, 2023, 2024, 2025,	
2026, 2027, 2028, 2029, 2030, 2031	954
Salt Pond Subtotal	954
Springdale	
Tract 9705	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1019, 1020,	
1021, 1022, 1024, 1025, 1026, 1027, 1028,	
1029, 1033, 1034, 3017, 3018, 3019, 3020,	
3021, 3022, 3023, 3024, 3025, 3026, 3027,	
3028, 3029, 3031, 3035, 3036, 3037, 3038,	
3040, 3043, 3044, 3045, 3046, 5000, 5001,	
5002, 5003, 5004, 5005, 5006, 5007, 5008,	
5009, 5010, 5011, 5012, 5013, 5014, 5015,	
5016, 5017, 5018, 5019, 5020, 5021, 5022,	
5024, 5032, 5035, 5036, 5038, 5039, 5040,	
5041, 5042, 5043, 5044, 5045, 5048, 5049,	
5050, 5055, 5056, 5057, 5058, 5059	2280
Tract 9706.04	
Blocks: 2054, 2064, 2065, 2066, 2101	85

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Springdale Subtotal	2,365
County Kershaw SC Subtotal	42,218
DISTRICT 52 Total	42,218
Area	Population

DISTRICT 53

Area	Population
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County: Chesterfield SC

Bay Springs	581
Black Creek	740
Center Grove-Winzo	2,067
Courthouse	2,989
Dudley-Mangum	1,565
Grants Mill	1,876
Mcbee	

Tract 9508

Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1040, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1125, 1126, 1127, 2006, 2007, 2008, 2017, 2018, 2046, 2047, 2048, 2049, 2053, 2054, 2055, 2056, 2057, 2064, 2066, 2067	665
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Mcbee Subtotal	665
Middendorf	1,520
Mt. Croghan	564
Ousleydale	1,201
Pageland No. 1	3,250
Pageland No. 2	3,116
Patrick	1,073
Pee Dee	466
Ruby	1,599
Shiloh	849
Snow Hill-Vaughn	949
County Chesterfield SC Subtotal	25,070
County: Darlington SC	
ANTIOCH	2,372

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DOVESVILLE

Tract 101

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2029, 2030, 2031, 2032, 3037,
3038, 3039, 3040, 3041, 3042 1140

Tract 102

Blocks: 4027 5

Tract 109.02

Blocks: 1000, 1001, 1012, 1013, 1014, 1016,
1017, 1028, 1029, 1030 134

Tract 110

Blocks: 3000, 3001, 3002 61

DOVESVILLE Subtotal 1,340

County Darlington SC Subtotal 3,712

County: Lancaster SC

Antioch 1,256

Camp Creek 1,242

Dwight 3,035

Elgin

Tract 110.01

Blocks: 3000, 3001, 3002, 3003, 3006 356

Elgin Subtotal 356

Hyde Park 2,818

Spring Hill 1,814

Unity

Tract 110.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1016, 1017, 1026, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2024, 2025, 2027,
2028, 2029, 2030, 2056, 2057 1374

Tract 111

Blocks: 3000 0

Unity Subtotal 1,374

County Lancaster SC Subtotal 11,895

DISTRICT 53 Total 40,677

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Area Population

DISTRICT 54

Area Population

County: Chesterfield SC

Brocks Mill 2,423

Cash 1,355

Cheraw No. 1 1,940

Cheraw No. 2 1,610

Cheraw No. 3 2,658

Cheraw No. 4 2,318

County Chesterfield SC Subtotal 12,304

County: Darlington SC

DARLINGTON NO. 3

Tract 109.02

Blocks: 2000, 2013 13

Tract 110

Blocks: 1000, 1001, 1004, 1005, 3003, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3017 874

Tract 113.02

Blocks: 2031, 2032, 2033, 2034, 2045, 2046 79

DARLINGTON NO. 3 Subtotal 966

DOVESVILLE

Tract 101

Blocks: 3009, 3025, 3030, 3031, 3032, 3033 141

DOVESVILLE Subtotal 141

MECHANICSVILLE 2,306

SOCIETY HILL 861

County Darlington SC Subtotal 4,274

County: Marlboro SC

Adamsville 556

Blenheim 399

Brightsville 1,095

Brownsville 453

Clio

Tract 9604

Blocks: 1092, 1093 9

Tract 9605

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Blocks: 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1033, 1034, 1035, 1036, 1042, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2105, 2106, 2107, 2109, 2110, 2111	1732
Clio Subtotal	1,741
East Bennettsville	2,465
McColl	
Tract 9604	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2019, 2020, 2021, 2022, 2051, 2052, 2053, 2054, 3000, 3001, 3002, 3003, 3019, 3037, 4011, 4028, 4029, 4031, 4032	571
Tract 9605	
Blocks: 1006, 1007	15
McColl Subtotal	586
North Bennettsville	5,040
Quicks X Roads	2,587
Redhill	1,983
South Bennettsville	1,377
Tatum	521
Wallace	1,993
West Bennettsville	2,960

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County Marlboro SC Subtotal	23,756
DISTRICT 54 Total	40,334
Area	Population

DISTRICT 55

Area	Population
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County: Dillon SC28,292

County: Horry SC

ALLSBROOK

Tract 203.02

Blocks: 2016, 2021, 2022, 2023, 2024, 2025,
2037 121

ALLSBROOK Subtotal 121

BAYBORO-GURLEY

Tract 203.02

Blocks: 1002, 1003, 1004, 1009, 3014, 3015,
3016, 3020, 3023270

BAYBORO-GURLEY Subtotal270

EAST LORIS

Tract 202.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2015, 2021, 2022, 2023, 2024, 2027,
2028, 2029, 2030 1045

Tract 202.02

Blocks: 2000, 2005, 20060

EAST LORIS Subtotal 1,045

GREEN SEA 1,597

JERIGANS CROSSROADS

Tract 201

Blocks: 1044, 1055, 1056, 1057, 1058, 1059,
1060, 1061, 1062, 1063, 1064, 1066, 1067,
1068, 1069, 1070, 1071, 1072, 1073, 1077,
1078, 1080, 1081, 1082, 1083, 1084, 1085,
1086, 1087, 1088, 1089, 1092, 1094, 1095,
1096, 1097, 1098, 1099, 1100, 1101, 1102,
1103, 1104, 1105, 1106, 1107, 1108, 1110,
1111, 1112, 2032, 2034, 2037, 2038, 2042,
2043, 2044, 2045, 2046, 2047, 2048, 2050,
2055, 2056, 2057 1098

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Tract 202.02
Blocks: 1008, 1052, 1053, 1054, 111320
JERIGANS CROSSROADS Subtotal 1,118
LIVE OAK
Tract 203.02
Blocks: 1000, 1001, 1005, 1006, 2000, 2001,
2002, 2003, 2004, 2005, 2006, 2007, 2008,
2009, 2010, 2011, 2012, 2013, 2014, 2015,
2026, 2027, 2028, 2029, 2033, 2036, 2054,
3000, 3001, 3002, 3003, 3004, 3005, 3006,
3007, 3008, 3009, 3010, 3011, 3012, 3013,
3024, 3025, 3026, 3032, 3033, 3036, 3037,
3038, 3039, 3040 1323
LIVE OAK Subtotal 1,323
MT. OLIVE 2,021
PLEASANT VIEW
Tract 101
Blocks: 2007, 2008, 2009, 2010, 2035, 3009,
3010, 3011, 3012, 3032, 3033, 3034, 3035,
3036, 3037, 3038, 3039, 3040, 3041, 3057,
3058, 3059, 3060, 3061, 3062, 3063, 3064,
3065, 3066, 3067, 3068, 3069, 3070, 3071,
3072, 3073, 3074, 3075, 3076, 3077, 3078,
3079, 3080, 3081, 3082, 3083 699
PLEASANT VIEW Subtotal 699
SWEET HOME
Tract 202.01
Blocks: 2014, 2016 334
SWEET HOME Subtotal 334
WEST LORIS
Tract 201
Blocks: 1109 0
Tract 202.02
Blocks: 1003, 1004, 1005, 1006, 1007, 1009,
1010, 1011, 1012, 1013, 1014, 1038, 1047,
1048, 1049, 1050, 1051, 1065, 1099, 1100,
1101, 1102, 1104, 1105, 1106 525
WEST LORIS Subtotal 525
County Horry SC Subtotal 9,053
County: Marlboro SC
Clio

TUESDAY, DECEMBER 7, 2021

Tract 9604

Blocks: 4000, 4001, 4037, 4039, 4040, 4041,
4042, 4043, 404467

Tract 9605

Blocks: 1004, 1031, 1037, 1038, 1039, 1040,
1041, 1043, 1044, 1045, 1046 105

Clio Subtotal 172

East McColl 1,169

McColl

Tract 9604

Blocks: 2023, 2024, 2025, 2032, 2033, 2034,
2038, 2039, 2041, 2042, 2043, 2049, 2050,
3032, 3033, 3034, 3035, 3036, 3038, 3039,
3046, 3047, 3052, 3053, 3054, 3055, 4002,
4003, 4004, 4005, 4006, 4007, 4008, 4009,
4010, 4012, 4013, 4014, 4015, 4016, 4017,
4018, 4019, 4020, 4021, 4022, 4023, 4024,
4025, 4026, 4027, 4030, 4033, 4034, 4035,
4036, 4038, 4045, 4046, 4047, 4048, 4049,
4050, 4051 1510

Tract 9605

Blocks: 1000, 1001, 1002, 1003, 1005, 103260

McColl Subtotal 1,570

County Marlboro SC Subtotal2,911

DISTRICT 55 Total40,256

Area Population

DISTRICT 56

Area Population

County: Horry SC

ATLANTIC BEACH246

CAROLINA BAYS3,534

CAROLINA FOREST #14,796

CAROLINA FOREST #23,046

CRESENT

Tract 404

Blocks: 2077, 2078, 2079, 2106, 2107, 2108,
2109, 2110 77

Tract 405

Blocks: 1049, 1050, 1051, 3000, 3001, 3013 127

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CRESENT Subtotal	204
DUNES #1	
Tract 603.10	
Blocks: 2004, 2008, 2009, 2012, 2013, 2014,	
2015, 2017, 2018, 2019, 2020, 2021, 2022,	
2025, 2026, 2027, 2028, 2029, 2030, 2031,	
2032, 2033, 2035, 2036, 2040, 2041, 3036,	
3054, 3057, 3058, 3059, 3060	971
DUNES #1 Subtotal	971
EMERALD FOREST #1	4,136
EMERALD FOREST #2	7,144
EMERALD FOREST #3	5,088
RIVER OAKS	4,849
SALEM	
Tract 603.09	
Blocks: 2001, 2006	73
SALEM Subtotal	73
TILLY SWAMP	
Tract 603.10	
Blocks: 2010, 2011, 3027, 3028, 3029, 3030,	
3031, 3032, 3033, 3034, 3035, 3041, 3055,	
3056	14
TILLY SWAMP Subtotal	14
WILD WING	
Tract 603.09	
Blocks: 2002, 2004, 2005, 2007, 2008, 2009,	
2010, 2011, 2012, 2013, 2014, 2015, 2016,	
2018, 2019	1421
Tract 604.04	
Blocks: 1029, 1030, 1032, 1033, 1035, 1036,	
1041, 1042, 1043, 1044, 1048, 1049	1886
Tract 604.05	
Blocks: 2006, 2007, 2008, 2027	0
Tract 604.06	
Blocks: 3000, 3001	0
WILD WING Subtotal	3,307
WINDY HILL #1	1,795
WINDY HILL #2	3,104
County Horry SC Subtotal	42,307
DISTRICT 56 Total	42,307

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Area	Population
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DISTRICT 57

Area	Population
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County: Horry SC

BAYBORO-GURLEY

Tract 203.01

Blocks: 3052, 30530

Tract 203.02

Blocks: 1007, 1008, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1049, 1050, 1053, 1054,
1055, 1056, 2017, 2018, 2019, 2020, 2039,
2040, 2041, 2042, 2043, 2044, 2045, 2046,
2047, 2048, 2049, 2050, 2051, 2052, 2053,
3017, 3018, 3019, 3021, 3022, 3027, 3028,
3029, 3030, 3031, 3034, 3035 1390

Tract 707.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1016336

Tract 801.01

Blocks: 1000, 1001, 1019, 1048, 2000, 2001,
204449

BAYBORO-GURLEY Subtotal 1,775

GALLIVANTS FERRY342

METHODIST-MILL SWAMP 2,132

PLEASANT VIEW

Tract 101

Blocks: 2011, 2012, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2021, 2022, 2023,
2024, 2025, 2026, 2027, 2028, 2029, 2030,
2031, 2032, 2033, 2034348

Tract 801.01

Blocks: 10360

PLEASANT VIEW Subtotal 348

County Horry SC Subtotal 4,597

County: Marion SC 29,183

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County: Williamsburg SC

Bloomington

Tract 9704

Blocks: 2039, 2040, 2044, 2048, 2049, 2051,
2052, 2061, 2062, 3026, 3027, 3032, 3033,
3034, 3037632

Bloomington Subtotal632

Cedar Swamp

Tract 9704

Blocks: 2000, 2001, 2002, 2003, 2005116

Cedar Swamp Subtotal116

Hemingway1,974

Henry-Poplar Hill801

Indiantown

Tract 9702

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015315

Tract 9703

Blocks: 4000, 4001, 4002, 4003, 4004, 4005,
4006, 4007, 4008, 4009, 4012, 4013, 4014,
4015, 4016, 4017, 4018, 4020450

Indiantown Subtotal765

Morrisville284

Muddy Creek1,005

Nesmith611

Piney Forest544

County Williamsburg SC Subtotal6,732

DISTRICT 57 Total40,512

Area Population

DISTRICT 58

Area Population

County: Horry SC

ADRIAN

Tract 707.01

Blocks: 1015, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1026, 1027, 1028, 1029, 1030,
3000, 3001, 3002, 3015, 3033, 3034, 3035,

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3036, 3037, 3038, 3041, 3042, 3043, 3044,
4000, 4001, 4002, 4015, 4031, 4040, 4042 1566
ADRIAN Subtotal 1,566
AYNOR 3,011
BROWNWAY 2,844
CEDAR GROVE 2,619
COOL SPRINGS 819
DOGBLUFF 1,990
FOUR MILE 3,452
HOMEWOOD
Tract 702
Blocks: 2003, 2004 0
Tract 707.01
Blocks: 2013, 2014, 2015, 2023, 2026, 2027,
2028, 2029, 2030, 2031, 2047, 3003, 3004,
3005, 3006, 3007, 3011, 3012, 3013, 3014,
3016, 3017, 3018, 3019, 3020, 3021, 3022,
3023, 3026, 3027, 3028, 3029, 3030, 3031,
3032, 3040 1555
HOMEWOOD Subtotal 1,555
HORRY 2,121
JACKSON BLUFF
Tract 601.01
Blocks: 1063, 1064, 1065, 1067, 1068, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019 622
JACKSON BLUFF Subtotal 622
JAMESTOWN 5,234
JUNIPER BAY 3,535
NORTH CONWAY #1 2,692
NORTH CONWAY #2
Tract 702
Blocks: 1013, 1014, 1017, 1018, 1024, 1025,
1026, 1027, 1028, 1033, 1036, 1037, 1039,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2023, 2024,
2025, 2026, 2027, 2028 531
NORTH CONWAY #2 Subtotal 531
POPLAR HILL 1,329
RACEPATH #1

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Tract 704

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
1055, 1056, 1057, 1058, 1059, 1060, 1061,
1071, 1072, 1073, 1074, 1075, 1076, 1077,
1078, 1079, 1080, 1085, 1086, 1087, 1088,
1089, 1090, 1091, 1092, 1093, 1094, 1095,
1096, 1097, 1098, 1099, 1100, 1101, 1102 1998

Tract 705

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1007, 1009, 1010, 1011 120

RACEPATH #1 Subtotal 2,118

RACEPATH #2 2,803

RED HILL #1

Tract 601.01

Blocks: 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1021, 1022, 1023, 1024,
1025, 1026, 1027, 1029, 1030, 1051, 1052,
1053, 1054, 1055, 1056, 1057, 1058, 1059,
1060, 1061, 1062, 1066, 1075, 1076, 1080,
1081 318

RED HILL #1 Subtotal 318

TODDVILLE

Tract 706.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1008, 1010, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1047, 1048, 1049, 3013, 3014,
3015, 3016, 3017, 3018, 3019, 3020, 3021,
3022, 3023, 3024, 3025, 3026, 3027, 3028,
3029, 3030, 3031, 3032, 3033, 3034, 3035,
3036, 3038 1544

TODDVILLE Subtotal 1,544

WEST CONWAY

Tract 703

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Blocks: 2002, 2003, 2004, 2005, 2009, 2010,
2011, 2012, 2013, 2018 137
Tract 704
Blocks: 1062, 1063, 1064, 1065, 1066, 1067,
1068, 1069, 1070 103
WEST CONWAY Subtotal 240
County Horry SC Subtotal 40,943
DISTRICT 58 Total 40,943
Area Population

DISTRICT 59
Area Population

County: Florence SC
Back Swamp 1,101
Brookgreen 1,150
Claussen 2,856
Coles Crossroads 3,889
Florence Ward 1 1,595
Florence Ward 10 1,078
Florence Ward 11
Tract 11
Blocks: 2000, 2008, 2009, 5000, 5001, 5002,
5003, 5004, 5005, 5006, 5007, 5008, 5009 451
Florence Ward 11 Subtotal 451
Florence Ward 15
Tract 6
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1013, 1017 243
Tract 7
Blocks: 2073, 2074, 2075, 2076, 2077, 2078,
2079, 2080, 2081, 2082, 2083, 2084, 2085,
2086, 2087, 2088, 2091, 2092, 2093, 2094,
2095 721
Florence Ward 15 Subtotal 964
Florence Ward 2
Tract 7
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,

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1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 2033, 2036, 2037, 2038, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2056, 2057, 2058, 2059, 2060, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072	1327
Tract 10	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2011, 2012, 2014, 2015, 2017, 2018, 2019, 2025, 2026, 2027, 2030, 2035, 2036, 2037	194
Florence Ward 2 Subtotal	1,521
Florence Ward 3	1,954
Florence Ward 4	
Tract 10	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1014, 1015	74
Florence Ward 4 Subtotal	74
Florence Ward 5	
Tract 9	
Blocks: 2040, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2051, 2083, 2084, 2085, 2086, 2094	271
Tract 11	
Blocks: 1000, 1001, 1002, 1007, 1008, 1009, 1010, 1011, 1012, 1021, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2010, 2011, 2012, 2013	660
Florence Ward 5 Subtotal	931
Florence Ward 9	2,034
Gilbert	3,555
Greenwood	3,368
Mars Bluff No. 1	5,161
Mars Bluff No. 2	2,265
Mill Branch	858
Pamplico No. 2	963
Quinby	1,316
South Florence 2	
Tract 16.01	

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Blocks: 2028, 2029, 2030, 2033, 3018, 3019,	
3020, 3021, 3022, 3023, 3024, 3025, 3026,	
3030, 3032	1131
South Florence 2 Subtotal	1,131
Spaulding	1,474
West Florence 1	
Tract 1.01	
Blocks: 2009, 2012, 2013, 2014, 2015, 2016,	
2017, 2018, 2019, 2035, 2036, 2037, 2041	510
Tract 2.01	
Blocks: 1007	0
West Florence 1 Subtotal	510
West Florence 2	
Tract 1.01	
Blocks: 2042, 2043, 2044, 2045, 2046	9
Tract 2.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1012, 1013, 1014, 1015	200
West Florence 2 Subtotal	209
County Florence SC Subtotal	40,408
DISTRICT 59 Total	40,408
Area	Population

DISTRICT 60

Area	Population
County: Florence SC	
Cowards No. 1	1,447
Cowards No. 2	1,730
Delmae No. 2	
Tract 2.02	
Blocks: 2015, 2016, 2017, 2018, 2019, 2020,	
2025, 2030	499
Delmae No. 2 Subtotal	499
Ebenezer No. 2	3,944
Ebenezer No. 3	
Tract 2.01	
Blocks: 2108, 2112, 2115, 2116	0
Tract 15.04	

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019	112
Ebenezer No. 3 Subtotal	112
Effingham	1,595
Elim-Glenwood	2,575
Evergreen	1,484
Friendfield	766
Hannah	1,007
High Hill	784
Johnsonville	3,452
Kingsburg-Stone	1,359
Leo	477
Oak Grove-Sardis	1,602
Olanta	1,944
Pamplico No. 1	1,558
Prospect	664
Salem	925
Savannah Grove Tract 15.04 Blocks: 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1046, 1047, 1048, 1049, 1050, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1061, 1062, 1063, 1064, 1065, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 3000, 3001, 3002, 3003, 3005, 3006, 3007, 3018, 3019, 3020, 3021, 3022, 3023, 3033	6121
Savannah Grove Subtotal	6,121
Scranton	1,317
South Florence 2 Tract 15.05 Blocks: 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1035, 1048	614

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Tract 16.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 3028, 3029, 3031, 3034, 3035, 3036 1206

South Florence 2 Subtotal 1,820

Tans Bay 2,613

Timmons ville 2

Tract 15.03

Blocks: 2040, 2043, 2048, 2053, 2054, 2055,
2056, 2057, 2058, 2060, 2061, 2062, 2063 152

Tract 15.04

Blocks: 1020, 1021, 1022, 1023, 1024, 1025,
1051, 1059, 1060, 3013, 3014, 3015, 3016,
3017, 3028 26

Timmons ville 2 Subtotal 178

Vox 954

County Florence SC Subtotal 40,927

DISTRICT 60 Total 40,927

Area Population

DISTRICT 61

Area Population

County: Horry SC

COASTAL CAROLINA 4,770

EAST CONWAY

Tract 701.01

Blocks: 2029, 2030, 2031, 2032, 2033, 2034,
2035, 2036, 2037, 2038, 2044, 2045, 2046,
2047, 2048, 2052 103

Tract 701.02

Blocks: 2033, 2035, 2042, 2043, 2045, 2046,
2047, 2048, 2049, 2051, 2052, 2053 63

Tract 702

Blocks: 1042, 1043, 1047, 1048, 1049, 1050,
1051, 1064, 1067, 2042, 2043, 2044, 2045,
2046, 2052, 2057, 2058, 2059, 2060, 2061,
2062, 2063, 2064, 2065, 2066, 2067, 2068,
2069, 2070, 2071, 2072, 2073, 2074, 2075,
2076, 2077, 2078, 2079, 2080, 2081, 2082,
2083, 2084, 2085, 2086, 2087, 2088, 2089,

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2090, 2091, 2092, 2093, 2094, 2095, 2096,	
2097, 2098, 2099, 2100	793
EAST CONWAY Subtotal	959
FORESTBROOK	5,010
LAKE PARK #2	3,109
MYRTLE TRACE	1,747
NORTH CONWAY #2	
Tract 702	
Blocks: 1029, 1034, 1035, 1038, 1040, 1041,	
1044, 1045, 1046, 1052, 1053, 1054, 1055,	
1056, 1057, 1058, 1059, 1060, 1061, 1062,	
1063, 1065, 1066, 2018, 2019, 2020, 2021,	
2022, 2032, 2033, 2034, 2035, 2036, 2037,	
2038, 2039, 2040, 2041, 2047, 2048, 2049,	
2050, 2051, 2053, 2054, 2055, 2056, 2101	960
NORTH CONWAY #2 Subtotal	960
PALMETTO BAYS	6,073
RACEPATH #1	
Tract 703	
Blocks: 2026, 2028, 2029, 2033, 2038, 2039,	
2040, 2041, 2042, 2048, 2049, 2050, 2051,	
2052	155
RACEPATH #1 Subtotal	155
RED HILL #1	
Tract 601.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1017, 1018, 1019, 1020, 1028,	
1031, 1032, 1033, 1034, 1035, 1036, 1037,	
1038, 1039, 1040, 1041, 1042, 1043, 1044,	
1045, 1046, 1047, 1048, 1049, 1050, 1069,	
1070, 1071, 1072, 1073, 1074, 1077, 1078,	
1079, 1082, 2000, 2001, 2002	4254
Tract 604.03	
Blocks: 1066, 1069, 1070, 1071, 1072, 1074,	
1075, 1076, 1077, 1078, 1079, 1080, 1081,	
1082, 1083, 1086, 1087, 1089, 1090, 1092,	
1093, 1094, 1097, 1099, 1100, 1101, 1102	197
Tract 604.05	
Blocks: 1080, 1081	0
RED HILL #1 Subtotal	4,451
RED HILL #2	3,554

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SOCASTEE #3	
Tract 602.03	
Blocks: 3017	300
Tract 602.04	
Blocks: 3000, 3001, 3002, 3003	776
SOCASTEE #3 Subtotal	1,076
SOCASTEE #4	
Tract 515.01	
Blocks: 2000, 2001, 2002, 2003, 2004	703
Tract 515.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1016, 2018, 2025, 2026, 2027, 2028, 2029,	
2030, 2031, 2032, 2033, 2038, 2039, 2040	1823
SOCASTEE #4 Subtotal	2,526
WACCAMAW	6,778
WEST CONWAY	
Tract 703	
Blocks: 2000, 2001, 2006, 2007, 2008, 2014,	
2015, 2016, 2017, 2019, 2020, 2021, 2022,	
2023, 2024, 2025, 2027, 2030, 2031, 2032,	
2034, 2035, 2036, 2037, 2043, 2044, 2045,	
2046, 2047, 2053, 2054, 2055, 2056, 2057,	
2058, 2059, 2060, 2061, 2062, 2063, 2064,	
2065, 2066, 2067, 2068, 2069	1094
WEST CONWAY Subtotal	1,094
WILD WING	
Tract 604.03	
Blocks: 1011, 1012, 1014, 1016, 1018, 1026,	
1029, 1032, 1033, 1034, 1035, 1073	2
WILD WING Subtotal	2
County Horry SC Subtotal	42,264
DISTRICT 61 Total	42,264
Area	Population
DISTRICT 62	
Area	Population
County: Darlington SC	
AUBURN	843
DARLINGTON NO. 1	450
DARLINGTON NO. 2	2,238

