

NO. 45

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, MARCH 29, 2022

Tuesday, March 29, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Genesis 3:9

This afternoon we reflect upon how the man and the woman hid themselves there in the garden. And, as we recall from that story in Genesis, “. . . the Lord God called to the man, and said to him, ‘Where are you?’ ”

Join me as we pray, please: Holy God, sometimes even we -- just like Adam and Eve -- feel that we simply can’t take it any more, that life as we know it has overwhelmed us. So we, too, absolutely want to hide: from our duties, from those tough decisions staring us in the face, from life itself. Yet for most of us, that is simply not our lot in life, Lord. And especially for Your servants in this Senate, they have chosen to labor on behalf of the people of South Carolina. They have done so knowing that at times the burdens would be heavy. They realized at the onset that often answers might be hard to find. So today we pray that You, O God, will grant to each of these Senators and their staff members the stamina, the courage, and the vision they all need as they strive to bless the good people of this State. By Your grace, O Lord, may it truly be so. Amen.

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

Point of Quorum

At 2:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Climer	Corbin	Cromer
Davis	Fanning	Garrett

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Goldfinch	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Martin	Massey
Peeler	Rice	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Doctor of the Day

Senator CROMER introduced Dr. March Seabrook of West Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:26 P.M., Senator JACKSON was granted a leave of absence until 5:15 P.M.

Leave of Absence

On motion of Senator K. JOHNSON, at 4:26 P.M., Senator KIMPSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator BENNETT, at 4:59 P.M., Senator TURNER was granted a leave of absence until 7:00 P.M.

Leave of Absence

On motion of Senator WILLIAMS, at 4:59 P.M., Senator SCOTT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MASSEY, at 5:02 P.M., Senator CAMPSER was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 5:28 P.M., leave was granted for the balance of the day.

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Motion Adopted

On motion of Senator SETZLER, with unanimous consent, Senators CROMER and SETZLER were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

CO-SPONSOR ADDED

The following co-sponsor were added to the respective Bill:

S. 1073 Sen. Campsen

RECALLED AND ADOPTED

S. 1053 -- Senator Alexander: A SENATE RESOLUTION TO COMMEND THE REPUBLIC OF CHINA (TAIWAN) FOR ITS RELATIONS WITH THE UNITED STATES AND THE STATE OF SOUTH CAROLINA.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

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

RECALLED

S. 1055 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF GIBSON ROAD WHERE HIGHWAY 378 SPLITS TOWARD LAKE MURRAY IN LEXINGTON COUNTY "H.E. 'BUCKY' PHILLIPS, JR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

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The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Resolution from the Committee on Transportation.

The Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 1201 -- Senator Turner: A SENATE RESOLUTION TO RECOGNIZE MARCH 30, 2022, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" IN SOUTH CAROLINA AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE STATE.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

The Resolution was recalled from the Committee on Labor, Commerce and Industry.

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

There was no objection.

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

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

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RECALLED AND ADOPTED

H. 5081 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 6, 2022, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

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

The Resolution was recalled from the Committee on Education.

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

There was no objection.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1205 -- Senator McLeod: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DOROTHEA (DEE) DAWKINS-HAIGLER, AN ORDAINED MINISTER, COMMUNITY ACTIVIST, COLLEGE EDUCATOR, AND POLITICAL STRATEGIST DEDICATED TO PUBLIC SERVICE, FOR PHILANTHROPY AT HOME, THROUGHOUT AFRICA, AND IN THE CARIBBEAN.

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The Senate Resolution was adopted.

S. 1206 -- Senator McElveen: A SENATE RESOLUTION TO CONGRATULATE IRIS M. ESTRIDGE ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

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S. 1207 -- Senator Davis: A SENATE RESOLUTION TO CONGRATULATE DR. HENRY PONDER ON THE GRAND OCCASION OF HIS NINETY-FOURTH BIRTHDAY AND TO CELEBRATE THIS MOMENTOUS MILESTONE.

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The Senate Resolution was adopted.

S. 1208 -- Senator Climer: A BILL TO AMEND CHAPTER 4, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK, AND POULTRY, TO ALLOW CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES TO SATISFY NOTICE OF PRIVATE PROPERTY BOUNDARIES.

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

S. 1209 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 5, 2022 AS "CHILDREN'S ADVOCACY CENTER DAY" IN SOUTH CAROLINA.

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The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 1210 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE APRIL 6, 2022, "STO PROGRAMS DAY" IN SOUTH CAROLINA AND TO ENCOURAGE INDIVIDUALS, FAMILIES, AND BUSINESSES TO LEARN MORE ABOUT THE CONSUMER-FACING PROGRAMS OFFERED AT THE STATE TREASURER'S OFFICE.

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

S. 1211 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND FISHING LICENSES FOR DISABLED RESIDENTS, SO AS TO PROVIDE REQUIREMENTS FOR A DISABILITY LICENSE.

