

NO. 15

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, FEBRUARY 3, 2022

Thursday, February 3, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

I Samuel 17:4

We read in I Samuel: “And there came out from the camp of the Philistines a champion named Goliath of Gath, whose height was six cubits and a span.” [About nine and a half feet]

Friends, let us pray: Holy God, as scripture makes clear, young David went head to head with a giant there in the valley of Elah. And it has to be equally clear, Lord, that time and time again these Senators and their gifted staff members likewise feel that they, too, confront giants -- giants of all sorts: huge budget issues, concerns about healthcare, towering transportation matters, the list is in so many ways overwhelming and challenging. Therefore, dear Lord, we pray today that You will bless and encourage each of these servants as together they tackle these formidable modern day “giants.” May this Senate be unfailingly strengthened by Your guidance as its members labor diligently to honor You and to bring about a hope filled future for the people of South Carolina. So we pray in Your wondrous name, dear Lord. Amen.

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

Doctor of the Day

Senator MARTIN introduced Dr. Jennifer Root of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 11:19 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 11:19 A.M., Senators McELVEEN and SABB were granted a leave of absence for today.

THURSDAY, FEBRUARY 3, 2022

Leave of Absence

On motion of Senator SETZLER, at 11:19 A.M., Senator ALLEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator CLIMER, at 11:19 A.M., Senator GOLDFINCH was granted a leave of absence for today.

Leave of Absence

On motion of Senator SCOTT, at 1:16 P.M., Senator MATTHEWS was granted a leave of absence for today.

Expression of Personal Interest

Senator CAMPSER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 1009 Sen. Kimbrell
S. 1039 Sens. Alexander and Shealy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1044 -- Senator Stephens: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CHERYL A. HICKMON AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY, THE LADIES OF DELTA SIGMA THETA SORORITY INCORPORATED, AND HER MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO REGULATIONS FOR TRANSPORTATION BY MOTOR VEHICLE, TO PROVIDE REGULATIONS FOR THE OPERATION OF TRANSPORTATION VEHICLES; TO AMEND SECTION 58-23-25 OF THE 1976 CODE, RELATING TO THE PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY, TO PROVIDE FOR THE STATUTORY CONSTRUCTION OF THE CHAPTER RELATED TO THE LIMITATION OF CERTAIN

THURSDAY, FEBRUARY 3, 2022

AUTHORITY VESTED WITH PUBLIC SERVICE COMMISSION'S MOTOR CARRIER REGULATORY AUTHORITY; TO AMEND SECTION 58-23-30 OF THE 1976 CODE, RELATING TO THE DEFINITION OF COMPENSATION, TO DEFINE TRANSPORTATION VEHICLES ACCORDINGLY; TO AMEND SECTION 58-23-60(5) OF THE 1976 CODE, RELATING TO AREAS IN WHICH THIS CHAPTER IS NOT APPLICABLE TO BUSINESSES, TO INCLUDE VEHICLES OPERATED BY A MUNICIPALITY; TO AMEND SECTION 58-23-210 OF THE 1976 CODE, RELATING TO CLASSES OF CERTIFICATES, TO PROVIDE A TIMELINE FOR THE APPLICATION OF A COMMISSION'S DIRECTIVES; TO AMEND SECTION 58-23-220 OF THE 1976 CODE, RELATING TO CLASS A CERTIFICATES, TO PROVIDE THAT THE COMMISSION SHALL ISSUE DIRECTIVES TO ISSUE CLASS A CERTIFICATES; TO AMEND SECTION 58-23-230 OF THE 1976 CODE, RELATING TO CLASS B CERTIFICATES, TO REGULATE THE POWERS OF THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-23-240 THROUGH SECTION 58-23-290 OF THE 1976 CODE, RELATING TO CERTIFICATES, TO ALTER LANGUAGE; TO AMEND SECTION 58-23-330 OF THE 1976 CODE, RELATING TO GROUNDS FOR ISSUANCE OR DENIAL OF CERTIFICATE, TO PROVIDE REGULATIONS FOR ISSUING OR DENYING A CERTIFICATE UPON RECEIPT OF AN APPLICATION; TO AMEND SECTION 58-23-560 OF THE 1976 CODE, RELATING TO LICENSE FEES FOR CERTIFICATE HOLDERS, TO PROVIDE ELIGIBILITY REGULATIONS FOR CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-590 OF THE 1976 CODE, RELATING TO CARRIERS OF HOUSEHOLD GOODS AND HAZARDOUS WASTE FOR DISPOSAL, TO PROVIDE THE POWERS OF THE COMMISSION; TO AMEND SECTION 58-23-600 OF THE 1976 CODE, RELATING TO TIME FOR PAYMENT OF FEES, TO PROVIDE REGULATIONS FOR FEES REQUIRED OF CERTIFICATE HOLDERS; TO AMEND SECTION 58-23-910 AND SECTION 58-23-930 OF THE 1976 CODE, RELATING TO INSURANCE OR BOND, TO PROVIDE INSURANCE, BOND, OR CERTIFICATE OF SELF-INSURANCE REQUIREMENTS FOR CERTIFICATE HOLDERS; TO AMEND SECTIONS 58-23-1010, 58-23-1020, 58-23-1080, AND 58-23-1090 OF THE 1976 CODE, RELATING TO RIGHTS AND DUTIES GENERALLY, TO PROVIDE REGULATIONS FOR FEES, LICENSES, AND OTHER