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DARLINGTON NO. 3

Tract 109.02

Blocks: 20020

Tract 110

Blocks: 1002, 1003, 1006, 1007, 1008, 1009,
1010, 1011, 1012, 1013, 1014, 1015, 1016,
1017, 1018, 2000, 2001, 2003, 2004, 2005,
2007, 2008, 2009, 2010, 2011, 2012, 2013,
2014, 2015, 2016, 2017, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2027,
2028, 2029, 2030, 2031, 2032, 2033, 2034,
2035, 2036, 2037, 2038, 2039, 2040, 2041,
2042, 2043, 2044, 3013, 3014, 3015, 3016,
3018, 3019 1953

Tract 111

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041 941

Tract 113.02

Blocks: 20490

Tract 114

Blocks: 1001, 4005, 4006, 4007, 4008, 400985

DARLINGTON NO. 3 Subtotal2,979

DARLINGTON NO. 41,854

DARLINGTON NO. 52,187

DARLINGTON NO. 62,768

DOVESVILLE

Tract 109.02

Blocks: 1011, 1015, 1018, 1019, 1020, 1021,
1022, 1027, 1031, 1032, 1033, 1034, 2003,
2004, 2005518

DOVESVILLE Subtotal518

HARTSVILLE NO. 41,468

HARTSVILLE NO. 61,751

HARTSVILLE NO. 72,061

HARTSVILLE NO. 9

Tract 103

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Blocks: 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3021, 3022, 3023,
3024, 3026, 3027, 3028, 3029, 3030, 3031,
3032, 3033, 3034, 3035, 4003, 4004, 4006,
4007, 4008, 4009, 4010, 4011, 4027, 4028,
4029, 4035460
HARTSVILLE NO. 9 Subtotal460
HIGH HILL4,043
INDIAN BRANCH1,178
LAKE SWAMP1,907
LAMAR NO. 11,081
LAMAR NO. 21,978
OATES1,364
PALMETTO2,938
SWIFT CREEK1,499
County Darlington SC Subtotal35,565
County: Florence SC
Cartersville1,142
Timmons ville 12,145
Timmons ville 2
Tract 15.03
Blocks: 3008, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 3016, 3017, 3018, 3019412
Tract 15.04
Blocks: 3004, 3008, 3009, 3010, 3011, 3012,
3024, 3025, 3026, 3027, 3029, 3030, 3031,
3032462
Tract 26
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3035, 3036, 3037, 3038, 3039, 3040, 3041,
3042, 3043, 3044, 3045, 3046, 3047, 3048,
3049, 3050, 3051, 3052, 3053, 4000, 4001,
4002, 4003, 4004, 4005, 4006, 4007, 4008,
4009, 4010, 4011, 4014, 4017, 4018, 4022,
4023, 4035965
Timmons ville 2 Subtotal1,839
County Florence SC Subtotal5,126

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DISTRICT 62 Total 40,691
Area Population

DISTRICT 63
Area Population

County: Florence SC

Delmae No. 1 4,361

Delmae No. 2

Tract 2.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2026, 2031 1338

Tract 13

Blocks: 2007, 2008, 2010, 2011, 2012, 2013,
2018 491

Delmae No. 2 Subtotal 1,829

Ebenezer No. 1 4,992

Ebenezer No. 3

Tract 2.01

Blocks: 2092, 2093, 2095, 2096, 2097, 2099,
2100, 2101, 2102, 2103, 2107, 2109, 2110,
2111, 2114 13

Tract 2.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032 1870

Ebenezer No. 3 Subtotal 1,883

Florence Ward 11

Tract 11

Blocks: 2018, 2019, 4000, 4001, 4002, 4003,
4004, 4005, 4006, 4007, 4008, 4009, 4010,
4011, 4012, 4013, 4014, 4015, 4016, 4017,
4018, 4019, 5010, 5011, 5012, 5013, 5014,
5015, 5016 977

Florence Ward 11 Subtotal 977

Florence Ward 12 3,662

Florence Ward 14 3,103

Florence Ward 15

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Tract 6
Blocks: 1010, 1011, 1012, 1014, 1015, 10160
Tract 7
Blocks: 2089, 20900
Florence Ward 15 Subtotal0
Florence Ward 2
Tract 10
Blocks: 2009, 2010, 2013, 2016, 2020, 2021,
2022, 2023, 2024, 2028, 2029, 2031, 2032,
2033, 2034409
Florence Ward 2 Subtotal409
Florence Ward 4
Tract 10
Blocks: 1010, 1011, 1012, 1013, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023, 1024,
1025, 1026, 1027, 1028, 1029, 1030, 1031,
1032, 1033, 1034, 1035, 1036, 1037, 1038,
1039, 1040, 1041, 1042, 1043, 1044, 1045,
10461051
Florence Ward 4 Subtotal1,051
Florence Ward 5
Tract 11
Blocks: 1013, 1014, 1015, 1016, 1017, 1018,
1019, 1020, 1022, 1023, 1024, 1028, 2014,
2015, 2016, 2017, 2020, 2021, 2022, 2023,
2024, 2025933
Florence Ward 5 Subtotal933
Florence Ward 61,161
Florence Ward 72,826
Florence Ward 82,411
Savannah Grove
Tract 15.04
Blocks: 20190
Savannah Grove Subtotal0
South Florence 14,235
South Florence 2
Tract 15.05
Blocks: 1000, 1001, 1009, 1010, 1011, 101272
South Florence 2 Subtotal72
West Florence 1
Tract 1.01

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 2020, 2021, 2022, 2023,
2024, 2025, 2026, 2027, 2028, 2029, 2030,
2031, 2032, 2033, 2034, 2039, 2040, 2047,
2048, 20503196

Tract 1.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1014, 1015, 1026, 1028,
1032, 1033, 1035220

Tract 2.01

Blocks: 1008, 2050, 2053, 2054, 2055, 2056,
2057, 2058, 2059, 2060, 2063, 2064, 2065,
2066, 2067, 2068, 2069, 2070, 2071, 2072,
2073, 2074, 2075, 2076, 2077, 2078, 2079,
2080, 2081, 2082, 2083, 2084, 2085, 2086,
2087, 2088, 2089, 2090, 2091, 2094, 2098,
2104, 2105, 2106, 2124, 2125, 2126, 2127,
2128501

Tract 2.02

Blocks: 1016, 40040

Tract 11

Blocks: 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 1043, 1044521

West Florence 1 Subtotal4,438

West Florence 2

Tract 2.01

Blocks: 1009, 1010, 1011, 1016, 1017, 1018,
1019, 1020, 1021, 1022, 1023, 1024, 1025,
1026, 1027, 1028, 1029, 1030, 1031, 1032,
1033, 1034, 1035, 1036, 1037, 1038, 1039,
1040, 1041, 1042, 1043, 1044, 1045, 1046,
1047, 1048, 1049, 1050, 2000, 2001, 2002,
2003, 2004, 2005, 2006, 2007, 2008, 2009,
2010, 2011, 2012, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2021, 2022, 2023,

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2024, 2025, 2026, 2027, 2028, 2029, 2030,	
2031, 2032, 2033, 2034, 2035, 2036, 2037,	
2038, 2039, 2040, 2041, 2042, 2043, 2044,	
2045, 2046, 2047, 2048, 2049, 2051, 2052,	
2061, 2062, 2113, 2117, 2118, 2119, 2120,	
2121, 2122, 2123	1947
Tract 11	
Blocks: 1003, 1004, 1005, 1006, 1025, 1026,	
1027, 1045	0
West Florence 2 Subtotal	1,947
County Florence SC Subtotal	40,290
DISTRICT 63 Total	40,290
Area	Population

DISTRICT 64

Area	Population
County: Clarendon SC 31,144	
County: Sumter SC	
CHERRYVALE	1,290
DELAINE	2,106
HORATIO	652
MANCHESTER FOREST	2,258
PINEWOOD	2,592
SAINT PAUL	
Tract 18.03	
Blocks: 3007, 4000, 4007	213
Tract 18.04	
Blocks: 1001, 3001, 3002, 3003, 3004, 3005,	
3007, 3008, 3009, 3010, 3011, 3012, 3013,	
3014	902
SAINT PAUL Subtotal	1,115
County Sumter SC Subtotal	10,013
DISTRICT 64 Total	41,157
Area	Population

DISTRICT 65

Area	Population
County: Chesterfield SC	
Angelus-Cararrh	1,082

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Jefferson3,080

Mcbee

Tract 9508

Blocks: 1012, 1013, 1014, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1041, 1042,
1043, 1044, 1045, 1046, 1047, 1048, 1049,
1050, 1051, 1052, 1053, 1054, 1055, 1056,
1057, 1058, 1059, 1060, 1061, 1062, 1063,
1064, 1065, 1066, 1067, 1068, 1069, 1070,
1071, 1072, 1073, 1074, 1075, 1076, 1077,
1078, 1079, 1080, 1081, 1082, 1083, 1084,
1085, 1086, 1110, 1111, 1112, 1113, 1114,
1115, 1116, 1117, 1118, 1119, 1120, 1121,
1122, 1123, 1124, 1128, 1129, 1130, 2015,
2016, 2019, 2033, 2034, 2035, 2036, 2041,
2043, 2044, 2045, 2050, 2051, 2052, 2058,
2059, 2060, 2061, 2062, 2063, 2065, 2068,
2069, 2070, 2071, 2072, 2073, 2074, 2075,
2076, 2077, 2078, 2079, 2080, 2081, 2082,
2083, 2084, 2085, 2086, 2087, 2088, 2089,
2090, 2091, 2092, 2093, 2094, 2095, 2096,
2097, 2098, 2099, 2100, 2101, 2102, 2103,
2104, 2105, 2106, 2107, 2108, 2109, 2110,
2111, 2112, 2113, 2114, 2115, 2116, 2117,
2118, 2119, 2120, 2121, 2122, 2123, 2124,
2125, 2126, 2127, 2128, 2129, 2130, 2131,
2132, 2133, 2134, 2135, 2136, 2137, 2138,
2139, 2140, 2141, 2142, 2145, 2146, 2147,
2148, 2149, 21501737

Mcbee Subtotal1,737

County Chesterfield SC Subtotal5,899

County: Darlington SC

BETHEL926

BLACK CREEK-CLYDE1,862

BURNT BRANCH1,000

HARTSVILLE NO. 11,966

HARTSVILLE NO. 53,295

HARTSVILLE NO. 83,642

HARTSVILLE NO. 9

Tract 103

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Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2010, 2024, 2025, 2026,	
2027, 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3017, 3018, 3019, 3020, 3025, 4000,	
4001, 4002, 4005, 4012, 4013, 4014, 4015,	
4016, 4017, 4018, 4019, 4020, 4021, 4022,	
4023, 4024, 4025, 4026, 4030, 4031, 4032,	
4033, 4034, 4036	1823
HARTSVILLE NO. 9 Subtotal	1,823
KELLEYTOWN	2,363
LYDIA	933
NEW MARKET	1,544
County Darlington SC Subtotal	19,354
County: Kershaw SC	
Bethune	1,838
Buffalo	1,767
Gates Ford	592
Westville	2,552
County Kershaw SC Subtotal	6,749
County: Lancaster SC	
Kershaw North	2,756
Kershaw South	2,024
Midway	2,459
Rich Hill	1,729
County Lancaster SC Subtotal	8,968
DISTRICT 65 Total	40,970
Area	Population

DISTRICT 66

Area	Population
County: York SC	
Baxter	1,798
Crescent	2,704
Fort Mill No. 6	2,139
Gold Hill	4,779
Kanawha	3,691
Orchard Park	2,997
Palmetto	2,952
Pleasant Road	4,953
Shoreline	3,018

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Stateline

Tract 610.06
 Blocks: 1009 0

Tract 610.07
 Blocks: 3000, 3001, 3002, 3004, 3005 28

Stateline Subtotal 28

Steele Creek 3,684

Tega Cay 1,629

Waterstone 3,275

Windjammer 2,608

County York SC Subtotal 40,255

DISTRICT 66 Total 40,255

Area	Population
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DISTRICT 67

Area	Population
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County: Sumter SC

BUNRS-DOWNS

Tract 9.01
 Blocks: 2014, 2017, 2026, 2027, 2032, 2033 0

Tract 9.02
 Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
 3006, 3007, 3008, 3009, 3010, 3011, 3012,
 3013, 3014, 3015, 3016, 3017, 3018, 3019,
 3020, 3021, 3022, 3023, 3036, 3037, 3038,
 3039, 3040, 3041, 3042 1022

BUNRS-DOWNS Subtotal 1,022

CAUSEWAY BRANCH 1 1,767

CAUSEWAY BRANCH 2 1,316

EBENEZER 2 2,515

FURMAN 2,392

GREEN SWAMP 4,461

GREEN SWAMP 2 1,441

HAMPTON PARK 1,061

MCCRAYS MILL 1 2,366

MCCRAYS MILL 2 2,353

OAKLAND PLANTATION 2 1,610

POCOTALIGO 1 2,970

POCOTALIGO 2 2,335

PRIVATEER 3,361

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SAINT PAUL

Tract 17.01

Blocks: 2005, 2006, 2007, 2008, 2009, 2011,
2036, 2037, 2038437

Tract 18.03

Blocks: 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026 1011

Tract 18.04

Blocks: 1073, 1074, 2008, 2009, 2010, 2011,
2012, 2013554

SAINT PAUL Subtotal2,002

SECOND MILL2,195

SHAW2,088

SWAN LAKE1,576

WILSON HALL2,507

County Sumter SC Subtotal41,338

DISTRICT 67 Total41,338

Area Population

DISTRICT 68

Area Population

County: Horry SC

DEERFIELD

Tract 516.07

Blocks: 2006, 2034, 2035, 2036, 2037, 2038,
2039, 2040, 2041, 2042 782

DEERFIELD Subtotal 782

ENTERPRISE #13,161

ENTERPRISE #22,555

JACKSON BLUFF

Tract 601.01

Blocks: 2011, 2022, 2023, 2024, 2025318

JACKSON BLUFF Subtotal318

LAKE PARK #13,408

LAKE PARK #33,213

MARLOWE #12,887

MARLOWE #23,431

MARLOWE #36,090

SEA WINDS

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Tract 516.07

Blocks: 1002, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1013, 1014,
1015, 1016, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1025, 1026, 1027, 1028,
2000, 2001, 2002, 2003, 2004, 2005, 2007,
2008, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2019, 2020, 2021,
2022, 2023, 2024, 2025, 2026, 2031, 2032,
2033, 20435214

SEA WINDS Subtotal5,214

SOCASTEE #13,175

SOCASTEE #23,171

SOCASTEE #3

Tract 602.03

Blocks: 1040, 1041, 1042, 2000, 2001, 2002,
2003, 2004, 2005, 2006, 2007, 2008, 2009,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 3018, 3019, 3020, 3021, 3022,
3023, 3024, 3025, 3026, 30274202

Tract 602.04

Blocks: 3013, 3014, 3015, 3016, 3019, 3020517

SOCASTEE #3 Subtotal4,719

County Horry SC Subtotal42,124

DISTRICT 68 Total42,124

Area Population

DISTRICT 69

Area Population

County: Lexington SC

BUSH RIVER

Tract 211.15

Blocks: 100918

BUSH RIVER Subtotal18

CROMER2,172

FAITH CHURCH2,732

GARDENDALE2,190

GRENADIER

Tract 205.11

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Blocks: 2000, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3010, 3011 1656
GRENADIER Subtotal 1,656
LEXINGTON NO. 1 4,224
LEXINGTON NO. 2
Tract 210.29
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2008, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016 150
LEXINGTON NO. 2 Subtotal 150
LEXINGTON NO. 3
Tract 210.25
Blocks: 0005, 1007, 1008, 1009, 1010, 1011,
1012 215
Tract 210.49
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1023,
1024, 1025, 1026, 1031, 1032, 1037 2536
Tract 210.50
Blocks: 1007 7
LEXINGTON NO. 3 Subtotal 2,758
LEXINGTON NO. 4
Tract 210.30
Blocks: 2000, 2001, 2002, 2003, 2007, 2008,
2009, 2010, 2030, 2031, 2032, 2033, 3000,
3001, 3002, 3003, 3004, 3005, 3006, 3007,
3008, 3009, 3010, 3011, 3012, 3013, 3014,
3015, 3016 2915
LEXINGTON NO. 4 Subtotal 2,915
MIDWAY 1,904
OAKWOOD 4,509
PILGRIM CHURCH 4,006
PINEVIEW 2,909
PROVIDENCE CHURCH
Tract 210.25
Blocks: 0002, 0003, 1013, 1014, 1015, 1018,
1019, 1021, 1022 917
Tract 210.50
Blocks: 1000, 1001 344
PROVIDENCE CHURCH Subtotal 1,261

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RIVER BLUFF4,281
SEVEN OAKS
 Tract 211.09
 Blocks: 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1024 1026
SEVEN OAKS Subtotal 1,026
WHITEHALL
 Tract 211.09
 Blocks: 1019, 1020, 1021, 10250
WHITEHALL Subtotal0
WOODLAND HILLS2,530
County Lexington SC Subtotal41,241
DISTRICT 69 Total41,241
Area Population

DISTRICT 70
Area Population

County: Richland SC
Bluff3,208
Brandon 1
 Tract 116.03
 Blocks: 1049, 1050, 1051, 1052, 1053, 1054,
 1055, 1056, 1057, 1058, 1059, 1069 163
 Tract 116.08
 Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1016, 1017, 1018, 1019,
 1030, 1031, 1032, 1033, 1034, 1035, 1036,
 1037, 1038, 1039, 1040, 1041, 1042, 1043,
 1044, 1045, 1046, 1047, 1048, 1049, 1050,
 1051, 1052, 1053, 1054, 1055, 1056, 1057,
 1058, 1059, 1060, 1061, 1062, 1063, 1064,
 1065, 1066, 1067, 1068, 1069, 1070, 1071,
 1072, 1073, 1074, 1075, 10763408
Brandon 1 Subtotal3,571
Brandon 2
 Tract 116.07
 Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
 2006, 2007, 2008, 2016, 2017, 2018, 2019,

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2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027	2302
Brandon 2 Subtotal	2,302
Caughman Road	2,657
Eastover	1,502
Gadsden	1,606
Garners	1,378
Hopkins 1	1,825
Hopkins 2	2,151
Horrell Hill	3,759
Hunting Creek	693
Lykesland	2,531
McEntire	1,070
Mill Creek	2,127
Pine Lakes 1	1,810
Pine Lakes 2	2,522
Pinewood	3,022
Pontiac 1	
Tract 114.07	
Blocks: 1017, 1018, 1019, 1020, 1021, 1022	165
Tract 120	
Blocks: 1000, 1001, 1008, 1009, 1010, 1011,	
1012, 1015, 1016, 1112	118
Pontiac 1 Subtotal	283
Trinity	2,530
Ward 26	
Tract 9801	
Blocks: 1000, 1026, 1027, 1028, 1029, 1030,	
1031, 1032, 1033, 1034, 1035, 1036, 1037,	
1038, 1039, 1040, 1041, 1045, 1067, 1068,	
1071	0
Ward 26 Subtotal	0
Webber	1,598
County Richland SC Subtotal	42,145
DISTRICT 70 Total	42,145
Area	Population

DISTRICT 71

Area	Population
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County: Lexington SC

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DUTCHMAN SHORES

Tract 212.04

Blocks: 2077, 2078, 2079, 2082, 2083, 2084,
2085, 2086, 2087, 2088, 2089, 2090 784

Tract 212.07

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1008 1348

DUTCHMAN SHORES Subtotal 2,132

County Lexington SC Subtotal 2,132

County: Richland SC

Ballentine 1 2,309

Ballentine 2 2,585

Dutch Fork 1 1,683

Dutch Fork 2 1,931

Dutch Fork 3 3,596

Dutch Fork 4 2,474

Friarsgate 1 2,515

Friarsgate 2 2,064

Oak Pointe 2 1,120

Oak Pointe 3 1,532

Old Friarsgate 2,035

Riversprings 1 1,567

Riversprings 2 1,883

Riversprings 3 1,954

Riverwalk

Tract 103.08

Blocks: 1012, 1013, 1014, 1015, 1017, 1018,
1019, 1020, 1021, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1031 283

Riverwalk Subtotal 283

Spring Hill 3,572

Springville 1 2,866

Springville 2 2,620

County Richland SC Subtotal 38,589

DISTRICT 71 Total 40,721

Area Population

DISTRICT 72

Area Population

County: Richland SC

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Beatty Road	2,018
Hampton	
Tract 26.02	
Blocks: 2035, 2036, 2037, 2038, 2040	158
Tract 26.05	
Blocks: 1019	36
Hampton Subtotal	194
Olympia	6,111
Riverside	
Tract 104.12	
Blocks: 2018, 2019, 2021, 2024, 2025, 2026,	
2027, 2028, 2029, 2030, 2033, 2034, 2035,	
2036	227
Tract 104.13	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 2006,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019	1935
Riverside Subtotal	2,162
Skyland	1,964
St. Andrews	2,109
Ward 1	
Tract 27	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006	474
Tract 29	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1040, 1046	2997
Tract 30	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1010, 1012, 1013, 2027, 2031, 2032, 2033,	
2034	587
Tract 31	
Blocks: 2041, 2042, 2043, 2044, 2050	114
Ward 1 Subtotal	4,172
Ward 10	1,991
Ward 11	
Tract 26.02	

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Blocks: 1005, 1006, 1007, 1008, 1009, 1010,
1029, 1030, 1031, 1032, 1033, 1034, 1035,
1036, 1039, 1040, 1041, 1042, 1043, 1044,
1045, 1046, 1053, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2029, 2030, 2031,
2032, 2033, 2034, 2039, 2043 1683

Tract 26.05

Blocks: 1015, 1020, 2055 462

Ward 11 Subtotal 2,145

Ward 12 2,039

Ward 13 2,788

Ward 30 2,342

Ward 5 8,651

Westminster

Tract 104.12

Blocks: 2010, 2022, 2032 30

Westminster Subtotal 30

Whitewell 3,325

County Richland SC Subtotal 42,041

DISTRICT 72 Total 42,041

Area Population

DISTRICT 73

Area Population

County: Richland SC

College Place 2,288

Dennyside

Tract 105.01

Blocks: 1000, 1001, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 1043, 1044, 1045, 1046, 1047, 1048,
1049, 1050, 1051, 1052, 1053, 1054, 1055,
1056 1674

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Tract 107.01
Blocks: 3005, 3006, 3008, 3009, 3011, 3014,
3015, 3016, 3017, 3027, 3028, 3029, 3032,
3033, 3034, 3035, 3036, 3037, 303822
Dennyside Subtotal 1,696
Fairlawn
Tract 101.05
Blocks: 1003, 1005, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023870
Tract 102
Blocks: 2027, 2028, 2034, 2035, 2036, 2037,
2038, 2046, 2047, 2048, 2049, 2050, 2051,
2052, 2053, 2054, 2056, 2057, 2058, 2059,
2060, 2061, 2064273
Tract 107.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017895
Tract 108.06
Blocks: 10000
Fairlawn Subtotal2,038
Fairwold
Tract 106
Blocks: 10400
Tract 107.03
Blocks: 3006, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 4000, 4001, 4002, 4003, 4004,
4005, 4006, 4007, 4008, 4009, 4010, 4011,
4012, 4013, 4014, 4015, 4016, 4017, 4018,
4019, 4020, 4021, 40231028
Fairwold Subtotal1,028
Harbison 13,481
Harbison 21,865
Keels 2
Tract 108.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023, 1024,
1029250
Tract 113.03

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Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1011	315
Keels 2 Subtotal	565
Lincolnshire	2,980
Meadowlake	3,678
Monticello	
Tract 102	
Blocks: 1050, 1051, 1052, 1053, 1054, 1055,	
1056, 1057, 1058, 1059, 1060, 1061, 1062,	
1063, 1064, 1065, 1066, 1067, 1068, 1071,	
1072, 1073, 1074, 1075, 1076, 1077, 1078,	
1079, 1080, 1081, 1084, 2031, 2032, 2033,	
2039, 2040, 2041, 2042, 2043, 2044, 2045,	
2062, 2063, 2069, 2070, 2071, 2072, 2073,	
2074, 2075, 3001, 3002, 3003, 3004, 3005,	
3006, 3007, 3008, 3009, 3010, 3011, 3012,	
3013, 3014, 3015, 3016, 3017, 3018, 3019,	
3020, 3021, 3022, 3023, 3024, 3025, 3026,	
3027, 3028, 3029, 3030, 3031, 3032, 3033,	
3034, 3035, 3036, 3041, 3043, 3044, 3045,	
3046, 3047, 3048, 3049, 3050, 3051, 3052,	
3053, 3054, 3055, 3056, 3057, 3058, 3059,	
3060, 3061, 3062, 3063, 3064, 3065, 3066,	
3067, 3068, 3069, 3070, 3071, 3072, 3073,	
3074, 3075, 3076, 3077, 3078, 3079, 3080,	
3081, 3082, 3083	2275
Tract 105.01	
Blocks: 1002	0
Monticello Subtotal	2,275
Oak Pointe 1	1,871
Parkridge 1	1,534
Parkridge 2	1,784
Pine Grove	2,726
Riverwalk	
Tract 103.14	
Blocks: 2014, 2015, 2016, 2017, 2018, 2019	0
Tract 103.15	
Blocks: 1005, 1006, 1007, 1008, 1009, 1010,	
1011, 1012, 1013, 1014, 1015, 1016, 1018,	
1019, 1020, 1024, 1025, 1026, 1027, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 1035,	

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1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1049, 1050, 1051, 1052, 2000, 2001, 2002, 2003, 2004, 2005, 2015	3423
Riverwalk Subtotal	3,423
Walden	
Tract 103.15	
Blocks: 1022, 1023, 1048	0
Tract 104.07	
Blocks: 2000, 2001, 2002	0
Tract 104.08	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1013, 1014, 1015	4495
Tract 104.14	
Blocks: 4000, 4001, 4002, 4003, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4013, 4014, 4018	1668
Walden Subtotal	6,163
Ward 21	
Tract 1	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1040, 1041, 1042, 2000, 2003, 2004	1622
Ward 21 Subtotal	1,622
County Richland SC Subtotal	41,017
DISTRICT 73 Total	41,017
Area	Population
DISTRICT 74	
Area	Population
County: Richland SC	
Ardincaple	944
Dennyside	
Tract 106	
Blocks: 3001, 3002, 3003, 3004	0
Dennyside Subtotal	0