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

S. 1212 -- Senator Allen: A SENATE RESOLUTION TO COMMEND CHASTA POSEY OF GREENVILLE FOR HER FINE WORK IN PROMOTING AWARENESS OF SARCOIDOSIS TO THE CITIZENS OF THE PALMETTO STATE, TO THANK HER FOR HER DEDICATED PATIENT ADVOCACY ON BEHALF OF THOSE LIVING WITH THIS RARE DISEASE, AND TO DECLARE THE MONTH OF APRIL 2022 AS "SARCOIDOSIS AWARENESS MONTH" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 1213 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR BOARD OF BARBER EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5081, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1214 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPIST, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO COUNSELORS, THERAPISTS, AND SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5075, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

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S. 1215 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-BOARD OF FUNERAL SERVICE, RELATING TO LICENSING PROVISIONS; AND CONTINUING EDUCATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5037, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1216 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-STATE ATHLETIC COMMISSION, RELATING TO CODE OF ETHICS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5083, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1217 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO OCCUPATIONAL SAFETY AND HEALTH REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5050, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

H. 4321 -- Reps. J. E. Johnson, Murphy, Hardee, Bailey, Jordan, Brittain, Kirby, Hart, McCravy and West: A BILL TO AMEND SECTION 42-1-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE REQUIREMENT FOR FILING AN ACTION AGAINST A THIRD PARTY IN A WORKERS'

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COMPENSATION CLAIM, SO AS TO MAKE THE FILING OF A NOTICE FORM PERMISSIVE.

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

H. 4571 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST CLEVELAND STREET WEST OF THE CSX RAILROAD TRACK IN THE CITY OF DILLON "CASEY MANNING DRIVE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT ITS INTERSECTION WITH NORTH ELEVENTH AVENUE CONTAINING THESE WORDS.

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

H. 4938 -- Reps. Parks and Howard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 10 IN MCCORMICK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 28 TO ITS INTERSECTION WITH THE MCCORMICK/GREENWOOD COUNTY LINE "CAPTAIN JUNNE 'J.R.' JONES MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 4955 -- Reps. Alexander and Kirby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 327 AND SOUTH CAROLINA HIGHWAY 51 IN FLORENCE COUNTY "REVEREND BENNIE LEE GREENE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION CONTAINING THESE WORDS.

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

H. 4967 -- Reps. Wheeler and Yow: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT

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THE JUNCTION OF SOUTH CAROLINA HIGHWAY 34 AND MCGEE TOWN ROAD IN LEE COUNTY "LEWIS W. BOONE MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

H. 4977 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF NORTH WILLISTON ROAD AND EAST POCKET ROAD IN FLORENCE COUNTY "REVEREND DR. WAYMON MUMFORD INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

H. 4980 -- Reps. Hiott, Yow and D. C. Moss: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO ACT SWIFTLY TO ADDRESS RISING AGRICULTURAL PRODUCTION COSTS TO PROTECT SOUTH CAROLINA FARMS AND THE RURAL ECONOMY.

The Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

H. 4992 -- Reps. Bailey, Hardee, Hayes, Atkinson and McGinnis: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE WACCAMAW SWAMP BRIDGE ALONG SOUTH CAROLINA HIGHWAY 9 IN HORRY COUNTY "SERGEANT GORDON BEST MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

H. 4993 -- Reps. Collins and Hiott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES SHOAL CREEK IN PICKENS COUNTY ALONG SOUTH CAROLINA HIGHWAY 186 "SERGEANT FIRST CLASS

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MATTHEW BRADFORD THOMAS MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

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

H. 5008 -- Rep. Taylor: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOLLOW CREEK ROAD IN AIKEN COUNTY FROM ITS INTERSECTION WITH CLINTON CHURCH ROAD TO THE AIKEN/ORANGEBURG COUNTY LINE "CHIEF GLENN POOLE MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

H. 5017 -- Rep. Calhoun: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 122 PARK ROAD IN THE CITY OF LEXINGTON IN LEXINGTON COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT CHIEF WARRANT OFFICER 4 HAROLD EDWARD WILSON, UNITED STATES MARINE CORPS RESERVE.

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

H. 5099 -- Reps. Rutherford, Jordan, Hart, Garvin, Rose, Howard, Bernstein, Finlay and J. L. Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-190 SO AS TO PROVIDE THAT THE COUNTY LEGISLATIVE DELEGATION MAY, BY THE ADOPTION OF A RESOLUTION, APPOINT THE MEMBERS OF A COUNTY RECREATION COMMISSION THAT WAS ESTABLISHED AS A SPECIAL PURPOSE DISTRICT PRIOR TO THE ADOPTION OF HOME RULE, AND TO PROVIDE THAT THE MEMBERS OF A COUNTY RECREATION COMMISSION WHO THE COUNTY DELEGATION APPOINTS PURSUANT TO THE PROVISIONS OF THIS ACT SERVE AT THE PLEASURE OF THE COUNTY LEGISLATIVE DELEGATION AND MAY BE REMOVED AT ANY TIME BY THE COUNTY LEGISLATIVE DELEGATION.