THURSDAY, FEBRUARY 3, 2022

MARKERS; TO AMEND SECTION 58-4-60(B)(1) OF THE 1976 CODE, RELATING TO EXPENSES BORNE BY REGULATED UTILITIES, TO REFERENCE THE PROVISIONS IN THE CODE GENERATING FEES THAT ARE TO BE USED TO PAY FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT OF THE OFFICE OF REGULATORY STAFF; AND TO AMEND CHAPTER 23, TITLE 58 OF THE 1976, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

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

S. 1046 -- Senators Jackson, Harpootlian, McElveen, McLeod and Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE HONORABLE MILDRED WEATHERS MCDUFFIE OF RICHLAND COUNTY, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1047 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SHIHAN BRIAN PENA FOR HIS MANY CONTRIBUTIONS TO THE WEST COLUMBIA COMMUNITY.

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The Senate Resolution was adopted.

H. 3100 -- Reps. Bennett, Hosey and Matthews: A BILL TO AMEND SECTION 56-5-2780, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PASSING A STOPPED SCHOOL BUS, SO AS TO REVISE THE PENALTIES, TO PROVIDE ALL FINES MUST BE USED TO PURCHASE DIGITAL RECORDING DEVICES MOUNTED ON SCHOOL BUSES AND EXTENDED SCHOOL BUS STOP ARMS, TO PROVIDE THE MONTH OF AUGUST IS DECLARED "SCHOOL BUS SAFETY MONTH", AND MAKE TECHNICAL CHANGES; AND BY ADDING SECTION 59-67-512 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION MAY OVERRULE THE DECISION OF A LOCAL

THURSDAY, FEBRUARY 3, 2022

SCHOOL DISTRICT REGARDING THE PLACEMENT OF CERTAIN STUDENT SCHOOL BUS STOPS.

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

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

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

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

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

H. 4576 -- Reps. Tedder, G. R. Smith, Govan, B. Newton and Thigpen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH YEAR AS

THURSDAY, FEBRUARY 3, 2022

"HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".

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

Recalled

Senator HEMBREE asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

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

H. 4831 -- Reps. Elliott, B. Cox, Caskey, Ballentine, Wooten, McGarry, Forrest, Erickson, Bernstein, Wetmore, Carter, Atkinson, Cogswell, W. Cox, Weeks, Wheeler, Henegan and Murray: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF COMMERCE TO CONDUCT AN ECONOMIC DEVELOPMENT STUDY TO EVALUATE THE STATE'S BUSINESS ADVANTAGES, ECONOMIC CLIMATE, WORKFORCE READINESS, AND ANY OTHER RELEVANT STATE ASSETS TO CREATE A ROADMAP TO EFFECTIVELY COMPETE IN ATTRACTING OFFSHORE WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE; AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE STUDY.

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

Appointment Reported

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

Statewide Appointment

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2021, and to expire June 30, 2025

At-Large/Chairman:

John Robert Bolchoz, PO Box 6989, Columbia, SC 29260-6989 *VICE*
Mark Elam

Received as information.

THURSDAY, FEBRUARY 3, 2022

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

SECOND READING BILL

S. 1009 -- Senator Corbin: A BILL TO AMEND ACT 612 OF 1984, AS AMENDED, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, SO AS TO PROVIDE THAT A VACANCY OCCURRING ON THE SPARTANBURG COUNTY SCHOOL DISTRICT 1 BOARD OF TRUSTEES FOR ANY REASON OTHER THAN EXPIRATION OF A TERM MUST BE FILLED BY A SPECIAL ELECTION CONDUCTED BY THE COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR THE UNEXPIRED PORTION OF THE TERM AS PROVIDED IN SECTION 7-13-190.

The Senate proceeded to a consideration of the Bill.

Senator CORBIN explained the Bill.

S. 1009--Ordered to a Third Reading

On motion of Senator KIMBRELL, S. 1009 was ordered to receive a third reading on Friday, February 4, 2022.