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Keenan

Tract 111.01

Blocks: 1005, 1006, 1007, 1008, 1009, 1010,
1011, 1012, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023, 1024,
1025, 1026, 1027, 1028, 1029, 1030, 1031,
1032, 1033, 1034, 1035, 1036, 1037, 1038,
1039, 1040, 1041, 1042, 1043, 1044, 1045,
1046, 1047, 1049, 3000, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3009, 3010, 3011,
3012, 3015, 3016, 3017, 3018, 3019, 3020,
3029, 3030, 30311381

Keenan Subtotal1,381

Kingswood4,179

Ridgewood987

Riverside

Tract 104.12

Blocks: 2003, 202023

Tract 104.13

Blocks: 200590

Riverside Subtotal113

Walden

Tract 104.14

Blocks: 4015, 4016, 4017, 4019, 4023395

Walden Subtotal395

Ward 1

Tract 30

Blocks: 1000, 1001, 1002, 1003, 1011, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2035, 2036, 2037, 2038, 20392011

Ward 1 Subtotal2,011

Ward 182,026

Ward 192,163

Ward 22,394

Ward 202,383

Ward 222,175

Ward 231,308

Ward 292,030

Ward 32,011

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Ward 31	1,728
Ward 32	1,205
Ward 33	1,388
Ward 34	1,476
Ward 4	1,969
Ward 6	
Tract 111.01	
Blocks: 3008, 3013, 3014, 3021, 3022, 3023,	
3024, 3025, 3026, 3027, 3028, 3032, 3033,	
3034, 3035	1022
Tract 112.02	
Blocks: 2011, 2012	39
Ward 6 Subtotal	1,061
Ward 7	
Tract 9	
Blocks: 2033, 2034, 2039	298
Tract 10	
Blocks: 2014, 2015	0
Ward 7 Subtotal	298
Ward 8	1,591
Ward 9	1,379
Westminster	
Tract 104.12	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 2000,	
2001, 2002, 2004, 2005, 2006, 2007, 2008,	
2009, 2011, 2012, 2013, 2014, 2015, 2016,	
2017, 2023, 2031, 2037	3148
Tract 104.13	
Blocks: 2000, 2001, 2002, 2003, 2004	36
Westminster Subtotal	3,184
County Richland SC Subtotal	41,779
DISTRICT 74 Total	41,779
Area	Population

DISTRICT 75

Area

Population

County: Richland SC

Brandon 1

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Tract 116.03
Blocks: 20380
Tract 116.08
Blocks: 1020, 1021, 1022, 1023, 1024, 1025,
1028, 102919
Brandon 1 Subtotal19
Brandon 2
Tract 116.07
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,
1010, 1011, 1012, 1013, 1014, 1020, 1021,
1022, 1023, 1024, 10251448
Brandon 2 Subtotal1,448
East Forest Acres
Tract 112.01
Blocks: 100063
Tract 112.02
Blocks: 1014, 1015, 1016, 1022, 1023, 1025,
1026, 1027, 1028, 1029, 1030, 1031, 1035,
1036683
East Forest Acres Subtotal746
Gregg Park
Tract 24
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3011, 3012, 3013, 3014, 3015, 3016,
3017, 3018, 3030950
Tract 113.07
Blocks: 3014, 30150
Gregg Park Subtotal950
Hampton
Tract 25
Blocks: 4013, 40140
Tract 26.05
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1016, 1017, 2000, 2001, 2002,
2003, 2004, 2005, 2015, 2030, 2031, 2032,
2040, 2041, 2042, 2043, 2044, 2050, 2051,
2052, 2053, 2054, 2056, 2057, 2058, 2059,
2060, 2061, 2062, 3000, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3008, 3009, 3010,
3011, 3012, 3013, 3014, 3015, 3016, 3017,

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3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047	2637
Hampton Subtotal	2,637
Meadowfield	2,326
North Forest Acres	1,968
Pennington 1	1,292
Pennington 2	2,115
South Beltline	2,584
South Forest Acres	1,995
Ward 11	
Tract 26.05	
Blocks: 1022	45
Ward 11 Subtotal	45
Ward 14	2,026
Ward 15	1,271
Ward 16	1,642
Ward 17	2,113
Ward 24	1,365
Ward 25	2,579
Ward 26	
Tract 24	
Blocks: 2015, 2016, 2017, 3007, 3008, 3009	0
Tract 113.07	
Blocks: 3016, 3018	0
Tract 115.01	
Blocks: 1013, 1014, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1030, 1033, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110,	

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1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1122, 1123	4929
Tract 115.02	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009	600
Tract 116.03	
Blocks: 1009, 1010, 1012, 1013, 1060, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2025, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046	2090
Tract 116.08	
Blocks: 1027	0
Ward 26 Subtotal	7,619
Ward 6	
Tract 111.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2021, 2023, 2024	526
Tract 112.02	
Blocks: 2005, 2007, 2008, 2009, 2010, 2013, 2014, 2015, 2016, 2025, 2026, 2028, 2029	247
Ward 6 Subtotal	773
Woodlands	2,909
County Richland SC Subtotal	40,422
DISTRICT 75 Total	40,422
Area	Population
DISTRICT 76	
Area	Population
County: Richland SC	
Briarwood	4,389
Dentsville	3,133
Edgewood	2,771
Fairwold	
Tract 107.03	
Blocks: 4022	14
Tract 108.04	

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Blocks: 10010
Tract 109
Blocks: 1000, 10014
Fairwold Subtotal18
Greenvview2,022
Keels 13,359
Keels 2
Tract 108.05
Blocks: 1009, 1010, 1011, 1012, 1013, 1025,
1026, 1027, 1028, 1030, 1031, 1032, 10332281
Tract 113.03
Blocks: 10000
Keels 2 Subtotal2,281
Keenan
Tract 108.04
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2029, 2030, 2031, 2032, 2033,
2034, 20351065
Keenan Subtotal1,065
Midway4,819
North Springs 1
Tract 114.18
Blocks: 201723
North Springs 1 Subtotal23
North Springs 2
Tract 114.18
Blocks: 1000, 1001, 1002, 1003, 1004, 1007,
1008, 1009, 1010, 1013, 1014, 2009, 2010,
2015, 2016, 2018, 2019, 2021, 2022, 2023,
2024, 2025, 20262344
Tract 114.19
Blocks: 2000, 2002, 2003, 2004, 2005, 2006,
2007, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2020, 2021, 20222062
North Springs 2 Subtotal4,406
Spring Valley3,870
Spring Valley West
Tract 114.11

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Blocks: 30190
Tract 114.20
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1017, 1018, 1019, 1020, 1021,
2000, 2001, 2002, 2003, 2004, 2005, 2006,
2007, 2008, 2009, 2010, 2011, 20123292
Spring Valley West Subtotal3,292
Ward 21
Tract 109
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1013, 1014,
1015, 1016, 1017, 1018, 1019, 1020, 1021,
1022, 1023, 1024, 1025, 1027, 1039, 1043,
1044, 1045, 1046, 1049, 1050929
Tract 110
Blocks: 1000, 1001, 1002, 100319
Ward 21 Subtotal948
Ward 7
Tract 9
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1015, 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2029, 2030, 2031, 2032, 2035,
2036, 2037, 2038, 2040, 2041, 2042, 20431511
Tract 110
Blocks: 10310
Ward 7 Subtotal1,511
Woodfield
Tract 113.05
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2016, 2017, 2018, 2019, 2020, 2021, 3000,
3001, 3002, 3003, 3004, 3005, 3006, 3007,
3008, 3009, 3010, 3011, 3012, 3013, 3014,
3015, 3016, 3017, 3018, 3019, 4000, 4001,
4002, 4003, 4004, 4005, 4006, 4007, 4008,
4009, 4010, 4011, 4012, 4013, 4014, 4015,

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4016, 4017, 4018, 4019, 4020, 4021, 4022,	
4023	3760
Woodfield Subtotal	3,760
County Richland SC Subtotal	41,667
DISTRICT 76 Total	41,667
Area	Population

DISTRICT 77

Area	Population
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County: Richland SC

Blythewood 1 2,980

Blythewood 2

Tract 101.06

Blocks: 1001, 1002, 1003, 1004, 1007, 1008,
1009, 1010, 1011, 1012, 1013, 1014, 1015,
1016, 1017, 1018, 1019, 1020, 1021, 1022,
1023, 1024, 1025, 1029, 1030, 1031, 1032,
1033, 1038, 1039 1301

Blythewood 2 Subtotal 1,301

Blythewood 3 3,818

Fairlawn

Tract 101.05

Blocks: 1002, 1004, 1006, 1007, 1008, 1009,
1010, 1011, 1012, 1013 761

Tract 102

Blocks: 2025, 2026 41

Tract 114.21

Blocks: 1000, 1001, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1019, 1020,
1021 1626

Fairlawn Subtotal 2,428

Killian 4,335

Longcreek 6,737

Longleaf 2,991

Monticello

Tract 102

Blocks: 1048, 1049, 1069, 1070, 3000, 3037,
3038, 3039, 3040, 3042 203

Monticello Subtotal 203

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Rice Creek 1	2,404
Rice Creek 2	
Tract 101.07	
Blocks: 3006, 3007, 3008, 3009, 3010, 3011,	
3012, 3013, 3014, 3015, 3016	1392
Tract 101.08	
Blocks: 1002, 1007, 1008, 1010, 1011, 2000,	
2001, 2002, 2003, 2004, 2005, 2006	1847
Rice Creek 2 Subtotal	3,239
Sandlapper	4,584
Spring Valley West	
Tract 114.20	
Blocks: 1015, 1016	0
Tract 114.21	
Blocks: 1002, 3013, 3014, 3015, 3016	365
Spring Valley West Subtotal	365
Valley State Park	
Tract 101.05	
Blocks: 2071, 2072, 2073, 2074, 2075, 2076,	
2078, 2079, 2080, 2084, 2085, 2086	1069
Tract 101.08	
Blocks: 1016, 1017, 1018, 1019, 1020, 1021,	
1022	1093
Tract 101.09	
Blocks: 1034, 1035	213
Tract 114.21	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
3000, 3001, 3002, 3003, 3004, 3005, 3006,	
3007, 3008, 3009, 3010, 3011, 3012, 3017,	
3018	2729
Valley State Park Subtotal	5,104
County Richland SC Subtotal	40,489
DISTRICT 77 Total	40,489
Area	Population

DISTRICT 78	
Area	Population

County: Richland SC

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Arcadia	2,200
Cooper	1,436
East Forest Acres	
Tract 111.02	
Blocks: 3087	58
Tract 112.02	
Blocks: 1011, 1012, 1013, 1017, 1020, 1021,	
1032, 1033, 1034	283
Tract 113.06	
Blocks: 4032, 4038, 4039, 4050, 4051, 4058,	
4059, 4061, 4062, 4063, 4064, 4065, 4066,	
4067, 4068, 4074	458
East Forest Acres Subtotal	799
Gregg Park	
Tract 113.06	
Blocks: 4047, 4048, 4049, 4054, 4055, 4056,	
4057, 4069, 4070, 4071, 4072, 4073	312
Tract 113.07	
Blocks: 1041, 1042, 1043, 1044, 2000, 2001,	
2002, 2003, 2004, 2005, 2006, 2007, 2008,	
2009, 2010, 2011, 2012, 3000, 3001, 3002,	
3003, 3004, 3005, 3006, 3007, 3008, 3009,	
3010, 3011, 3012, 3013, 3019, 3020, 3021,	
3022	2057
Tract 115.01	
Blocks: 1010, 1121	0
Gregg Park Subtotal	2,369
Keenan	
Tract 111.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1048	107
Keenan Subtotal	107
Mallet Hill	4,292
Oakwood	1,335
Polo Road	5,320
Pontiac 1	
Tract 114.07	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1023, 1024, 2044,	
2045, 2046, 2047, 2048, 2064, 2065, 2066,	
2067, 2068, 2069, 2070, 2071, 2072, 2079,	

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2080, 2081, 2082, 2083, 2084, 2085, 2086,
2087, 2088, 2091, 2092, 2093, 2094, 2095,
2096, 2097, 2098, 2099, 2100, 2101, 21022277
Tract 114.14
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1025, 1026, 1027, 1028,
1029, 1030, 1031, 1032, 1033, 1034, 1038,
1039, 1040, 1041, 1042, 1043, 1044, 1045,
1046, 1047, 1050, 1051, 1052, 1053, 1054,
1055, 1056, 1057, 1058, 1059, 1060, 1061,
1062, 1063, 1064, 1065, 1066, 10672032
Pontiac 1 Subtotal4,309
Pontiac 23,436
Satchelford2,010
Trenholm Road1,467
Valhalla3,719
Ward 26
Tract 113.07
Blocks: 30170
Tract 115.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1011, 1012, 1015,
1016, 1017, 1028, 1029, 1031, 1032, 10342028
Tract 115.02
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019556
Tract 9801
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
1007, 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1042, 1043,
1044, 1046, 1047, 1048, 1049, 1050, 1051,
1052, 1053, 1054, 1055, 1056, 1057, 1058,
1059, 1060, 1061, 1062, 1063, 1064, 1065,
1066, 1069, 1070463
Ward 26 Subtotal3,047
Wildewood3,982
Woodfield
Tract 113.05

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Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
2013, 2014, 2015, 2022, 3020, 4024 1298
Woodfield Subtotal 1,298
County Richland SC Subtotal 41,126
DISTRICT 78 Total 41,126
Area Population

DISTRICT 79

Area Population

County: Richland SC

Bookman 4,721
Bridge Creek 3,169
Estates 3,005
Lake Carolina 4,965
North Springs 1
Tract 114.18
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2012, 2013, 2014 1735
North Springs 1 Subtotal 1,735
North Springs 2
Tract 114.18
Blocks: 2008, 2011, 2020 44
Tract 114.19
Blocks: 2001, 2008 59
North Springs 2 Subtotal 103
North Springs 3 2,863
Parkway 1 3,460
Parkway 2 3,503
Parkway 3 2,592
Rice Creek 2
Tract 101.07
Blocks: 3000, 3002, 3003, 3004, 3005, 3018,
3019, 3020 950
Rice Creek 2 Subtotal 950
Ridge View 1 3,895
Ridge View 2 4,697
Spring Valley West

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Tract 114.11	
Blocks: 1000, 1001, 1002, 1003	442
Spring Valley West Subtotal	442
Valley State Park	
Tract 101.08	
Blocks: 2007, 2008	323
Valley State Park Subtotal	323
County Richland SC Subtotal	40,423
DISTRICT 79 Total	40,423
Area	Population

DISTRICT 80	
Area	Population

County: Charleston SC

Mt. Pleasant 17

Tract 46.12	
Blocks: 1000, 1001, 1002, 1003, 1004	1243
Tract 46.13	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1013	1595
Tract 46.14	
Blocks: 3008, 3009, 3010, 3011, 3012, 3013,	
3014, 3015, 3016, 3029, 3030, 3031, 3032	948
Tract 46.22	
Blocks: 2000	0
Mt. Pleasant 17 Subtotal	3,786
Mt. Pleasant 19	2,968
Mt. Pleasant 24	1,040
Mt. Pleasant 25	1,402
Mt. Pleasant 26	734
Mt. Pleasant 27	4,062
Mt. Pleasant 28	1,560
Mt. Pleasant 29	385
Mt. Pleasant 30	2,607
Mt. Pleasant 31	2,093
Mt. Pleasant 32	3,609
Mt. Pleasant 33	5,428
Mt. Pleasant 34	2,358
Mt. Pleasant 35	
Tract 46.16	

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Blocks: 1011, 1012, 1013, 1014, 1015, 1016,
1017, 1018, 1019, 1020, 1021, 1022, 1023,
1024, 1025, 1026, 1027 1599

Tract 46.17

Blocks: 1021, 1065, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2010, 2011,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020, 2022, 2023, 2024, 2025, 2026,
2027, 2054, 2064, 2065, 2066, 2067, 2068,
2069 3915

Tract 46.18

Blocks: 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2019, 2020, 2027,
2055 1508

Mt. Pleasant 35 Subtotal 7,022

Mt. Pleasant 36

Tract 46.18

Blocks: 1008, 1029, 1030, 1036, 1037, 1038,
1039, 2032, 2033, 2034, 2035, 2036, 2037,
2038, 2039, 2040, 2041, 2042, 2043, 2044,
2045, 2046, 2047, 2048, 2049, 2050, 2051,
2052, 2053, 2054, 2060, 2065 1500

Mt. Pleasant 36 Subtotal 1,500

County Charleston SC Subtotal 40,554

DISTRICT 80 Total 40,554

Area Population

DISTRICT 81

Area Population

County: Aiken SC

Aiken No. 1 1,505

Aiken No. 2

Tract 213

Blocks: 1032, 1033, 1034, 1035, 1041, 1042,
1043, 1044, 1045, 1046, 1048, 1049, 3002,
3003, 3004, 3005, 3006, 3007, 3008, 3009,
3010, 3011, 3012, 3013, 3014, 3019, 3061,
3062, 3063, 3074, 3083 297

Tract 214.01

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Blocks: 1026, 1029, 1030, 1031, 1032, 1033, 1050, 1051, 1052, 1053, 1054, 1055, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2161, 2162, 2163	168
Aiken No. 2 Subtotal	465
Aiken No. 47	1,460
Aiken No. 5	
Tract 213	
Blocks: 3096, 3097, 3098, 3100, 3101, 3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3115, 3116, 3121, 3122, 3123, 3124, 3125, 3127, 3128, 3129, 3130, 3131, 3132, 3133, 3134, 3135, 3136, 3137, 3176, 3177, 3178	105
Tract 214.01	
Blocks: 2114, 2115, 2117, 2118, 2119, 2120, 2121, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2141, 2145, 2146, 2147	123
Tract 215	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1027, 1028, 1047, 1048, 2015, 2024, 2025, 2026, 3011, 3012, 3013, 3014, 3016, 3017, 3023	514
Aiken No. 5 Subtotal	742
Aiken No. 6	1,387
Anderson Pond No. 69	2,136
College Acres	2,379
Gem Lakes No. 60	1,461
Gem Lakes No. 77	1,882
Hitchcock No. 66	1,463
Hollow Creek	1,529
Levels No. 52	1,521
Levels No. 72	
Tract 215	
Blocks: 2017, 2041, 2043, 2044, 2045, 3019, 3020, 3021, 3022, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033	937
Tract 216.03	
Blocks: 1032, 1033, 1034, 1039, 1040, 1041	436
Levels No. 72 Subtotal	1,373

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Levels No. 83	1,492
Millbrook	2,408
Montmorenci No. 22	2,507
Pine Forest	
Tract 209.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006	779
Tract 220.03	
Blocks: 3007	0
Pine Forest Subtotal	779
Sandstone No. 70	1,597
Sandstone No. 79	1,571
Silver Bluff	
Tract 220.03	
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,	
1009, 1012, 1018, 1019, 1020, 1021, 1022,	
1023, 1024, 1028, 1029, 1030, 1036, 2035,	
2036, 2037, 3022	629
Silver Bluff Subtotal	629
Sleepy Hollow No. 65	2,170
South Aiken No. 75	2,359
South Aiken No. 76	2,642
Talatha	
Tract 220.03	
Blocks: 1001, 1002, 2008, 2009, 2010, 2011	412
Talatha Subtotal	412
Warrenville	
Tract 211.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
2000, 2001, 2002, 2003, 2004, 2005, 2007,	
2008, 2009, 2010, 2026, 2027	1768
Tract 212.01	
Blocks: 4000, 4001, 4002, 4003, 4004, 4005,	
4006, 4007, 4008, 4009, 4010, 4011, 4012,	

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4013, 4014, 4033, 4034, 4035, 4041, 4049,	
4050	690
Warrenville Subtotal	2,458
County Aiken SC Subtotal	40,327
DISTRICT 81 Total	40,327
Area	Population

DISTRICT 82	
Area	Population

County: Aiken SC

Aiken No. 2

Tract 214.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1027,	
1028, 1034, 1035, 1036, 1037, 1038, 1039,	
1040, 1041, 1042, 1043, 1044, 1045, 1046,	
1047, 1048, 1049, 1056, 1057, 1058, 1059,	
1060, 1061, 1062, 1063, 1064, 1065, 1066,	
1067, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2031, 2032,	
2033, 2034, 2035	911

Tract 214.02

Blocks: 1031, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 1039, 1040, 1041, 1042, 2032,	
2033	341

Aiken No. 2 Subtotal	1,252
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Aiken No. 3	3,160
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Aiken No. 4	1,087
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Aiken No. 5

Tract 214.01

Blocks: 2148, 2149, 2150, 2151, 2152, 2153,	
2156, 2157, 2158, 2159, 2160	67

Tract 215

Blocks: 1000, 1001, 1046, 2002, 2003, 2004,	
2005, 2006, 2007, 2009, 2011, 2012, 2013,	
2014, 2016, 2018, 2019, 2020, 2021, 2022,	
2023, 2027, 2028, 2029, 2030, 2031, 2032,	
2033, 2034, 2035, 2036, 2037, 2038, 2049,	

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3000, 3001, 3002, 3003, 3004, 3005, 3008, 3009, 3010	673
Tract 216.01	
Blocks: 1026, 1028, 1029, 1035, 1036, 1037, 1038, 1039, 1040	134
Aiken No. 5 Subtotal	874
China Springs	2,546
Eureka	
Tract 203.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1027, 1028, 1029, 1030, 1031, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2056, 2057, 2058, 2059, 2060	1839
Eureka Subtotal	1,839
Graniteville	
Tract 203.04	
Blocks: 2017, 2018, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052	420
Tract 204.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 2037, 2038	958
Graniteville Subtotal	1,378
Levels No. 72	
Tract 215	
Blocks: 2000, 2001, 2008, 2010, 2039, 2040, 2042, 2046, 2047, 2048, 2050	52
Levels No. 72 Subtotal	52
Redds Branch	
Tract 216.01	

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Blocks: 3004, 3005, 3007, 3008, 3009, 3010,
3011, 3012, 3013, 3014, 3017, 3018, 3019,
3026890
Redds Branch Subtotal890
Six Points No. 352,953
Six Points No. 461,967
Vaucluse
Tract 203.04
Blocks: 1005, 1008, 1009, 1010, 1011, 1012,
1013, 1032, 2019, 2020, 2021, 2022, 2023,
2024, 2025, 2026, 2027, 2028, 2029, 2030,
2031, 2032, 20422487
Vaucluse Subtotal2,487
County Aiken SC Subtotal20,485
County: Edgefield SC
Brunson711
Edgefield No. 11,211
Edgefield No. 2
Tract 9702.04
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1019, 1020, 1021,
1022, 1023, 1024, 2000, 2001, 2003, 2004,
2005, 2006, 2007, 2008, 2009, 2010, 2011,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025,
2026, 2027, 2028, 2029, 2030, 2031, 2032,
2033, 2034, 2035, 2036, 2037, 2038, 2039,
2040, 2041, 2042, 3000, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3008, 3009, 3010,
3011, 3012, 3013, 3014, 3015, 3016, 3017,
3018, 3019, 3020, 3021, 3022, 3023, 3024,
3025, 3026, 3027, 3028, 3029, 3030, 4000,
4001, 4002, 4003, 4004, 4005, 4006, 4007,
4008, 4009, 4010, 4011, 4012, 4013, 4014,
4015, 4016, 4017, 4018, 40214023
Tract 9705.01
Blocks: 10009
Tract 9705.02
Blocks: 10005
Edgefield No. 2 Subtotal4,037

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Harmony	1,323
Johnston No. 1	1,815
Johnston No. 2	1,603
North Side	547
Trenton No. 1	2,025
Trenton No. 2	2,789
County Edgefield SC Subtotal	16,061
County: Saluda SC	
Fruit Hill	
Tract 9602.01	
Blocks: 2039, 2041, 2047, 3047, 3053, 3054,	
3055, 4004, 4006, 4014, 4015, 4016, 4017,	
4018, 4019, 4020, 4021, 4022, 4023, 4024,	
4025, 4026, 4027, 4028, 4029, 4030, 4031,	
4032, 4034, 4035, 4036, 4037, 4038, 4039,	
4040, 4041, 4042, 4043, 4044, 4045, 4046,	
4048, 4049, 4050, 4051, 4052, 4057, 4058,	
4059, 4060, 4062, 4074	741
Fruit Hill Subtotal	741
Mayson	
Tract 9602.01	
Blocks: 3017, 3018, 3020, 3021, 3022, 3023,	
3024, 3025, 3028, 3029, 3030, 3043, 3044,	
3045, 3046, 3050, 3051, 3052, 3056, 3057,	
3058, 3059, 3060, 3061, 3062, 3063, 3064,	
3065, 3066, 3067, 3068, 3069, 3070, 4005	297
Mayson Subtotal	297
Pleasant Cross	285
Richland	
Tract 9602.02	
Blocks: 1025, 1027, 1028, 1051	32
Tract 9604	
Blocks: 1058	5
Richland Subtotal	37
Ridge Spring/Monetta	
Tract 9604	
Blocks: 3018, 3019, 3020, 3027, 3028, 3032,	
3034, 3035, 3036, 3037, 3038, 3040, 3041,	
3042	108
Ridge Spring/Monetta Subtotal	108
Saluda No. 1	

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Tract 9602.02

Blocks: 1013, 1014, 1015, 1016, 1017, 1018,
1019, 1023, 1024, 1026, 1029, 1046, 1048,
1049, 2038, 2039, 2040, 2041, 2050, 2051,
2052, 2053, 2054, 2060, 2061, 2062, 2063,
2064, 2065, 2066, 2080, 2081, 2082 1438

