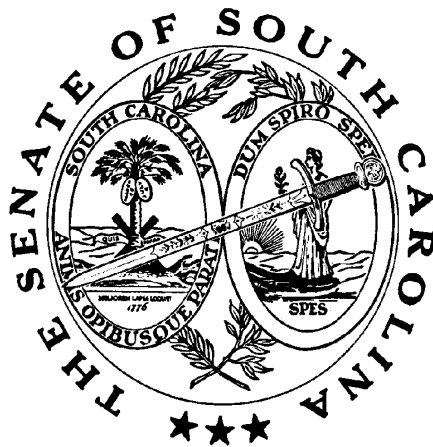


NO. 71

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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THURSDAY, MAY 12, 2022

**Thursday, May 12, 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:

Genesis 2:2

As we read in Genesis: “And on the seventh day God finished the work that he had done, and he rested. . .”

Pray with me, if you will: As we are keenly aware, O God, this indeed is the last day of the Second Session of the 124<sup>th</sup> General Assembly here in South Carolina. And yes, a great deal has been enacted up to this point, and we are by and large grateful for the actions this Body has completed. Yet, as every one knows, there is more to be done: committees that have to meet, measures that require debate, votes that have to be taken on the floor. But Lord, grant these Senators and their aides at least a bit of rest before they have to return to their work. Let them catch their breath. And when they do return, may they choose to wrap things up in positive fashion -- all for the benefit of the good citizens of our State. In Your loving name we pray, dear Lord. Amen.

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

**Call of the Senate**

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Michael</i>	Kimbrell
Loftis	Martin	Massey
McElveen	Peeler	Reichenbach
Rice	Senn	Setzler

THURSDAY, MAY 12, 2022

Shealy  
Turner  
Young

Stephens  
Verdin

Talley  
Williams

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

**Local Appointments**

Reappointment, Charleston County Master-in-Equity, with the term to commence December 24, 2022, and to expire December 24, 2028

Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401

Reappointment, Clarendon County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

Joseph K. Coffey, P. O. Box 1292, Manning, SC 29102

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jacquelyn I. Duckett, 204 Hawthorne Dr., Simpsonville, SC 29680-6120

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Seldon T. Peden, 100 Georgianna Lane, Greenville, SC 29605-3337

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gwen Bampfield, 113 Kinard Lane, Hampton, SC 29924-0132

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Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927-1125

**Doctor of the Day**

Senator SCOTT introduced Dr. Scott Weitzel of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator FANNING, at 11:39 A.M., Senator McLEOD was granted a leave until 12:15 P.M.

**Leave of Absence**

On motion of Senator FANNING, at 11:39 A.M., Senator KIMPSON was granted a leave of absence for today.

**Expression of Personal Interest**

Senator GUSTAFSON rose for an Expression of Personal Interest.

**Remarks to be Printed**

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

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:  
S. 133 Sen. Alexander

**RECALLED AND ADOPTED**

H. 4572 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION RECOGNIZE THE HONORABLE DOLPHUS "D.C." CARTER, JR., RETIRED EDUCATOR AND MUNICIPAL JUDGE, FOR A LIFETIME OF OUTSTANDING AND MEANINGFUL ACHIEVEMENTS, AND VALUABLE SERVICE AND COMMITMENT TO THE PEOPLE OF DILLON COUNTY, BY NAMING THE PORTION OF EAST DARGAN STREET IN THE CITY OF DILLON, FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 57 "JUDGE DOLPHUS 'D.C.' CARTER, JR. WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS

THURSDAY, MAY 12, 2022

ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

Senator WILLIAMS 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.

Senator WILLIAMS 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 WILLIAMS, the Resolution was adopted and ordered sent to the House.

**RECALLED AND ADOPTED**

H. 4750 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME STACKHOUSE ROAD BETWEEN HAYMOUNT ROAD AND BURKE ROAD IN DILLON COUNTY "HUBERT GRICE MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

Senator WILLIAMS 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.

Senator WILLIAMS 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 WILLIAMS, the Resolution was adopted and ordered sent to the House.

**RECALLED AND ADOPTED**

H. 5211 -- Rep. Forrest: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE SALUDA RIVER ALONG

THURSDAY, MAY 12, 2022

HOLLYWOOD SCHOOL ROAD IN SALUDA COUNTY “HARMON BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THESE WORDS.

Senator SHEALY 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.

Senator SHEALY 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 SHEALY, the Resolution was adopted and ordered sent to the House.

### **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1331 -- Senator Hembree: A SENATE RESOLUTION TO DECLARE SUNDAY, MAY 8, THROUGH SATURDAY, MAY 14, 2022, AS CHARTER SCHOOLS WEEK IN THE PALMETTO STATE AND TO ACKNOWLEDGE THE IMPORTANCE OF EDUCATING THE CHILDREN OF SOUTH CAROLINA IN INNOVATIVE CLASSROOMS AND SCHOOLS.

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The Senate Resolution was adopted.

S. 1332 -- Senator Climer: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF PRIVATE FIRST CLASS MARSHALL WHITESIDES, TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS, AND TO HONOR AND RECOGNIZE HIM FOR HIS MANY YEARS OF DISTINGUISHED SERVICE WITH THE UNITED STATES ARMY.

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The Senate Resolution was adopted.

THURSDAY, MAY 12, 2022

S. 1333 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF MARY B. WHITE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1334 -- Senator Cromer: A SENATE RESOLUTION TO CONGRATULATE ROBERT C. HUBBARD III UPON THE OCCASION OF HIS RETIREMENT AS CHAIRMAN OF THE BOARD OF PHARMACY, TO COMMEND HIM FOR HIS YEARS OF DEDICATED SERVICE TO THE BOARD, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

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The Senate Resolution was adopted.

S. 1335 -- Senator Cash: A BILL TO ENACT THE PERSONHOOD ACT OF SOUTH CAROLINA; TO AMEND ARTICLE 1, CHAPTER 3, TITLE 16 OF THE 1976 CODE, RELATING TO CRIMES AND OFFENSES AGAINST THE PERSON, BY ADDING TO ARTICLE 1 THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING IS INHERENT AND UNALIENABLE BEGINNING AT FERTILIZATION, AND TO DEFINE "PERSON", "HUMAN", AND "HUMAN BEING", AND TO AFFIRM THAT NO PERSON SHALL BE DEPRIVED OF LIFE WITHOUT DUE PROCESS OF LAW NOR DENIED THE EQUAL PROTECTION OF THE LAWS, RIGHTS GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE; AND FOR OTHER PURPOSES.

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

S. 1336 -- Senator Sabb: A SENATE RESOLUTION TO CONGRATULATE JOHNNY M. GARDNER, JR. ON THE OCCASION OF HIS EIGHTIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

THURSDAY, MAY 12, 2022

S. 1337 -- Senator Sabb: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REV. THOMAS LEROY SCOTT AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 5278 -- Rep. G. M. Smith: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2022-2023 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

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

#### **Appointment Reported**

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

#### **Statewide Appointment**

Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2022, and to expire June 30, 2025  
6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

Received as information.

#### **Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

#### **LOCAL APPOINTMENT**

Reappointment, Charleston County Master-in-Equity, with term to commence December 24, 2022, and to expire December 24, 2028:

The Honorable Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401

Very respectfully,

Speaker of the House

Received as information.



THURSDAY, MAY 12, 2022

**Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

**LOCAL APPOINTMENT**

Reappointment, Clarendon County Master-in-Equity, with term to commence June 30, 2022, and to expire June 30, 2028:

The Honorable Joseph K. Coffey, P.O. Box 1292, Manning, SC 29102

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that a message having been received from the Senate that it had receded from its amendments, it was ordered that the title of the Bill be changed to that of an Act and that the Act be enrolled for Ratification:

H. 5182 -- Reps. Lucas, Fry, Hewitt, Bailey, Erickson, Dillard, Huggins, Wooten, Caskey, Ballentine, R. Williams and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA OPIOID RECOVERY ACT" BY ADDING CHAPTER 50 TO TITLE 44 SO AS TO PROVIDE FOR PURPOSES OF THE ACT, PROVIDE DEFINITIONS, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND, ESTABLISH THE DISCRETIONARY SUBFUND, ESTABLISH THE GUARANTEED POLITICAL SUBDIVISION SUBFUND, ESTABLISH THE ADMINISTRATIVE SUBFUND, ESTABLISH THE SOUTH CAROLINA OPIOID RECOVERY FUND BOARD, PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS RESPONSIBLE FOR ADMINISTRATIVE OPERATIONS, PROVIDE FOR CERTAIN RESTRICTIONS ON BRINGING CERTAIN CLAIMS, AND TO PROVIDE THAT THIS ACT MUST BE LIBERALLY CONSTRUED.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 108 -- Senators Campsen, Senn and Scott: A BILL TO AMEND SECTION 48-22-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO REQUIRE THE UNIT TO CONDUCT TOPOGRAPHIC MAPPING USING LIGHT DETECTION AND RANGING (LiDAR) DATA COLLECTIONS

THURSDAY, MAY 12, 2022

AND ESTABLISH REQUIREMENTS FOR THE INFORMATION COLLECTED DURING THE TOPOGRAPHIC MAPPING.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 158 -- Senator Scott: A BILL TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 533 -- Senators Shealy, Gambrell, Allen, Williams, Jackson, Gustafson, Stephens, Malloy and McElveen: A JOINT RESOLUTION TO PROHIBIT THE USE OF SECTION 14(c) OF THE FAIR LABOR STANDARDS ACT OF 1938 TO PAY SUBMINIMUM WAGES TO INDIVIDUALS WITH DISABILITIES.

and has ordered the Joint Resolution enrolled for Ratification.

Very respectfully,

Speaker of the House

THURSDAY, MAY 12, 2022

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3050 -- Reps. D.C. Moss, McGarry, Wooten, Hixon, Erickson and Bradley: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER

THURSDAY, MAY 12, 2022

WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3144 -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SC WINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TWO-YEAR TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3166 -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: A BILL TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE

THURSDAY, MAY 12, 2022

VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3271 -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: A BILL TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

THURSDAY, MAY 12, 2022

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

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3325 -- Reps. King, Murray, Rivers, M.M. Smith and Parks: A BILL TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3340 -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: A BILL TO AMEND SECTION 12-20-105, AS AMENDED,

THURSDAY, MAY 12, 2022

CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS, AND TO ALLOW UNUSED CREDITS TO BE CARRIED FORWARD TO THE THREE SUCCEEDING TAX YEARS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3775 -- Reprs. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE DEFINITIONS AND THAT NO HEALTH BENEFIT PLAN MAY REQUIRE AN INSURED TO FAIL TO SUCCESSFULLY RESPOND TO A DRUG OR DRUGS FOR STAGE FOUR ADVANCED, METASTATIC CANCER PRIOR TO THE APPROVAL OF A DRUG PRESCRIBED BY HIS OR HER PHYSICIAN.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.



THURSDAY, MAY 12, 2022

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3795 -- Rep. Allison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE A SPECIFIED LEVEL OF COMPETENCE FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN ENTITIES OF STATE GOVERNMENT, PUBLIC SCHOOLS, AND HOSPITAL SYSTEMS, TO PROVIDE SIGN LANGUAGE INTERPRETATION SERVICES TO MEMBERS OF THE PUBLIC WHO ARE DEAF OR HARD OF HEARING AND HAVE CERTAIN SPEECH IMPAIRMENTS, AND TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT THE SAME BACKGROUND CHECKS AS EDUCATORS; TO AMEND SECTION 15-27-15, RELATING TO THE APPOINTMENT OF SIGN LANGUAGE INTERPRETERS BY THE JUDICIAL DEPARTMENT FOR PARTIES OR WITNESSES WHO ARE DEAF OR HARD OF HEARING, SO AS TO MAKE CONFORMING CHANGES AND TO PROVIDE NECESSARY DEFINITIONS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2022.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

THURSDAY, MAY 12, 2022

H. 4048 -- Rep. G.M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4161 -- Rep. Bannister: A BILL TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT OF STATE JURISDICTIONS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4220 -- Reprs. Sandifer and Hardee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

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**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4597 -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; TO ESTABLISH REQUIREMENTS APPLICABLE TO HEALTH INSURERS THAT PROVIDE COVERAGE FOR ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4757 -- Reps. McGarry, B. Newton, Yow and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 521 FROM ANDREW JACKSON HIGH SCHOOL IN LANCASTER COUNTY TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 601 "REPRESENTATIVE JIMMY NEAL MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

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and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4889 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 5069 -- Reps. Yow, Henegan and Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 9 IN THE TOWN OF CHERAW IN CHESTERFIELD COUNTY FROM ITS INTERSECTION WITH TOWN AND COUNTRY ROAD TO ITS INTERSECTION WITH WINDSOR DRIVE "DR. JOSEPH KERSHAW NEWSOM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

THURSDAY, MAY 12, 2022

Received as information.