THE SENATE PROCEEDED TO A CONSIDERATION OF THE VETOES.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

February 1, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

THURSDAY, FEBRUARY 3, 2022

I am hereby vetoing and returning without my approval R-120, S. 836, which seeks to require the School District of Union County (“District”) to observe Memorial Day as a legal holiday. The bill also provides that all District schools and offices must be closed on Memorial Day and prohibits the District from using the date as an instructional day or teacher workday or requiring students to attend school, whether in person or virtually. To be sure, I find it odd that a school district would not observe Memorial Day, and I appreciate the underlying aims of this legislation and the well-intentioned efforts of its sponsors to address this issue. However, for the reasons set forth below, I am compelled to veto S. 836.

First, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. Here, S. 836 appears to apply to only a single county or a portion thereof. However, the South Carolina Constitution expressly prohibits the General Assembly from enacting legislation “for a specific county” and “where a general law can be made applicable.” S.C. Const. art VIII, § 7; S.C. Const. art. III, § 34(IX). Although our courts have held that greater deference is warranted when local or special legislation relates to the General Assembly’s obligation to provide for the maintenance and support of public schools, the regular resort to this practice has produced an undesirable assortment of authorities governing South Carolina’s school districts. Accordingly, I am compelled to reiterate my longstanding concerns regarding local or special legislation, which creates a patchwork of piecemeal, and often inconsistent, local laws. Nevertheless, aside from this threshold constitutional issue, I believe S. 836 encounters an additional legal obstacle.

Second, S. 836 also appears to conflict with existing law. While section 53-5-10 of the South Carolina Code of Laws specifically enumerates Memorial Day as a legal holiday, the General Assembly has elsewhere provided that local school districts shall have “the authority to establish an annual school calendar for teachers, staff, and students.” S.C. Code Ann. § 59-1-425(A). Therefore, I am concerned that any effort, however well intentioned, to require a school district to observe a holiday in a particular manner may conflict with general law. *See* S.C. Const. art. III, § 34(X) (“The General Assembly shall forthwith enact general laws . . . which shall be uniform in their operations.”); *Med. Soc. of S.C. v. Med. Univ. of S.C.*, 334 S.C. 270, 279, 513 S.E.2d 352, 357 (1999) (“The purpose of the prohibition on special legislation is to make uniform where possible the statutory laws of this State in order to avoid duplicative or conflicting laws on the same subject.”).

THURSDAY, FEBRUARY 3, 2022

I firmly believe there is no greater sacrifice than those who have offered, and lost, their lives in service to the United States. Thus, I can think of no cause more deserving of appropriate tribute and solemn recognition than honoring those who have paid the ultimate sacrifice for our freedom. While I understand that nearly all school districts in this State either regularly observe Memorial Day as a legal holiday or cease in-person instruction prior to that date, this legislation suggests that the District may not plan to do so. Although I encourage the District to revisit any such plans and commend the bill’s sponsors for bringing attention to this issue, because I am concerned that S. 836 appears to violate the constitutional prohibition on local or special legislation and conflict with existing law, I am compelled to veto the same.

For the foregoing reasons, I am respectfully vetoing R-120, S. 836 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R120, S836) -- Senators Martin, Peeler and Cromer: AN ACT TO AMEND ACT 124 OF 1969, AS AMENDED, RELATING TO THE CREATION OF THE SCHOOL DISTRICT OF UNION COUNTY, SO AS TO REQUIRE THE SCHOOL DISTRICT OF UNION COUNTY TO RECOGNIZE MEMORIAL DAY AS A HOLIDAY AND ALL DISTRICT SCHOOLS AND OFFICES MUST BE CLOSED ON THAT DATE.

The veto of the Governor was taken up for immediate consideration.

Senator MARTIN moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

Ayes 34; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto

THURSDAY, FEBRUARY 3, 2022

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

Total--34

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

MESSAGE FROM THE GOVERNOR

State of South Carolina
Office of the Governor
P. O. Box 11369
Columbia, SC 29211

February 1, 2022

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval R-122, S. 948, which seeks to move the 2022 election date for seats on the Marion County Board of Education (“Board of Education”) from the second Tuesday in April to the second Tuesday in May. For the reasons set forth below, I am compelled to veto S. 948.

As the General Assembly is aware, like several of my predecessors, I have consistently vetoed unconstitutional local or special legislation. The South Carolina Constitution expressly prohibits the General Assembly from enacting legislation “for a specific county” and “where a general law can be made applicable.” S.C. Const. art VIII, § 7; S.C.