Saluda No. 1 Subtotal 1,438

Saluda No. 2

Tract 9602.01

Blocks: 2028, 2029, 2030, 2031, 2032, 2033,
2034, 2035, 2036, 2037, 2040, 2042, 2043,
2044, 2045, 2046, 4033 347

Saluda No. 2 Subtotal 347

Ward

Tract 9602.02

Blocks: 1050, 1053, 1054, 1055, 1059 24

Tract 9604

Blocks: 1059, 1066, 1067, 1068, 1069, 1070,
1071, 1072, 1073, 1074, 1075, 1076, 1077,
1078, 1079, 1080, 1081, 1097, 1098, 1099,
1100, 1101, 1102, 1103, 1104, 1105, 1106,
1107, 1108, 1109, 1110, 1111, 1116, 1117,
1118, 1119, 1120, 1121, 1122, 1123, 1124,
1125, 1126, 1127, 1128, 1129, 1130, 1131,
1132, 1133, 1134, 1138, 3003 559

Ward Subtotal 583

County Saluda SC Subtotal 3,836

DISTRICT 82 Total 40,382

Area Population

DISTRICT 83

Area Population

County: Aiken SC

Belvedere No. 44

Tract 206.03

Blocks: 1000, 1007, 1008, 1019, 2034, 2035 244

Belvedere No. 44 Subtotal 244

Belvedere No. 62 1,827

Belvedere No. 74 1,083

Belvedere No. 9 2,621

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Carolina Heights

Tract 207.02

Blocks: 2014, 2015, 2016, 2017, 3011, 3014,
3015, 3016, 3017, 3018, 3019, 3023, 3024,
3026, 3027, 3028, 3031, 4001, 4002, 4003,
4004, 4005, 4006, 4007, 4008, 4009, 4010,
4011, 4012, 4013, 4014, 4015, 4016, 4017,
4018, 4019, 4020, 4021, 4022, 4023, 4024,
4025, 4026, 4027, 4028, 4029, 4030, 4031,
4032, 4033, 4034, 4035, 4036, 4037, 4038,
4039, 4040, 4041 1427

Tract 209.04

Blocks: 2014, 2015, 2016, 2017, 2018, 2033,
2034, 2035, 2036, 2037, 2038, 2039, 2040,
2041, 2042, 2043, 2044, 2045, 2046, 2077 223

Carolina Heights Subtotal 1,650

Fox Creek No. 58 2,036

Fox Creek No. 73 1,878

N. Augusta No. 25 2,565

N. Augusta No. 26 1,559

N. Augusta No. 27 1,927

N. Augusta No. 28 1,392

N. Augusta No. 29 2,320

N. Augusta No. 54 2,076

N. Augusta No. 55 1,352

N. Augusta No. 67 1,676

N. Augusta No. 68 3,300

N. Augusta No. 80 1,279

County Aiken SC Subtotal 30,785

County: Edgefield SC

Edgefield No. 2

Tract 9705.01

Blocks: 1002, 1003 36

Tract 9705.02

Blocks: 1004, 1005 84

Edgefield No. 2 Subtotal 120

Merriweather No. 1 3,369

Merriweather No. 2 4,776

Westside 1,331

County Edgefield SC Subtotal 9,596

DISTRICT 83 Total 40,381

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Area Population

DISTRICT 84

Area Population

County: Aiken SC

Ascauga Lake No. 63 1,341

Ascauga Lake No. 84 1,548

Bath 1,431

Beech Island 2,354

Belvedere No. 44

Tract 206.03

Blocks: 1020, 2000, 2001, 2002, 2003, 2004,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2027,
2028, 2030, 2031, 2032, 2033, 2036, 2037,
2038, 2039, 2040, 2041, 2042, 2043, 2044,
2045, 2046, 2047, 2048, 2049, 2050 1877

Tract 210.03

Blocks: 2000, 2001, 2005, 2007, 2008 31

Belvedere No. 44 Subtotal 1,908

Breezy Hill 4,804

Carolina Heights

Tract 209.04

Blocks: 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2019, 2020, 2021, 2022, 2023, 2024 9

Tract 210.04

Blocks: 1037, 1038, 1039, 1040, 1049, 1050,
1051, 1052, 1053, 1054, 1055, 1056, 1057,
1058, 1059, 1060, 1076, 1077 440

Carolina Heights Subtotal 449

Clearwater 1,424

Gloverville 1,678

Graniteville

Tract 204.01

Blocks: 1000, 2043 8

Tract 204.02

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,

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2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2029, 2030, 2031, 2032,	
2033, 2034, 2035, 2036	544
Graniteville Subtotal	552
Hammond No. 48	1,613
Hammond No. 81	1,804
Jackson	2,182
Langley	2,324
Lynwood	1,463
Midland Valley No. 51	3,282
Midland Valley No. 71	2,999
Misty Lakes	3,058
Pine Forest	
Tract 209.03	
Blocks: 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 2000, 2001, 2002, 2003,	
2005, 2006, 2019, 2020	1889
Pine Forest Subtotal	1,889
Vaocluse	
Tract 203.01	
Blocks: 2020, 2021, 2022, 2023, 2024, 2025,	
2026, 2027, 2028, 2029, 2030, 2031, 2032,	
2033, 2034, 2035, 2036, 2054, 2055, 2061,	
2062	221
Tract 203.04	
Blocks: 1003, 1004, 1019, 1020, 1021, 1022,	
1023, 1024, 1025, 1026, 1027, 1028, 1029,	
1030, 1031, 2044	365
Vaocluse Subtotal	586
Warrenville	
Tract 211.01	
Blocks: 2003, 2004, 2007, 2021, 2022, 2025,	
2026, 2027	66
Tract 211.02	
Blocks: 2006, 2011, 2012, 2014	415
Warrenville Subtotal	481
Willow Springs	2,282
County Aiken SC Subtotal	41,452
DISTRICT 84 Total	41,452
Area	Population

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DISTRICT 85

Area

Population

County: Lexington SC

AMICKS FERRY

Tract 212.05

Blocks: 0002, 0003, 1000, 1001, 1002, 1003,
1004, 1005, 1006, 1007, 1008, 1009, 2009,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 20202321

Tract 212.06

Blocks: 0003, 0004, 1014, 1015, 1016, 1017,
1018, 1020, 1021, 1022, 1023, 1024, 1025,
10261187

AMICKS FERRY Subtotal3,508

BUSH RIVER

Tract 211.09

Blocks: 2016, 20170

Tract 211.15

Blocks: 1004, 1005, 1006468

Tract 211.16

Blocks: 1002, 1003, 3000, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3008, 3009, 3010,
3011, 3012, 3013, 3014, 3015, 30161634

BUSH RIVER Subtotal2,102

CHALLEDON2,449

CHAPIN4,743

COLDSTREAM2,431

DUTCHMAN SHORES

Tract 212.07

Blocks: 0001, 1006, 1007, 1009, 1010900

Tract 212.08

Blocks: 0003, 2007, 2010, 2011, 2012272

DUTCHMAN SHORES Subtotal1,172

GRENADIER

Tract 205.10

Blocks: 1000, 1001, 1002, 1003, 1008, 1009277

Tract 205.11

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 2001972

GRENADIER Subtotal1,249

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IRMO	3,241
LINCREEK	3,141
MURRAYWOOD	2,684
OLD LEXINGTON	4,121
QUAIL VALLEY	2,730
SEVEN OAKS	
Tract 211.09	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1016, 1017, 1018, 1022, 1023	903
Tract 211.10	
Blocks: 2024, 2025, 2029, 2030, 2031, 2032,	
2033, 2034	559
Tract 211.11	
Blocks: 1008, 1027, 1028	0
SEVEN OAKS Subtotal	1,462
ST. MICHAEL	2,685
WHITEHALL	
Tract 211.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 3000, 3001, 3002, 3003,	
3004, 3005, 3006, 3007, 3008, 3009, 3010,	
3011, 3012, 3013, 3014, 3015, 3016, 3017,	
3018, 4000, 4001, 4002, 4003, 4004, 4005,	
4006, 4007, 4008, 4009, 4010, 4011, 4012,	
4013, 4014, 4015	2750
WHITEHALL Subtotal	2,750
County Lexington SC Subtotal	40,468
DISTRICT 85 Total	40,468
Area	Population
DISTRICT 86	
Area	Population
County: Aiken SC	
Cedar Creek No. 64	1,897
Couchton	1,878
Eureka	
Tract 202	

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Blocks: 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 4002, 4003, 4004, 4006, 4007, 4008, 4009, 4010, 4011, 4012, 4015, 4019, 4020, 4021, 4022, 4023, 4024, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042	775
Eureka Subtotal	775
Monetta	1,868
Montmorenci No. 78	1,438
New Ellenton	2,247
New Holland	1,315
Oak Grove	1,804
Perry	1,242
Redds Branch	
Tract 216.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1010, 1011, 1013, 1014, 1015, 1016, 1017, 1024, 1025, 1030, 1031, 1032, 1033, 1034, 1041, 1042, 2024, 2025, 2026, 2027, 2050, 2051, 3000, 3001, 3002, 3003, 3006, 3015, 3016, 3023, 3024, 3025, 3027, 3028	1421
Redds Branch Subtotal	1,421
Salley	888
Shaws Fork	970
Shiloh	2,730
Silver Bluff	
Tract 220.03	
Blocks: 1010, 1011, 1013, 1014, 1015, 1025, 1026, 1027, 1031, 1033, 1034, 1035, 1037, 1038, 1039	438
Tract 220.04	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025	715
Tract 221	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020,	

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1021, 1022, 1024, 1033, 1035, 1037, 1056, 1067, 1070, 1071, 1072	869
Tract 9801	
Blocks: 1074, 1075	0
Silver Bluff Subtotal	2,022
SRS	0
Tabernacle	962
Talatha	
Tract 220.01	
Blocks: 1005, 1006, 1008, 1009, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1027, 1028, 1029, 1030, 1031, 1034, 1052, 1053, 1054, 1055, 1056, 1078, 2000, 2006, 2007, 2008, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2039	878
Tract 220.03	
Blocks: 1000, 1016, 1017, 1032, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033	943
Tract 220.04	
Blocks: 1000, 1008, 2000, 2001, 2002, 2003, 2006, 2008, 2019, 2020, 2021, 2024, 2025, 2026, 2027, 2079, 2080, 2081	422
Tract 9801	
Blocks: 1019, 1025	0
Talatha Subtotal	2,243
Wagener	2,870
Ward	2,206
White Pond	1,184
Windsor No. 43	2,037
Windsor No. 82	1,762
County Aiken SC Subtotal	35,759
County: Lexington SC	
FAIRVIEW	2,329
MACK-EDISTO	1,323
MIMS	

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Tract 213.07

Blocks: 1046, 1047, 1059, 1060, 1061, 1062,
1063, 106460

Tract 214.03

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2029, 2030, 2031, 2032, 2033,
2034, 2035, 2036, 2037, 2038, 2039, 2040894

MIMS Subtotal954

County Lexington SC Subtotal4,606

DISTRICT 86 Total40,365

Area Population

DISTRICT 87

Area Population

County: Lexington SC

BARR ROAD 11,987

BARR ROAD 25,274

BEULAH CHURCH3,318

LAKE MURRAY 13,078

LAKE MURRAY 25,407

LEXINGTON NO. 2

Tract 210.29

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
1057, 1058, 1059, 2006, 2007, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025,
2026, 2027, 2028, 2029, 2030, 2031, 2032,
2033, 2034, 20352845

Tract 210.40

Blocks: 10310

LEXINGTON NO. 2 Subtotal2,845

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LEXINGTON NO. 3

Tract 210.28
 Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
 2006, 2007, 2008, 2009, 2010, 2011, 2012,
 2036, 2037, 2038565

Tract 210.49
 Blocks: 1019, 1020, 1021, 1022, 1027, 1028,
 1029, 1030, 1033, 1034, 1035, 1036254

Tract 210.50
 Blocks: 1002, 1003, 1004, 1005, 1006, 1014,
 1015, 10191319

LEXINGTON NO. 3 Subtotal2,138

MOUNT HOREB3,132

PARK ROAD 13,091

PARK ROAD 21,852

PROVIDENCE CHURCH

Tract 210.25
 Blocks: 0004, 0007, 1016, 1017, 1020, 2001,
 2002, 2003, 2004, 2005, 2006, 2007, 2008,
 2009, 2010, 2011, 20121951

PROVIDENCE CHURCH Subtotal1,951

RED BANK

Tract 210.29
 Blocks: 1055, 1056, 10600

Tract 210.35
 Blocks: 1000, 100145

Tract 210.37
 Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1009, 1047, 10481232

RED BANK Subtotal1,277

ROUND HILL6,417

County Lexington SC Subtotal41,767

DISTRICT 87 Total41,767

Area	Population
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DISTRICT 88

Area	Population
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County: Lexington SC

CEDARCREST2,743

CONGAREE 13,187

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CONGAREE 2 1,720

EDMUND 1

Tract 209.05

Blocks: 2004, 2005, 2006, 2007, 2008, 2009,
2010, 2011, 2012, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2023, 2025, 2030 444

Tract 209.08

Blocks: 2004, 2005, 2017, 2018, 2019, 2020,
2021, 2022, 2024, 2025, 2026 624

EDMUND 1 Subtotal 1,068

EMMANUEL CHURCH 3,261

GASTON 2

Tract 207.05

Blocks: 2004, 2022, 2023, 2024, 2025, 2026,
2027, 2028, 2034, 2035 228

Tract 207.07

Blocks: 2024 0

Tract 208.07

Blocks: 1000, 1011, 1012, 1013, 1014, 1015,
1016, 1026 372

GASTON 2 Subtotal 600

KITTI WAKE 2,646

LEXINGTON NO. 4

Tract 210.30

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1051, 1052, 1053, 1054, 1055, 1057,
1058, 2011, 2012, 2013, 2014, 2015, 2016,
2017, 2018, 2020, 2022, 2023, 2024, 2025,
2026, 2027, 2028, 2034 2271

LEXINGTON NO. 4 Subtotal 2,271

OLD BARNWELL ROAD

Tract 210.34

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
3000, 3001, 3002, 3003, 3004, 3005, 3006,

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3007, 3008, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 3016, 3017, 3018, 3019, 3020,
3021, 3022, 3023, 30242731
Tract 9801
Blocks: 10080
OLD BARNWELL ROAD Subtotal2,731
PINE RIDGE 1
Tract 206.04
Blocks: 3035, 3047, 3048, 3049, 3050, 3051,
3052, 3053, 3054, 3055, 30560
Tract 206.05
Blocks: 1011, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 1021, 1022, 1023, 1025, 1026,
1027479
Tract 207.05
Blocks: 20420
Tract 207.08
Blocks: 2000, 2001, 2003, 2004, 2005, 2006,
2007, 2010, 2011, 2012, 2013, 2014, 2015,
2016, 2017, 2018, 2019, 2020, 2021, 2022,
2023, 2024, 2025, 2026, 2029, 2033, 2034,
2035, 2036, 2039, 2040783
PINE RIDGE 1 Subtotal1,262
PINE RIDGE 23,753
RED BANK
Tract 210.44
Blocks: 10178
Tract 210.51
Blocks: 1003, 1005, 1006, 1007, 1008, 1011,
1012, 1013803
RED BANK Subtotal811
RED BANK SOUTH 13,973
RED BANK SOUTH 2
Tract 209.08
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 2000, 2001, 2002,
2003, 2006, 20072606
RED BANK SOUTH 2 Subtotal2,606
SAND HILL
Tract 209.05

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Blocks: 2000, 2001, 2002, 2003, 2026, 2027,	
2029	880
SAND HILL Subtotal	880
ST. DAVIDS	3,939
WHITE KNOLL	4,115
County Lexington SC Subtotal	41,566
DISTRICT 88 Total	41,566
Area	Population

DISTRICT 89

Area	Population
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County: Lexington SC

CAYCE 2A	2,176
CAYCE NO. 1	2,866
CAYCE NO. 2	

Tract 201

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 2001, 2002, 2003, 2004, 2005, 2006,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2032	2549

Tract 202.01

Blocks: 2062, 2063, 2064	0
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Tract 202.02

Blocks: 1026, 1027, 1028, 1029, 1042	290
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Tract 206.05

Blocks: 2000, 2006, 2007, 2027	0
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CAYCE NO. 2 Subtotal	2,839
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CAYCE NO. 3	1,041
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CHALK HILL

Tract 206.05

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Blocks: 2001, 2002, 2003, 2004, 2005, 2008, 2009, 2010, 2014, 2015, 2026	431
CHALK HILL Subtotal	431
EDENWOOD	3,352
HOOK'S STORE	3,746
LEAPHART ROAD	2,916
MT. HEBRON	2,040
OLD BARNWELL ROAD	
Tract 206.02	
Blocks: 2014, 2015, 2038, 2040, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052	536
Tract 9801	
Blocks: 1006, 1007	0
OLD BARNWELL ROAD Subtotal	536
QUAIL HOLLOW	3,015
SALUDA RIVER	3,061
SPRINGDALE	2,813
SPRINGDALE SOUTH	1,069
WEST COLUMBIA NO. 1	1,929
WEST COLUMBIA NO. 2	1,650
WEST COLUMBIA NO. 3	1,034
WEST COLUMBIA NO. 4	2,838
WESTOVER	2,086
County Lexington SC Subtotal	41,438
DISTRICT 89 Total	41,438
Area	Population

DISTRICT 90

Area	Population
County: Bamberg SC	13,311
County: Orangeburg SC	
Bolentown	1,973
Cope	904
Cordova 1	2,071
Cordova 2	2,622
Edisto	1,541
Orangeburg Ward 1	1,035
Orangeburg Ward 10	1,018
Orangeburg Ward 2	988
Orangeburg Ward 3	

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Tract 106.02	
Blocks: 1007, 1009	4
Tract 106.04	
Blocks: 1046, 1047	0
Tract 113	
Blocks: 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2028,	
2029, 2033, 2034, 2035, 2036, 2037, 2038	1735
Orangeburg Ward 3 Subtotal	1,739
Orangeburg Ward 4	
Tract 113	
Blocks: 1011, 1025	0
Orangeburg Ward 4 Subtotal	0
Orangeburg Ward 5	1,022
Orangeburg Ward 6	1,095
Orangeburg Ward 7	958
Orangeburg Ward 8	1,022
Orangeburg Ward 9	805
Suburban 1	
Tract 111	
Blocks: 1034	0
Suburban 1 Subtotal	0
Suburban 4	769
Suburban 5	1,805
Suburban 6	1,308
Suburban 7	2,517
Suburban 8	1,169
Suburban 9	
Tract 110	
Blocks: 3000, 3001, 3002, 3011, 3014, 3016,	
3019, 3023, 3026, 3033, 3034, 3035, 3036,	
3037, 3038	596
Tract 111	
Blocks: 1020	0
Suburban 9 Subtotal	596
County Orangeburg SC Subtotal	26,957
DISTRICT 90 Total	40,268
Area	Population

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DISTRICT 91

Area	Population
County: Allendale SC	8,039
County: Barnwell SC	20,589
County: Orangeburg SC	
Limestone 1	2,616
Limestone 2	2,430
Neeses-Livingston	1,757
Norway	1,671
Pine Hill	1,650
Springfield	1,601
County Orangeburg SC Subtotal	11,725
DISTRICT 91 Total	40,353
Area	Population

DISTRICT 92

Area	Population
County: Berkeley SC	
Beverly Hills	2,179
Boulder Bluff	3,803
Central	3,890
Devon Forest 1	3,611
Devon Forest 2	2,516
Discovery	
Tract 207.16	
Blocks: 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 3000, 3001, 3002,	
3003, 3004, 3005, 3006, 3007, 3008, 3009,	
3010, 3011, 3012, 3013, 3014, 3015, 3016,	
3017, 3018, 3019	2,552
Discovery Subtotal	2,552
Liberty Hall	
Tract 208.07	
Blocks: 2012, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 3033,	
4008, 4009, 4010, 4018, 4019, 4020, 4021,	
4022, 4023, 4024, 4025, 4026, 4027, 4028,	
4029, 4030	2,182
Liberty Hall Subtotal	2,182

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Medway

Tract 208.07

Blocks: 1014, 1015, 3000, 3001, 3002, 3003,
 3004, 3005, 3006, 3007, 3008, 3009, 3010,
 3011, 3012, 3013, 3014, 3015, 3016, 3017,
 3018, 3019, 3020, 3021, 3023, 3024, 3025,
 3026, 3031, 3032, 3039, 30402402

Medway Subtotal2,402

Stone Lake1,899

Stratford 22,110

Stratford 33,338

Stratford 4

Tract 207.16

Blocks: 2001, 2002, 2003, 2004, 2005, 2006,
 2007, 2008, 2019, 2020, 2021, 20221009

Tract 207.17

Blocks: 3006, 3007, 3008, 3010, 3011, 3012,
 3013568

Tract 207.21

Blocks: 1013, 1018, 1019, 1020, 1021, 1022,
 2003, 2004, 2005, 2006, 2007, 2018897

Stratford 4 Subtotal2,474

Westview 11,824

Westview 22,417

Westview 32,624

Westview 42,092

County Berkeley SC Subtotal41,913

DISTRICT 92 Total41,913

Area	Population
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DISTRICT 93

Area	Population
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County: Calhoun SC14,119

County: Lexington SC

CAYCE NO. 2

Tract 201

Blocks: 2028, 2029, 2030, 20310

Tract 206.05

Blocks: 20240

CAYCE NO. 2 Subtotal0

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CHALK HILL

Tract 206.05

Blocks: 2011, 2012, 2013, 2016, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2025, 2028,
2029, 2030, 2031, 2032, 2033, 2034, 2035,
2036, 2037, 2046, 2047, 2048, 2049, 2050,
2051235

Tract 207.05

Blocks: 2000, 2001, 2002, 2003, 2005, 2006,
2007, 2008, 2009, 2010, 2011, 2012, 2013,
2014, 2015, 2016, 2017, 2018, 2019, 2020,
2021, 2029, 2030, 2031, 2039, 20411718

Tract 207.06

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1034, 1035, 1036, 1037, 1038, 1039, 1040,
1041, 1042, 1043, 1044, 1045, 1046, 1047,
1048, 1049, 1050, 1051, 1052, 1053, 1054,
1055, 1056, 1057, 1058, 2000, 2001, 2002,
2003, 2004, 20052977

CHALK HILL Subtotal4,930

GASTON 12,574

PINE RIDGE 1

Tract 206.05

Blocks: 2038, 2039, 2040, 2041, 2042, 2043,
2044, 2045614

PINE RIDGE 1 Subtotal614

SANDY RUN1,437

SWANSEA 11,997

County Lexington SC Subtotal11,552

County: Orangeburg SC

Brookdale1,673

Four Holes753

Jamison2,405

Nix1,579

North 11,789

North 21,769

Suburban 1

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Tract 108.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 2001,
2002, 2003, 2004, 2005, 2006, 2012926

Tract 111

Blocks: 1011, 1012, 1013, 1014, 1015, 1016,
1018, 1019, 1021, 1022, 1023, 1024, 1025,
1026, 1027, 1028, 1029, 1030, 1031, 1032,
1033370

Suburban 1 Subtotal 1,296

Suburban 2 748

Suburban 9

Tract 110

Blocks: 1012, 1013, 1014, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023, 1024,
1025, 1039, 3007, 3008, 3009, 3010, 3012,
3018, 3022 1864

Tract 111

Blocks: 10170

Suburban 9 Subtotal 1,864

Whittaker 1,613

County Orangeburg SC Subtotal 15,489

DISTRICT 93 Total41,160

Area Population

DISTRICT 94

Area Population

County: Charleston SC

Deer Park 1B

Tract 31.07

Blocks: 3043, 3044, 3046, 3047, 3048, 3049,
3050, 3066, 306786

Deer Park 1B Subtotal86

Ladson

Tract 31.06

Blocks: 1070, 1074, 1075, 1076, 1077, 1078,
1079, 1080, 1081, 1084, 1085, 1086, 1087,
1088, 1089, 1090, 2026, 3012, 40142013

Ladson Subtotal2,013

Licolnville

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Tract 31.06

Blocks: 1008, 1014, 1015, 1016, 1017, 1018,
1024, 1025, 1026, 1028, 1029, 1062, 1063,
1064, 1065, 1066, 1067, 1068, 1071, 1072,
1073, 1082, 1083, 1091, 1092 1274

Licolnville Subtotal 1,274

County Charleston SC Subtotal 3,373

County: Dorchester SC

Briarwood 2,153

Briarwood 2 1,522

Butternut

Tract 106.04

Blocks: 1016, 1018, 1019, 1029, 1032, 1033,
1034, 1036, 1041, 1042 904

Butternut Subtotal 904

Carolina

Tract 107

Blocks: 3013, 3040, 3041, 3042, 3043, 3044,
3045, 3046, 3049, 3050, 3051, 3052, 3053,
3059, 3060, 3061, 3062, 3063, 3064, 3068 621

Carolina Subtotal 621

Central 2,206

Central 2 2,486

Coastal 2,082

Coastal 2

Tract 108.14

Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3008, 3009, 3010, 3011, 3012,
3013, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023 1621

Coastal 2 Subtotal 1,621

Coastal 3 1,179

Dorchester 1,644

Dorchester 2 1,166

Germantown 2,026

Greenhurst 1,875

Greenwave 2,208

Irongate 2 836

Miles/Jamison 2,931

Newington 1,417

Newington 2 961

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North Summerville	620
Sawmill Branch	2,109
Spann	1,788
Stallsville	1,429
Tupperway	1,344
Tupperway 2	1,657
County Dorchester SC Subtotal	38,785
DISTRICT 94 Total	42,158
Area	Population

DISTRICT 95

Area	Population
County: Dorchester SC	
Grover	1,184
Indian Field	794
Indian Field 2	1,186
Reevesville	1,344
Rosinville	1,717
Rosses	1,375
St. George No. 1	1,711
St. George No. 2	1,053
County Dorchester SC Subtotal	10,364
County: Orangeburg SC	
Bethel	895
Bowman 1	1,720
Bowman 2	1,038
Branchville 1	1,425
Branchville 2	680
Elloree 1	1,310
Elloree 2	950
Eutawville 1	1,861
Eutawville 2	2,519
Holly Hill 1	2,662
Holly Hill 2	2,468
Orangeburg Ward 3	
Tract 106.04	
Blocks: 1009, 1010, 1011, 1012, 1014, 1032,	
1033, 1034, 1036, 1037, 1038, 1039, 1042,	
1048, 1051, 1052	
336	
Tract 113	