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

The following Bill was read the third time and ordered sent to the House of Representatives:

H. 5288 -- Reps. Weeks and G.M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 5288 -- Reps. Weeks and G.M. Smith: A BILL TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL

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ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

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

H. 3591 -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS BY PROVIDING FOR THE ANNUAL DEVELOPMENT AND PUBLICATION OF THE SOUTH CAROLINA TEACHER PREPARATION REPORT CARD; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

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

H. 4519 -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE THAT A REGISTERED BARBER MAY PRACTICE BARBERING IN A BEAUTY SALON; AND TO AMEND SECTION 40-13-20, RELATING TO THE DEFINITION OF "BEAUTY SALON", SO AS INCLUDE BARBERING WITHIN THE SCOPE OF PROFESSIONAL SERVICES THAT MAY BE PERFORMED IN A BEAUTY SALON IN ADDITION TO COSMETOLOGY.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

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

H. 4766 -- Reps. Allison, Lucas, Felder and Alexander: A BILL TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO DELETE REFERENCES TO DESIGNEES ON THE COORDINATING COUNCIL.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 11, 2022

Mr. President and Senators:

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

H. 4837 -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest,



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R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: A BILL TO AMEND SECTION 40-37-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

#### **HOUSE CONCURRENCE**

S. 918 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF HIGHWAY 501 AND BROADWAY STREET IN HORRY COUNTY "PATROL OFFICER HENRY SCARBOROUGH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

#### **HOUSE CONCURRENCE**

S. 919 -- Senators Goldfinch, Rankin, Hembree, Sabb and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS OF HARRELSON BOULEVARD IN HORRY COUNTY "PATROLMAN JACOB HANCHER OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Returned with concurrence.

Received as information.

#### **HOUSE CONCURRENCE**

S. 1038 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF CHALK STREET AND POULTRY LANE IN RICHLAND COUNTY "DEACON DAVID SHIVER MEMORIAL

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INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

#### **HOUSE CONCURRENCE**

S. 1243 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HAYNIE STREET IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 20 “REVEREND JESSE L. JACKSON, SR. STREET” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

#### **HOUSE CONCURRENCE**

S. 1257 -- Senator McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF GEORGE ROGERS BOULEVARD AND ANDREWS ROAD IN RICHLAND COUNTY “JOSEPH LEE JACKSON MEMORIAL INTERSECTION” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THESE WORDS.

Returned with concurrence.

Received as information.

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

#### **Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR

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VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

asks for a Committee of Conference, and has appointed Reps. Wooten, Hardee and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 908--CONFERENCE COMMITTEE APPOINTED**

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

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

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

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Very respectfully,  
Speaker of the House  
Received as information.

**S. 968--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

On motion of Senator SHEALY, the Senate insisted upon its amendments to S. 968 and asked for a Committee of Conference.

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

**S. 968 --FREE CONFERENCE POWERS GRANTED  
FREE CONFERENCE COMMITTEE APPOINTED  
REPORT OF THE COMMITTEE OF FREE CONFERENCE  
ADOPTED**

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH

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CAROLINA MILITARY VETERANS, AND TO DEFINE  
RELEVANT TERMS.

On motion of Senator McELVEEN, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

**S. 968--Free Conference Powers Granted  
Free Conference Committee Appointed**

Senator McELVEEN asked unanimous consent to be granted Free Conference Powers.

The question then was granting of Free Conference Powers.

Free Conference Powers were granted.

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

The question then was adoption of the Report of the Committee of Free Conference.

On motion of Senator McELVEEN, the Report of the Committee of Free Conference to S. 968 was adopted as follows:

**S. 968--REPORT OF THE  
COMMITTEE OF FREE CONFERENCE ADOPTED**

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH

THURSDAY, MAY 12, 2022  
CAROLINA MILITARY VETERANS, AND TO DEFINE  
RELEVANT TERMS.

On motion of Senator McELVEEN with unanimous consent, the Report of the Committee of Free Conference was taken up for immediate consideration.

Senator McELVEEN spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

**S. 968 -- Free Conference Report**

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

S. 968 -- Senators Alexander, Climer and Kimbrell: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 25 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF VETERANS' AFFAIRS, BY ADDING SECTION 25-11-85 TO ESTABLISH THE "VETERANS SERVICE ORGANIZATION BURIAL HONOR GUARD SUPPORT FUND" TO HELP OFFSET THE COSTS INCURRED BY SOUTH CAROLINA CHAPTERS OF CONGRESSIONALLY CHARTERED VETERANS SERVICE ORGANIZATIONS IN PROVIDING HONOR GUARD BURIAL DETAILS AT THE FUNERALS OF QUALIFYING SOUTH CAROLINA MILITARY VETERANS, AND TO DEFINE RELEVANT TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Article 1, Chapter 11, Title 25 of the 1976 Code is amended by adding:

"Section 25-11-85. (A)(1) There is established and created in the State Treasury a fund separate and distinct from the general fund of the State and all other funds entitled the 'Veterans Service Organization Burial Honor Guard Support Fund'. The fund's exclusive purpose is to

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help offset the costs paid by South Carolina chapters of congressionally chartered veterans service organizations that provide well-equipped and properly trained honor guard burial details at the funerals of qualifying South Carolina veterans.

(2) Revenues of the fund may include gifts, grants, federal funds, or donations made to the fund, regardless of source, and amounts as may be appropriated to the fund by the General Assembly. Money deposited in the fund must be disbursed by the State Treasurer upon the warrant of the Secretary of the Department of Veterans' Affairs or his representative. Earnings on this fund must be credited to it, and a balance in the fund at the end of a fiscal year does not lapse to the general fund of the State, but is instead carried forward in the fund to the succeeding fiscal year to be used for the same purposes. The fund is not subject to midyear budget reductions, and disbursements awarded may not at any time exceed the fund balance at the time of the grant.

(B) Upon request by a South Carolina chapter of a congressionally chartered veterans service organization that provided an honor guard burial detail at the funeral of a qualifying South Carolina veteran, the Secretary of the Department of Veterans' Affairs or his representative may authorize a disbursement from the fund, in an amount not less than fifty dollars, but not exceeding the per funeral cap established annually by the secretary, for the purposes described in this section. Pursuant to his authority provided for in Section 25-11-20(D), the Secretary of the Department of Veterans' Affairs may promulgate regulations necessary to implement the provisions of this section.

(C) As used in this section:

(1) 'Veteran' means a person who has:

(a) served on active duty in the uniformed military services of the United States;

(b) served on active duty in the National Guard or any organized state militia; or

(c) served in the reserve components of the uniformed military services of the United States on active duty; and

(d) was released from this service other than by dishonorable discharge.

(2) 'Veterans service organization' means an association, corporation, or other entity that qualifies under Internal Revenue Code Section 501(c)(3) or Section 501(c)(19) as a tax exempt organization, a federally chartered veterans service corporation, or a veterans' affairs office or agency established by state law. This term also includes a member or employee of any such entity."

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SECTION 2. This act takes effect upon approval by the Governor. /  
Amend title to conform.

/s/Sen. J. Thomas McElveen III	/s/Rep. Richard L. Yow
/s/Sen. Katrina F. Shealy	/s/Rep. Sandy N. McGarry
/s/Sen. Tom Young, Jr.	/s/Rep. Krystle N. Matthews
On Part of the Senate.	On Part of the House.

, and a message was sent to the House accordingly.

#### **Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

asks for a Committee of Conference, and has appointed Reps. B. Newton, Jordan and Bernstein to the committee on the part of the House.

Very respectfully,  
Speaker of the House

Received as information.

#### **S. 1025--CONFERENCE COMMITTEE APPOINTED**

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Whereupon, Senators DAVIS, SHEALY and MATTHEWS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

#### **S. 1025--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED**

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO



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CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE  
DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER  
THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

On motion of Senator DAVIS, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator DAVIS spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

**S. 1025--Conference Report**

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44-63-80 of the 1976 Code is amended to read:

“Section 44-63-80. (A) Except as otherwise provided, certified copies of the original birth certificate or any new or amendatory certificate, exclusive of that portion containing confidential information, must be issued only by the state registrar and only to the registrant, if of legal age, his parent or guardian, or other legal representative, and upon request to the Department of Social Services or its designee for the purpose of establishing paternity or establishing, modifying, or enforcing a child support obligation. The registrar shall include a copy of the pamphlet ‘South Carolina Family Respect’, as provided in Section 20-1-720, when it mails or sends the certified copy of the birth certificate. However, the certified copy of the birth certificate may not disclose the

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name of the father in any illegitimate birth unless the name of the father is entered on the certificate pursuant to Section 44-63-163 or Section 44-63-165. ~~The short form certificate or birth card may be furnished only to the registrant, his parent or guardian, or other legal representative by the state or county registrar.~~

(B) For purposes of this section and obtaining a birth certificate, the term ‘other legal representative’ shall include:

(1) a person or agency that has current legal custody of a registrant by any currently-effective order of a court of competent jurisdiction, including a temporary order;

(2) the Department of Social Services for any individual or registrant in foster care or its legal custody;

(3) a caregiver, including a kinship caregiver, providing care to a child pursuant to any currently-effective order of a court of competent jurisdiction, including a temporary order;

(4) an attorney representing the registrant or, if the parent is listed on the registrant’s birth certificate, the registrant’s parent;

(5) subject to the Department’s verification process, on behalf of a homeless child or youth served by them:

(a) a director or designee of a South Carolina governmental agency or a nonprofit organization registered with the South Carolina Secretary of State’s Office that receives public or private funding to provide services to the homeless, and

(b) a South Carolina school district’s McKinney-Vento liaison for homeless children or youth.

(C) The Department of Social Services may obtain a birth certificate by requesting the certificate in writing pursuant to the terms of a written agreement that shall be entered into between the Department of Health and Environmental Control and the Department of Social Services, and no copies of court orders or other third-party records shall be required when the Department of Social Services requests a birth certificate pursuant to the written agreement.

(D) When one hundred years have elapsed after the date of birth, these records must be made available in photographic or other suitable format for public viewing.”

SECTION 2. This act takes effect upon approval by the Governor. /

Amend title to read:

/TO AMEND SECTION 44-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, SO AS TO EXPAND THE DEFINITION OF

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LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES. /

/s/Sen. Tom Davis

/s/Rep. Beth E. Bernstein

/s/Sen. Katrina Frye Shealy

/s/Rep. Wallace H. "Jay" Jordan, Jr.

/s/Sen. Margie Bright Matthews

/s/Rep. Brandon Michael Newton

On Part of the Senate.

On Part of the House.

, and a message was sent to the House accordingly.

On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**S.1025--REPORT OF COMMITTEE OF CONFERENCE  
ENROLLED FOR RATIFICATION**

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO

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REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

asks for a Committee of Conference, and has appointed Reps. Simrill, G.M. Smith and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 1087--CONFERENCE COMMITTEE APPOINTED**

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

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Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 1106--CONFERENCE COMMITTEE APPOINTED**

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE

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CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoun and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE

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IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE. asks for a Committee of Conference, and has appointed Reps. G.M. Smith, Simrill and Rutherford to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**H. 3346--CONFERENCE COMMITTEE APPOINTED**

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

Very respectfully,  
Speaker of the House

Received as information.