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

H. 5170 -- Reprs. Hart, Huggins, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CELEBRATE THE BEN LIPPEN SCHOOL VARSITY COMPETITIVE CHEERLEADING TEAM ON CAPTURING THE 2021 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 3A STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM AND ITS COACHES ON A SCINTILLATING SEASON.

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

H. 5171 -- Reprs. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks,

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Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. ABEL BARTLEY FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM FOR RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION.

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

H. 5172 -- Reprs. R. Williams, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. BOBBY DONALDSON FOR HIS DEDICATION TO IDENTIFYING AND PRESERVING THE CONTRIBUTIONS OF THE STATE'S AFRICAN AMERICANS THROUGH SERVICE AS A MEMBER OF THE SOUTH CAROLINA AFRICAN AMERICAN HERITAGE COMMISSION AND TO CONGRATULATE HIM ON RECEIVING THE JANNIE HARRIOT FOUNDERS AWARD FOR HIS

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UNWAVERING COMMITMENT TO THE GROWTH AND SUSTAINABILITY OF THE COMMISSION.

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

Appointments Reported

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

Statewide Appointments

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large, Physician:

Jon F. Lucas, 12 Paddock Run Lane, Simpsonville, SC 29681-5368
VICE James William Phillips III

Received as information.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Benson Garrick Messer, 550 Bimini Twist Circle, Lexington, SC 29072-8269
VICE Pamela W. Shealy

Received as information.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 531 -- Senators Cash, Kimbrell, M. Johnson, Loftis, Shealy, Hembree, Verdin, Rice, Adams, Garrett, Young, Gustafson, Climer, Goldfinch, Massey, Grooms, Turner, Talley, Gambrell, Cromer,

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Bennett, Corbin, Campsen and Peeler: A BILL TO ENACT THE "SAVE WOMEN'S SPORTS ACT"; TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO MISCELLANEOUS EDUCATIONAL PROVISIONS, BY ADDING SECTION 59-1-500, TO PROVIDE THAT PUBLIC AND PRIVATE MIDDLE SCHOOL-LEVEL AND HIGH SCHOOL-LEVEL TEAMS AND SPORTS MUST BE DESIGNATED BASED ON BIOLOGICAL SEX, TO PROVIDE THAT TEAMS OR SPORTS DESIGNATED FOR FEMALES MUST BE RESTRICTED TO STUDENTS OF THE FEMALE SEX, TO PROVIDE CERTAIN PROTECTIONS FOR PUBLIC AND PRIVATE SCHOOLS, AND TO PROVIDE CERTAIN RELIEF FOR VIOLATIONS.

Ordered for consideration tomorrow.

Senator HEMBREE from the Committee on Education submitted a favorable with amendment report on:

S. 544 -- Senator Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS, AND TO PROVIDE RELATED APPLICATION AND ENROLLMENT PROCEDURES; TO AMEND SECTION 59-40-145, RELATING TO INTERDISTRICT ATTENDANCE IN CHARTER SCHOOLS, SECTION 59-63-30, RELATING TO PUBLIC SCHOOL ATTENDANCE QUALIFICATIONS, SECTION 59-63-32, RELATING TO PUBLIC SCHOOL ENROLLMENT REQUIREMENTS, AND SECTION 59-63-480, RELATING TO PUBLIC SCHOOL ATTENDANCE REQUIREMENTS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 59-63-45, RELATING TO INTERDISTRICT STUDENT TRANSFER REIMBURSEMENTS, AND SECTION 59-63-500, RELATING TO INTERDISTRICT STUDENT TRANSFER CONSENT; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JULY 1, 2021.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 984 -- Senators Hembree, Massey and Gustafson: A BILL TO AMEND SECTION 6-1-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS PERTAINING TO THE AUTHORITY OF LOCAL GOVERNMENTS TO ASSESS

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TAXES AND FEES, SO AS TO PROVIDE THAT A SERVICE OR USER FEE MUST BE USED TO THE NONEXCLUSIVE BENEFIT OF THE PAYERS; AND TO AMEND SECTION 6-1-330, RELATING TO A SERVICE OR USER FEE, SO AS TO PROVIDE THAT A PROVISION APPLIES TO AN ENTIRE ARTICLE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 1120 -- Senators Peeler and Alexander: A BILL TO AMEND SECTION 12-6-3795, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA HOUSING TAX CREDIT, SO AS TO DEFINE TERMS AND LIMIT THE CREDIT; TO AMEND ARTICLE 3 OF CHAPTER 11, TITLE 1, RELATING TO THE ALLOCATION OF STATE CEILING ON ISSUANCE OF PRIVATE ACTIVITY BONDS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO DEVELOP A STATE CEILING ALLOCATION PLAN ANNUALLY, TO SPECIFY REQUIREMENTS OF THE PLAN, AND TO PROVIDE A PROCESS FOR PERIODIC ALLOCATIONS OF THE STATE CEILING; AND TO REPEAL SECTION 1-11-370 RELATING TO INDEBTEDNESS INCLUDED WITHIN ANY LIMITS ON PRIVATE ACTIVITY BONDS.