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Blocks: 1024	0
Orangeburg Ward 3 Subtotal	336
Orangeburg Ward 4	
Tract 112	
Blocks: 1010, 1011, 1012, 1013, 1014, 1015,	
1016, 1017, 1018, 1019, 1020, 1021, 1022,	
1023, 1024, 1025, 1026, 1027, 1034, 1035,	
1037, 1038, 1039, 1040, 1041, 1044, 1045,	
1046, 1047, 1048, 2000, 2001, 2002, 2003,	
2004, 2005, 2006, 2007, 2008, 2009, 2010	2370
Tract 113	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1007, 1008, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1022, 1023, 1026, 1027	398
Tract 114	
Blocks: 4013	0
Orangeburg Ward 4 Subtotal	2,768
Providence	1,372
Rowesville	758
Santee 1	1,844
Santee 2	1,507
Suburban 3	2,035
Vance	1,904
County Orangeburg SC Subtotal	30,052
DISTRICT 95 Total	40,416
Area	Population

DISTRICT 96

Area	Population
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County: Lexington SC

BOILING SPRINGS

Tract 210.36

Blocks: 1000, 1001, 1002, 1003	1138
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Tract 210.37

Blocks: 1035, 1036, 1037, 1038, 1039, 1040,	
1043	561

Tract 213.11

Blocks: 1020, 1021, 1026, 1027, 1077	94
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BOILING SPRINGS Subtotal	1,793
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BOILING SPRINGS SOUTH	2,300
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Carolina Springs	3,348
EDMUND 1	
Tract 209.05	
Blocks: 2021, 2022, 2024, 2028	1059
Tract 209.08	
Blocks: 2008, 2009, 2010, 2011, 2023	448
EDMUND 1 Subtotal	1,507
EDMUND 2	3,266
GASTON 2	
Tract 208.03	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2012, 2013, 2014,	
2015, 2016, 2035, 2036, 2039, 2042	168
Tract 208.04	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1007, 1008, 1025, 1026, 1027, 1028, 1029,	
1030, 1031	379
Tract 208.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1025, 1026, 1027, 1028, 1029, 1030, 1031	1209
Tract 208.07	
Blocks: 1009, 1010, 1017, 1018, 1019, 1020,	
1021, 1022, 1023, 1024, 1025, 1027, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1040, 1041, 1042	1156
GASTON 2 Subtotal	2,912
PELION 1	2,527
PELION 2	2,508
Platt Springs 1	2,044
Platt Springs 2	5,471
RED BANK	
Tract 210.35	
Blocks: 1002, 1003, 1004, 1005, 1006, 1007,	
1008, 1009, 1010, 1011, 1012, 1013, 1014,	
1015, 1016, 1017, 1018, 1019, 1020, 1021,	
1022, 1023, 1024, 1025, 1026, 1027, 1028	2961
Tract 210.37	
Blocks: 1022, 1023, 1028, 1029, 1030, 1031,	
1032, 1033, 1034, 1041, 1042, 1046	956

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Tract 210.51	
Blocks: 1014	10
RED BANK Subtotal	3,927
RED BANK SOUTH 2	
Tract 209.08	
Blocks: 2012, 2013, 2014, 2015, 2016	150
RED BANK SOUTH 2 Subtotal	150
SAND HILL	
Tract 208.06	
Blocks: 1020, 1021, 1022, 1023, 1024	1424
Tract 208.07	
Blocks: 1001, 1002, 1003, 1004, 1005, 1006,	
1007, 1008, 1043	1334
SAND HILL Subtotal	2,758
SHARPE'S HILL	3,806
SWANSEA 2	2,666
County Lexington SC Subtotal	40,983
DISTRICT 96 Total	40,983
Area	Population

DISTRICT 97	
Area	Population

County: Colleton SC	
Bells	464
Berea-Smoaks	1,245
Canady's	763
Cottageville	2,438
Edisto	466
Horse Pen	1,050
Hudson Mill	734
Jacksonboro	
Tract 9707.01	
Blocks: 1031, 1043, 1044, 1045, 1046, 1051,	
1052, 1053, 1054, 1055, 1058, 1059, 1060,	
1061, 1062, 1063	23
Tract 9708	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1016, 1018, 1027, 1029, 1031,	
1032	81

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Jacksonboro Subtotal	104
Maple Cane	1,477
Mashawville	
Tract 9706.01	
Blocks: 1001, 1002, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1041, 1042, 1043,	
1057, 1058, 1060	274
Tract 9707.02	
Blocks: 1036, 1037, 1038, 1039, 1040, 1041,	
1042, 1043, 1044, 1045, 1046, 1047, 1048,	
1049, 1050, 1051, 1052, 1053, 1054, 1055	72
Tract 9708	
Blocks: 1015	5
Mashawville Subtotal	351
Peeples	2,134
Peniel	
Tract 9703.01	
Blocks: 2020, 2021, 2022, 2029, 2030, 2032,	
2033, 2040, 2041, 2042, 2043, 2044, 2045,	
2046, 2047, 2048, 2049, 2050, 2051, 2053,	
2054, 2055	812
Peniel Subtotal	812
Round O	1,562
Ruffin	370
Sidneys	901
Sniders	
Tract 9702	
Blocks: 2037	0
Tract 9703.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1025,	
1032, 1033, 1034, 1035, 1036, 1037, 1038,	
1039, 1040, 1041, 1042, 1043, 1044, 1045	832
Tract 9704.01	
Blocks: 3051, 3065, 3066, 3067, 3073, 3074,	
3075, 3076	103
Sniders Subtotal	935
Stokes	980
Walterboro No. 2	
Tract 9706.01	

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Blocks: 2006, 2007, 2009, 2010, 2011, 2014,	
2015, 2016, 2018, 2019, 2023, 3022, 3023	772
Walterboro No. 2 Subtotal	772
Walterboro No. 5	
Tract 9704.02	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027, 2028, 2029, 2030, 2031, 2040, 3000,	
3001, 3002, 3003, 3004, 3005, 3006, 3007,	
3008, 3009, 3010, 3011, 3012, 3013, 3014,	
3015, 3016, 3017, 3018, 3019, 3020, 3021,	
3022, 3023, 3024, 3025, 3026, 3027, 3028,	
3029, 3030, 3031, 3032, 3033, 3034, 3035,	
3036, 3037, 3038, 3039, 3040, 3041, 3042,	
3043, 3044, 3045, 3046, 3047, 3048, 3049,	
3050, 3058, 3059, 3060, 3068	2136
Walterboro No. 5 Subtotal	2,136
Walterboro No. 6	
Tract 9706.01	
Blocks: 1003, 1004, 1022, 1023, 1024, 1025,	
1026, 1029, 1030, 2026, 2027, 2028, 2030,	
2031, 2036	408
Walterboro No. 6 Subtotal	408
Williams	404
Wolfe Creek	608
County Colleton SC Subtotal	21,114
County: Dorchester SC	
Butternut	
Tract 106.03	
Blocks: 1020, 1021, 1022	98
Tract 106.04	
Blocks: 1002, 1003, 1004, 1005, 1006, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1017,	
1020, 1021, 1022, 1023, 1024, 1035, 1037,	
1038, 1039, 1040, 1047	1969
Butternut Subtotal	2,067
Clemson	2,367
Clemson 2	4,253
Clemson 3	

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Tract 105.01

Blocks: 1008, 1009, 1010, 1012, 1014, 1015,
1016, 1019, 1022, 1030282

Tract 106.03

Blocks: 3008, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 4000, 4001, 4002, 4003, 4004,
4005, 4006, 4007, 4008, 4009, 4010, 4011,
4012, 4013, 4014, 4015, 4016, 4017, 4018,
4019, 4020, 4021, 4022, 4023, 4024, 4025,
4026, 4028 1252

Clemson 3 Subtotal 1,534

Cypress

Tract 105.01

Blocks: 2007, 2008, 2009, 2010, 2011, 2012,
2013, 3000, 3001, 3002, 3003, 3004, 3008,
3010, 3011, 3012, 30133267

Cypress Subtotal3,267

Cypress 2 1,273

Delemars 1,091

Givhans 1,419

Givhans 2 1,679

Knightsville 2,214

County Dorchester SC Subtotal21,164

DISTRICT 97 Total42,278

Area	Population
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DISTRICT 98

Area	Population
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County: Dorchester SC

Ashborough East2,166

Ashborough East 2 1,045

Ashborough West 924

Ashborough West 2 1,538

Brandymill 993

Brandymill 2 1,956

Briarwood 3 1,008

Coastal 2

Tract 108.13

Blocks: 3000, 4006, 4007, 4008, 4011645

Coastal 2 Subtotal645

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Coosaw	4,919
Coosaw 2	3,371
Coosaw 3	2,322
Irongate	881
Irongate 3	880
King's Grant	2,190
Lincoln	
Tract 108.18	
Blocks: 2010, 2011, 2012, 2013	418
Lincoln Subtotal	418
Oakbrook	6,235
Oakbrook 2	2,002
Tranquil	1,339
Tranquil 2	2,264
Tranquil 3	2,136
Trolley	2,522
Windsor	
Tract 108.18	
Blocks: 2003	53
Windsor Subtotal	53
County Dorchester SC Subtotal	41,807
DISTRICT 98 Total	41,807
Area	Population

DISTRICT 99

Area	Population
County: Berkeley SC	
Daniel Island 1	2,858
Daniel Island 2	2,513
Daniel Island 3	2,658
Daniel Island 4	4,103
Foster Creek 1	
Tract 208.11	
Blocks: 1000, 1001, 1002, 1003, 1010	981
Tract 208.12	
Blocks: 1000, 1001, 1002, 1003, 1004, 1022,	
1025, 1035, 2001, 2003, 2004	321
Foster Creek 1 Subtotal	1,302
Foster Creek 2	2,960
Foster Creek 3	2,732

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Hanahan 1	
Tract 208.10	
Blocks: 1012	0
Tract 208.12	
Blocks: 1023, 1024	0
Tract 209.04	
Blocks: 1003, 1004, 1005, 1006, 1007, 1008,	
1009, 1010, 1011, 1012, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010, 2011, 2012, 2013, 2014, 2015, 2016,	
3000, 3003	3439
Hanahan 1 Subtotal	3,439
Hanahan 2	2,527
Hanahan 3	2,578
Hanahan 4	2,486
Hanahan 5	2,829
Sedgefield 2	
Tract 207.24	
Blocks: 1111, 1112, 1113, 1114, 1115, 1116,	
1117, 1118, 1119, 1120, 1121, 1122, 1158	524
Tract 208.12	
Blocks: 2000, 2005, 2006	0
Tract 9801	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047,	
1048, 1049, 1050, 1051, 1052, 1053, 1054,	
1055, 1056, 1057, 1058, 1059, 1061, 1062,	
1063	0
Sedgefield 2 Subtotal	524
St. James	
Tract 208.11	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1012, 1013, 1014	748
St. James Subtotal	748
The Village	3,549
Yellow House	

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Tract 204.04

Blocks: 1019, 1020, 1024, 1025, 1026, 1027,
1028, 1029, 1030, 1031, 1032, 1033, 1034,
1035, 1036, 1037, 1038, 1042, 1050, 1051,
1052, 1053, 1054, 1055, 1056, 1057, 1058,
1059, 1060, 1061, 1062, 1063, 1064, 1065,
1066, 1067, 1068, 1069, 1070, 1071, 1072,
1073, 1074, 1075, 1076, 1077, 1078, 1079,
1080, 1081, 1082, 1083, 1084, 1085, 1086,
1087, 1088, 1089, 1090, 1091, 1092, 1093,
1094, 1095, 1096, 1097, 1098, 1099, 1100,
1101, 1102, 1103, 1104, 1105, 1106, 1107,
1108, 1109, 1110, 1111, 1112, 1113, 1114,
1115, 1116, 1117, 1118, 1119, 1120, 1121,
1122, 1123, 1124, 1126, 1127, 1131, 1132,
1133, 1134, 1135, 1136, 2056, 20573228

Yellow House Subtotal3,228

County Berkeley SC Subtotal41,034

DISTRICT 99 Total41,034

Area Population

DISTRICT 100

Area Population

County: Berkeley SC

Bonneau

Tract 202.01

Blocks: 2056, 2057, 2058, 2069 16

Tract 203.01

Blocks: 1026, 10270

Tract 203.03

Blocks: 1045, 1046, 1047, 1048, 1053, 1054,
1057, 1059203

Tract 203.04

Blocks: 1007, 1009, 2000, 2001, 2002, 2003,
2004, 2005, 2006, 2007, 2008, 2009, 2010,
2011, 2012, 2013, 2014, 2015, 2016, 2018,
2023, 2024, 2025, 2026, 2035, 2039754

Bonneau Subtotal973

Bonneau Beach2,100

Carnes Cross Roads 1

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Tract 206.01
Blocks: 2032, 2033, 2034, 2035, 20360
Tract 207.07
Blocks: 1008, 1009, 1010, 1011, 1012, 1013,
1014, 1015, 1016, 1017, 1018, 1024, 1030,
1031, 1032, 1033, 1034, 1035, 1067, 1068,
1069, 1070, 1071, 1072, 1073, 1074, 1075,
1076, 1077, 1078, 1079, 1080, 1081, 1082,
1083, 1097, 1098, 1101, 1102, 1108, 1109,
1110, 1111, 3000 1104
Carnes Cross Roads 1 Subtotal 1,104
Cross
Tract 201.01
Blocks: 3023, 3024, 3028, 3032, 3033, 3035,
3038, 3039, 3040, 3041, 3052248
Cross Subtotal248
Cypress3,422
Fifty-two2,566
Fox Bank3,894
Horseshoe
Tract 206.01
Blocks: 2012, 2015, 2016, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025 710
Tract 207.07
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007 1061
Horseshoe Subtotal 1,771
Macedonia
Tract 203.01
Blocks: 202851
Tract 203.04
Blocks: 2017, 2019, 2020, 2021, 2022, 2033,
2034, 2036, 2037, 2038, 2040, 2041236
Tract 204.01
Blocks: 2016, 2017, 2018, 2019, 2025, 2033,
203462
Macedonia Subtotal349
McBeth 1,324
Medway
Tract 207.07

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Blocks: 1089, 1090, 1093, 1094, 1095, 1103, 1104, 1105, 1106	14
Tract 208.07	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1016	1610
Medway Subtotal	1,624
Moncks Corner 1	3,070
Moncks Corner 2	2,658
Moncks Corner 3	3,461
Moncks Corner 4	2,159
Old 52	2,162
Pimlico	1,586
Pinopolis	2,417
Whitesville 1	3,433
Whitesville 2	
Tract 205.03	
Blocks: 1031, 1032	0
Tract 206.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2013, 2014, 2026, 2027, 2028, 2029, 2030, 2031	312
Tract 206.02	
Blocks: 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1045, 1046, 1047, 1048, 1049, 1050, 2014, 2015, 2016, 2017, 2018, 2019	1043
Whitesville 2 Subtotal	1,355
County Berkeley SC Subtotal	41,676
DISTRICT 100 Total	41,676
Area	Population
DISTRICT 101	
Area	Population
County: Berkeley SC	
Alvin	1,230
Bethera	

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Tract 203.01	
Blocks: 2019, 2033, 2034, 2035, 2036	107
Tract 204.01	
Blocks: 2000, 2001, 2003, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2028, 2029, 2064,	
2065, 2066, 2067, 2068, 2069, 2070, 2071,	
2075, 2078, 2082, 2083	140
Bethera Subtotal	247
Cordesville	
Tract 204.01	
Blocks: 2035, 2036, 2037, 2038, 2039, 2040,	
2041, 2042, 2043, 2044, 2045, 2046, 2049,	
2051, 2052, 2053, 2054, 2055, 2056, 2062,	
2063, 2072, 2073, 2074, 2076, 2077, 2079,	
2091, 2092, 2093, 2094, 2102, 2103, 2104,	
2105, 2106, 2107, 2127, 2128, 2187, 2188,	
2189, 2190	749
Cordesville Subtotal	749
Jamestown	
Tract 204.01	
Blocks: 1004, 1005, 1008, 1009, 1010, 1011,	
1012, 1013, 1014, 1050, 1051, 1052, 1053,	
1054, 1059, 1062, 1063, 1064, 1065	375
Jamestown Subtotal	375
Macedonia	
Tract 203.01	
Blocks: 1009, 1010, 1011, 1012, 1013, 1014,	
1015, 1016, 1017, 1020, 1021, 1022, 1023,	
1024, 1025, 1028, 1029, 1030, 1031, 1032,	
1033, 2010, 2011, 2012, 2013, 2014, 2015,	
2016, 2017, 2020, 2021, 2022, 2023, 2024,	
2025, 2026, 2027, 2029, 2030, 2031	1815
Tract 204.01	
Blocks: 2013, 2014, 2015, 2020, 2021, 2022,	
2023, 2024, 2026, 2027, 2030, 2031, 2032	81
Macedonia Subtotal	1,896
Macedonia 2	306
St. Stephen 2	
Tract 202.01	
Blocks: 1047, 2011, 2012, 2013, 2014, 2015,	
2020, 2021, 2022, 2047, 2048, 2049, 2050,	

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2051, 2052, 2053, 2054, 2055, 2063, 2064, 2065, 2066, 2067, 2071, 2072	1060
St. Stephen 2 Subtotal	1,060
County Berkeley SC Subtotal	5,863
County: Florence SC	
Lake City No. 1	2,213
Lake City No. 2	1,668
Lake City No. 3	2,414
Lake City No. 4	2,767
McAllister Mill	1,246
County Florence SC Subtotal	10,308
County: Williamsburg SC	
Black River	430
Bloomington	
Tract 9704	
Blocks: 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2036, 2037, 2038, 2041, 2042, 2043, 2045, 2046, 2047, 2050, 2053, 2054, 2055, 2056, 2057, 2058, 3019	446
Bloomington Subtotal	446
Cades	734
Cedar Swamp	
Tract 9704	
Blocks: 2004, 2017	19
Tract 9705.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2021	283
Cedar Swamp Subtotal	302
Central	1,032
Earles	1,016
Greeleyville	1,645
Harmony	466
Hebron	701
Indiantown	
Tract 9702	
Blocks: 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2026, 2028, 2029, 2030, 2031, 2032,	

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2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046	349
Tract 9703	
Blocks: 4010, 4011, 4019, 4021, 4022, 4023, 4024, 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, 4035, 4036, 4037, 4038, 4039, 4040, 4041, 4042, 4043	422
Tract 9704	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006	96
Indiantown Subtotal	867
Kingstree No. 1	3,978
Kingstree No. 2	1,608
Kingstree No. 3	2,843
Kingstree No. 4	1,595
Lane	986
Mount Vernon	474
Pergamos	328
Salters	2,542
Sandy Bay	534
Singletonary	358
Suttons	341
Trio	1,068
County Williamsburg SC Subtotal	24,294
DISTRICT 101 Total	40,465
Area	Population

DISTRICT 102

Area	Population
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County: Berkeley SC

Bonneau

Tract 203.03

Blocks: 1018, 1024, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1049, 1050, 1051, 1052, 1055, 1056	857
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Tract 203.04

Blocks: 1000, 1006	62
Bonneau Subtotal	919
Cane Bay	5,038

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Cross

Tract 201.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2017, 2018, 2019,
2020, 2021, 2022, 2023, 2024, 2025, 3025,
3026, 3027, 3030, 3034, 3037, 3046, 3047,
3048956

Tract 201.02

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1024,
1038378

Tract 205.03

Blocks: 2001, 2004, 2007, 2008, 2009, 2010,
2015, 2020, 2021, 2022, 2023, 202448

Cross Subtotal 1,382

Eadytown869

Hilton Cross Rd2,729

Lebanon1,161

Moultrie1,770

Russellville1,755

St. Stephen 12,059

St. Stephen 2

Tract 202.01

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1019, 1020, 1021, 1022,
1023, 1024, 1025, 1026, 1028, 1029, 1030,
1031, 1032, 1033, 1034, 1036, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2016, 2017,
2018, 2019, 2023, 2024, 2025, 2026, 2027,
2028, 2029, 2030, 2031, 2032, 2033, 2034,
2035, 2036, 2037, 2038, 2039, 2040, 2041,
2042, 2043, 2044, 2045, 2046, 20701118

St. Stephen 2 Subtotal 1,118

Wassamassaw 11,636

Wassamassaw 23,703

Weatherstone

Tract 207.10

Blocks: 3010, 3011, 3012, 3013, 3014, 3015,
3016, 3017, 3018, 3020, 3021, 3022, 3023,

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3024, 3025, 3026, 3037, 3038, 3039, 3040,
3042, 3043, 3052, 3053, 3054, 3055, 30592885
Weatherstone Subtotal2,885
Wildcat Trail459
County Berkeley SC Subtotal27,483
County: Dorchester SC
Carolina
Tract 106.04
Blocks: 1000, 1001, 100728
Tract 107
Blocks: 1025, 1031, 1035, 1036, 1037, 1038,
1039, 1040, 1041, 1042, 1043, 1044, 1045,
1046, 2003, 2004, 2005, 2006, 2008, 2009,
2010, 2011, 2012, 2013, 2014, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025,
2026, 2027, 2028, 2029, 2030, 2031, 2032,
2033, 2034, 2035, 2036, 2037, 2046, 2047,
2048, 2049, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3010, 3011,
3012, 3014, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3037, 3038, 3039, 3047,
3065, 30662316
Carolina Subtotal2,344
Clemson 3
Tract 106.03
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,
3006, 3007, 3016, 3017, 3018, 3019, 3020,
30211315
Clemson 3 Subtotal1,315
Cypress
Tract 105.01
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1011, 10171495
Cypress Subtotal1,495
Four Hole1,452
Harleyville1,016
North Summerville 21,964
Ridgeville1,268
Ridgeville 22,001

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County Dorchester SC Subtotal 12,855
DISTRICT 102 Total 40,338
Area Population

DISTRICT 103
Area Population

County: Berkeley SC

Bethera

Tract 204.01

Blocks: 1068, 1129, 1130, 1131, 1132, 1135,
2002, 2004, 2080, 2081, 2084, 2085, 2086,
2088, 2089, 2117, 2118, 2119, 2120, 2121,
2122 103

Bethera Subtotal 103

Bushy Park 42

Cainhoy 1,522

Cordesville

Tract 203.04

Blocks: 2047 0

Tract 204.01

Blocks: 2047, 2048, 2050, 2057, 2058, 2059,
2060, 2061, 2095, 2096, 2097, 2098, 2099,
2100, 2101, 2108, 2109, 2110, 2111, 2112,
2113, 2129, 2132, 2147, 2148, 2149, 2150,
2151, 2152, 2153, 2154, 2155, 2156, 2157,
2158, 2159, 2160, 2161, 2162, 2163, 2164,
2165, 2166, 2167, 2168, 2169, 2170, 2171,
2172, 2173, 2174, 2175, 2176, 2177, 2178,
2179, 2180, 2181, 2182, 2183, 2184, 2185,
2186 1028

Cordesville Subtotal 1,028

Huger 1,972

Jamestown

Tract 204.01

Blocks: 1001, 1002, 1003, 1006, 1007, 1015,
1016, 1017, 1018, 1019, 1020, 1021, 1022,
1023, 1024, 1025, 1026, 1027, 1028, 1029,
1030, 1031, 1032, 1033, 1034, 1035, 1036,
1037, 1038, 1039, 1040, 1041, 1042, 1043,

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1044, 1045, 1046, 1047, 1048, 1049, 1060, 1061, 1066, 1067, 1072, 1073, 1197	341
Jamestown Subtotal	341
Pine Grove	0
Pomflant	6
Sedgefield 2	
Tract 207.24	
Blocks: 1053, 1054, 1056, 1057, 1060, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1094, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1124, 1125, 1146, 1148, 1149	3504
Tract 207.25	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008	1562
Sedgefield 2 Subtotal	5,066
Shulerville	488
Yellow House	
Tract 204.04	
Blocks: 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1017, 1018, 1021, 1039, 1040, 1041, 1043, 1044, 1045, 1046, 1047, 1048, 1049	544
Yellow House Subtotal	544
County Berkeley SC Subtotal	11,112
County: Georgetown SC	
ANDREWS	2,446
ANDREWS OUTSIDE	1,623
BETHEL	1,675
BROWN'S FERRY	
Tract 9203.01	
Blocks: 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2022, 2023, 2024, 2033, 2034, 2035, 2036, 2037, 2038,	

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2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2052, 2053, 2063, 2064, 2065, 2066, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040	2084
BROWN'S FERRY Subtotal	2,084
CARVER'S BAY	356
CHOPPEE	1,396
DREAM KEEPERS	1,275
FOLLY GROVE	1,148
GEORGETOWN NO. 3	2,283
KENSINGTON	
Tract 9203.02	
Blocks: 2004, 2007, 2009, 2010, 2011, 2013, 2015, 2016, 2017, 2018, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068	843
Tract 9206.01	
Blocks: 1000, 1001, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 2000, 2001, 2002	381
KENSINGTON Subtotal	1,224
LAMBERT TOWN	743
MURRELL'S INLET NO. 3	
Tract 9204	
Blocks: 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087	36
MURRELL'S INLET NO. 3 Subtotal	36
MYERSVILLE	531
PEE DEE	896
PENNY ROYAL	
Tract 9207.01	
Blocks: 1000, 1001, 1002, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018	156

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PENNY ROYAL Subtotal 156

PLANTERSVILLE

Tract 9204

Blocks: 1095, 1099, 1111, 1112, 1113, 1114,
1115, 1116, 1117, 1123, 1124, 1125, 1126,
2003, 2004, 2005, 2006, 2007, 2008, 2009,
2021, 2022, 2046, 2049, 2050, 2051, 2052,
2053, 2072, 2073, 2074, 2075, 2076 757