**H. 3588--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

H. 3588 -- Reps. Allison, Felder and Carter: A BILL TO AMEND SECTION 59-149-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR LIFE SCHOLARSHIPS, SO AS TO STRENGTHEN ENGLISH, MATHEMATICS, AND COMPUTER SCIENCE FOUNDATIONS OF HIGH SCHOOL SENIORS SEEKING LIFE SCHOLARSHIPS BY REQUIRING SUCCESSFUL COMPLETION OF CERTAIN ENGLISH AND MATHEMATICS OR COMPUTER SCIENCE COURSEWORK DURING THEIR SENIOR YEARS, AND TO EXCLUDE MEMBERS OF THE 2022-2023 SENIOR CLASS FROM THESE REQUIREMENTS.

On motion of Senator MASSEY, the Senate insisted upon its amendments to H. 3588 and asked for a Committee of Conference.

Whereupon, Senators MASSEY, SCOTT and TALLEY were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.



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**Message from the House**

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Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

asks for a Committee of Conference, and has appointed Reps. Simrill, G.M. Smith and Rutherford to the committee on the part of the House.

Very respectfully,  
Speaker of the House

Received as information.

**H. 5150--CONFERENCE COMMITTEE APPOINTED**

H. 5150 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2022, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Whereupon, Senators PEELER, SETZLER and ALEXANDER were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

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Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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

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asks for a Committee of Conference, and has appointed Reps. Willis, Jordan and Wheeler to the committee on the part of the House.

Very respectfully,  
Speaker of the House

Received as information.

**S. 17--CONFERENCE COMMITTEE APPOINTED**

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

Whereupon, Senators TALLEY, CLIMER and SABB were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: 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 DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Very respectfully,  
Speaker of the House

Received as information.

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Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 133 to be printed on the Calendar.

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

**Ayes 26; Nays 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Gustafson
Hembree	<i>Johnson, Michael</i>	Kimbrell
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Young	

**Total--26**

**NAYS**

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

**Total--13**

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**NONCONCURRENCE**

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO

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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 DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator MASSEY explained the amendments.

On motion of Senator MASSEY, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: 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

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APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

asks for a Committee of Conference, and has appointed Reps. Taylor, Elliott and Wheeler to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 133--CONFERENCE COMMITTEE APPOINTED**

S. 133 -- Senators Massey, Gustafson, Rice, Hembree, Kimbrell, Turner, Bennett, Climer, Garrett, Cash, Adams, Verdin, Peeler, Grooms, Young, Campsen, M. Johnson, Talley, Goldfinch, Shealy, Cromer, Senn, Fanning and Alexander: 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 DELEGATES TO A CONVENTION OF THE STATES AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

Whereupon, Senators RICE, CAMPSSEN and SABB were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE

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“COUNTY GREEN SPACE SALES TAX ACT”; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

### **CONCURRENCE**

S. 152 -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: A BILL TO ENACT THE “COUNTY GREEN SPACE SALES TAX ACT”; TO AMEND CHAPTER 10, TITLE 4 OF THE 1976 CODE, RELATING TO COUNTY LOCAL SALES AND USE TAXES, BY ADDING ARTICLE 10, TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator DAVIS explained the amendments.

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On motion of Senator DAVIS, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 202 to be printed on the Calendar.

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

**Ayes 39; Nays 3**

**AYES**

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

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**Total--39**

**NAYS**

Fanning

Matthews

McLeod

**Total--3**

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**NONCONCURRENCE**

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

asks for a Committee of Conference, and has appointed Reps. Bernstein, Caskey and Collins to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.



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**S. 202--CONFERENCE COMMITTEE APPOINTED**

S. 202 -- Senators Hembree and Bennett: A BILL TO AMEND SECTION 1-6-10(1) AND (5) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE OFFICE OF THE STATE INSPECTOR GENERAL, TO DEFINE NECESSARY TERMS.

Whereupon, Senators HEMBREE, YOUNG and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Very respectfully,  
Speaker of the House

Received as information.

**S. 233--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

On motion of Senator VERDIN, the Senate insisted upon its amendments to S. 233 and asked for a Committee of Conference.

Whereupon, Senators VERDIN, DAVIS and WILLIAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Crawford, Hewitt and Weeks to the Committee of Conference on the part of the House on:

S. 233 -- Senator Turner: A BILL TO AMEND SECTION 12-37-220(B)(1)(b) OF THE 1976 CODE, RELATING TO PROPERTY EXEMPTED FROM AD VALOREM TAXATION, TO PROVIDE THAT A QUALIFIED SURVIVING SPOUSE MAY QUALIFY FOR AN EXEMPTION IF THE QUALIFIED SURVIVING SPOUSE OWNS THE HOUSE.

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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**Motion Adopted**

On motion of Senator YOUNG, the Senate agreed to waive the provisions of Rule 32A requiring S. 236 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**NONCONCURRENCE**

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

On motion of Senator YOUNG, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

S. 236 -- Senator Young: A BILL TO AMEND SECTION 7-7-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POOLING PRECINCTS IN MUNICIPAL ELECTIONS, SO AS TO PROVIDE THAT ANY PRECINCT CONTAINING THREE THOUSAND OR MORE VOTERS, AN INCREASE FROM FIVE

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HUNDRED OR MORE VOTERS, HAVE ITS OWN POLLING PLACE; THAT THE TOTAL NUMBER OF REGISTERED VOTERS IN THE MUNICIPAL POOLED PRECINCTS CANNOT EXCEED THREE THOUSAND, AN INCREASE FROM ONE THOUSAND FIVE HUNDRED; AND THAT POOLED MUNICIPAL POLLING PLACES CANNOT BE MORE THAN FIVE MILES, AN INCREASE FROM THREE MILES, FROM THE NEAREST PART OF ANY POOLED PRECINCT.

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT

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AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator CAMPSSEN the Senate agreed to waive the provisions of Rule 32A requiring H. 3055 to be printed on the Calendar.

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

**Ayes 36; Nays 6**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

**Total--36**

**NAYS**

Fanning	Malloy	Matthews
McLeod	Sabb	Stephens

**Total--6**

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**NONCONCURRENCE**

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220,

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RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

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The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A



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TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

asks for a Committee of Conference, and has appointed Reps. Hixon, Forrest and Alexander to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

#### **H. 3055--CONFERENCE COMMITTEE APPOINTED**

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48-4-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48-4-30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT-LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48-4-70, RELATING TO THE

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GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50-1-220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50-1-180 TO 50-1-230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50-3-90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50-3-110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50-3-130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50-3-315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50-3-320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50-3-350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER'S OFFICIAL BADGE; TO AMEND SECTION 50-3-395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50-11-980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50-15-10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50-15-30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL

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REGULATION AND TO MOVE CERTAIN DUTIES TO THE  
DEPARTMENT OF NATURAL RESOURCES.

Whereupon, Senators CAMPSEN, CLIMER and STEPHENS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**CONCURRENCE**

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered

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that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**NONCONCURRENCE**

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator YOUNG explained the amendments.

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On motion of Senator YOUNG, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

asks for a Committee of Conference, and has appointed Reps. Bernstein, Collins and Davis to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 243--CONFERENCE COMMITTEE APPOINTED**

S. 243 -- Senator Young: A BILL TO AMEND SECTION 63-7-940(A) OF THE 1976 CODE, RELATING TO AUTHORIZED USES OF UNFOUNDED CHILD ABUSE AND NEGLECT REPORTS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; TO AMEND SECTION 63-7-1990(H) OF THE 1976 CODE, RELATING TO THE CONFIDENTIALITY AND RELEASE OF CHILD ABUSE AND NEGLECT RECORDS, TO AUTHORIZE THE RELEASE OF INFORMATION ABOUT CHILD FATALITIES OR NEAR FATALITIES; AND TO DEFINE NECESSARY TERMS.

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

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**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator VERDIN, the Senate agreed to waive the provisions of Rule 32A requiring S. 901 to be printed on the Calendar.

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

**Ayes 38; Nays 4**

**AYES**

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

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**Total--38**

**NAYS**

Fanning  
Sabb

Matthews

McLeod

**Total--4**

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**NONCONCURRENCE**

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

On motion of Senator VERDIN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN

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INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

asks for a Committee of Conference, and has appointed Reps. Crawford, Hewitt and Weeks to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 901--CONFERENCE COMMITTEE APPOINTED**

S. 901 -- Senators Verdin, Cromer, McElveen and Peeler: A BILL TO AMEND SECTION 12-6-3775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX CREDITS, SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS; AND TO REPEAL SECTION 4 B. OF ACT 77 OF 2019 RELATING TO THE REPEAL OF SECTION 12-6-3775.

Whereupon, Senators VERDIN, DAVIS and WILLIAMS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**NONCONCURRENCE**

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 House returned the Bill with amendments.



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The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator FANNING proposed the following amendment (WAB\935C054.RT.WAB22), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-120, by adding an appropriately lettered subsection to read:

/ ( ) The State Treasurer shall not transfer funds into the Education Scholarship Account Fund during any fiscal year in which the General Assembly fails to fully fund the base student cost as calculated by the Office of Revenue and Fiscal Affairs pursuant to the Education Finance Act of 1977. /

Re-number sections to conform.

Amend title to conform.

Senator FANNING explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 30; Nays 10**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rankin
Reichenbach	Rice	Senn
Shealy	Talley	Turner
Verdin	Williams	Young

**Total--30**

**NAYS**

Fanning	Hutto	Jackson
<i>Johnson, Kevin</i>	Malloy	Matthews

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McElveen  
Stephens

McLeod

Sabb

**Total--10**

The amendment was laid on the table.

Senator STEPHENS proposed the following amendment (SA\935C001.JN.SA22), which was tabled:

Amend the bill, as and if amended, SECTION 2, by adding a new section to read:

/ Section 59-8-210. An education service provider may not raise tuition more than three percent annually.” /

Re-number sections to conform.

Amend title to conform.

Senator STEPHENS explained the amendment.

The question then was the adoption of the amendment.

Senator MASSEY moved to lay the amendment on the table.

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

**Ayes 29; Nays 14**

**AYES**

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

**Total--29**

**NAYS**

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

**Total--14**

The amendment was laid on the table.

**Motion Under Rule 15A Adopted**

At 12:40 P.M., Senator MASSEY moved to waive the time periods required under the provisions of Rule 15A.

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

**Ayes 28; Nays 15**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Massey	Peeler	Reichenbach
Rice	Senn	Shealy
Talley	Turner	Verdin
Young		

**Total--28**

**NAYS**

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

**Total--15**

The motion was adopted.

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**Motion Adopted**

Senator MASSEY moved under the provisions of Rule 15A that no further amendments be allowed on the desk other than one amendment each by the Majority Leader and the Minority Leader, as provided for in Rule 15A; that no Senator be the primary sponsor of more than one amendment for consideration, if the amendment was on the desk prior to the adoption of this motion; that the primary sponsor be allowed up to three minutes to explain each amendment; and upon consideration of all the amendments, the proponents and opponents be allowed up to three minutes for and three minutes against the Bill.

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

**Ayes 27; Nays 15**

**AYES**

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

**Total--27**

**NAYS**

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

**Total--15**

The motion was adopted.

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Senator HUTTO proposed the following amendment (SA\935C010.JN.SA22), which was not adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(A)(1) and inserting:

/ (1) 'Cost of attendance' means the published tuition, fees, textbooks, meals, and fees for transportation paid to a fee-for-service transportation provider as approved by the Education Oversight Committee for the student to travel to and from an eligible school as defined in this section, but not to exceed seven hundred and fifty dollars for each school year, but does not include tutoring. /

Re-number sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 15; Nays 29**

**AYES**

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

**Total--15**

**NAYS**

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

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**Total--29**

The amendment was not adopted.