Ordered for consideration tomorrow.

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

S. 1178 -- Senator Climer: A BILL TO AMEND SECTION 39-20-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES WRITTEN RENTAL

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AGREEMENTS, SO AS TO PROVIDE THAT A SELF-SERVICE STORAGE FACILITY OCCUPANT MAY CHOOSE WHERE TO PUBLISH AN ADVERTISEMENT OF SALE INCLUDING CERTAIN PUBLICLY ACCESSIBLE WEBSITES; AND TO AMEND SECTION 39-20-45, RELATING TO THE ENFORCEMENT OF LIENS, SO AS TO PROVIDE FOR REQUIREMENTS FOR PUBLISHING AN ADVERTISEMENT OF A PUBLIC SALE.

Ordered for consideration tomorrow.

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

H. 3859 -- Reps. Jordan, Sandifer, Kirby and Cogswell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT A PERSON WHO OWNS OR OPERATES A WEBSITE DEALING IN ELECTRONIC DISSEMINATION OF THIRD-PARTY COMMERCIAL RECORDINGS OR AUDIOVISUAL WORKS SHALL MAKE CERTAIN DISCLOSURES, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION, TO PROVIDE THAT THIS CHAPTER IS SUPPLEMENTAL TO STATE AND FEDERAL CRIMINAL AND CIVIL LAW, AND TO PROVIDE THAT VIOLATIONS CONSTITUTE AN UNFAIR TRADE PRACTICE.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Tuesday, April 5, 2022 - 5:00pm - 6:30pm

Members and Staff, Reception, Columbia Convention Center, by the **SOUTH CAROLINA BREWERS GUILD**

Tuesday, April 5, 2022 - 6:30pm - 10:00pm

Members Only, Reception, Goodman Building, State Fairgrounds, by **THE CITADEL**

Wednesday, April 6, 2022 - 8:00am - 10:00am

Members and Staff, Breakfast, 112 Blatt Building, by the **FUTURE SCHOLAR 529 COLLEGE SAVINGS PLAN, STATE TREASURER'S OFFICE**

Wednesday, April 6, 2022 - 11:30am - 2:00pm

Members and Staff, Luncheon, State House Grounds, by the **SOUTH CAROLINA HOSPITAL ASSOCIATION**

Wednesday, April 6, 2022 - 5:30pm - 7:30pm

Members Only, Reception, Palmetto Club, by the **SOUTH CAROLINA OPTOMETRIC PHYSICIANS ASSOCIATION**

Thursday, April 7, 2022 - 8:00am - 10:00am

Members and Staff, Breakfast, 112 Blatt Building, by the **MEDTRUST MEDICAL TRANSPORT, LLC**

Tuesday, April 19, 2022 - 5:30pm - 7:30pm

Members Only, Reception, Palmetto Club, by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

Wednesday, April 20, 2022 - 8:00am - 10:00am

Members and Staff, Breakfast, 112 Blatt Building, by the **SALVATION ARMY OF THE MIDLANDS**

Wednesday, April 20, 2022 - 11:30am - 1:30pm

Members Only, Luncheon, 112 Blatt Building, by the **AMERICAN LEGISLATIVE EXCHANGE COUNCIL**

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Wednesday, April 20, 2022 - 5:30pm - 7:30pm

Members and Staff, Reception, Bourbon Lounge & Courtyard, by the **SOUTH CAROLINA CRAFT DISTILLERS GUILD**

Thursday, April 21, 2022 - 8:00am - 10:00am

Members and Staff, Breakfast, 112 Blatt Building, by **LEADERSHIP SOUTH CAROLINA**

Tuesday, April 26, 2022 - 6:00pm - 8:00pm

Members and Staff, Reception, Columbia Hilton Hotel, by the **SOUTH CAROLINA ALLIANCE OF CHARTER SCHOOLS**

Tuesday, April 26, 2022 - 5:30pm - 8:00pm

Members and Staff, Reception, 701 Whaley, by the **SOUTH CAROLINA CONSERVATION COALITION**

Wednesday, April 27, 2022 - 8:00am - 10:00am

Members and Staff, Breakfast, 112 Blatt Building, by the **SOUTH CAROLINA INSURANCE ASSOCIATION**

Wednesday, April 27, 2022 - 11:30am - 2:00pm

Members and Staff, Luncheon, State House grounds, by the **SOUTH CAROLINA RESTAURANT AND LODGING ASSOCIATION**

Wednesday, April 27, 2022 - 5:30pm - 7:30pm

Members and Staff, Reception, 1208 Washington Place, by the **SOUTH CAROLINA ASSOCIATION FOR JUSTICE**

Message from the House

Columbia, S.C., March 29, 2022

Mr. President and Senators:

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

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis,

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Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., March 29, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Allison, Felder and Alexander to the Committee of Conference on the part of the House on:

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

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Very respectfully,
Speaker of the House

Received as information.