PLANTERSVILLE Subtotal 757

PLEASANT HILL 1,153

POTATO BED FERRY 842

SAMPIT 1,257

SANTEE

Tract 9208

Blocks: 2058, 2059, 2060, 2061, 2062, 2063,
2064, 2065, 2066, 2067, 2068, 2069, 2070,
2071, 2072, 2073, 2074, 2075, 2076, 2077,
2078, 2079, 2080, 2081, 2106, 2111, 2112,
2113, 2114, 2115, 2116, 2117, 2118, 2119,
2120, 2121, 2122, 2123, 2124, 2125, 2126,
2127, 2128, 2129, 2130, 2131, 2132, 2139,
2140, 2141, 2142, 2144, 2145, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3010, 3011,
3012, 3013, 3014, 3015, 3016, 3017, 3018,
3019, 3020, 3021, 3022, 3023, 3086, 3087,
3088, 3089, 3090, 3091, 3092, 3093, 3113,
3114, 3115, 3123, 3124, 3138 1471

SANTEE Subtotal 1,471

SPRING GULLY

Tract 9202.03

Blocks: 1000, 1001, 1002, 1027, 1028, 1029,
1030, 1031, 1032, 1033, 1034, 1035, 1036,
1037, 1041, 1042, 1043, 1060, 1105 223

Tract 9203.01

Blocks: 2054, 2055, 2061, 2062 24

Tract 9206.01

Blocks: 1002, 1003, 1004, 1005, 1006, 1007,
1008, 1009, 1010, 1011, 1012, 1013, 1014,
1015, 1016, 1017, 1019, 1020, 2003, 2007 714

Tract 9206.02

TUESDAY, DECEMBER 7, 2021

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1031, 1032, 1035, 1036, 1037, 1038,
1045, 1046, 2000, 2001, 2002, 2003, 2004,
2005, 2006, 2007, 2008, 2009, 2010, 2011,
2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020, 2021, 2022, 2023, 2024, 2025,
2026, 2027 1914
SPRING GULLY Subtotal 2,875
County Georgetown SC Subtotal 26,227
County: Horry SC
INLAND 513
PAWLEYS SWAMP 1,045
PORT HARRELSON 742
TODDVILLE
Tract 706.02
Blocks: 1045, 1046, 2002, 2003, 2004, 2005,
2006, 2029, 3037, 3039, 3040, 3041, 3042,
3043, 3044, 3045, 3046, 3047, 3048, 3049,
3050 624
TODDVILLE Subtotal 624
County Horry SC Subtotal 2,924
DISTRICT 103 Total 40,263
Area Population

DISTRICT 104

Area Population

County: Horry SC
BROOKSVILLE #1 4,354
BROOKSVILLE #2 1,727
CHERRY GROVE #1 3,035
CHERRY GROVE #2 1,554
CRESENT
Tract 404
Blocks: 1016, 1045, 1046, 1047, 1048, 1051,
1053, 1056, 1057, 1058, 1059, 1060, 1061,
1063, 1064, 1065, 1066, 1068, 1069, 1077,
1078, 1083, 2014, 2018, 2019, 2020, 2021,

TUESDAY, DECEMBER 7, 2021

2022, 2023, 2024, 2025, 2026, 2027, 2028,
2029, 2030, 2031, 2032, 2033, 2034, 2035,
2036, 2037, 2038, 2039, 2040, 2041, 2042,
2043, 2044, 2045, 2046, 2047, 2048, 2049,
2050, 2051, 2052, 2053, 2054, 2055, 2056,
2057, 2058, 2059, 2060, 2061, 2062, 2063,
2064, 2065, 2066, 2067, 2068, 2069, 2070,
2071, 2072, 2073, 2074, 2075, 2076, 2080,
2081, 2082, 2083, 2084, 2085, 2086, 2087,
2088, 2089, 2090, 2091, 2092, 2093, 2094,
2095, 2096, 2097, 2098, 2099, 2100, 2101,
2102, 2103, 2104, 2105, 2111, 21122138
Tract 405
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1011, 1041, 1042, 1043,
1046, 1061 121
Tract 9901
Blocks: 00070
CRESENT Subtotal2,259
DOGWOOD
Tract 603.10
Blocks: 1007, 1009, 1010, 1011, 1013, 3000,
3001, 3002, 3003, 3004, 3005, 3006, 3007,
3010, 3011, 3012 1526
DOGWOOD Subtotal 1,526
LITTLE RIVER #12,524
LITTLE RIVER #24,425
LITTLE RIVER #32,014
NIXONS XROADS #13,233
NIXONS XROADS #24,312
NIXONS XROADS #3
Tract 401.01
Blocks: 3000, 3009, 3021, 3025, 3026, 3027213
Tract 401.02
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2011, 2012, 2013, 2014, 2015, 3012 1274
NIXONS XROADS #3 Subtotal 1,487
OCEAN DRIVE #12,720
OCEAN DRIVE #22,024
OCEAN DRIVE #32,220
WAMPEE

TUESDAY, DECEMBER 7, 2021

Tract 401.01	
Blocks: 3014, 3015, 3016, 3017, 3018, 3019,	
3020, 3022, 3023	748
Tract 401.02	
Blocks: 2007, 2008, 2009, 2010, 2016, 2017,	
2018, 2019, 2020	185
Tract 603.01	
Blocks: 3008, 3009, 3010, 3011, 3012, 3013,	
3014, 3015, 3016, 3017, 3018, 3019, 3025,	
3026, 3027, 3028, 3029, 3030	771
Tract 603.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1031, 1032, 1037, 1038,	
1039, 1040, 1041, 1042, 1043, 1044, 1045,	
1046, 1047, 1048, 1049, 1052, 1055, 1056,	
1072, 1073, 1075	497
Tract 603.10	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1012, 1014, 1015, 1016, 1017	662
WAMPÉE Subtotal	2,863
County Horry SC Subtotal	42,277
DISTRICT 104 Total	42,277
Area	Population

DISTRICT 105

Area	Population
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County: Horry SC

ADRIAN

Tract 701.01	
Blocks: 1002, 1004, 1005, 1006, 1009, 1013,	
1014, 1015, 1016, 1017, 1018, 1019, 1020,	
1021, 1022, 3002, 3003, 3004	832
Tract 707.01	
Blocks: 4003, 4004, 4005, 4006, 4007, 4008,	
4009, 4010, 4011, 4012, 4013, 4014, 4016,	
4017, 4018, 4019, 4020, 4021, 4022, 4023,	
4024, 4025, 4026, 4027, 4028, 4029, 4030,	

TUESDAY, DECEMBER 7, 2021

4032, 4033, 4034, 4035, 4036, 4037, 4038,
4039, 4043 1481
ADRIAN Subtotal 2,313
ALLSBROOK
Tract 203.01
Blocks: 2007, 3007, 3008, 3009, 3010, 3011,
3012, 3013, 3014, 3015, 3016, 3017, 3018,
3019, 3020, 3021, 3022, 3023, 3024, 3025,
3026, 3027, 3028, 3029, 3030, 3031, 3032,
3033, 3034, 3035, 3036, 3037, 3038, 3039,
3040, 3041, 3042, 3043, 3054, 3056 1054
Tract 203.02
Blocks: 2038 0
ALLSBROOK Subtotal 1,054
BAYBORO-GURLEY
Tract 203.01
Blocks: 3044, 3045, 3046, 3047, 3048, 3049,
3050, 3051 207
BAYBORO-GURLEY Subtotal 207
DAISY 2,329
DOGWOOD
Tract 603.01
Blocks: 2000, 2001, 2002, 2003, 3001, 3002,
3003, 3004, 3005, 3006, 3007, 3024, 3031,
3032, 3033 621
Tract 603.10
Blocks: 1008 20
DOGWOOD Subtotal 641
EAST CONWAY
Tract 701.01
Blocks: 2011, 2012, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2024,
2025, 2026, 2027, 2028, 2039, 2040, 2049,
2050, 2051, 3046, 3047, 3048, 3049, 3066,
3068 495
Tract 701.02
Blocks: 2031, 2032, 2034, 2036, 2037, 2038,
2039, 2040, 2041, 2044, 2050 253
EAST CONWAY Subtotal 748
EAST LORIS
Tract 202.01

TUESDAY, DECEMBER 7, 2021

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1030, 1031, 1032, 1033,
1036, 1037, 1038, 1040, 1042 1494

Tract 202.02

Blocks: 1112, 2001, 2002, 2003, 2004, 2007,
2008, 2009, 2010, 2011, 2012, 2013, 2014,
2015, 2016, 2017, 2018, 2019, 2020, 2021,
2022, 2023, 2024, 2025, 2026, 2027, 2028,
2029, 2030, 2031, 2032, 2033, 2034, 2035,
2036, 2037, 2038, 2039, 2040, 2041, 2042,
2043, 2044, 2045, 2046, 2047, 2048, 2049,
2050, 2051, 2052, 2053, 2054, 2055, 2056,
2057, 2058, 2059, 2060, 2061, 2062, 2063,
2064, 2065, 2066, 2067, 2068, 2069, 2070,
2071, 2072, 2073, 2074, 2075, 2076, 2077,
2078, 2079, 2080, 2081, 2082, 2083, 2084,
2085, 2086, 2087, 2088, 2089, 2090, 2091 1719

Tract 203.01

Blocks: 3001, 3002, 3003, 3004, 3005, 3006 81

EAST LORIS Subtotal 3,294

EBENEZER 2,832

HICKORY GROVE 2,334

HOMEWOOD

Tract 701.01

Blocks: 1034, 1035, 1036, 1037, 1042, 3060 129

Tract 702

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1009, 1010, 1011, 1012, 1015,
1016, 1019, 1020, 1021, 1022, 1031, 2000,
2001, 2002, 2005 758

Tract 707.01

Blocks: 3008, 3009, 3010, 3024, 3025, 3039,
4041 70

HOMEWOOD Subtotal 957

JERIGANS CROSSROADS

Tract 201

Blocks: 2053, 2054 11

JERIGANS CROSSROADS Subtotal 11

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LEON2,435
LIVE OAK
 Tract 203.02
 Blocks: 2030, 2031, 2032, 2034, 20355
LIVE OAK Subtotal5
MAPLE2,147
MT. VERNON1,028
NIXONS XROADS #3
 Tract 401.01
 Blocks: 3001, 3002, 3003, 3004, 3005, 3006,
 3007, 3008, 3010, 3011, 3012, 3013, 3024,
 3028965
NIXONS XROADS #3 Subtotal965
NORTH CONWAY #2
 Tract 702
 Blocks: 1008, 1023, 1030, 103223
NORTH CONWAY #2 Subtotal23
RED BLUFF1,749
SALEM
 Tract 603.01
 Blocks: 1001, 1002, 1003, 1004, 1005, 1006,
 1007, 1008, 1009, 1010, 1011, 1012, 1013,
 1014, 1015, 1016, 1017, 1018, 1019, 1020,
 10211127
 Tract 603.09
 Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1009, 1010, 1011, 1012,
 1013, 1014, 1015, 1016, 20031561
 Tract 604.03
 Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
 1006, 1007, 1008, 1103, 1104607
 Tract 604.04
 Blocks: 1000, 1001, 1002, 10030
SALEM Subtotal3,295
SHELL2,021
SWEET HOME
 Tract 202.01
 Blocks: 1034, 1035, 1039, 1041, 2017, 2018,
 2019, 2020, 2025, 2026, 2031, 2032, 2033,
 2034274
 Tract 301.04

TUESDAY, DECEMBER 7, 2021

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1008, 1009, 1010, 1011, 1012,
1013, 1014, 3000, 3001, 3002, 3003, 3004,
3005, 3006, 3007, 3008, 3009, 3010, 3011,
3012, 3013, 3014, 3015, 3016, 3017, 3018,
3019, 3020, 3021, 3024, 3025, 3026, 3030,
3031, 3032, 3033, 3034, 3035 1332
SWEET HOME Subtotal 1,606
TILLY SWAMP
Tract 603.01
Blocks: 1000, 2004, 2005, 2006, 2007, 2008,
2009, 2010, 2011, 2012, 2013, 2014, 2015,
2016, 2017, 2018, 2019, 2020, 2021, 2022,
2023 1963
Tract 603.10
Blocks: 3013, 3014, 3017, 3018, 3019, 3020,
3021, 3022, 3023, 3024, 3025, 3026 831
TILLY SWAMP Subtotal 2,794
WAMPEE
Tract 603.01
Blocks: 3000, 3020, 3021, 3022, 3023 298
WAMPEE Subtotal 298
WEST LORIS
Tract 201
Blocks: 2052 0
Tract 202.02
Blocks: 1000, 1001, 1002, 1015, 1016, 1017,
1018, 1019, 1020, 1021, 1022, 1023, 1024,
1025, 1026, 1027, 1028, 1029, 1030, 1031,
1032, 1033, 1034, 1035, 1036, 1037, 1039,
1040, 1041, 1042, 1043, 1044, 1045, 1046,
1055, 1056, 1057, 1058, 1059, 1060, 1061,
1062, 1063, 1064, 1066, 1067, 1068, 1069,
1070, 1071, 1072, 1073, 1074, 1075, 1076,
1077, 1078, 1079, 1080, 1081, 1082, 1083,
1084, 1085, 1086, 1087, 1088, 1089, 1090,
1091, 1092, 1093, 1094, 1095, 1096, 1097,
1098, 1103, 1107, 1108, 1109, 1110, 1111,
1114 896
Tract 203.01
Blocks: 3000 0

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WEST LORIS Subtotal	896
WHITE OAK	1,094
WILD WING	
Tract 604.03	
Blocks: 1009, 1010, 1013, 1015, 1017, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1027,	
1028, 1030, 1031, 1036, 1037, 1038, 1039,	
1040, 1041, 1042, 1043, 1044, 1045, 1046,	
1047, 1048, 1049, 1050, 1051, 1052, 1053,	
1054, 1055, 1056, 1057, 1058, 1059, 1060,	
1061, 1062, 1063, 1064, 1065, 1067, 1068,	
1085, 1105	2593
Tract 604.04	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1026, 1027, 1028, 1034, 1037,	
1038, 1039, 1040, 1045, 1046, 1047	772
WILD WING Subtotal	3,365
County Horry SC Subtotal	40,441
DISTRICT 105 Total	40,441
Area	Population
DISTRICT 106	
Area	Population
County: Horry SC	
BURGESS #1	2,897
BURGESS #2	3,853
BURGESS #3	2,697
BURGESS #4	2,435
BURGESS #5	2,276
DEERFIELD	
Tract 514.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 2000, 2001, 2002,	
2003, 2004, 2005, 2006, 2007, 2008, 2009,	
2010	2929
Tract 514.04	
Blocks: 1000, 1001, 2002, 3000, 3001, 3002,	
3003	861

TUESDAY, DECEMBER 7, 2021

DEERFIELD Subtotal	3,790
GARDEN CITY #1	2,768
GARDEN CITY #2	1,528
GARDEN CITY #3	2,475
GARDEN CITY #4	1,553
GLENNS BAY	2,976
JET PORT #2	1,778
SEA WINDS	
Tract 516.07	
Blocks: 2027, 2028, 2029, 2030	258
SEA WINDS Subtotal	258
SURFSIDE #1	3,054
SURFSIDE #2	1,068
SURFSIDE #3	3,248
SURFSIDE #4	3,405
County Horry SC Subtotal	42,059
DISTRICT 106 Total	42,059
Area	Population

DISTRICT 107

Area

Population

County: Horry SC

COASTAL LANE #1	1,778
COASTAL LANE #2	3,667
DUNES #1	

Tract 501.02

Blocks: 2010, 2011, 2012, 2013, 2014, 2015,

2016, 2017, 2018, 2019, 2020, 2021213

Tract 503.03

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,

1006, 1007, 1008, 1009, 1010, 1011, 1012,

1013, 1014, 1015, 1016, 1017, 1018, 1019,

1020, 1021, 1022, 1023, 1024, 1025, 1026,

1027, 1028, 1029, 1030, 1031, 1032, 1033,

1034, 1035, 1036, 1037, 1038, 1039, 1040,

1041, 1042, 1043, 1044, 1045, 1046, 1047,

1048, 1049, 1051, 1052, 1053, 1054, 1055,

1056, 1057, 1058, 1059, 1060, 1061, 1062.

1063, 1064, 1065, 1066, 1067, 1068, 1069,

1070, 1071, 1072, 1073, 1074, 1075, 1076.

1070, 1071, 1072, 1073, 1074, 1075, 1076,

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1077, 1078, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2023, 2047, 2048, 2049	2368
Tract 603.10	
Blocks: 2016, 2023, 2024, 2034, 2042, 2043, 2044	0
Tract 9901	
Blocks: 0013	0
DUNES #1 Subtotal	2,581
DUNES #2	2,274
DUNES #3	1,246
JET PORT #1	2,911
JET PORT #3	2,309
JET PORT #4	3,298
MYRTLEWOOD #1	2,332
MYRTLEWOOD #2	2,301
MYRTLEWOOD #3	2,458
OCEAN FOREST #1	1,813
OCEAN FOREST #2	2,330
OCEAN FOREST #3	2,972
SEA OATS #1	3,365
SEA OATS #2	4,298
SOCASTEE #4	
Tract 509.02	
Blocks: 1038, 1039, 1040	0
Tract 515.03	
Blocks: 2013, 2014, 2015, 2016, 2017, 2019, 2020, 2036	107
SOCASTEE #4 Subtotal	107
County Horry SC Subtotal	42,040
DISTRICT 107 Total	42,040
Area	Population
DISTRICT 108	
Area	Population
County: Charleston SC	
Christ Church	1,164
McClellanville	1,975
County Charleston SC Subtotal	3,139

TUESDAY, DECEMBER 7, 2021

County: Georgetown SC

BLACK RIVER2,338

BROWN'S FERRY

Tract 9203.01

Blocks: 2000, 2001, 4000, 4001, 4002, 401451

BROWN'S FERRY Subtotal51

GEORGETOWN NO. 11,032

GEORGETOWN NO. 4658

GEORGETOWN NO. 52,691

KENSINGTON

Tract 9203.02

Blocks: 1000, 1001, 1057, 2002, 2003, 2005,

2006, 2008, 2012, 2014, 2020, 2021, 2031,

2032, 2040, 2041, 2042, 2043380

KENSINGTON Subtotal380

MURRELL'S INLET NO. 13,991

MURRELL'S INLET NO. 23,000

MURRELL'S INLET NO. 3

Tract 9205.02

Blocks: 1003, 2000, 2001, 2002, 2003, 2004,

2005, 2015, 2017, 2019, 2020, 2021, 2022,

2023, 2024, 2025, 2026, 2027, 2028, 2029,

2030, 2031, 2032, 2033, 2034, 2035, 2036,

2037, 2038, 2039, 2040, 2041, 2042, 2043,

2044, 2045, 2046, 2047, 2048, 2049, 2050,

2051, 2052, 3001, 3002, 3003, 3004, 3005,

3006, 3007, 3008, 3009, 3010, 3011, 3012,

3013, 3014, 3015, 3016, 3017, 3018, 3020,

3021, 3022, 3023, 3024, 3025, 3026, 3027,

3028, 3029, 3030, 30311189

Tract 9205.10

Blocks: 1020, 10218

Tract 9901

Blocks: 00020

MURRELL'S INLET NO. 3 Subtotal1,197

MURRELL'S INLET NO. 41,927

PAWLEY'S ISLAND NO. 13,539

PAWLEY'S ISLAND NO. 24,544

PAWLEY'S ISLAND NO. 32,809

PAWLEY'S ISLAND NO. 43,231

PAWLEY'S ISLAND NO. 53,367

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PENNY ROYAL

Tract 9207.01

Blocks: 1003, 1004, 1005, 1006, 1007, 1008,
1009, 1019, 1020, 1021, 1022, 1025, 1026,
1045333

Tract 9207.02

Blocks: 3001, 3002, 3003, 3004, 3005, 3006,
3007, 3008, 3009, 3010, 3011, 3012, 3013,
3014, 3015, 3016, 3017, 3018, 3019, 3020,
3021, 3022, 3023, 3024, 3025, 3026, 3027,
3028, 3029, 3034, 3035, 3038, 3060, 3061,
3062, 3063, 3064, 3065, 3076, 3077, 3078473

PENNY ROYAL Subtotal806

PLANTERSVILLE

Tract 9204

Blocks: 2000, 2002, 2025, 2026, 2027, 2047,
2054, 2055, 2056, 2057, 2058, 2059, 2060,
2061, 2062, 2063, 2064, 2065, 2066, 2067,
2068, 2069, 2070, 2084117

PLANTERSVILLE Subtotal117

SANTEE

Tract 9208

Blocks: 3000, 3001, 3002, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3037, 3038, 3039, 3040,
3041, 3042, 3043, 3044, 3045, 3046, 3047,
3048, 3049, 3050, 3051, 3052, 3053, 3054,
3055, 3056, 3057, 3058, 3059, 3060, 3061,
3062, 3063, 3064, 3065, 3066, 3067, 3068,
3069, 3070, 3071, 3072, 3073, 3074, 3075,
3076, 3077, 3078, 3079, 3080, 3081, 3082,
3083, 3084, 3085, 3094, 3095, 3096, 3097,
3098, 3099, 3100, 3101, 3102, 3103, 3104,
3105, 3106, 3107, 3108, 3109, 3110, 3111,
3112, 3116, 3117, 3118, 3119, 3120, 3121,
3122, 3125, 3126, 3127, 3128, 3129, 3130,
3131, 3132, 3133, 3134, 3135, 3136, 3137200

Tract 9901

Blocks: 0012, 0013, 0014, 0015, 00160

SANTEE Subtotal200

SPRING GULLY

TUESDAY, DECEMBER 7, 2021

Tract 9206.02	
Blocks: 1039, 1040	0
Tract 9207.02	
Blocks: 1031, 1032, 1033, 1036, 1040	0
SPRING GULLY Subtotal	0
WINYAH BAY	1,299
County Georgetown SC Subtotal	37,177
DISTRICT 108 Total	40,316
Area	Population

DISTRICT 109

Area	Population
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County: Charleston SC

North Charleston 18	3,448
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North Charleston 19	1,843
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North Charleston 2

Tract 39

Blocks: 2012, 2013, 2014, 2015, 2016, 2017,	
2018, 2019, 2020, 2023, 2024, 2025, 2026,	
2027, 2028, 2029, 2030, 2031, 2032, 2033,	
2034, 2035, 2036, 2037, 2038, 2039, 2040,	
2041, 2042, 2046, 3009	1213

Tract 40

Blocks: 2024, 2025, 2026, 2027, 2028, 2029,	
2030, 2031, 2032	12

North Charleston 2 Subtotal	1,225
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North Charleston 20	1,280
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North Charleston 21	2,704
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North Charleston 22	2,642
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North Charleston 23	3,360
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North Charleston 24

Tract 31.08

Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2028	3354

North Charleston 24 Subtotal	3,354
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North Charleston 3	1,594
North Charleston 4	1,807
North Charleston 5	
Tract 38	
Blocks: 1001, 1007, 1008, 1009, 1010, 1011,	
1012, 1013, 1014, 1028, 1029, 1030, 2000,	
2001, 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017	1469
Tract 40	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017	1240
North Charleston 5 Subtotal	2,709
County Charleston SC Subtotal	25,966
County: Dorchester SC	
Archdale	1,733
Archdale 2	2,115
Ashley River	3,361
Lincoln	
Tract 108.18	
Blocks: 1032, 1033, 1034, 1035, 1036, 1037,	
1045, 1046, 1047, 1048, 1049, 1050, 3004,	
3005, 3006, 3007, 3008, 3009, 3010, 3011,	
3012, 3013, 3014, 3015, 3016, 3017, 3018,	
3020, 3021, 3022, 3023, 3027, 3028, 3029,	
3030, 3031, 3032, 3033, 3034, 3035, 3036,	
3037, 3038, 3039, 3040, 3041, 3042, 3043,	
3044, 3045, 3046, 3047, 3048, 3049	3362
Lincoln Subtotal	3,362
Patriot	3,087
Windsor	
Tract 108.17	
Blocks: 1013	0
Tract 108.18	
Blocks: 2000, 2001, 2002, 2004, 2005, 2006,	
2007, 2008, 2014, 2015, 4000, 4001	1352
Windsor Subtotal	1,352
Windsor 2	1,044
County Dorchester SC Subtotal	16,054
DISTRICT 109 Total	42,020

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Area	Population
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DISTRICT 110

Area	Population
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County: Charleston SC

Charleston 1	795
Charleston 2	976
Charleston 3	1,062
Charleston 4	1,145
Charleston 5	1,053
Charleston 6	1,736
Charleston 7	2,498
James Island 11	2,559
James Island 12	1,661
James Island 13	2,088
James Island 14	1,129
James Island 17	

Tract 19.02

Blocks: 1010, 1011, 1012, 1013, 1014, 1015,	
1016, 1017, 1018, 1019, 1020, 1021, 1025,	
1026, 1029, 3000, 3001, 3002, 3003, 3004,	
3005, 3006, 3007, 3008, 3009, 3010, 3011,	
3012, 3013, 3014, 3015, 3016, 3017, 3018,	
3019, 3020, 3021, 3022, 3023, 3024, 3025,	
3026, 3027, 3028, 3029, 3030, 3031, 3032,	
3033, 3034, 3035, 3036, 3037, 3038, 3039,	
3040, 3041, 3042, 3043, 3044, 3045, 3046,	
3047, 3048, 3049, 3050, 3051, 3052, 3053,	
3054, 3055	1696

Tract 20.02

Blocks: 3002	0
James Island 17 Subtotal	1,696
Mt. Pleasant 1	1,904
Mt. Pleasant 13	1,630
Mt. Pleasant 14	2,113
Mt. Pleasant 15	2,919
Mt. Pleasant 16	948
Mt. Pleasant 17	