Senator HUTTO proposed the following amendment (SA\935C011.JN.SA22), which was not adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-110(A)(4) and inserting:

/ (4) 'Independent school' means a school, other than a public school at which the compulsory attendance requirements of Section 59-65-10 may be met and:

(a) offers a general education to elementary students;

(b) does not discriminate in the admissions process on the basis of race, color, sex, religion, or national origin with the exception that schools serving a single sex may participate provided they meet all other requirements;

(c) notwithstanding any exemptions to which they may be entitled, comply with all federal and state anti-discrimination laws including, but not limited to:

(1) Titles VI and VII of the Civil Rights Act of 1964,

(2) the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and

(3) Title IX of the Education Amendments of 1972;

(d) is located in this State;

(e) has an educational curriculum that includes courses set forth in the state's diploma requirements, and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;

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

(g) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, the South Carolina Independent Schools Association, or Palmetto Association of Independent Schools. /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 14; Nays 27**

**AYES**

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Scott
Stephens	Williams	

**Total--14**

**NAYS**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Senn	Talley
Turner	Verdin	Young

**Total--27**

The amendment was not adopted.

**Point of Order**

Senator HARPOOTLIAN raised a Point of Order under Rule 24A that the Bill was out of order.

Senator FANNING spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

**Motion Adopted**

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

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Senators FANNING and MARTIN proposed the following amendment (935MF.RFH.1), which was not adopted:

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

/ 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;

(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



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(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, 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;

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(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.

(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

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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 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

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(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 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

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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.

(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

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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.

(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

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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, 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.

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(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 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



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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.

(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 explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 19; Nays 24**

**AYES**

Allen	Corbin	Davis
Fanning	Gustafson	Hutto
Jackson	<i>Johnson, Kevin</i>	Malloy
Martin	Matthews	McElveen
McLeod	Sabb	Scott
Setzler	Shealy	Stephens
Williams		

**Total--19**

**NAYS**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Cromer	Gambrell	Garrett
Goldfinch	Harpootlian	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Massey	Peeler	Rankin
Reichenbach	Rice	Talley
Turner	Verdin	Young

**Total--24**

The amendment was not adopted.

There being no further amendments, the question being concurrence in the House amendments.

Senator FANNING spoke against the Bill.

Senator MARTIN spoke in favor of the Bill.

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

**Ayes 4; Nays 39**

**AYES**

Fanning	McLeod	Sabb
Stephens		

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**Total--4**

**NAYS**

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

**Total--39**

The Senate nonconcurred in the House amendments.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

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.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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.

asks for a Committee of Conference, and has appointed Reps. Erickson, Whitmire and Hayes to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 935--CONFERENCE COMMITTEE APPOINTED**

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.

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Whereupon, Senators HEMBREE, GROOMS and JACKSON were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 945 -- Senators Hembree and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-19-85 SO AS TO PROMOTE PUBLIC ACCESS TO SCHOOL BOARD MEETINGS BY REQUIRING SCHOOL BOARDS TO ADOPT AND IMPLEMENT POLICIES THAT PROVIDE LIVE ELECTRONIC TRANSMISSION OF SUCH MEETINGS, TO EXTEND APPLICABILITY OF THESE PROVISIONS TO THE GOVERNING BODIES OF CHARTER SCHOOLS AND SPECIAL SCHOOLS, TO PROVIDE FLEXIBILITY IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE IMPLEMENTED BEFORE JULY 1, 2023.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE

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DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES  
OF AMERICA AND SOUTH CAROLINA.

Very respectfully,  
Speaker of the House

Received as information.  
Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring S. 969 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**CONCURRENCE**

S. 969 -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 TO AUTHORIZE THE STATE BOARD OF EDUCATION TO MAKE RULES AND REGULATIONS REQUIRING THE DISPLAY OF THE OFFICIAL MOTTOS OF THE UNITED STATES OF AMERICA AND SOUTH CAROLINA.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

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S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: 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 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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator HEMBREE, the Senate agreed to waive the provisions of Rule 32A requiring S. 984 to be printed on the Calendar.

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

**Ayes 35; Nays 5; Abstain 1**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Gustafson	Hembree	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	McElveen	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	

**Total--35**

**NAYS**

Fanning	Matthews	McLeod
Sabb	Stephens	

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**Total--5**

**ABSTAIN**

Young

**Total--1**

The motion was adopted.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**HOUSE AMENDMENTS AMENDED  
RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 984 -- Senators Hembree, Massey, Gustafson and Rankin: 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 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.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator HEMBREE explained the House amendments.

Senator HEMBREE proposed the following amendment (DG\984C003.NBD.DG22), which was adopted:

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

/ SECTION 1. Section 6-1-300(6) of the 1976 Code is amended to read:

“(6) ‘Service or user fee’ means a charge required to be paid in return for a particular government service or program ~~made available to the payer that benefits the payer in some manner different from the members~~



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~~of the general public not paying the fee.~~ ‘Service or user fee’ also includes ‘uniform service charges’. The revenue generated from the fee must:

(a) be used to the benefit of the payers, even if the general public also benefits;

(b) only be used for the specific improvement contemplated;

(c) not exceed the cost of the improvement; and

(d) be uniformly imposed on all payers.”

SECTION 2. Section 6-1-330(A) of the 1976 Code is amended to read:

“(A) A local governing body, by ordinance approved by a positive majority, is authorized to charge and collect a service or user fee. A local governing body must provide public notice of any new service or user fee being considered and the governing body is required to hold a public hearing on any proposed new service or user fee prior to final adoption of any new service or user fee. Public comment must be received by the governing body prior to the final reading of the ordinance to adopt a new service or user fee. A fee adopted or imposed by a local governing body prior to December 31, 1996, remains in force and effect until repealed by the enacting local governing body, notwithstanding the provisions of this ~~section~~ article.”

SECTION 3. Section 6-1-330 of the 1976 Code is amended by adding appropriately lettered new subsections to read:

“( ) A local governing body that repealed a road maintenance fee after June 30, 2021, and subsequently approved a millage increase for road maintenance, must repeal the millage imposed to replace the previous road maintenance fee before reimposing the road maintenance fee.

( ) A local governing body that imposes a user or service fee pursuant to Section 6-1-300(6) must publish the amount of dollars annually collected on each fee on the county’s website.”

SECTION 4. Notwithstanding Section 8-21-30, et seq., no public officer shall be personally liable for any amount charged pursuant to SECTION 1.

SECTION 5. This act takes effect upon approval by the Governor and applies retroactively to any service or fee imposed after December 31, 1996. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

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The question then was the adoption of the amendment.

The amendment was adopted.

**Recorded Vote**

Senator YOUNG desired to be recorded as abstaining from the vote on the amendment.

The Bill was ordered returned to the House of Representatives with amendments.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

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**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed to waive the provisions of Rule 32A requiring S. 1011 to be printed on the Calendar.

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

**CONCURRENCE**

S. 1011 -- Senators Senn, Shealy, Stephens and Setzler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SENN explained the amendments.

On motion of Senator SENN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**CONCURRENCE**

S. 1045 -- Senators Alexander and M. Johnson: A BILL TO AMEND SECTION 58-23-20 OF THE 1976 CODE, RELATING TO

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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 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

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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 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 CODE, RELATING TO MOTOR VEHICLE CARRIERS, TO REPEAL SECTIONS 58-23-300, 58-23-530, 58-23-540, 58-23-550, AND 58-23-1060.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SETZLER explained the amendments.

On motion of Senator SETZLER, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND

THURSDAY, MAY 12, 2022  
AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS  
OFFICE.

Very respectfully,  
Speaker of the House

Received as information.  
Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Very respectfully,  
Speaker of the House

Received as information.  
Placed on Calendar for consideration tomorrow.

**Motion Adopted**

On motion of Senator CAMPSSEN, the Senate agreed to waive the provisions of Rule 32A requiring S. 1031 to be printed on the Calendar.

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

**Ayes 39; Nays 2**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Gustafson	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Rankin	Reichenbach
Rice	Sabb	Scott

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Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

Matthews	McLeod
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**Total--2**

The Bill was ordered placed in the category of Bills Returned from the House and would be taken up for consideration when that category was reached in the order of the day.

#### **NONCONCURRENCE**

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator CAMPSEN explained the amendments.

On motion of Senator CAMPSEN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

#### **Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

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Very respectfully,  
Speaker of the House  
Received as information.

**S. 1031--ENROLLED FOR RATIFICATION**

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification.

A message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1032 -- Senators Martin, Verdin, Kimbrell, Garrett, Senn and Climer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF SAFETY.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**NONCONCURRENCE**

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson,



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Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

asks for a Committee of Conference, and has appointed Reps. West, Ott and Jeff Johnson to the committee on the part of the House.

Very respectfully,

THURSDAY, MAY 12, 2022

Speaker of the House

Received as information.

**S. 1077--CONFERENCE COMMITTEE APPOINTED**

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell, Stephens, McLeod, M. Johnson, Kimpson, Hutto, Grooms, Climer, Davis, Gustafson, Williams, Loftis, Fanning, Adams and Scott: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

Whereupon, Senators RANKIN, TALLEY and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Very respectfully,

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Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**NONCONCURRENCE**

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator SENN explained the amendments.

On motion of Senator SENN, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has receded from its amendments on:

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT

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CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE  
DETENTION AND CORRECTIONAL OFFICER CANDIDATES  
MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Very respectfully,  
Speaker of the House

Received as information.

**S. 1092--ENROLLED FOR RATIFICATION**

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60,  
CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO  
THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND  
QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND  
PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY,  
AND THE LAW ENFORCEMENT TRAINING COUNCIL'S  
AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING  
OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN  
INFORMATION FROM GOVERNING BODIES ABOUT  
CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE  
DETENTION AND CORRECTIONAL OFFICER CANDIDATES  
MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

Having received three readings in both Houses, it was ordered that the  
title be changed to that of an Act and enrolled for Ratification.

A message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and  
Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56,  
CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO  
THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017  
WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL  
LICENSE PLATES BY THE DEPARTMENT OF MOTOR  
VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF  
"UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S  
BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE  
PLATES BY THE DEPARTMENT.

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Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

### **CONCURRENCE**

S. 1237 -- Senators McLeod, Matthews, Shealy, Senn, Gustafson and Malloy: A BILL TO AMEND ARTICLE 142, CHAPTER 3, TITLE 56, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2017 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO ALSO PROVIDE FOR THE ISSUANCE OF "UNIVERSITY OF SOUTH CAROLINA 2022 WOMEN'S BASKETBALL NATIONAL CHAMPIONS" SPECIAL LICENSE PLATES BY THE DEPARTMENT.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

### **Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: 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 FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

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Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

#### **CONCURRENCE**

H. 5144 -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: 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 FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

The House returned the Bill with amendments, the question being concurrence in the House amendments.

Senator VERDIN explained the amendments.

On motion of Senator VERDIN, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

#### **Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR

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LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Very respectfully,

Speaker of the House

Received as information.

**S. 506--REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

On motion of Senator KIMBRELL, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator KIMBRELL spoke on the report.

The question then was adoption of the Report of Committee of Conference.

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

**Ayes 42; Nays 0**

**AYES**

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

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Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

**Total--42**

**NAYS**

**Total--0**

The Committee of Conference Committee was adopted as follows:

**S. 506--Conference Report**

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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



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/ SECTION 1. Section 44-1-143 of the 1976 Code is amended to read:

“Section 44-1-143. (A) For the purposes of this section:

(1) ‘Home-based food production operation’ means an individual, operating out of the individual’s dwelling, who prepares, processes, packages, stores, and distributes nonpotentially hazardous foods for sale directly to a person, including online and by mail order, or to retail stores, including grocery stores. ‘Home-based food production operation’ does not include preparing, processing, packaging, storing, or distributing aluminum canned goods or charcuterie boards.

(2) ‘Nonpotentially hazardous foods’ are foods ~~candy and baked goods~~ that are not potentially hazardous ~~foods~~.

(3) ‘Person’ means an individual consumer.