HOUSE CONCURRENCES

S. 794 -- Senators Goldfinch and Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME APPROXIMATELY FIFTEEN MILES OF PLEASANT HILL DRIVE FROM ITS INTERSECTION WITH COUNTY LINE ROAD TO ITS INTERSECTION WITH NORTH FRASER STREET IN GEORGETOWN COUNTY "A. LANE CRIBB HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

S. 1171 -- Senator McElveen: A CONCURRENT RESOLUTION TO CONGRATULATE THE SUMTER ROTARY CLUB, TO COMMEND THAT ORGANIZATION FOR ONE HUNDRED YEARS OF DISTINGUISHED SERVICE TO OUR STATE, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN THE YEARS TO COME.

Returned with concurrence.

Received as information.

S. 1183 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE LAURENS COMMISSION OF PUBLIC WORKS UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LAURENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1188 -- Senators Garrett, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE DIXIE YOUTH SOFTBALL ANGELS TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2021 SOUTH CAROLINA DIXIE YOUTH STATE CHAMPIONSHIP TITLE.

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Returned with concurrence.
Received as information.

S. 1193 -- Senator Gambrell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ELECTROLUX HOME PRODUCTS, INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.
Received as information.

S. 1194 -- Senator K. Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AMERICAN HONDA MOTOR CO., INC. FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.
Received as information.

S. 1195 -- Senator Allen: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LOCKHEED MARTIN FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.
Received as information.

S. 1196 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR NUCOR STEEL BERKELEY FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

Returned with concurrence.
Received as information.

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

SECOND READING BILL

S. 1180 -- Senator Fanning: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT SIX MEMBERS OF THE CHESTER COUNTY SCHOOL DISTRICT MUST BE ELECTED FROM SINGLE-MEMBER ELECTION

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DISTRICTS, TO DESIGNATE A MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT THAT REQUIRE CERTAIN MEMBERS OF THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES TO BE ELECTED FROM SINGLE-MEMBER ELECTION DISTRICTS DO NOT APPLY TO THE BOARD'S AT-LARGE MEMBER.

On motion of Senator FANNING.

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on March 29, 2022, at 2:30 P.M. and the following Acts and Joint Resolution were ratified:

(R133, S. 947) -- Senators Grooms, Climer and Garrett: AN ACT TO AMEND SECTION 56-23-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTING DRIVER TRAINING COURSES OFFERED BY CERTAIN INSTITUTIONS AND EMPLOYERS FROM THE DEPARTMENT OF MOTOR VEHICLES REGISTRATION AND LICENSING REQUIREMENTS, SO AS TO PROVIDE THIS EXEMPTION ALSO APPLIES TO DRIVER EDUCATION COURSES OFFERED BY ASSOCIATIONS FORMED BY GROUPS OF ELECTRIC COOPERATIVES THAT PROVIDE INSTRUCTION TO EMPLOYEES OF THEIR MEMBER ORGANIZATIONS; AND BY ADDING SECTION 56-23-95 SO AS TO PROVIDE DRIVER TRAINING SCHOOLS MAY OFFER FINANCIAL ASSISTANCE TO CERTAIN HIGH SCHOOL STUDENTS TO COVER THE FEES ASSOCIATED WITH TRAINING OR EDUCATING PERSONS TO DRIVE OR OPERATE MOTOR VEHICLES.

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(R134, S. 973) -- Senator Rankin: AN ACT TO ADOPT REVISED CODE VOLUME 21 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2022.

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(R135, H. 3679) -- Reps. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

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(R136, H. 3821) -- Reps. W. Newton and Herbkersman: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; TO AMEND SECTIONS 62-1-201, 62-1-302, AND 62-5-103, ALL RELATING TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE "SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT".

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(R137, H. 4269) -- Rep. Gilliam: AN ACT TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R138, H. 4944) -- Rep. McGinnis: AN ACT TO AMEND SECTION 59-136-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEETINGS OF THE COASTAL CAROLINA

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UNIVERSITY BOARD OF TRUSTEES, SO AS TO PROVIDE MANDATORY NOTICE OF BOARD MEETINGS MUST BE SENT EITHER ELECTRONICALLY OR THROUGH THE UNITED STATES MAIL TO EACH TRUSTEE NOT LESS THAN FIVE DAYS BEFORE EACH MEETING.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

AMENDED, DEBATE INTERRUPTED

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin, Senn and Gustafson: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

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

Amendment No. 2

Senator FANNING proposed the following amendment (WAB\935C004.RT.WAB22), which was tabled:

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

/ SECTION 1. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3791. (A) As used in this section:

(1) ‘Eligible School’ means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:

- (a) offers a general education to primary or secondary school students;
- (b) does not discriminate on the basis of race, color, or national origin;
- (c) is located in this State;

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(d) has an educational curriculum that includes courses set forth in the state's diploma requirements;

(e) has school facilities that are subject to applicable federal, state, and local laws; and

(f) is a member in good standing of the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, the Palmetto Association of Independent Schools, the American Montessori Society, the International Montessori Council, or the National Association of Private Schools or alternatively accredited by Cognia or the National Council for Private School Accreditation.