THURSDAY, FEBRUARY 3, 2022

Const. art. III, § 34(IX). Yet, S. 948 would apply to only a single county. Although our courts have held that greater deference is warranted in the context of public education, “legislation regarding education is not exempt from the requirements of Article III, § 34(IX).” *Horry Cty. v. Horry Cty. Higher Educ. Comm’n*, 306 S.C. 416, 419, 412 S.E.2d 421, 423 (1991). Here, it appears that a general law could be made applicable, and the General Assembly has not established that a special law is necessary to “best meet the exigencies of [this] particular situation.” *Charleston Cty. Sch. Dist. v. Harrell*, 393 S.C. 552, 559, 713 S.E.2d 604, 608 (2011). Accordingly, I am compelled to reiterate my longstanding concerns regarding the General Assembly’s regular resort to local or special legislation, which has produced a patchwork of authorities governing South Carolina’s schools and school districts.

For the foregoing reasons, I am respectfully vetoing R-122, S. 948 and returning the same without my signature.

Yours very truly,
Henry McMaster

VETO OVERRIDDEN

(R122, S948) -- Senator Williams: A JOINT RESOLUTION TO MOVE THE DATE OF THE 2022 ELECTION FOR THE MARION COUNTY BOARD OF EDUCATION FROM THE SECOND TUESDAY IN APRIL OF 2022 TO THE SECOND TUESDAY IN MAY OF 2022, AND TO ADJUST THE CANDIDATE FILING PERIOD ACCORDINGLY.

The veto of the Governor was taken up for immediate consideration.

Senator WILLIAMS moved that the veto of the Governor be overridden.

The question was put, “Shall the Act become law, the veto of the Governor to the contrary notwithstanding?”

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

Ayes 35; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis

THURSDAY, FEBRUARY 3, 2022

Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Malloy
Martin	Massey	Peeler
Rice	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--35

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

DEBATE INTERRUPTED

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX; TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

THURSDAY, FEBRUARY 3, 2022

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

Amendment No. 1A

Senator DAVIS proposed the following amendment (150R016.SP.TD):

Amend the bill, as and if amended, on page 54, lines 4 through 8, by striking SECTION 4 in its entirety and inserting:

/ SECTION 4. Section 12-36-2120(28) of the 1976 Code is amended to read:

“ (28)(a)(i) medicine and prosthetic devices sold by prescription, prescription medicines used to prevent respiratory syncytial virus, prescription medicines and therapeutic radiopharmaceuticals used in the treatment of rheumatoid arthritis, cancer, lymphoma, leukemia, or related diseases, including prescription medicines used to relieve the effects of any such treatment, free samples of prescription medicine distributed by its manufacturer and any use of these free samples;

~~(b)~~(ii) hypodermic needles, insulin, alcohol swabs, blood sugar testing strips, monolet lancets, dextrometer supplies, blood glucose meters, and other similar diabetic supplies sold to diabetics under the authorization and direction of a physician;

~~(e)~~(iii) disposable medical supplies such as bags, tubing, needles, and syringes, which are dispensed by a licensed pharmacist in accordance with an individual prescription written for the use of a human being by a licensed health care provider, which are used for the intravenous administration of a prescription drug or medicine, and which come into direct contact with the prescription drug or medicine. This exemption applies only to supplies used in the treatment of a patient outside of a hospital, skilled nursing facility, or ambulatory surgical treatment center;

~~(d)~~(iv) medicine donated by its manufacturer to a public institution of higher education for research or for the treatment of indigent patients;

~~(e)~~(v) dental prosthetic devices; and

~~(f)~~(vi) prescription drugs dispensed to Medicare Part A patients residing in a nursing home are not considered sales to the nursing home and are not subject to the sales tax.

(b) This item does not apply to authorizations for medical cannabis products, as provided in Article 20, Chapter 53 of Title 44;” /

Re-number sections to conform.

Amend title to conform.

THURSDAY, FEBRUARY 3, 2022

Senator HEMBREE spoke on the amendment.

Point of Quorum

At 1:06 P.M., Senator SENN made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Massey	McLeod
Peeler	Rankin	Rice
Scott	Senn	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Senator HEMBREE resumed speaking on the amendment.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet Tuesday, February 8, 2022 at 2:00 P.M.

Expression of Personal Interest

Senator GUSTAFSON rose for an Expression of Personal Interest.

Debate was interrupted by adjournment.

Motion Adopted

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

THURSDAY, FEBRUARY 3, 2022

ADJOURNMENT

At 2:17 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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THURSDAY, FEBRUARY 3, 2022

SENATE JOURNAL INDEX

Amendment No. 1A.....	13	S. 1047	4
S. 150.....	12	H. 3100	4
S. 836.....	9	H. 3889	5
S. 948.....	11	H. 4177	5
S. 1009.....	7	H. 4576	5
S. 1044.....	2	H. 4831	6
S. 1045.....	2		
S. 1046.....	4		