(4) ‘Potentially hazardous foods’ includes:

(a) an animal food that is raw or heat-treated; a plant food that is heat-treated or consists of raw seed sprouts; cut melons; cut leafy greens; cut tomatoes or mixtures of cut tomatoes not modified to prevent microorganism growth or toxin formation; garlic-in-oil mixtures not modified to prevent microorganism growth or toxin formation;

(b) certain foods that are designated as Product Assessment Required (PA) because of the interaction of the pH and Aw values in these foods. Below is a table indicating the interaction of pH and Aw for control of spores in food heat-treated to destroy vegetative cells and subsequently packaged:

Aw values

pH values  
4.6 or less >4.6—5.6 >5.6

(1) <0.92 non-PHF non-PHF

(2) >0.92 — 0.95 non-PHF non-PHF PHF

(3) >0.95 non-PHF PHF PHF

Foods in item (2) with a pH value greater than 5.6 and foods in item (3) with a pH value greater than 4.6 are considered potentially hazardous unless a product assessment is conducted pursuant to the 2009 Federal Drug Administration Food Code.

(B) The operator of the home-based food production operation must take all reasonable steps to protect food items intended for sale from contamination while preparing, processing, packaging, storing, and distributing the items, including but not limited to:

(1) maintaining direct supervision of any person, other than the operator, engaged in the processing, preparing, packaging, or handling of food intended for sale;

(2) prohibiting all animals, including pets, from entering the area in the dwelling in which the home-based food production operation is

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located while food items are being prepared, processed, or packaged and prohibiting these animals from having access to or coming in contact with stored food items and food items being assembled for distribution;

(3) prohibiting all domestic activities in the kitchen while the home-based food production operation is processing, preparing, packaging, or handling food intended for sale;

(4) prohibiting any person who is infected with a communicable disease that can be transmitted by food, who is a carrier of organisms that can cause a communicable disease that can be transmitted by food, who has an infected wound, or who has an acute respiratory infection from processing, preparing, packaging, or handling food intended for sale by the home-based food production operation; and

(5) ensuring that all people engaged in processing, preparing, packaging, or handling food intended for sale by the home-based food production operation are knowledgeable of and follow safe food handling practices.

(C) Each home-based food production operation shall maintain a clean and sanitary facility to produce nonpotentially hazardous foods including, but not limited to:

(1) department-approved water supply;

(2) a separate storage place for ingredients used in foods intended for sale;

(3) a properly functioning refrigeration unit;

(4) adequate facilities, including a sink with an adequate hot water supply to meet the demand for the cleaning and sanitization of all utensils and equipment;

(5) adequate facilities for the storage of utensils and equipment;

(6) adequate hand washing facilities separate from the utensil and equipment cleaning facilities;

(7) a properly functioning toilet facility;

(8) no evidence of insect or rodent activity; and

(9) department-approved sewage disposal, either onsite treatment or publicly provided.

(D) All food items packaged at the operation for sale must be properly labeled. The label must comply with federal laws and regulations and must include:

(1) the name and address of the home-based food production operation. If a home-based food production operator does not want to include his address on the label, then the department shall provide an identification number to the operator, upon the operator's request, that can be used on the label instead;

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- (2) the name of the product being sold;
- (3) the ingredients used to make the product in descending order of predominance by weight; and
- (4) a conspicuous statement printed in all capital letters and in a color that provides a clear contrast to the background that reads: ~~NOT FOR RESALE~~ PROCESSED AND PREPARED BY A HOME-BASED FOOD PRODUCTION OPERATION THAT IS NOT SUBJECT TO SOUTH CAROLINA'S FOOD SAFETY REGULATIONS.'

(E) Home-based food operations only may sell, or offer to sell, food items directly to a person, including online and by mail order, or to retail stores, including grocery stores for his own use and not for resale. ~~A home-based food operation may not sell, or offer to sell, food items at wholesale.~~ Food produced from a home-based food production operation ~~must not~~ shall be considered to be from an approved source, as required of a retail food establishment pursuant to Regulation 61.25. Any retail stores, including grocery stores, that sell or offer to sell home-based food products must post clearly visible signage indicating that home-based food products are not subject to commercial food regulations.

(F) A home-based food production operation is not a retail food establishment and is not subject to regulation by the department pursuant to Regulation 61.25.

(G) The provisions of this section do not apply to an operation with net earnings of less than ~~five~~ fifteen hundred dollars annually but that would otherwise meet the definition of a home-based food operation provided in subsection (A)(1).

(H) [Deleted]

(I) The provisions of this section apply in the absence of a local ordinance to the contrary."

SECTION 2. This act takes effect upon approval by the Governor. /

A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL

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CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR  
ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

/s/Sen. David Wesley "Wes" Climer /s/Rep. Stewart O. Jones  
/s/Sen. Michael William "Mike" Fanning /s/Rep. Krystle N. Matthews  
/s/Sen. Josh Kimbrell /s/Rep. Sandy N. McGarry  
On Part of the Senate. On Part of the House.

, and a message was sent to the House accordingly.

**S. 506--REPORT OF COMMITTEE OF CONFERENCE  
ENROLLED FOR RATIFICATION**

S. 506 -- Senators Kimbrell, Rice, Garrett, Talley, M. Johnson, Fanning, Corbin, Alexander and Gustafson: A BILL TO AMEND SECTION 44-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, SO AS TO EXPAND THE TYPES OF NONPOTENTIALLY HAZARDOUS FOODS THAT MAY BE SOLD TO INCLUDE ALL NONPOTENTIALLY HAZARDOUS FOODS, TO ALLOW FOR DIRECT SALES TO RETAIL STORES, TO ALLOW FOR ONLINE AND MAIL ORDER DIRECT-TO-CONSUMER SALES, TO ALLOW HOME-BASED FOOD PRODUCTION OPERATORS TO PROVIDE ON THEIR LABELS AN IDENTIFICATION NUMBER PROVIDED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AT THE OPERATOR'S REQUEST, IN LIEU OF THEIR ADDRESSES, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

The Report of the Committee of Conference having been adopted by both Houses, ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

A message was sent to the House accordingly.

**CARRIED OVER**

S. 458 -- Senators Adams, Talley, Bennett, Senn, Alexander and Loftis: A BILL TO AMEND SECTIONS 44-53-190(B) AND 44-53-370(e) OF THE 1976 CODE, RELATING IN PART TO THE TRAFFICKING OFFENSES FOR CERTAIN CONTROLLED SUBSTANCES, TO ADD AN OFFENSE FOR "TRAFFICKING IN FENTANYL", AND TO DEFINE NECESSARY TERMS.

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

THURSDAY, MAY 12, 2022  
**AMENDED, READ THIRD TIME**

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

The Senate proceeded to a consideration of the Bill.

Senator SENN proposed the following amendment (4775R002.SP.SS), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_\_ . A. Chapter 1, Title 48 of the 1976 Code is amended by adding:

“Section 48-1-92. (A) The department is to regulate stormwater discharges of pre-production plastic at facilities that are not regulated based on the existing criteria of the National Pollutant Discharge Elimination System Stormwater Program. Pursuant to the program:

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(1) pre-production plastics are those products, to include pellets, powders, and flakes, that are utilized in the production of plastic products;

(2) post-production plastics are those products created by activities including the melting, shaping, and molding of pre-production plastics;

(3) the department shall promulgate regulations to add an additional category of industrial activity so that the operators of facilities that are primarily engaged in the transportation, transloading, packaging, wholesale, or storing of pre-production plastics are subject to regulation by the program. The operators of facilities that transport, transload, package, wholesale, or store post-production plastics shall not be included; and

(4) pre-production plastic shall be classified as 'other refuse' for the purposes of the Water Classifications and Standards.

(B) The department shall promulgate regulations to implement best practice requirements for facilities that are brought under regulation pursuant to this section, including:

(1) the installation of containment systems at all storm drain discharge locations at a facility that are down-gradient of an area where pre-production plastic is handled;

(2) measures to contain pre-production plastic during the storage, handling, or transfer of the pre-production plastic, including the use of:

(a) sealed containers that will not rupture under typical loading or unloading activities;

(b) capture devices under all transfer valves and devices used in loading, unloading, or otherwise transferring pre-production plastic; and

(c) vacuums or vacuum-type systems for the quick cleanup of fugitive pre-production plastic; and

(3) new best management practices reflecting updates in science and technology, or advances in detection and treatment technologies, as appropriate.

(C) The department must promulgate regulations necessary to implement the program and to provide additional requirements regarding the regulation of releases of pre-production plastic from facilities into the waters or onto the land of this State.

(D) A facility that violates a provision of this section shall be subject to the department's enforcement procedures, and such a facility shall further:

(1) for a first violation during a five-year period, be fined up to twenty-five thousand dollars;

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(2) for a second violation during a five-year period, be fined up to fifty thousand dollars; and

(3) for a third or subsequent violation during a five-year period, be fined up to one hundred thousand dollars and have its permit revoked for five years.”

B.The Department of Health and Environmental Control shall implement the program pursuant to Section 48-1-92, as added by this act, no later than January 1, 2023.” /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill, as amended.

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

**Ayes 41; Nays 2**

**AYES**

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

**Total--41**

**NAYS**

Climer	Corbin
--------	--------

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**Total--2**

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

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Very respectfully,  
Speaker of the House



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Received as information.

**H. 4775--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

On motion of Senator TALLEY, the Senate insisted upon its amendments to H. 4775 and asked for a Committee of Conference.

Whereupon, Senators TALLEY, KIMBRELL and STEPHENS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

THURSDAY, MAY 12, 2022

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Hixon, Forrest and Atkinson to the Committee of Conference on the part of the House on:

H. 4775 -- Reps. Hiott, Bailey, Carter, Erickson and Bradley: A BILL TO AMEND CHAPTER 60, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER RESPONSIBILITY FOR THE RECOVERY AND RECYCLING OF CERTAIN ELECTRONIC WASTE, SO AS TO ADD AND CHANGE DEFINITIONAL TERMS; TO REQUIRE MANUFACTURERS OF COVERED DEVICES TO OFFER AN ELECTRONIC WASTE RECOVERY PROGRAM AND TO ESTABLISH MINIMUM REQUIREMENTS OF SUCH RECOVERY PROGRAMS; TO ESTABLISH TELEVISION AND COMPUTER MONITOR COLLECTION SITE CONVENIENCE STANDARDS BASED ON COUNTY POPULATION; TO REQUIRE TELEVISION AND COMPUTER MONITOR MANUFACTURERS TO SUBMIT AN ANNUAL MANUFACTURER RECOVERY PLAN TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR REVIEW AND APPROVAL AND TO ESTABLISH MINIMUM PLAN REQUIREMENTS; TO ALLOW MANUFACTURER CLEARINGHOUSES, ACTING ON BEHALF OF CERTAIN MANUFACTURERS, TO COMPLY WITH THE CHAPTER'S PROVISIONS AND TO ESTABLISH CERTAIN REQUIREMENTS APPLICABLE TO MANUFACTURER CLEARINGHOUSES; TO SET FORTH POWERS AND DUTIES OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO CREATE AND CHANGE CERTAIN FEES AND PENALTIES; TO PROVIDE FOR PERIODIC REVIEW OF THE CHAPTER'S PROVISIONS BY A STAKEHOLDER GROUP; AND FOR OTHER PURPOSES; AND TO REPEAL SECTION 14 OF ACT 129 OF 2014, AS AMENDED, RELATING TO A SUNSET PROVISION.

Very respectfully,

Speaker of the House

Received as information.

THURSDAY, MAY 12, 2022

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 4776 -- Reprs. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS AND DIVERSITY ACT" BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,

Speaker of the House

Received as information.

**H. 4776--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

H. 4776 -- Reprs. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "MEDICAL ETHICS

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AND DIVERSITY ACT” BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER’S OR ENTITY’S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

On motion of Senator KIMBRELL, the Senate insisted upon its amendments to H. 4776 and asked for a Committee of Conference.