(2) 'Exceptional needs child' means a child:

(a)(i) who has been evaluated in accordance with this state's evaluation criteria, as set forth in S.C. Code Ann. Regs. 43-243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or

(ii) who has been diagnosed as either permanently or within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student's ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child's unique needs; and

(b) the child's parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.

(3) 'Disadvantaged child' means a child who is eligible for the federal free or reduced lunch program and whose family meets the qualifications for federal Medicaid benefits.

(4) 'PACE Scholarship child' means a child who is a South Carolina resident who, immediately before receiving a scholarship or tuition grant under this section and enrolling in an eligible school or program, was enrolled in a South Carolina secondary or primary public school or who is eligible to enroll in a qualified first grade, kindergarten, or prekindergarten program; provided, however, that if a student is considered to be an eligible student pursuant to this item, he shall continue to qualify as such until he graduates, reaches the age of twenty, or returns to a public school, whichever occurs first; and provided,

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further, that the enrollment requirement must be waived in the case of a student who, based on the school attendance zone of his primary residence, is or would be assigned to a public school that the South Carolina Department of Education determines to be a low-performing priority school, or who is the subject of an officially documented case of school-based physical or psychological violence or student-related verbal abuse threatening physical harm immediately before receiving a scholarship or tuition grant under this section.

(5) 'Nonprofit scholarship funding organization' means a charitable organization that:

(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the tax code;

(b) allocates at least ninety-five percent of its annual contributions received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this section and grants for home school curriculum fees, and incurs administrative expenses annually of not more than five percent of its annual contributions for a particular year to cover operational costs;

(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs, disadvantaged, PACE Scholarship children, or for home school curriculum fees;

(d) does not provide grants only for the benefit of one school, and if the Treasurer determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;

(e) does not have as a volunteer, contractor, consultant, fundraiser, or member of its governing board, any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;

(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;

(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students, or schools for financial gain; and

(h) does not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.

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(6) 'Parent' means the natural or adoptive parent or legal guardian of a child.

(7) 'Person' means an individual, partnership, corporation, or other similar entity.

(8) 'Qualifying student' means a student who is either (i) an exceptional needs child, (ii) a disadvantaged child, or (iii) a PACE Scholarship child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the prekindergarten or later-year level for the applicable school year.

(9) 'Resident public school district' means the public school district in which a student resides.

(10) 'Transportation' means transportation to and from school only.

(11) 'Tuition' means the total amount of money charged for the cost of a qualifying student to attend an eligible school including, but not limited to, fees for attending the school, textbook fees, and school-related transportation.

(12) 'School year' means July first through June thirtieth each year.

(13) 'Home school' means a home, residence, or location where a parent or legal guardian teaches one or more children as authorized pursuant to Section 59-65-40, 59-65-45, or 59-65-47.

(14) 'Home school child' means any child attending an eligible home school.

(15) 'Treasurer' means the Office of the State Treasurer.

(16) 'Home school curriculum fees' means the total amount of money charged for instruction-related expenditures of a home school child to attend an eligible home school including, but not limited to, curriculum packages, textbooks, digital education, and testing materials.

(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or school as the beneficiary of the contribution.

(2) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of

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any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to disadvantaged children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(3) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the taxpayer contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for tuition to PACE Scholarship children enrolled in eligible schools who qualify for these grants under the provisions of this section; and

(b) the taxpayer does not designate a specific child or school as the beneficiary of the contribution.

(4) A person is entitled to a tax credit against income taxes imposed pursuant to this chapter, or bank taxes imposed pursuant to Chapter 11 of this title for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this section if:

(a) the contribution is used to provide grants for home school curriculum fees to home school children attending a home school who qualify for these grants under the provisions of this section; and

(b) the person does not designate a specific child or home school as the beneficiary of the contribution.

(C)(1) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding eleven thousand dollars or the total cost of tuition, whichever is less, for qualifying students who are either (i) exceptional needs or (ii) disadvantaged at an eligible school. Before awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs or disadvantaged child. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the

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qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(2) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding the average state expenditures for each student in fall enrollment in public elementary and secondary education for this State or the total cost of tuition, whichever is less, for qualifying students who are PACE Scholarship children at an eligible school. The Treasurer shall determine and publish such amount annually, no later than January first. Upon approving the application, the scholarship funding organization shall issue a paper check payable to the parent or guardian of the qualifying student and deliver it to the eligible school. If the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school shall return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student's departure.

(3) Grants may be awarded by a scholarship funding organization for a school year in an amount not exceeding one thousand dollars or the total cost of home school curriculum fees, whichever is less, for a qualifying home school child attending a home school. Before awarding any grant, a scholarship funding organization shall receive written documentation from the parent documenting that the student is a home school child. A scholarship funding organization may reimburse a parent directly for expenditures actually paid for home school curriculum fees, or pay vendors directly for home school curriculum fees on behalf of the home school child.