Tract 46.13

Blocks: 1008, 1009, 1010, 1011, 1012	0
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Tract 46.14	
Blocks: 3017	0
Mt. Pleasant 17 Subtotal	0
Mt. Pleasant 18	1,528
Mt. Pleasant 2	1,564
Mt. Pleasant 3	1,914
Mt. Pleasant 4	2,032
Mt. Pleasant 5	1,644
Mt. Pleasant 6	2,648
St. Andrews 4	
Tract 30	
Blocks: 1015, 1016, 1017, 1018, 1019, 1031,	
1032, 1033, 1034, 1035, 1036, 1037, 1038,	
1039, 1040, 1041, 1042, 1043, 1044, 1045,	
1046, 1047, 1048, 1049, 1050, 1051, 1052,	
1053, 1054, 1055, 1065, 1068	1055
St. Andrews 4 Subtotal	1,055
County Charleston SC Subtotal	40,297
DISTRICT 110 Total	40,297
Area	Population

DISTRICT 111

Area	Population
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County: Charleston SC

Charleston 10	1,336
Charleston 11	2,040
Charleston 12	4,169
Charleston 13	1,457
Charleston 14	1,748
Charleston 15	2,793
Charleston 16	1,384
Charleston 17	1,307
Charleston 18	1,735
Charleston 19	986
Charleston 20	1,576
Charleston 21	1,168
Charleston 8	1,697
Charleston 9	1,389
North Charleston 1	1,110
North Charleston 2	

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Tract 40	
Blocks: 2013, 2014, 2015, 2016, 2017, 2023	266
Tract 44	
Blocks: 1003, 1004, 2030, 2034, 2035, 2036,	
2037, 2038, 2039, 2040, 2041, 2042, 2043,	
2044, 2046, 2048, 2049, 2053, 2055	298
North Charleston 2 Subtotal	564
North Charleston 6	2,048
St. Andrews 10	1,484
St. Andrews 15	2,036
St. Andrews 18	2,724
St. Andrews 19	424
St. Andrews 20	
Tract 26.12	
Blocks: 2000, 2001, 2002, 2003, 3015, 3016,	
3018, 3020, 3034, 3036, 3044, 3045, 3046,	
3047, 3048, 5011, 5013, 5017, 5022, 5023,	
5024, 5025, 5026, 5028, 5072	2076
St. Andrews 20 Subtotal	2,076
St. Andrews 3	1,571
St. Andrews 8	1,100
St. Andrews 9	1,743
County Charleston SC Subtotal	41,665
DISTRICT 111 Total	41,665
Area	Population

DISTRICT 112	
Area	Population

County: Charleston SC	
Awendaw	1,621
Isle Of Palms 1A	1,120
Isle of Palms 1B	1,524
Isle of Palms 1C	1,758
Mt. Pleasant 10	1,358
Mt. Pleasant 11	1,903
Mt. Pleasant 12	3,436
Mt. Pleasant 20	1,715
Mt. Pleasant 21	2,194
Mt. Pleasant 22	2,266
Mt. Pleasant 23	2,724

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Mt. Pleasant 35	
Tract 46.18	
Blocks: 2006, 2007, 2008, 2026, 2028, 2029,	
2030, 2031, 2056, 2057	517
Mt. Pleasant 35 Subtotal	517
Mt. Pleasant 36	
Tract 46.09	
Blocks: 4006, 4016, 4019, 4020, 4022, 4023,	
4024, 4025, 4026, 4027, 4028, 4029, 4030,	
4031, 4032, 4033, 4034, 4035, 4036, 4037,	
4038, 4039	964
Tract 46.10	
Blocks: 1020	17
Mt. Pleasant 36 Subtotal	981
Mt. Pleasant 37	4,732
Mt. Pleasant 38	2,331
Mt. Pleasant 39	5,875
Mt. Pleasant 7	1,353
Mt. Pleasant 8	1,193
Mt. Pleasant 9	1,354
Sullivans Island	1,891
County Charleston SC Subtotal	41,846
DISTRICT 112 Total	41,846
Area	Population

DISTRICT 113

Area	Population
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County: Charleston SC

Deer Park 1B

Tract 31.07	
Blocks: 3013, 3014, 3015, 3016, 3017, 3021,	
3022, 3023, 3024, 3025, 3026, 3027, 3028,	
3029, 3030, 3031, 3032, 3033, 3034, 3035,	
3036, 3037, 3038, 3039, 3040, 3041, 3042,	
3045, 3051, 3052, 3054, 3060, 3061, 3068,	
3076, 3077	2967
Deer Park 1B Subtotal	2,967
Deer Park 2A	
Tract 31.16	
Blocks: 1001, 1002	798

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Deer Park 2A Subtotal	798
Deer Park 2B	
Tract 31.16	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3011, 3012, 3013, 3014, 3015, 3016,	
3017, 3018, 3019, 3020, 3022, 3023, 3024	260
Deer Park 2B Subtotal	260
Ladson	
Tract 31.06	
Blocks: 2018, 2019, 2021, 2023, 2024, 2025,	
2027, 3000, 3001, 3002, 3003, 3004, 3005,	
3006, 3007, 3008, 3009, 3010, 3011, 3013,	
3014, 3015, 3016, 3017, 3018, 3019, 3020,	
3021, 3022, 3023, 3024, 4000, 4001, 4002,	
4003, 4004, 4005, 4006, 4007, 4008, 4009,	
4010, 4011, 4012, 4013, 4015, 4016, 4017,	
4018	3147
Ladson Subtotal	3,147
Licolnville	
Tract 31.06	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1009, 1010, 1011, 1012, 1013,	
1019, 1020, 1021, 1022, 1023, 1027, 1030,	
1031, 1032, 1033, 1034, 1035, 1036, 1037,	
1038, 1039, 1040, 1041, 1042, 1043, 1044,	
1045, 1046, 1047, 1048, 1049, 1050, 1051,	
1052, 1053, 1054, 1055, 1056, 1057, 1058,	
1059, 1060, 1061, 1069, 1093, 1094, 2000,	
2001, 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2020, 2022	2197
Licolnville Subtotal	2,197
North Charleston 10	2,970
North Charleston 11	1,055
North Charleston 12	1,379
North Charleston 13	1,662
North Charleston 14	931
North Charleston 15	2,365
North Charleston 16	1,555
North Charleston 17	1,526
North Charleston 24	

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Tract 31.05	
Blocks: 2033	0
Tract 31.08	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012	443
Tract 32	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 2000,	
2001, 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2022,	
2023, 2024, 2027, 2028, 2029, 2030, 2031,	
2032, 2034, 2035, 2036, 2038, 2039, 2040,	
2041, 2042, 2043, 2044, 2045, 2046, 2047,	
2048, 2049, 2050, 2051, 2052, 2053, 2054,	
2055, 2056, 2057, 2058, 2059	1638
North Charleston 24 Subtotal	2,081
North Charleston 25	1,018
North Charleston 26	922
North Charleston 27	3,061
North Charleston 28	3,038
North Charleston 30	2,995
North Charleston 5	
Tract 38	
Blocks: 1000	0
North Charleston 5 Subtotal	0
North Charleston 7	2,354
North Charleston 8	1,267
North Charleston 9	2,754
County Charleston SC Subtotal	42,302
DISTRICT 113 Total	42,302
Area	Population
 DISTRICT 114	
Area	Population
 County: Charleston SC	
St. Andrews 20	
Tract 26.12	

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Blocks: 1005, 1006, 1007, 1009, 1011, 1012,	
1013, 1015	485
St. Andrews 20 Subtotal	485
St. Andrews 22	1,516
St. Andrews 23	1,491
St. Andrews 31	1,800
St. Andrews 32	1,476
St. Andrews 33	1,037
St. Andrews 34	3,060
St. Andrews 35	2,078
St. Andrews 36	2,058
St. Andrews 37	6,444
County Charleston SC Subtotal	21,445
County: Dorchester SC	
Bacons Bridge	3,470
Bacons Bridge 2	1,332
Beech Hill	1,657
Beech Hill 2	2,209
Flowertown	3,521
Flowertown 2	2,389
Flowertown 3	2,321
King's Grant 2	2,819
Saul Dam	793
County Dorchester SC Subtotal	20,511
DISTRICT 114 Total	41,956
Area	Population

DISTRICT 115

Area	Population
County: Charleston SC	
Folly Beach 1	920
Folly Beach 2	1,196
James Island 10	2,195
James Island 15	2,166
James Island 17	
Tract 19.01	
Blocks: 1090, 1091	0
Tract 19.02	

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Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2012, 2013, 2014, 2015, 2019, 2020, 2021	659
Tract 20.02	
Blocks: 3003, 3004, 3006, 3071, 3072	0
James Island 17 Subtotal	659
James Island 19	2,233
James Island 1A	2,687
James Island 1B	
Tract 20.08	
Blocks: 2029, 2032, 2035, 2043, 2044, 2045, 2046, 2051, 2052, 2054, 2055, 2056	61
Tract 20.09	
Blocks: 1088, 3020, 3021, 3022, 3023	9
James Island 1B Subtotal	70
James Island 20	1,976
James Island 5A	1,875
James Island 5B	1,108
James Island 6	2,102
James Island 7	2,684
James Island 8A	1,842
James Island 8B	2,568
James Island 9	1,837
Johns Island 1B	
Tract 21.07	
Blocks: 2051, 2052, 2053, 2059, 2060	154
Johns Island 1B Subtotal	154
Johns Island 3A	
Tract 21.07	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2054, 2055, 2056, 2057, 2058, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026,	

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3027, 3028, 3029, 3030, 3031, 3032, 3033,	
3034, 3035, 3036, 3037, 3038	4695
Johns Island 3A Subtotal	4,695
Johns Island 3B	2,184
Johns Island 4	
Tract 20.08	
Blocks: 2064	0
Tract 21.03	
Blocks: 2029, 2030, 2031, 2032, 2033, 2034,	
2035, 2037, 2038, 2039, 2040, 2041, 2042,	
2043, 2044, 2045, 2046, 2047, 2048, 2049,	
2050, 2051, 2052, 2053, 2054, 2055, 2056,	
3000, 3001, 3002, 3003, 3004, 3005, 3006,	
3007, 3008, 3009, 3010, 3011, 3012, 3013,	
3014, 3015, 3016, 3017, 3018, 3019, 3020,	
4004, 4010, 4012, 4054, 4055, 4058, 4059,	
4060, 4061, 4062, 4063, 4064, 4065, 4066	1835
Johns Island 4 Subtotal	1,835
Kiawah Island	2,012
Town of Seabrook	2,178
County Charleston SC Subtotal	41,176
DISTRICT 115 Total	41,176
Area	Population

DISTRICT 116

Area	Population
County: Charleston SC	
Edisto Island	1,884
Johns Island 1A	2,742
Johns Island 1B	
Tract 21.06	
Blocks: 1002, 1003, 1004, 1005, 1006, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 1035,	
1036, 1037, 1038, 1039, 1040, 1041, 1047,	
1049	1243
Tract 21.07	
Blocks: 4000, 4001, 4003, 4005, 4006, 4008,	
4010, 4011, 4012, 4013, 4014, 4015, 4016,	
4017, 4026, 4027, 4028, 4029, 4030, 4031,	
4033, 4034, 4035, 4036, 4037, 4038, 4039,	

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4040, 4041, 4042, 4043, 4045, 4046, 4047, 4048, 4056, 4057	1916
Johns Island 1B Subtotal	3,159
St. Andrews 27	6,553
St. Andrews 28	4,758
St. Andrews 29	5,106
St. Pauls 1	1,103
St. Pauls 2A	1,261
St. Pauls 2B	1,786
St. Pauls 3	2,385
St. Pauls 4	2,400
St. Pauls 5	1,821
St. Pauls 6	2,907
Wadmalaw Island 1	1,406
Wadmalaw Island 2	1,442
County Charleston SC Subtotal	40,713
County: Colleton SC	
Edisto Beach	1,253
County Colleton SC Subtotal	1,253
DISTRICT 116 Total	41,966
Area	Population

DISTRICT 117

Area	Population
County: Berkeley SC	
Cane Bay East	1,877
Cane Bay North	2,008
Cane Bay South	3,131
Carnes Cross Road 2	1,460
Carnes Cross Roads 1	
Tract 207.12	
Blocks: 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 2020, 2021, 2022, 2024, 2025, 2026, 2027, 2028, 2029, 2030	1370
Carnes Cross Roads 1 Subtotal	1,370
Cobblestone	3,345
Discovery	
Tract 207.16	

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Blocks: 1000, 1001, 1002, 1009, 1010, 1011, 1012, 1013, 5010, 5011, 5012	1105
Discovery Subtotal	1,105
Horseshoe	
Tract 207.11	
Blocks: 3004	234
Horseshoe Subtotal	234
Live Oak	2,502
Nexton	2,619
North Creek	1,017
Royle	1,991
Sangaree 1	2,055
Sangaree 2	2,316
Sangaree 3	2,109
Seventy Eight	2,595
Stratford 1	4,310
Stratford 4	
Tract 207.16	
Blocks: 1004, 1005, 1006, 1007, 1008	542
Stratford 4 Subtotal	542
Stratford 5	2,648
Tramway	2,172
Weatherstone	
Tract 207.10	
Blocks: 3019, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3041, 3061	614
Weatherstone Subtotal	614
Whitesville 2	
Tract 205.03	
Blocks: 1028, 1029, 1030	56
Tract 207.11	
Blocks: 3000, 3010, 3011, 3012	100
Whitesville 2 Subtotal	156
County Berkeley SC Subtotal	42,176
DISTRICT 117 Total	42,176
Area	Population
DISTRICT 118	
Area	Population
County: Beaufort SC	

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Bluffton 1A	2,885
Bluffton 1D	
Tract 21.07	
Blocks: 3026, 3027, 3028, 3029, 3030, 3031,	
3032, 3033, 3034, 3049, 3050, 3051, 4000,	
4001, 4002, 4003, 4004, 4005, 4006, 4007,	
4008, 4009, 4010, 4011, 4012, 4013, 4014	2702
Bluffton 1D Subtotal	2,702
Bluffton 2B	2,351
Bluffton 2C	3,831
Bluffton 2D	2,976
Bluffton 2E	
Tract 21.06	
Blocks: 2011, 2012, 2013, 2014, 2015, 2016,	
2017, 2018, 2019, 2020, 2021, 2022, 2035	1428
Bluffton 2E Subtotal	1,428
Bluffton 4A	
Tract 21.10	
Blocks: 1000, 1001, 1002, 1003, 1004, 1010,	
1011, 1012, 1013, 1014, 1015, 1022, 1023,	
1024, 1025, 1026, 1027	38
Bluffton 4A Subtotal	38
Bluffton 4B	
Tract 21.06	
Blocks: 2004, 2023, 2024, 2025, 2026, 2027,	
2028, 2030, 2036, 2037	726
Bluffton 4B Subtotal	726
Bluffton 4C	3,038
Bluffton 4D	2,483
New River	4,169
Sandy Pointe	2,470
Sun City 1	1,417
Sun City 2	1,148
Sun City 3	1,662
Sun City 4	1,336
Sun City 5	1,463
Sun City 6	1,345
Sun City 7	1,222
Sun City 8	2,685
County Beaufort SC Subtotal	41,375
DISTRICT 118 Total	41,375

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Area Population

DISTRICT 119

Area Population

County: Charleston SC

James Island 1B

Tract 20.08

Blocks: 2008, 2009, 2010, 2011, 2012, 2013,
2014, 2015, 2016, 2017, 2033, 2034, 2037,
2038, 2039, 2040, 2041, 2042, 2053, 2057,
2058, 2059, 3005, 3012, 3013, 3014, 3015,
3016, 3017, 3018, 3019, 3020, 3021, 3022,
3023, 3024, 3025, 3026, 3027, 3028, 3029,
3030, 3031, 3032, 3033, 3034, 3035 763

Tract 20.09

Blocks: 1044, 1045, 1046, 1047, 1048, 1049,
1050, 1051, 1052, 1069, 1071, 1072, 1073,
1074, 1076, 1077, 1094 575

James Island 1B Subtotal 1,338

James Island 2 7,318

James Island 22 1,920

James Island 3 1,069

Johns Island 3A

Tract 21.03

Blocks: 2000, 2001, 2002, 2003, 2004, 2005,
2006, 2007, 2008, 2009, 2010, 2011, 2012,
2013, 2014, 2015, 2016, 2023, 2025 748

Tract 21.06

Blocks: 2003 0

Johns Island 3A Subtotal 748

Johns Island 4

Tract 21.03

Blocks: 2017, 2018, 2019, 2020, 2021, 2022,
2024, 2026, 2027, 2028, 2036 25

Johns Island 4 Subtotal 25

St. Andrews 1 885

St. Andrews 11 1,127

St. Andrews 12 1,305

St. Andrews 13 1,603

St. Andrews 14 1,977

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St. Andrews 16	1,233
St. Andrews 17	2,290
St. Andrews 2	1,393
St. Andrews 20	
Tract 26.12	
Blocks: 4001, 4002, 4003, 4004, 4005, 4006,	
4007, 4008, 4009, 4010, 4011, 4012, 4014,	
4015, 4016, 4021, 4022, 4023, 4024, 4025,	
4026, 4027, 4028, 4030, 4031, 4033, 5000,	
5001, 5002, 5003, 5004, 5005, 5006, 5007,	
5008, 5009, 5010, 5012, 5014, 5015, 5016,	
5018, 5020, 5044, 5045, 5047, 5048, 5049,	
5050, 5051, 5052, 5053, 5054, 5055, 5056,	
5057, 5058, 5059, 5060, 5063, 5064, 5065,	
5066, 5067, 5070, 5071, 5073	1361
St. Andrews 20 Subtotal	1,361
St. Andrews 21	1,385
St. Andrews 24	2,004
St. Andrews 25	2,305
St. Andrews 26	1,848
St. Andrews 30	2,771
St. Andrews 4	
Tract 30	
Blocks: 1005, 1008, 1009, 1023, 1024, 1025,	
1026, 1027, 1028, 1029, 1060, 1061, 1062,	
1063, 1067, 2000, 2001, 2002, 2003, 2004,	
2005, 2006, 2007, 2008, 2009, 2010, 2011,	
2017, 2034	938
St. Andrews 4 Subtotal	938
St. Andrews 5	1,669
St. Andrews 6	1,432
St. Andrews 7	2,117
County Charleston SC Subtotal	42,061
DISTRICT 119 Total	42,061
Area	Population
DISTRICT 120	
Area	Population
County: Beaufort SC	
Belfair	2,568

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Bluffton 1B	1,769
Bluffton 1C	3,263
Bluffton 1D	
Tract 21.07	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015, 2016, 2017, 2018, 2019,	
2020, 2021, 2022, 2023, 2024, 2025, 2026,	
2027, 2028, 2029, 2030	1054
Tract 21.08	
Blocks: 1020	20
Bluffton 1D Subtotal	1,074
Bluffton 2A	2,380
Bluffton 2E	
Tract 21.07	
Blocks: 1020, 1021, 1022, 1023, 1024, 1029,	
1030, 1031, 1032, 1033, 3000, 3001, 3002,	
3003, 3004, 3005, 3006, 3007, 3008	1769
Bluffton 2E Subtotal	1,769
Bluffton 3	1,289
Bluffton 4A	
Tract 21.05	
Blocks: 1015, 1016, 1017, 1018	0
Tract 22.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1008, 1009, 1010, 1011, 1012, 1013,	
1014, 1015	1326
Tract 22.02	
Blocks: 1096, 1097, 1098, 1103, 1104, 1110,	
1111, 1112, 1113	20
Bluffton 4A Subtotal	1,346
Bluffton 4B	
Tract 21.05	
Blocks: 1066, 1069	0
Tract 21.06	
Blocks: 2000, 2001, 2002, 2003, 2006, 2008,	
2009, 2010, 2038, 3013, 3014, 3015, 3017,	
3018, 3019, 3020	1582
Bluffton 4B Subtotal	1,582
Bluffton 5A	2,881
Bluffton 5B	1,906

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Burton 1A

Tract 5.01

Blocks: 2000, 2001, 2002, 2003, 2004, 2006,
2007, 2008, 2009, 2010, 3021, 3022, 3037 1189

Tract 5.02

Blocks: 1015, 1016, 1017, 1018, 1019, 1020,
1021, 1022, 1023, 1024, 1025, 1026, 1027,
1028, 1030, 1031, 1032, 1033, 1034, 1035,
1036, 1037, 1079, 1080, 1081, 1083, 1091,
1092 2067

Burton 1A Subtotal 3,256

Burton 1C

Tract 5.01

Blocks: 2005, 3006, 3007, 3015, 3016, 3017,
3018, 3019, 3020, 3023, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3038, 3039, 3040, 3041,
3042, 3043, 3044, 3045, 3046, 3047, 3048,
3049, 3050, 3051, 3052, 3053, 3054, 3055,
3056, 3057, 3058, 3059, 3060, 3062, 3064,
3065, 3066, 3067, 3068, 3069, 3070, 3071,
3072, 3073, 3074, 3075, 3076, 3077, 3078,
3079, 3080, 3081, 3082, 3083, 3084, 3085,
3086, 3087, 3088, 3089, 3090, 3091, 3092,
3093, 3094, 3095, 3096, 3097, 3098, 3099,
3100, 3101, 3102, 3103, 3104 1681

Burton 1C Subtotal 1,681

Burton 1D

Tract 5.01

Blocks: 3008, 3009, 3010, 3011, 3012, 3013,
3014 466

Burton 1D Subtotal 466

Burton 2B

Tract 5.02

Blocks: 1029, 1038, 1059, 1064, 1065, 1066,
1067, 1068, 1070 386

Burton 2B Subtotal 386

Chechessee 1 1,772

Chechessee 2 2,442

Hilton Head 1B

Tract 105

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Blocks: 2000, 2002, 2003, 2004, 2005, 2007,
2008, 2009, 2013, 2014, 2015, 2016, 2017,
2018, 2019, 2020, 2021, 2022, 2023, 2026,
2027, 2028, 2029, 2030, 2035, 2036, 2037,
2038, 2039, 2040, 2041, 2042, 2043, 2044,
2045, 2046, 2047, 2048, 2050 1212
Hilton Head 1B Subtotal 1,212
Hilton Head 4B
Tract 105
Blocks: 2001, 2006 0
Hilton Head 4B Subtotal 0
Moss Creek 1,677
Palmetto Bluff 931
Rose Hill 2,053
County Beaufort SC Subtotal 37,703
County: Jasper SC
OAKATIE 2 1,893
SUN CITY 2,688
County Jasper SC Subtotal 4,581
DISTRICT 120 Total 42,284
Area Population

DISTRICT 121
Area Population

County: Beaufort SC
Beaufort 1
Tract 6
Blocks: 1002, 1003, 1004, 1005, 1007, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
1020, 1021, 1022, 1023, 1024, 1025, 1026,
1027, 1028, 1029, 1045, 1046, 2017, 2021,
2022 775
Beaufort 1 Subtotal 775
Beaufort 2
Tract 6
Blocks: 1001, 1006, 1008, 1009, 1010, 1011,
1030, 1031, 1060, 1061, 1063, 1064, 1065,
1066, 2014, 2015, 2016 124
Beaufort 2 Subtotal 124
Burton 1A

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Tract 5.02	
Blocks: 1006, 1007, 1009, 1010, 1011, 1012,	
1013, 1014, 1053, 1054, 1056	524
Burton 1A Subtotal	524
Burton 1B	2,305
Burton 1C	
Tract 2	
Blocks: 1086, 1088, 1089, 1090, 1091, 1092,	
1093	495
Tract 5.01	
Blocks: 3000, 3001, 3002, 3003, 3004, 3005,	
3061, 3063	667
Burton 1C Subtotal	1,162
Burton 1D	
Tract 3	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1019, 1021,	
1022, 1023, 1024, 1025, 1026, 1027, 1028,	
1029, 1030, 1031, 1032, 1033, 1034, 2000,	
2001, 2002, 2003, 2004, 2005, 2006, 2007,	
2008, 2009, 2010, 2011, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019, 2020, 2021,	
2022, 2023, 2024, 2025, 2026, 2027, 2028,	
3018, 3019, 3020, 3021	2766
Burton 1D Subtotal	2,766
Burton 2B	
Tract 5.02	
Blocks: 1008, 1039, 1040, 1041, 1042, 1043,	
1044, 1045, 1046, 1047, 1048, 1049, 1050,	
1051, 1052, 1055, 1057, 1058, 1069, 1084	665
Burton 2B Subtotal	665
Burton 3	
Tract 2	
Blocks: 1063, 1072, 1074, 1075, 1084, 1085,	
1094, 1095, 1096, 1098	0
Tract 4	
Blocks: 1004, 1005, 1006, 1007, 1008, 1009,	
1010, 1011, 1012, 1013, 1014, 1015, 1016,	
1017, 1018, 1019, 1020, 1021, 1022, 1023,	
1024, 1025, 1028, 1029, 1030, 1031, 1032,	

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1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1080, 1081, 1082, 1086	1976
Tract 5.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1022, 1035, 1036, 1037, 1038, 1039	487
Tract 5.02	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2029, 2030, 2058, 2059, 2060, 2067, 2086	506
Tract 6	
Blocks: 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1062, 1067, 1068	115
Burton 3 Subtotal	3,084
Dale Lobeco	1,448
Hilton Head 2B	
Tract 108	
Blocks: 1002	0
Hilton Head 2B Subtotal	0
Seabrook 1	2,057
Seabrook 2	1,196
Seabrook 3	2,161
Sheldon 1	
Tract 1	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047,	