Whereupon, Senators KIMBRELL, GROOMS and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. McCravy, Willis and Hayes to the Committee of Conference on the part of the House on:

H. 4776 -- Reps. Willis, McCravy, Thayer, Bailey, Wooten, B. Cox, McGarry, Magnuson, Pope, Taylor, G.R. Smith, Gilliam, Jones, M.M. Smith, Trantham, Erickson, Huggins, Long, Hiott, Burns, May, Haddon, Oremus, Bennett, Daning, T. Moore, Chumley, Nutt, Hyde, Dabney, McCabe, Bryant, Forrest, Hixon, J.E. Johnson, Lucas, Morgan and D.C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “MEDICAL ETHICS AND DIVERSITY ACT” BY ADDING CHAPTER 139 TO TITLE 44 SO AS TO SET FORTH FINDINGS OF THE GENERAL ASSEMBLY REGARDING THE RIGHT OF CONSCIENCE IN THE HEALTH CARE INDUSTRY; TO DEFINE CERTAIN TERMS; TO

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AUTHORIZE MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS NOT TO PARTICIPATE IN HEALTH CARE SERVICES THAT VIOLATE THE PRACTITIONER'S OR ENTITY'S CONSCIENCE AND TO PROTECT THESE INDIVIDUALS AND ENTITIES FROM CIVIL, CRIMINAL, OR ADMINISTRATIVE LIABILITY AND FROM DISCRIMINATION FOR EXERCISING THEIR PERSONAL RIGHT OF CONSCIENCE, WITH EXCEPTIONS; TO CREATE A PRIVATE RIGHT OF ACTION FOR MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS FOR VIOLATION OF THE CHAPTER; AND FOR OTHER PURPOSES.

Very respectfully,  
Speaker of the House

Received as information.

### HOUSE BILL RETURNED

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

H. 3291 -- Reps. Pope, Burns, Chumley, Bryant, V.S. Moss, Haddon, Forrest and Ligon: A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill, as amended.

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

**Ayes 40; Nays 1**

#### AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin

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Massey	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

**Total--40**

**NAYS**

Matthews

**Total--1**

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4999 -- Rep. Hiott: A BILL TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The question then being third reading of the Bill, as amended.

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

**Ayes 41; Nays 0**

**AYES**

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

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Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

**Total--41**

**NAYS**

**Total--0**

The Bill was ordered enrolled for Ratification.

#### **ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5000 -- Reps. Matthews, Caskey, Wooten and May: A BILL TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY.

#### **HOUSE BILL RETURNED**

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

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

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WIND ENERGY SUPPLY CHAIN INDUSTRIES TO THE STATE;  
AND TO PROVIDE FOR THE PURPOSE AND DUTIES OF THE  
STUDY.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

H. 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.

Very respectfully,  
Speaker of the House

Received as information.

**H. 4831--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

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.



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On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 4831 and asked for a Committee of Conference.

Whereupon, Senators DAVIS, REICHENBACH and ALLEN were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. West, Blackwell and Ott to the Committee of Conference on the part of the House 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.

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE

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COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

asks for a Committee of Conference, and has appointed Reps. B. Newton, Jordan and Bernstein to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**S. 560--CONFERENCE COMMITTEE APPOINTED**

S. 560 -- Senator Scott: A JOINT RESOLUTION TO ESTABLISH THE HEIRS' PROPERTY STUDY COMMITTEE TO EXAMINE CURRENT AND PROSPECTIVE METHODS TO ADDRESS HEIR'S PROPERTY ISSUES IN SOUTH CAROLINA, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO REQUIRE THE COMMITTEE TO PREPARE A REPORT FOR THE GENERAL ASSEMBLY, AND TO DISSOLVE THE STUDY COMMITTEE.

Whereupon, Senators GARRETT, M. JOHNSON and SCOTT were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

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

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A

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STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,

Speaker of the House

Received as information.

**S. 628--SENATE INSISTS ON THEIR AMENDMENTS  
CONFERENCE COMMITTEE APPOINTED**

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR

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

On motion of Senator DAVIS, the Senate insisted upon its amendments to S. 628 and asked for a Committee of Conference.

Whereupon, Senators DAVIS, CROMER and HUTTO were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has appointed Reps. Jordan, Ott and Lowe to the Committee of Conference on the part of the House on:

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

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OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Very respectfully,  
Speaker of the House

Received as information.

**S. 628--REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES

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FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

On motion of Senator CROMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CROMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Report of the Committee of Conference was adopted as follows:

**S. 628--Conference Report**

The General Assembly, Columbia, S.C., May 12, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED

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HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. This act shall be referred to as the "Pharmacy Access Act".

SECTION 2. Chapter 43, Title 40 of the 1976 Code is amended by adding:

"Section 40-43-210. As used in this chapter:

(1) 'Administer' has the same meaning as in Section 40-43-30.

(2) 'Department' means the Department of Labor, Licensing and Regulation.

(3) 'Dispense' has the same meaning as in Section 40-43-30.

(4) 'Injectable hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the



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United States Food and Drug Administration to prevent pregnancy and that a practitioner administers to a patient by injection. 'Injectable hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

(5) 'Patient counseling' has the same meaning as in Section 40-43-30.

(6) 'Pharmacist' has the same meaning as in Section 40-43-30.

(7) 'Practitioner' has the same meaning as in Section 40-47-20.

(8) 'Prescriber' means a physician licensed pursuant to Chapter 47, Title 40; an advanced practice registered nurse licensed pursuant to Chapter 33, Title 40 and prescribing in accordance with the requirements of that chapter; or a physician assistant licensed pursuant to Article 7, Chapter 47, Title 40 and prescribing in accordance with the requirements of that article.

(9) 'Self-administered hormonal contraceptive' means a drug composed of a hormone or a combination of hormones that is approved by the United States Food and Drug Administration to prevent pregnancy and that the patient to whom the drug is prescribed may administer to himself. 'Self-administered hormonal contraceptive' includes an oral hormonal contraceptive, a hormonal vaginal ring, and a hormonal contraceptive patch. 'Self-administered hormonal contraceptive' does not include any drug intended to terminate a pregnancy.

Section 40-43-230. (A) A person licensed under the South Carolina Pharmacy Practice Act who is acting in good faith and exercising reasonable care as a pharmacist and who is employed by a hospital or a pharmacy that is permitted by this State may dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive pursuant to a standing order by a prescriber to a patient who is:

(1) eighteen years of age or older; or

(2) under eighteen years of age if the person has evidence of a previous prescription from a practitioner for a self-administered hormonal contraceptive or an injectable hormonal contraceptive.

(B) Nothing in this section requires a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive. Nothing in this article shall be construed to amend a pharmacist's duties to dispense or otherwise provide contraception prescribed by another provider.

Section 40-43-240. (A) The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol to authorize a pharmacist to dispense a self-administered hormonal contraceptive or

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administer an injectable hormonal contraceptive without a patient-specific written order.

(B) The written joint protocol must address, at a minimum, the following requirements:

(1) education or training requirements that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary for a pharmacist to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive;

(2) information that a pharmacist must provide to a patient prior to dispensing a self-administered hormonal contraceptive or administering an injectable hormonal contraceptive and confirmation that the required information was provided to the patient;

(3) documentation regarding the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive;

(4) notification to a patient's designated practitioner that a self-administered hormonal contraceptive was dispensed to the patient or that an injectable hormonal contraceptive was administered to the patient;

(5) evaluation and review of the dispensing and administration practices used by pharmacists authorized to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive; and

(6) any additional provisions that the Board of Medical Examiners and the Board of Pharmacy determine to be necessary or appropriate for inclusion in the protocol, including any reporting requirements.

(C) For each new patient requesting contraception and at least every twelve months for each returning patient, the written joint protocol must require a pharmacist dispensing or administering contraceptives pursuant to this chapter to:

(1) obtain a completed self-screening risk assessment;

(2) utilize a standardized procedure as established by the Board of Medical Examiners and the Board of Pharmacy to perform a patient assessment;

(3) dispense, if clinically appropriate, a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive, or refer the patient to a practitioner;

(4) provide the patient with a visit summary;

(5) advise the patient to consult with a practitioner;

(6) refer any patient who may be subject to abuse to the appropriate social services agency; and

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(7) ensure that the pharmacy provides appropriate space to prevent the spread of infection and ensure confidentiality.

(D) The Board of Medical Examiners and the Board of Pharmacy may appoint an advisory committee of healthcare professionals licensed in this State to advise and assist in the development of the joint protocol for their consideration.

Section 40-43-250. (A) Prior to dispensing self-administered hormonal contraceptives or administering injectable hormonal contraceptives pursuant to Section 40-43-240, a pharmacist must have completed a certificate program that has been accredited by the American Council for Pharmacy Education or a similar health authority or professional body approved by the Board of Pharmacy and the Board of Medical Examiners, as specified in the joint protocol, that is program-specific to self-administered hormonal contraceptives or injectable hormonal contraceptives, that includes the application of the United States Medical Eligibility Criteria for Contraceptive Use, and that includes other Centers for Disease Control and Prevention guidance on contraception. To maintain eligibility, a pharmacist must complete at least one hour of continuing education per year that is offered by an entity approved by the Board of Medical Examiners and the Board of Pharmacy.

(B) An equivalent, curriculum-based training program completed on or after January 2021 in an accredited South Carolina pharmacy school satisfies the initial education requirement.

Section 40-43-260. (A) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive pursuant to this chapter shall:

(1) obtain a completed self-screening risk assessment questionnaire that has been approved by the department, in collaboration with the Board of Pharmacy and the Board of Medical Examiners, from the patient before dispensing the self-administered hormonal contraceptive or administering the injectable hormonal contraceptive. If the results of the assessment indicate that it is unsafe to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to a patient, then the pharmacist may not dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient, shall refer the patient to a practitioner, and may not continue to dispense a self-administered hormonal contraceptive or administer an injectable hormonal contraceptive to the patient for more than twenty-four months after the date of the initial prescription without evidence that the patient has

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consulted with a practitioner during the preceding twenty-four months;  
and

(2) provide the patient with written information regarding:

(a) the importance of seeing the patient's practitioner annually to obtain recommended tests and screening;

(b) the effectiveness and availability of long-acting reversible contraceptives as an alternative to self-administered hormonal contraceptives or injectable hormonal contraceptives;

(c) a copy of the record of the encounter with the patient that includes the patient's completed assessment questionnaire pursuant to item (1);

(d) a description of the contraceptive dispensed or administered, or the basis for not dispensing or administering a contraceptive;

(e) the South Carolina Medicaid program and how to apply for Medicaid benefits; and

(f) the effectiveness of abstinence in preventing pregnancy and contracting a sexually transmitted infection or disease. The materials shall include the following: Abstinence is the choice not to have sex. This method is one hundred percent effective in preventing pregnancy and infection as long as all sexual contact is avoided, including vaginal, oral, and anal sex.

(B) If a pharmacist dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive to a patient, then the pharmacist shall, at a minimum, provide patient counseling to the patient regarding:

(1) the appropriate administration and storage of a self-administered hormonal contraceptive, if appropriate;

(2) any potential side effects and risks of a self-administered hormonal contraceptive or injectable hormonal contraceptive;

(3) the need for backup contraception;

(4) when to seek emergency medical attention; and

(5) the risk of contracting a sexually transmitted infection or disease, along with ways to reduce the risk of contraction.

Section 40-43-270. (A) A prescriber who issues a standing prescription drug order in accordance with Section 40-43-260 is not liable for any civil damages for acts or omissions resulting from the dispensing of a self-administered hormonal contraceptive or the administering of an injectable hormonal contraceptive under this chapter.

(B) A pharmacist who dispenses a self-administered hormonal contraceptive or administers an injectable hormonal contraceptive in accordance with the provisions of this article is not as a result of an act

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or omission subject to civil or criminal liability or to professional disciplinary action.”