(D)(1)(a) The tax credits authorized by subsection (B)(1) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions made on behalf of exceptional needs students.

(b) The tax credits authorized pursuant to subsection (B)(2) may not exceed cumulatively a total of twenty-five million dollars each calendar year for contributions on behalf of disadvantaged children.

(c) The tax credits authorized pursuant to subsection (B)(3) may not exceed cumulatively a total of forty million dollars each calendar year for contributions on behalf of PACE Scholarship children.

(d) The tax credits authorized pursuant to subsection (B)(4) may not exceed cumulatively a total of ten million dollars each calendar year for contributions on behalf of home school children.

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(e) If the department determines that the total of the credits claimed in this subsection by all taxpayers exceeds the limit amount, it shall allow credits only up to those amounts on a first-come, first-served basis.

(f) The tax credits authorized pursuant to subsection (B)(1), (2), (3), or (4) are automatically and permanently increased by twenty-five percent in the succeeding calendar year whenever the total of the specific individual credit claimed meets the limit amount.

(g) The department, in coordination with the Treasurer, shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. The credit must be claimed on the return for the tax year that the contribution is made.

(2) A taxpayer may not claim more than one hundred percent of his total tax liability for the tax year in contributions toward the tax credits authorized by subsection (B). This credit is not refundable. If the credit exceeds the taxpayer's tax liability for the taxable year, the excess amount may be carried forward for credit against income or bank taxes in the next ten succeeding taxable years.

(3) If a taxpayer deducts the amount of the contribution on the taxpayer's federal return and claims the credit allowed by this section, then the taxpayer shall add back the amount of the deduction for purposes of South Carolina income or bank taxes.

(4) The department shall prescribe the form and manner of proof required to obtain the credits authorized by subsection (B). Also, the department, in coordination with the Treasurer, shall develop a method of informing taxpayers if the credit limit is met at any time during the year.

(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.

(F) Except as otherwise provided, the Department of Education, the Department of Revenue, the Treasurer, or any other state agency may not regulate the educational programs of an eligible school that accepts students receiving scholarship grants pursuant to this section.

(G)(1) The Treasurer shall approve and oversee the scholarship funding organizations and address any citizen concerns about the programs' administration at eligible schools or with the scholarship funding organizations.

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(2) By August first of each year, each nonprofit scholarship funding organization shall apply with the Treasurer to be considered an eligible organization for the succeeding calendar year for which its contributors are allowed the tax credit provided by this section. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization must not be allowed for purposes of the credit allowed by this section. A nonprofit scholarship funding organization's application must contain:

(a) the number and total amount of grants issued to eligible schools in the preceding school year;

(b) for each grant issued to an eligible school in the preceding school year, the identity of the school and the amount of the grant;

(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;

(d) a copy of the organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of the organization's financial statements, conducted by a certified public accounting firm;

(f) the criteria and eligibility requirements for scholarship awards; and

(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(5) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16-9-10.

(3) The Treasurer shall disclose on its website the names of qualifying nonprofit scholarship funding organizations and eligible schools. The Treasurer also may disclose the names of nonprofit scholarship funding organizations that applied but were not qualified by the Treasurer and those organizations whose eligibility has been revoked in accordance with subsection (H)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.

(4) By September first of each year, the Treasurer shall publish on its website a list of all qualifying nonprofit scholarship funding organizations for the succeeding calendar year, to include their names, addresses, telephone numbers, and, if available, website addresses. Also,

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the results of the audit required by item (2)(e) must be published with the list.

(5) By January fifteenth of each year, the Treasurer shall report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor:

(a) the number and total amount of grants issued to eligible schools by each scholarship funding organization in the prior school year;

(b) the identity of the school and the amount of each grant issued to an eligible school in the prior school year by each scholarship funding organization;

(c) an itemization and detailed explanation of fees or other revenues obtained from or on behalf of an eligible school by any scholarship funding organization;

(d) a copy of the each scholarship funding organization's Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;

(e) a copy of a compilation, review, or audit of each scholarship funding organization conducted by a certified public accounting firm as provided to the Treasurer by each scholarship funding organization in their application to participate in the program; and

(f) the criteria and eligibility requirements for scholarship awards of each scholarship funding organization as provided to the Treasurer by each scholarship funding organization in their application to participate in the program.

(6) The Treasurer may request an audit of a scholarship funding organization by the department if the Treasurer believes an organization is in violation of the provisions of this section.

(H)(1) The department has authority to examine and audit the nonprofit scholarship funding organizations when requested by the Treasurer, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this section.

(2)(a) If during a requested audit the department acquires evidence that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other substantial provision of this section, the department immediately may

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revoke the organization's participation in the program and shall notify the organization and the Treasurer in writing of the revocation.

(b) Actual notice of revocation may be provided to the organization by personal delivery to the organization, by certified return receipt mail to the last known address of the organization, or by other means reasonably designed to provide actual notice to the organization.