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1048, 1049, 1050, 1051, 1052, 1053, 1054,
1055, 1056, 1057, 1058, 1059, 1060, 1061,
1062, 1063, 1064, 1065, 1066, 1067, 1068,
1069, 1070, 1071, 1072, 1073, 1074, 1075,
1076, 1077, 1078, 1079, 1080, 1081, 1082,
1083, 1084, 1085, 1086, 1087, 1088, 1089,
1090, 1091, 1092, 1093, 1094, 1095, 1096,
1097, 1102, 1103, 1104, 1105, 1106, 1110,
1111, 1112, 1113, 1114, 1115, 1116, 1117,
1118, 1119, 1120, 1121, 2040, 2041, 2042,
2043, 2044, 2045, 2046, 2047, 2048, 2049,
2050, 2051, 2052, 2053, 2054, 2055, 2056,
2057, 2058, 2059, 2073, 2074, 2080 1428
Sheldon 1 Subtotal 1,428
Sheldon 2
Tract 1
Blocks: 2000, 2001, 2002, 2003, 2005, 2006,
2007, 2008, 2009, 2010, 2011, 2012, 2013,
2014, 2015, 2016, 2017, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2031,
2032, 2060, 2061, 2062, 2063, 2064, 2065,
2066, 2067, 2068, 2069, 2070, 2071, 2072,
2075, 2076, 2077, 2078, 2079, 3020 994
Sheldon 2 Subtotal 994
St. Helena 1A
Tract 11.03
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,
1006, 1007, 1019, 1020, 1032, 1033, 1034 658
Tract 11.04
Blocks: 1025, 1026, 1027, 1028, 1029, 1030,
1031, 1032, 1033, 1034, 1035, 3012, 3013,
3014, 3015 701
St. Helena 1A Subtotal 1,359
St. Helena 1B 1,663
St. Helena 2A
Tract 11.01
Blocks: 2001, 2016, 2017, 2018, 2019, 2020,
2021, 2022, 2023, 2024, 2025, 2026, 2027,
2028, 2029, 2030, 2031, 2032, 2033, 3011,
3012, 3013, 3014, 3015, 3016, 3018, 3019,

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3020, 3022, 3025, 3026, 3027, 3028, 3029,
3030, 3031, 3032, 3033, 3034, 3036 1269
St. Helena 2A Subtotal 1,269
St. Helena 2B 1,756
St. Helena 2C 1,192
County Beaufort SC Subtotal 27,928
County: Colleton SC
Green Pond 1,105
Hendersonville 1,353
Jacksonboro
Tract 9708
Blocks: 1017, 1019, 1020, 1021, 1022, 1023,
1024, 1025, 1026, 1028, 1030, 1033, 1034,
1035, 1036, 1037, 1038, 1039, 1040, 1041,
1042, 1043, 1044, 1045, 1046, 1047, 1048,
1049, 1050, 1051, 1052, 1054, 1055, 1062 353
Jacksonboro Subtotal 353
Mashawville
Tract 9706.02
Blocks: 2000, 2001, 2002, 2003, 2004, 2007,
2010, 2011, 2012, 2013, 2014, 2015, 2044,
2045, 2047, 2048, 2049, 2050, 2051, 2052,
2053, 2054 597
Mashawville Subtotal 597
Peniel
Tract 9703.01
Blocks: 3005, 3006, 3007, 3008, 3010, 3011,
3012, 3013, 3014, 3015, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3026,
3027, 3028, 3029, 3030, 3031, 3032, 3033,
3034, 3035, 3036, 3037, 3038, 3039, 3040,
3041, 3042, 3043, 3044, 3045, 3049, 3050,
3051, 3052, 3053, 3054, 3055, 3056, 3057,
3058, 3059, 3060, 3061 942
Peniel Subtotal 942
Ritter 924
Sniders
Tract 9703.01
Blocks: 1026, 1027, 1051 43
Sniders Subtotal 43
Walterboro No. 1 1,918

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Walterboro No. 2	
Tract 9705.01	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
1013, 1014, 1015, 1016, 1017, 1018, 1019,	
1020, 1021, 1022, 1023, 1024, 1025, 1026,	
1027, 1028, 1029, 1030, 1031, 1032, 1033,	
1034, 1035, 1036, 1037, 1038, 1039, 1040,	
1041, 1042, 1043, 1044, 1045, 1046, 1047,	
2009, 2021, 2022	1117
Tract 9706.01	
Blocks: 2020, 2021, 2024, 2025, 3027, 3028,	
3029, 3030, 3031, 3032, 3033, 3034	107
Walterboro No. 2 Subtotal	1,224
Walterboro No. 3	1,960
Walterboro No. 4	2,161
Walterboro No. 5	
Tract 9706.01	
Blocks: 3024, 3026	0
Walterboro No. 5 Subtotal	0
Walterboro No. 6	
Tract 9705.01	
Blocks: 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2023, 2024, 2025, 2026	534
Tract 9706.01	
Blocks: 1005, 1006, 1007, 1008, 1009, 1010,	
1011, 1012, 1013, 1014, 1015, 1016, 1017,	
1018, 1019, 1020, 1021, 1027, 1028, 1031,	
1040, 1044, 1045, 1046, 1047, 1048, 1049,	
1050, 1051, 1052, 1053, 1054, 1055, 1056,	
1059, 2029, 2032, 2033, 2034, 2035	1177
Walterboro No. 6 Subtotal	1,711
County Colleton SC Subtotal	14,291
DISTRICT 121 Total	42,219
Area	Population

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DISTRICT 122

Area	Population
County: Beaufort SC	
Sheldon 1	
Tract 1	
Blocks: 2035, 2036, 2038, 2039	6
Sheldon 1 Subtotal	6
Sheldon 2	
Tract 1	
Blocks: 2004, 2027, 2028, 2029, 2030, 2033,	
2034, 2037	106
Sheldon 2 Subtotal	106
County Beaufort SC Subtotal	112
County: Colleton SC	
Ashton-Lodge	734
Petits	365
Rice Patch	847
County Colleton SC Subtotal	1,946
County: Hampton SC	18,561
County: Jasper SC	
COOSAWHATCHIE	599
GILLISONVILLE	816
GRAHAMVILLE 1	1,675
GRAHAMVILLE 2	4,213
GRAYS	943
HARDEEVILLE 1	2,211
HARDEEVILLE 2	1,668
HARDEEVILLE 3	941
OAKATIE	1,178
PINELAND	966
RIDGELAND 1	1,593
RIDGELAND 2	1,993
RIDGELAND 3	1,348
TILLMAN	1,007
County Jasper SC Subtotal	21,151
DISTRICT 122 Total	41,770
Area	Population

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DISTRICT 123

Area	Population
County: Beaufort SC	
Daufuskie	557
Hilton Head 10	2,663
Hilton Head 11	1,505
Hilton Head 12	969
Hilton Head 13	1,196
Hilton Head 14	1,050
Hilton Head 15A	588
Hilton Head 15B	936
Hilton Head 1A	2,249
Hilton Head 1B	
Tract 104	
Blocks: 2016	0
Tract 105	
Blocks: 2010, 2011, 2012, 2024, 2025, 2031,	
2032, 2033, 2034	711
Hilton Head 1B Subtotal	711
Hilton Head 2A	2,048
Hilton Head 2B	
Tract 107	
Blocks: 1011, 1012, 2006, 2012, 2013, 2014,	
2015, 2016, 2017, 2018, 2019	293
Tract 108	
Blocks: 1000, 1001, 1003, 1004, 1007, 1008,	
1011, 1012, 1013, 1014, 1015, 1016, 1017,	
1018, 1019, 1020, 1021, 1022, 1023, 1024,	
1025, 2000, 2001, 2002, 2003, 2004, 2005,	
2006, 2007, 2008, 2009, 2010, 2011, 2012,	
2013, 2014, 2015	3017
Tract 109	
Blocks: 1004, 1007, 1009, 2004	378
Tract 110	
Blocks: 1000, 1001, 1002, 1003	121
Hilton Head 2B Subtotal	3,809
Hilton Head 2C	1,703
Hilton Head 3	1,002
Hilton Head 4A	906
Hilton Head 4B	

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Tract 106

Blocks: 1005, 1006, 1007, 1008, 1011, 1012,
1013, 1014, 1015, 1016, 1017, 1018, 1019,
2006, 2007, 2008, 2009, 2010, 2011 1300

Hilton Head 4B Subtotal 1,300

Hilton Head 4C 1,125

Hilton Head 4D 1,140

Hilton Head 5A 1,078

Hilton Head 5B 975

Hilton Head 5C 1,041

Hilton Head 6 1,474

Hilton Head 7A 1,608

Hilton Head 7B 1,716

Hilton Head 8 1,059

Hilton Head 9A 1,878

Hilton Head 9B 1,462

County Beaufort SC Subtotal 37,748

County: Jasper SC

LEVY 3,059

County Jasper SC Subtotal 3,059

DISTRICT 123 Total 40,807

Area	Population
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DISTRICT 124

Area	Population
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County: Beaufort SC

Beaufort 1

Tract 6

Blocks: 2013, 2018, 2019, 2020, 2023, 2024 118

Tract 7

Blocks: 1000, 1001, 1002, 2000, 2001, 2002,
2003, 2004, 2005, 2006, 2007, 2008, 2009,
2010, 2011, 2012, 2013, 2014, 2015, 2016,
2017, 2018, 2019, 2020, 2021, 2022, 2023,
2024, 2025, 2027, 2028, 2029, 2030, 2032,
2033, 2051, 2052, 2057, 3001, 3002, 3003,
3004, 3005, 3006, 3007, 3008, 3009, 3010,
3011, 3012, 3015, 3016, 3017, 3018, 3019,
3020, 3021, 3022, 3023, 3024, 3025, 3026,

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3030, 3031, 3032, 3033, 3034, 3035, 3036,	
3037, 3038, 3039, 3044, 3053, 3058, 3067	713
Beaufort 1 Subtotal	831
Beaufort 2	
Tract 6	
Blocks: 1000, 1032, 1033, 1034, 1035, 1036,	
1037, 1038, 1039, 1040, 1041, 1042, 1043,	
1044, 1069, 1070, 2000, 2001, 2002, 2003,	
2004, 2005, 2006, 2007, 2008, 2009, 2010,	
2011, 2012, 2025, 2026, 2027, 2028, 2029,	
2030, 2031, 2032, 2033, 2034, 2035, 2036,	
2037, 2038, 2039, 2040, 2041, 2042, 2043,	
2044, 2045, 2046, 2047, 2048, 2049, 2050,	
2051, 2052, 2053, 2054, 2055, 2056, 2057,	
2058, 2059, 2060, 2061, 2062, 2063, 2064,	
2065	1184
Tract 7	
Blocks: 3000, 3013, 3014, 3027, 3028, 3029,	
3040, 3041, 3042, 3043, 3054, 3055, 3056,	
3057, 3064, 3065, 3066, 3068	130
Beaufort 2 Subtotal	1,314
Beaufort 3	1,932
Burton 2A	8,096
Burton 2B	
Tract 5.02	
Blocks: 1060, 1061, 1062, 1063, 1071, 1072,	
1073, 1074, 1075, 1076, 1077, 1078, 1082,	
1085, 1086, 1087, 1088, 1089, 1090	293
Tract 5.03	
Blocks: 1000, 1001, 1002, 1003, 1004, 1005,	
1006, 1007, 1008, 1009, 1010, 1011, 1012,	
2000, 2001, 2002, 2003, 2004, 2005, 2006,	
2007, 2008, 2009, 2010, 2011, 2012, 2013,	
2014, 2015, 2016, 2017, 2018, 2019, 2020,	
2021, 2022, 2023, 2024, 2025, 2026, 2027,	
2028, 2029, 3031, 3032, 3033, 3034, 3035,	
3036, 3037, 3038, 3077, 3078, 3079, 3080,	
3081, 3082, 3083, 3084, 3085, 3086, 3087,	
3088, 3089, 3090, 3091, 3092, 3093, 3094,	
3095, 3096, 3097, 3098, 3099, 3100, 3101,	

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3102, 3103, 3104, 3105, 3106, 3107, 3108, 3109, 3110	2066
Tract 7	
Blocks: 6006, 6007	0
Tract 8	
Blocks: 1017, 1018, 1019, 1020	0
Burton 2B Subtotal	2,359
Burton 2C	2,785
Burton 3	
Tract 5.02	
Blocks: 2016, 2033	25
Burton 3 Subtotal	25
Ladys Island 1A	2,323
Ladys Island 1B	2,121
Ladys Island 2A	2,096
Ladys Island 2B	1,732
Ladys Island 2C	1,336
Ladys Island 3A	1,138
Ladys Island 3B	1,738
Ladys Island 3C	1,568
Mossy Oaks 1A	1,447
Mossy Oaks 1B	1,624
Mossy Oaks 2	1,781
Port Royal 1	1,960
Port Royal 2	2,070
St. Helena 1A	
Tract 9.02	
Blocks: 3038, 3039, 3040	0
Tract 11.01	
Blocks: 2005, 2034, 2035, 2036, 2037, 2038, 2039, 2041, 2042, 2043, 2044, 2045, 2047, 2048, 2049	292
St. Helena 1A Subtotal	292
St. Helena 1C	1,396
St. Helena 2A	
Tract 11.01	
Blocks: 2002, 2004, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015	287
St. Helena 2A Subtotal	287

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County Beaufort SC Subtotal42,251
DISTRICT 124 Total42,251
“

PART IV
Miscellaneous

SECTION 4. Section 2-1-70 of the 1976 Code is repealed effective with the 2024 General Election.

SECTION 5. Section 2-1-35 of the 1976 Code is repealed, provided that until the members of the House of Representatives elected in the 2022 General Election from the districts enumerated in Section 2-1-45 qualify and take office, the districts now provided for by law continue to apply for purposes of vacancies in office for members of the House of Representatives.

SECTION 6. Upon the effective date of this act:

(A)(1) The President of the Senate has an unconditional right to intervene on behalf of the Senate in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(2) The Speaker of the House of Representatives has an unconditional right to intervene on behalf of the House of Representatives in a state court action and may provide evidence or argument, written or oral, if a party to that court action challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly.

(B)(1) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the President of the Senate has standing to intervene as a party on behalf of the Senate, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the President, on behalf of the Senate, to participate in any such action as a party.

(2) In a federal court action that challenges the constitutionality of this act, the validity of this legislation, or any action of the General Assembly, the Speaker of the House of Representatives has standing to

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intervene as a party on behalf of the House of Representatives, to file an amicus brief, or to provide evidence or argument, written or oral, in accordance with the federal rules of procedure, irrespective of whether any other officer of the State has appeared in the action. A federal court presiding over any action in which the State of South Carolina, or any state agency, is a named party is requested to allow the Speaker, on behalf of the House of Representatives, to participate in any such action as a party.

(C)(1) A request to intervene or the participation of the President of the Senate as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(2) A request to intervene or the participation of the Speaker of the House of Representatives as a party or otherwise, in any action challenging the constitutionality of a state statute, the validity of legislation, or any action of the General Assembly does not constitute a waiver of:

(a) legislative immunity or legislative privilege for any individual legislator, legislative officer, or legislative staff; or

(b) sovereign immunity or any other rights, privileges, or immunities of the State that arise under the United States Constitution or the South Carolina Constitution.

(D) The State Election Commission and the Attorney General must notify the President of the Senate and the Speaker of the House of Representatives within twenty-four hours of the receipt of service of a complaint that challenges the validity of this act.

(E) In any action in which the Senate or the House of Representatives intervenes or participates pursuant to this section, the Senate and the House of Representatives must function independently from each other in the representation of their respective bodies, unless otherwise agreed to by the President of the Senate and the Speaker of the House of Representatives.

(F)(1) The Senate is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

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(2) The House of Representatives is hereby authorized and empowered to employ attorneys other than the Attorney General to defend any law enacted creating legislative or congressional districts.

SECTION 7. The President of the Senate is authorized to initiate or otherwise participate in litigation on behalf of the Senate regarding redistricting.

SECTION 8. The Speaker of the House is authorized to initiate or otherwise participate in litigation on behalf of the House of Representatives regarding redistricting as the Chief Administrative Officer of the House of Representatives pursuant to Section 2-3-110.

SECTION 9. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Part V

Time Effective

SECTION 10. This act takes effect upon approval by the Governor. /
Amend title to conform.

Senator RANKIN explained the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

TUESDAY, DECEMBER 7, 2021

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 43; Nays 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

Total--43

NAYS

Rice

Total--1

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

H. 4493--Ordered to a Third Reading

On motion of Senator RANKIN, with unanimous consent, H. 4493 was ordered to receive a third reading on Wednesday, December 8, 2021.

Expression of Personal Interest

Senator SENN rose for an Expression of Personal Interest.

S. 865--Ordered to a Third Reading

On motion of Senator SENN, with unanimous consent, S. 865 was ordered to receive a third reading on Wednesday, December 8, 2021.

TUESDAY, DECEMBER 7, 2021

SECOND READING BILLS

S. 909 -- Senator Williams: A BILL TO AUTHORIZE THE MARION COUNTY COUNCIL TO POSTPONE FOR ONE ADDITIONAL YEAR THE IMPLEMENTATION OF ITS COUNTYWIDE PROPERTY TAX EQUALIZATION AND REASSESSMENT PROGRAM FOR THE 2023 TAX YEAR.

(On motion of Senator WILLIAMS)

S. 909--Ordered to a Third Reading

On motion of Senator WILLIAMS, with unanimous consent, S. 909 was ordered to receive a third reading on Wednesday, December 8, 2021.

S. 912 -- Senator Stephens: A BILL TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

(On motion of Senator STEPHENS)

S. 912--Ordered to a Third Reading

On motion of Senator STEPHENS, with unanimous consent, S. 912 was ordered to receive a third reading on Wednesday, December 8, 2021.

Motion Adopted

On motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M., under the provisions of Rule 1B.

MOTION ADOPTED

On motion of Senators SETZLER, HUTTO, MALLOY, KIMPSON, CAMPSER, SENN, RANKIN and McLEOD, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Freeman. John joined the University of South Carolina in 1973 where he taught corporate law, securities law and legal ethics in the law school for more than 30 years before retiring in 2008. He was an advocate and a champion for the consumer. John was a beloved member of the University and was voted Outstanding Faculty Member four times. He was a leader, mentor and friend to many. John was a loving husband, devoted father and doting grandfather who will be dearly missed.

TUESDAY, DECEMBER 7, 2021

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Abe Stern of Sumter, S.C. Abe was a Holocaust survivor and a U.S. Air Force Veteran. He owned and operated Jack's Department Store for more than 60 years where he provided mentorship for many high school students throughout the years. Jack enjoyed his friends at Covenant Place and was an example of hope and love for many people. Abe was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:08 P.M., on motion of Senator MASSEY, the Senate adjourned under the provisions of Rule 1B.

* * *

Wednesday, December 8, 2021
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY. **(This is a Statewide Session day established under the provisions of Senate Rule 1B. Members not having scheduled committee or subcommittee meetings may be in their home districts without effect on their session attendance record.)**

CO-SPONSORS ADDED

The following co-sponsors were added to the respective Bill:

S. 932 Sens. Massey and Setzler

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 530 Sen. Gustafson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following was introduced:

S. 936 -- Senator Grooms: A SENATE RESOLUTION TO CONGRATULATE HOPE REPAIR MINISTRY UPON THE OCCASION OF ITS ONE THOUSANDTH HOME REPAIR AND TO COMMEND HOPE REPAIR MINISTRY FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE BERKELEY COUNTY COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

THIRD READING BILLS

S. 909 -- Senator Williams: A BILL TO AUTHORIZE THE MARION COUNTY COUNCIL TO POSTPONE FOR ONE ADDITIONAL YEAR THE IMPLEMENTATION OF ITS COUNTYWIDE PROPERTY TAX EQUALIZATION AND REASSESSMENT PROGRAM FOR THE 2023 TAX YEAR.

(On motion of Senator WILLIAMS)

WEDNESDAY, DECEMBER 8, 2021

S. 912 -- Senator Stephens: A BILL TO AMEND ACT 593 OF 1992, AS AMENDED, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO PROVIDE THAT THE LIMIT ON CASH RESERVES DOES NOT APPLY TO DORCHESTER COUNTY SCHOOL DISTRICT 4 IN FISCAL YEAR 2021-2022.

(On motion of Senator STEPHENS)

**READ THE THIRD TIME
SENT TO THE HOUSE**

S. 865 -- Senators Rankin, Campsen, Young, Sabb, Matthews, Talley and Harpootlian: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS THE TRUE AND CORRECT ENUMERATION OF INHABITANTS OF THIS STATE AND TO IDENTIFY THE DATA USED IN THE CODE SECTIONS CONTAINING GEOGRAPHIC ASSIGNMENTS FOR ELECTION DISTRICTS; BY ADDING SECTION 2-1-75 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SOUTH CAROLINA SENATE ARE ELECTED COMMENCING WITH THE 2024 GENERAL ELECTION; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; TO REPEAL SECTION 2-1-70 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SENATE WERE FORMERLY ELECTED; TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED; TO AUTHORIZE THE PRESIDENT OF THE SENATE AND SPEAKER OF THE HOUSE TO INTERVENE IN ANY STATE OR FEDERAL ACTION CONCERNING THIS LEGISLATION; TO AUTHORIZE THE PRESIDENT OF THE SENATE TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE SENATE REGARDING REDISTRICTING; AND TO AUTHORIZE THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO INITIATE OR OTHERWISE PARTICIPATE IN LITIGATION ON BEHALF OF THE HOUSE REGARDING REDISTRICTING.

(On motion of Senator SENN)

WEDNESDAY, DECEMBER 8, 2021

HOUSE BILL RETURNED

H. 4493 -- Reps. Lucas and Murphy: A BILL TO AMEND SECTION 1-1-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADOPTION OF THE UNITED STATES CENSUS, SO AS TO ADOPT THE UNITED STATES CENSUS OF 2020 AS OFFICIAL; BY ADDING SECTION 2-1-45 SO AS TO ESTABLISH ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE HOUSE OF REPRESENTATIVES ARE ELECTED BEGINNING WITH THE 2022 GENERAL ELECTION; AND TO REPEAL SECTION 2-1-35 RELATING TO ELECTION DISTRICTS FROM WHICH MEMBERS OF THE HOUSE OF REPRESENTATIVES WERE FORMERLY ELECTED.

(On motion of Senator RANKIN)

ADJOURNMENT

At 11:06 A.M., on motion of Senator SCOTT, the Senate adjourned under the provisions of the *Sine Die* Resolution, H. 4285.

* * *

HOUSE BILLS & RESOLUTIONS DEBATED IN THE SENATE

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- H. 3011--Int. & Com. [1546](#); Rep. Com. [1706](#); Point of Order [1765](#); Committee Amendment Adopted & 2d R. [1805](#); Rec. Vt. [1807](#), [1829](#), [2956](#); 3d R. [1829](#); M. from H. 2077, [3103](#), [3104](#); Fr. Conf. Powers [2955](#); Fr. Conf. Com. [2955](#); Rep. Fr. Conf. Com. Adopted [2955](#); Rat. [3197](#).
- H. 3017--Int. & Com. [1239](#); Rep. Com. [2180](#); Amended & 2d R. [2234](#); Rec. Vt. [2234](#); 3d R. [2282](#); M. from H. 2459; Rat. [2834](#).
- H. 3024--Int. & Com. [1564](#); Rep. Com. [2072](#); Committee Amendment Adopted [2921](#); Amendment Proposed, Obj. [2921](#); Amended & 2d R. [3046](#); Rec. Vt. [3047](#), [3048](#); 3d R. [3115](#); M. from H. 3098; Rat. [3198](#).
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- H. 3037--Int. & Com. [1980](#).
- H. 3054--Int. & Com. [1068](#).
- H. 3056--Int. & Com. [1069](#); Rep. Com. [1933](#); Point of Order [2045](#); Carried Over [2142](#), [2162](#), [2185](#), [2228](#), [2628](#); Obj. [2298](#), [2384](#); 2d R. [2806](#); Rec. Vt. [2807](#); Amended & 3d R. [2918](#); M. from H. 3105, [3181](#); Ret. by H. with Amdt. & Non-Concur in H. Amend's [3180](#); Conf. Com. [3182](#).
- H. 3059--Int. & Com. [1070](#); Rep. Com. [1658](#); 2d R. [1731](#); Rec. Vt. [1731](#); 3d R. [1755](#); Rat. [2145](#).
- H. 3071--Int. & Com. [1070](#); Rep. Com. [1623](#); Point of Order [1672](#); Committee Amendment Adopted & 2d R. [1716](#); Rec. Vt. [1716](#); 3d R. [1753](#); M. from H. 1993; Rat. [2145](#).
- H. 3094--Int. & Com. [1705](#); Recalled [2654](#); Rec. Vt. [2654](#), [2656](#), [2657](#), [2983](#), [2990](#), [3003](#), [3006](#), [3016](#), [3022](#), [3023](#), [3024](#); Made Special Order (Rules Committee) [2655](#); Point of Order [2656](#), [2876](#), [2877](#), [2897](#), [2970](#), [2972](#), [2980](#), [2993](#), [2995](#), [3017](#), [3021](#); Debate Int. [2826](#); Amended & 2d R. [2871](#); Rec. Vt. [2876](#), [2877](#), [2895](#), [2899](#), [2973](#), [2975](#), [2977](#); Motion Adopted [2900](#), [2979](#); Motion Under Rule 26B Waived [2900](#); Amended & 3d R. [2967](#); Obj. [2978](#); M. from H. 3097; Rat. [3198](#).
- H. 3096--Int. & Com. [2066](#).
- H. 3101--Int. & Com. [1517](#); Rep. Com. [2073](#); Point of Order [2168](#); Obj. [2191](#); 2d R. [2299](#); Rec. Vt. [2300](#); 3d R. [2356](#); Rat. [2557](#).
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- H. 3548--Int. & Com. [1349](#); Rep. Com. [1934](#); Point of Order [2046](#); Carried Over [2142](#); 2d R. [2163](#); Rec. Vt. [2163](#); 3d R. [2184](#); Rat. [2210](#).
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TURNER, ROSS - Senator from District No. 8, Greenville County:

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On motion of Senator LEATHERMAN, with unanimous consent, staff members from the Revenue and Fiscal Affairs Office were authorized as necessary to be in the area behind the rail and, further, that Finance Committee staff, Majority and Minority Caucus staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 4100, the General Appropriations Bill. [2462](#)

Senator LEATHERMAN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection. [2472](#)

On motion of Senator LEATHERMAN, with unanimous consent, the Senate agreed to non-concur in the amendments of the House of Representatives to H. 4100, the General Appropriations Bill, when it is received by the Senate and further, that the Clerk be authorized to

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