SECTION 3. Article 1, Chapter 6, Title 44 of the 1976 Code is amended by adding:

“Section 44-6-115. (A) Pharmacy services are a benefit under South Carolina Medicaid, subject to approval by the federal Centers for Medicare and Medicaid Services. The department shall establish a fee schedule for the list of pharmacy services.

(B)(1) The following services are covered pharmacy services that may be provided to a Medicaid beneficiary:

(a) dispensing self-administered hormonal contraceptives, as outlined and authorized in Section 40-43-230; and

(b) administering injectable hormonal contraceptives, as outlined and authorized in Section 40-43-230.

(2) Covered pharmacy services shall be subject to department protocols and utilization controls.

(C) A pharmacist shall be enrolled as an ordering, referring, and dispensing provider under the Medicaid program prior to rendering a pharmacist service that is submitted by a Medicaid pharmacy provider for reimbursement pursuant to this section.

(D) The director of the department shall seek any necessary federal approvals to implement this section. This section shall not be implemented until the necessary federal approvals are obtained and shall be implemented only to the extent that federal financial participation is available.

(E) This section does not restrict or prohibit any services currently provided by pharmacists as authorized by law, including, but not limited to, this chapter or the Medicaid state plan.”

SECTION 4. The Board of Medical Examiners and the Board of Pharmacy must issue a written joint protocol pursuant to Section 40-43-240 not later than six months after the passage of this act.

SECTION 5. A. Chapter 43, Title 40 of the 1976 Code is amended by adding:

“Section 40-43-195. (A) For purposes of this section:

(1) ‘Central fill’ means the filling of a prescription drug order by one central fill pharmacy permitted by this State at the request of an originating pharmacy permitted by this State.

(2) ‘Central fill pharmacy’ means a permitted pharmacy facility that, upon the request of an originating pharmacy, fills a prescription drug order and returns the filled prescription to the originating pharmacy for delivery to the patient or patient’s agent. A central fill pharmacy that

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returns filled prescriptions to an originating pharmacy must not be required to obtain a wholesaler/distributor permit.

(3) 'Originating pharmacy' means a pharmacy permitted by and located in this State that, upon receipt of a prescription drug order from a patient, requests a central fill pharmacy to fill the order and upon receipt of the filled prescription drug order, delivers the prescription to the patient or patient's agent.

(B)(1) An originating pharmacy permitted by this State may outsource a prescription drug order filling to a central fill pharmacy permitted by this State if the pharmacies:

(a) have the same owner or have entered into a written contract or agreement that outlines the services to be provided and the responsibilities and accountabilities of each pharmacy in compliance with federal and state laws and regulations;

(b) share a common electronic file or have appropriate technology to allow access to sufficient information necessary or required to dispense or process a prescription drug order;

(c) ensure all state and federal laws regarding patient confidentiality, network security, and use of shared databases are followed; and

(d) maintain the prescription information in a readily retrievable manner.

(2) The pharmacist-in-charge of a central fill pharmacy shall ensure that:

(a) the pharmacy maintains and uses adequate storage or shipment containers and shipping processes to ensure drug stability and potency. These shipping processes must include the use of appropriate packaging material or devices, or both, to ensure that the drug is maintained at an appropriate temperature range to maintain the integrity of the medication throughout the delivery process; and

(b) the filled prescriptions are shipped in containers that are sealed in a manner that would show evidence of having been opened or tampered with.

(3) To the extent that a central fill pharmacy dispenses controlled substances, the central fill pharmacy must obtain a registration from the Department of Health and Environmental Control, Bureau of Drug Control. Controlled substance prescriptions filled by a central fill pharmacy must comply with both state and federal statutes and regulations.

(4) To the extent a pharmacy is acting as a central fill pharmacy, it may not:

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(a) fill prescriptions for controlled substances listed in Schedule II;

(b) fill prescriptions provided directly by a patient or an individual practitioner;

(c) mail or otherwise deliver a prescription directly to a patient or an individual practitioner; or

(d) provide or dispense cannabis products not approved by the Federal Drug Administration.

(C)(1) An originating pharmacy that outsources prescription filling to a central fill pharmacy must, prior to outsourcing the prescription:

(a) notify patients that their prescription may be filled by another pharmacy; and

(b) provide the name of that pharmacy or notify the patient if the pharmacy is part of a network of pharmacies under common ownership and that any of the network pharmacies may fill the prescription.

(2) Patient notification may be provided through a one-time written notice to the patient or through use of a sign in the pharmacy.

(D)(1) A central fill pharmacy must provide written information regarding the prescription with the filled prescription and a toll-free phone number for patient questions. The following statement must be provided with the prescription before delivery to the patient:

‘Written information about this prescription has been provided for you. Please read this information before you take the medication. If you have questions concerning this prescription, a pharmacist is available during normal business hours to answer these questions’.

(2) A pharmacist at the originating pharmacy shall offer the patient or the patient’s agent information about the prescription drug or device in accordance with Section 40-43-86(L).

(3) This subsection does not apply to patients in facilities including, but not limited to, hospitals or nursing homes, where drugs are administered to patients by a person authorized to do so by law.

(E) The central fill pharmacy must:

(1) place on the prescription label:

(a) the name and address or name and pharmacy license number of the pharmacy filling the prescription;

(b) the name and address of the originating pharmacy which receives the filled prescription for delivery to the patient or the patient’s agent; and

(c) in some manner indicate which pharmacy filled the prescription (e.g., ‘Filled by ABC Pharmacy for XYZ Pharmacy’); and

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(2) comply with all other labeling requirements of federal and state law including, but not limited to, Section 40-43-86.

(F) A central fill policy and procedure manual must be maintained at both pharmacies and must be available for inspection. The originating and central fill pharmacies are required to maintain only those portions of the policy and procedure manual that relate to that pharmacy's operations. The manual must at minimum contain:

(1) An outline of the responsibilities of the central fill pharmacy and the originating pharmacy including, but not limited to:

- (a) patient notification of central fill processing;
- (b) confidentiality and integrity of patient information procedures;
- (c) drug utilization review;
- (d) record keeping and logs, including a list of the names, addresses, phone numbers, and license or registration numbers of the pharmacies, pharmacists, and pharmacy technicians at the central fill pharmacy and at the originating pharmacy;
- (e) counseling responsibilities;
- (f) procedures for return of prescriptions not delivered to a patient and procedures for invoicing medication transfers;
- (g) policies for operating a continuous quality improvement program for pharmacy services designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems;
- (h) safe delivery of prescriptions to patients;
- (i) processes to ensure stability and potency of medication;
- (j) requirements for storage and shipment of prescription medication; and
- (k) procedures for conducting an annual review of written policies and procedures and for documentation of this review.

(2) Other responsibilities regarding proper handling of a prescription and delivery to a patient or a patient's agent pursuant to this chapter and the Department of Health and Environmental Control, controlled substances laws and regulations.

(G)(1) Records may be maintained in an alternative data retention system including, but not limited to, a data processing system or direct imaging system, if:

- (a) the records maintained in the alternative system contain all of the information required on the manual record; and



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(b) the data processing system is capable of producing a hard copy of the record upon the request of the board, its representative, or other authorized local, state, or federal law enforcement or regulatory agency.

(2) Each pharmacy must maintain records in accordance with the provisions of Section 40-43-86 and must be able to produce records as requested by the board.

(3) The originating pharmacy records must include the date the request for filling was transmitted to the central fill pharmacy.

(4) The central fill pharmacy records must include:

(a) the date the filled prescription was mailed by the central fill pharmacy; and

(b) the name and address to which the filled prescription was shipped.

(H)(1) A central fill pharmacy must complete a central fill pharmacy permit application provided by the board, following the procedures as specified in Section 40-43-83, and also provide the following information:

(a) evidence that the applicant holds a pharmacy license, registration, or permit issued by the state in which the pharmacy is located;

(b) the name of the owner, permit holder, and pharmacist-in-charge of the pharmacy for service of process;

(c) evidence of the applicant's ability to provide to the board a record of a prescription drug order dispensed by the applicant to a resident of this State not later than seventy-two hours after the time the board requests the record;

(d) an affidavit by the pharmacist-in-charge which states that the pharmacist has read and understands the laws and regulations relating to a central fill pharmacy in this State; and

(e) pay the required fee as set by the board through regulation.

(2) A central fill pharmacy must comply with all provisions of this chapter.

(I) Nothing in this section may be construed to circumvent any requirement of Section 40-43-86 of the South Carolina Pharmacy Practice Act.

(J) A central fill pharmacy may not contact a patient for whom it has provided central fill services on behalf of an originating pharmacy for the purpose of soliciting or requesting to refill a prescription, or to fill a new prescription, for a period of five years after the originating pharmacy has stopping using the services of the central fill pharmacy.”

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B. This SECTION takes effect upon approval by the Governor.

SECTION 6. Except as otherwise specifically provided, this act takes effect upon the issuance of a written joint protocol pursuant to SECTION 4 of this act. /

Amend title to conform.

A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHARMACY ACCESS ACT", BY ADDING SECTIONS 40-43-210, 40-43, 230, 40-43-240, 40-43-250, 40-43-260, AND 40-43-270, SO AS TO ALLOW PHARMACIES TO ADMINISTER AND DISPENSE CERTAIN HORMONAL CONTRACEPTION TO PATIENTS PURSUANT TO A STANDING ORDER AND IN ACCORDANCE WITH A WRITTEN JOINT PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY, TO BE ISSUED WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THE ACT; TO SET FORTH CERTAIN REQUIREMENTS FOR THE WRITTEN JOINT PROTOCOL; TO REQUIRE PHARMACISTS TO OBTAIN A SCREENING SELF-ASSESSMENT FROM A PATIENT BEFORE ADMINISTERING OR DISPENSING HORMONAL CONTRACEPTION; TO PROVIDE CERTAIN LIMITATIONS FROM LIABILITY AND PROFESSIONAL DISCIPLINE FOR PRESCRIBERS AND PHARMACISTS; TO DEFINE TERMS; AND FOR OTHER PURPOSES; BY ADDING SECTION 44-6-115 SO AS TO REQUIRE THE MEDICAID PROGRAM TO COVER PHARMACEUTICAL SERVICES THAT INCLUDE ACCESS TO HORMONAL CONTRACEPTION; AND BY ADDING SECTION 40-43-195 SO AS TO PROVIDE FOR THE PERMITTING OF CENTRAL FILL PHARMACIES TO FILL PRESCRIPTION DRUG ORDERS AT THE REQUEST OF AN ORIGINATING PHARMACY; TO DEFINE TERMS; TO ESTABLISH CERTAIN REQUIREMENTS REGARDING THE USE AND OPERATION OF CENTRAL FILL PHARMACIES; TO REQUIRE CERTAIN RECORD KEEPING; AND FOR OTHER PURPOSES.

/s/Sen. Ronnie W. Cromer  
/s/Sen. Brad Hutto  
/s/Sen. Tom Davis  
On Part of the Senate.

/s/Rep. Russell L. Ott  
/s/Rep. Wallace H. "Jay" Jordan, Jr.  
/s/Rep. Phillip Dean Lowe  
On Part of the House.

, and a message was sent to the House accordingly.

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**OBJECTION**

H. 3788 -- Reps. G.M. Smith and Murphy: A BILL TO AMEND SECTION 1-7-920, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

Senator HUTTO objected to consideration of the Bill.

**HOUSE BILL RETURNED**

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

H. 4062 -- Reps. Sandifer and West: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-3-65 SO AS TO ALLOW THE PUBLIC SERVICE COMMISSION TO HIRE QUALIFIED, INDEPENDENT THIRD-PARTY EXPERTS AND CONSULTANTS; AND TO AMEND SECTION 58-41-20, RELATING TO REVIEW AND APPROVAL PROCEEDINGS FOR ELECTRICAL UTILITIES, SO AS TO MAKE CONFORMING CHANGES.