(c) Any donations made following the date the actual notice of revocation are received by the organization do not qualify for the credit and the donated funds must be returned to the donor by the organization.

(d)(i) Within thirty days after the day on which the organization is provided actual notice of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within seven days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is 'reasonable' if the department has substantial credible evidence that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with other substantial provisions of this section. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation is permanent.

(ii) If the administrative law judge determines that the immediate revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12-60-460. At the contested case hearing on the department determination, the parties may raise new issues and arguments in addition to those issues and arguments previously presented at the immediate revocation hearing.

(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation must be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12-60-450(E)(2).

(iv) If at any time during the process, the department believes the organization is in compliance, the department may reinstate the organization and notify the Treasurer.

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(v) Following the permanent revocation of a nonprofit scholarship funding organization, the department has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.

(I) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially if the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. The funds that are transferred by one nonprofit scholarship funding organization to another only may be considered by one organization when calculating its administrative expenses.”

SECTION 2. Section 12-6-3790 of the 1976 Code is repealed.

SECTION 3. This act takes effect upon approval by the Governor and applies to income tax years beginning after 2021. All tax credits earned as a result of a contribution made to a scholarship funding organization in 2022 apply to the cumulative total of twenty-five million dollars for exceptional needs children, twenty-five million dollars for disadvantaged children, forty million dollars to PACE Scholarship children, and ten million dollars for home school children, regardless of when in 2022 the contribution is made. All necessary reports and forms must be submitted as soon as practicable upon the enactment of this act./

Renumber sections to conform.

Amend title to conform.

Senator FANNING spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 26; Nays 16; Abstain 1

AYES

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

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Verdin

Young

Total--26

NAYS

Allen

Corbin

Fanning

Gustafson

Harpootlian

Hutto

Johnson, Kevin

Malloy

Martin

Matthews

McElveen

McLeod

Scott

Setzler

Stephens

Williams

Total--16

ABSTAIN

Sabb

Total--1

The amendment was laid on the table.

Amendment No. 3A

Senators KIMBRELL and CLIMER proposed the following amendment (935R008.SP.JK), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(D)(4) and inserting:

/ (4) the parent signs an annual agreement with the department:

(a) to provide, at a minimum, a program of academic instruction for the eligible student in at least the subjects of English/language arts to include writing, mathematics, social studies, and science;

(b) to acknowledge and agree to comply with the education service provider's prescribed curriculum, dress code, and other requirements of enrolled students;

(c) to ensure the scholarship student takes assessments as referenced in Section 59-8-150 or provides assessments in a similar manner through other means if the scholarship student does not receive full-time instruction from an education service provider;

(d) to use program funds for qualifying expenses only for an approved provider to educate the scholarship student, subject to penalty;

(e) not to enroll their scholarship student in a public school as a full-time student in the resident school district, as defined in this chapter;

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(f) not to participate in a home instruction program under Sections 59-65-40, 59-65-45, or 59-65-47;

(g) to comply with the conditions and requirements of the ESTF program as established by the department; and

(h) to confirm that, if the parent's child is a student with disabilities, the parent has received notice from the department that participation in the ESTF program is a parental placement of the scholarship student under IDEA, along with an explanation of the rights that parentally placed students possess under IDEA and any applicable state laws and regulations, including the consultation process provided for in 20 U.S.C. Section 1412(a)(10) and the Individual Education Program requirements described in Section 1414(d) of IDEA. /

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

Senator FANNING spoke on the amendment.

Senator FANNING moved to lay the amendment on the table.

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

Ayes 13; Nays 27

AYES

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

Total--13

NAYS

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

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Talley

Verdin

Young

Total--27

Having failed to receive the necessary vote, the Senate refused to lay the amendment on the table.

Senator FANNING spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Amendment No. 4

Senator M. JOHNSON proposed the following amendment (935R005.SP.MJ), which was adopted:

Amend the bill, as and if amended, at the end of SECTION 2, by adding a new Section to read:

/ Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce a district's student transfer policy." /

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON spoke on the amendment.

Senator MARTIN spoke on the amendment.

Senator MARTIN moved to lay the amendment on the table.

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

Ayes 0; Nays 36

AYES

Total--0

NAYS

Adams

Alexander

Allen

Bennett

Cash

Climer

Corbin

Cromer

Davis

Fanning

Gambrell

Garrett

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Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rice	Sabb
Senn	Stephens	Talley
Verdin	Williams	Young

Total--36

Having failed to receive the necessary vote, the Senate refused to lay the amendment on the table.

The question then was the adoption of the amendment.

The amendment was adopted.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator CASH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Kandy Lantowsky Stamps of Belton, S.C. Kandy was a graduate of North Greenville College and Carson Newman University. She previously worked as a cytotechnologist at Trident Medical Center before becoming a nanny. Kandy was a longtime member of East Cooper Baptist Church. Kandy was a loving wife and devoted mother who will be dearly missed.

ADJOURNMENT

At 5:41 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

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