**AMENDED, HOUSE BILL RETURNED**

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

H. 3998 -- Reps. Fry, Dillard, Erickson, Davis, Wooten, Trantham and Hewitt: A BILL TO AMEND SECTIONS 44-53-1630 AND 44-53-1640, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO ADD SCHEDULE V CONTROLLED SUBSTANCES TO THE PRESCRIBED AND DISPENSED CONTROLLED SUBSTANCES MONITORED UNDER THE PROGRAM.

The Senate proceeded to a consideration of the Bill.

Senator CASH proposed the following amendment (DG\3998C004.NBD.DG22), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_\_ . A.This SECTION may be known and cited as the “Perinatal Integration Act of 2021”.

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B. Chapter 89, Title 44 of the 1976 Code is amended by adding:

“Section 44-89-110. (A) For the purposes of this section:

(1) ‘Integrate’ means to facilitate the full exercise of a scope of practice, autonomy, self-regulation, collaboration, and a smooth transition between midwives, birthing centers, and hospitals that provide perinatal services. ‘Integrate’ does not mean to supervise midwives or birthing centers.

(2) ‘Perinatal levels of care’ means the regulatory implementation of perinatal services.

(B) The department shall promulgate regulations that recognize midwives within the definition of facilities and integrate midwives and birthing centers into the organization of perinatal levels of care. These regulations must include, but are not limited to:

(1) access to physician-to-provider consultation available twenty-four hours a day;

(2) transfer methods and protocols from a midwife or birthing center to a hospital within a fifty-mile radius that provides level one or higher perinatal services;

(3) access to professional continuing education relating to safe transfers and the escalation of care; and

(4) the collection of data on transfer outcomes to evaluate the effectiveness and safety of the transfer of care from a midwife or birthing center to a hospital.

(C) Nothing in this section may be construed to:

(1) allow or require the department or hospitals to promulgate regulations or requirements that restrict the scope of practice, change existing licensure requirements, or impose any other regulation or requirement on midwives or birthing centers, other than methods and protocols for the transfer of a patient to a hospital; or

(2) require hospitals to give midwives hospital-admitting privileges.” /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

#### **Point of Order**

Senator MALLOY raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT sustained the Point of Order.

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The amendment was ruled out of order.

Senator SENN proposed the following amendment (JUD3998.002), which was adopted:

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

/ SECTION 1. Article 1, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16-3-80. (A) A person who unlawfully delivers, dispenses, or otherwise provides a fentanyl or a fentanyl-related substance as defined in Section 44-53-190(B) and Section 44-53-210(c)(6) to another person, in violation of the provisions of Section 44-53-370, if the proximate cause of the death of any other person is the injection, inhalation, absorption, or ingestion of any amount of the fentanyl or fentanyl-related substance, commits the felony offense of fentanyl-induced homicide.

(B) A person convicted of a fentanyl-induced homicide pursuant to the provisions of this section must be imprisoned not more than thirty years.

(C) It is not a defense pursuant to this section that a decedent contributed to his own death by his purposeful, knowing, reckless, or negligent injection, inhalation, absorption, or ingestion of the controlled substance or by his consenting to the administration of the controlled substance by another person.”

SECTION 2. Section 16-1-10(D) of the 1976 Code is amended by adding a new offense to read:

“16-3-80 Fentanyl-induced homicide”

SECTION 3. Section 44-53-190(B) of the 1976 Code is amended by adding appropriately numbered new items at the end to read:

“\_. Fentanyl related substances. Unless specifically excepted, listed in another schedule, or contained within a pharmaceutical product approved by the United States Food and Drug Administration, any material, compound, mixture, or preparation, including its salts, isomers, esters, or ethers, and salts of isomers, esters, or ethers, that is structurally related to fentanyl by one or more of the following modifications:

a. replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

b. substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxyl, halo, haloalkyl, amino, or nitro groups;

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c. substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxyl, halo, haloalkyl, amino, or nitro groups;

d. replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

e. replacement of the N-propionyl group by another acyl group or hydrogen.

This definition includes, but is not limited to, the following substances: Methylacetyl fentanyl, Alpha methylfentanyl, Methylthiofentanyl, Benzylfentanyl, Beta hydroxyfentanyl, Beta hydroxy 3 methylfentanyl, 3 Methylfentanyl, Methylthiofentanyl, Fluorofentanyl, Thenylfentanyl or Thienyl fentanyl, Thiofentanyl, Acetyl fentanyl, Butyryl fentanyl, Beta hydroxythiofentanyl, Lofentanil, Ocfentanil, Ohmfentanyl, Benzodioxolefentanyl, Furanyl fentanyl, Pentanoyl fentanyl, Cyclopentyl fentanyl, Isobutyryl fentanyl, Remifentanil, Crotonyl fentanyl, Cyclopropyl fentanyl, Valeryl fentanyl, Fluorobutyryl fentanyl, Fluoroisobutyryl fentanyl, Methoxybutyryl fentanyl, Isobutyryl fentanyl, Chloroisobutyryl fentanyl, Acryl fentanyl, Tetrahydrofuran fentanyl, Methoxyacetyl fentanyl, Fluorocrotonyl fentanyl, Cyclopentenyl fentanyl, Phenyl fentanyl, Cyclobutyl fentanyl, Methylcyclopropyl fentanyl.

\_\_\_ . Benzimidazole-compounds to include:

a. 2-(2-(4-butoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)-N, N diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: butonitazene);

b. 2-(2-(4-ethoxybenzyl)-1H-benzimidazol-1-yl)-N,N diethylethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: etodesnitazene, etazene);

c. N,N-diethyl-2-(2-(4-fluorobenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: flunitazene);

d. N,N-diethyl-2-(2-(4-methoxybenzyl)-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metodesnitazene);

e. N,N-diethyl-2-(2-(4-methoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: metonitazene);

f. 2-(4-ethoxybenzyl)-5-nitro-1-(2-(pyrrolidin-1-yl)ethyl)-1H-benzimidazole, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other names: N-pyrrolidino etonitazene, etonitazepyne);

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g. N,N-diethyl-2-(5-nitro-2-(4-propoxybenzyl)-1H-imidazol-1-yl)ethan-1-amine, its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers (other name: protonitazene).”

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

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

**Ayes 42; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	Matthews
McElveen	Peeler	Reichenbach
Rice	Sabb	Scott
Senn	Setzler	Shealy

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Stephens  
Verdin

Talley  
Williams

Turner  
Young

**Total--42**

**NAYS**

**Total--0**

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 5338 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**AMENDED, OBJECTION**

H. 5270 -- Reps. Whitmire, Lucas, Finlay and King: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 4, 2022, AS THE TIME TO ELECT ONE AT-LARGE MEMBER TO THE BOARD OF VISITORS FOR THE CITADEL FOR A TERM TO EXPIRE JUNE 30, 2028; FOR THE PURPOSE OF ELECTING THREE AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR CLEMSON UNIVERSITY FOR TERMS TO EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 9, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 10, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 11,



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WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 12, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 13, WHOSE TERM WILL EXPIRE JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 14, WHOSE TERM WILL EXPIRE JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR THE AT-LARGE SEAT 15, WHOSE TERM WILL EXPIRE JUNE 30, 2026; FOR THE PURPOSE OF ELECTING TWO AT-LARGE MEMBERS TO THE BOARD OF TRUSTEES FOR THE WIL LOU GRAY OPPORTUNITY SCHOOL, WHOSE TERMS WILL EXPIRE JUNE 30, 2026; AND FOR THE PURPOSE OF ELECTING A MEMBER TO THE BOARD OF TRUSTEES FOR THE UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIFTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, THE MEMBER FOR THE SEVENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026, AND THE MEMBER FOR THE THIRTEENTH JUDICIAL CIRCUIT, FOR A TERM TO EXPIRE JUNE 30, 2026.

The Senate proceeded to a consideration of the Resolution.

Senator ALEXANDER proposed the following amendment (DG\5270C001.NBD.DG22), which was adopted:

Amend the concurrent resolution, as and if amended, page 1, by striking line 11 and inserting:

/ TO FIX 3:00 P.M. ON WEDNESDAY, JUNE 15, 2022, AS THE TIME /

Amend the concurrent resolution further, page 2, by striking line 9 and inserting:

/ Wednesday, June 15, 2022, at 3:00 P.M. for the purpose of electing one /

Re-number sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

Senator HUTTO objected to further consideration of the Resolution.

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**ADOPTED**

H. 5082 -- Rep. Lucas: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE AT THE INTERSECTION OF UNITED STATES HIGHWAY 1 AND YOUNG'S BRIDGE ROAD IN KERSHAW COUNTY "JUDGE THOMAS E. 'TED' DAVIS BRIDGE" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 4617 -- Reps. Jones, Willis, Gilliam and McCravy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME LAKE STREET (S-30-145) IN LAURENS COUNTY "BILL RAMEY WAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered returned to the House.

H. 5285 -- Reps. Dabney, J.L. Johnson and Wheeler: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF MOTOR VEHICLES NAME ITS FACILITY LOCATED AT 1056 EHRENLOU DRIVE IN THE CITY OF CAMDEN IN KERSHAW COUNTY IN HONOR OF CONGRESSIONAL MEDAL OF HONOR RECIPIENT SERGEANT MAJOR AND MRS. THOMAS PATRICK PAYNE.

The Resolution was adopted, ordered returned to the House.

**Message from the House**

Columbia, S.C., May 12, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS

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TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Very respectfully,

Speaker of the House

Received as information.

**H. 3729--REPORT OF THE  
COMMITTEE OF CONFERENCE ADOPTED**

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING

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COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

On motion of Senator CLIMER, with unanimous consent, the Report of the Committee of Conference was taken up for immediate consideration.

Senator CLIMER spoke on the report.

The question then was adoption of the Report of Committee of Conference.

The Committee of Conference Committee was adopted as follows:

**H. 3729--Conference Report**

The General Assembly, Columbia, S.C., May 11, 2022

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3729 -- Reprs. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS

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SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/SECTION 1. Section 16-11-760(B) of the 1976 Code is amended to read:

“(B) A vehicle found parked on private property may be towed and stored at the expense of the registered owner or lienholder, subject to the limitations on allowed storage charges set forth in Section 29-15-10, and charges for towing, storing, preserving the vehicle, and expenses incurred if the owner and lienholder are notified pursuant to Section 29-15-10 constitute a lien against the vehicle, provided that the towing company makes notification to the law enforcement agency pursuant to Section 56-5-2525.”

SECTION 2. Section 29-15-10(A), (B), (C), (D), and (E) of the 1976 Code is amended to read:

“(A) A proprietor, an owner, or an operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes any material for repairs to an article may sell the article at public auction to the highest bidder if:

- (1) the article has been left at the shop for repairs or storage and the repairs have been completed or the storage contract has expired;
- (2) the article has been continuously retained in his possession; and
- (3) thirty days have passed since written notice was given to the owner of the article and to any lienholder by registered or certified mail, return receipt requested, or certified mail with electronic tracking that the repairs have been completed or the storage contract has expired.

The article must be sold by a magistrate of the county in which the repairs were done or the article was stored.

~~(B) Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the article. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities. If the notice is not mailed within this period, storage costs after the five-day period must not~~

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be charged until the notice is mailed. A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholder for only such storage costs that accrue for a maximum period of seven (7) business days before notice of the location of the article is sent by registered or certified mail, return receipt requested, or certified mail with electronic tracking to the owner and lienholders of the article. No other storage costs can be charged to the owner or lienholders for such time period before the notice of the location of the article is sent to the owner and lienholders. The notice must be sent within five business days after receiving the owner's and lienholder's identities from the search required in subsection (C). The notice must include a description of the article and the amount of daily storage costs that will accrue after the notice is sent. A proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or furnishes materials for repairs to an article may charge the owner and lienholders storage costs that accrue for the time period after such notice is sent as required herein.

(C)(1) Before the article is sold, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article must apply to the appropriate titling facility for the name and address of any owner or lienholder, including The appropriate titling facility may include, but is not limited to:

(a) the Department of Motor Vehicles;

(b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;

(c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or

(e) the Department of Natural Resources, ~~for the name and address of any owner or lienholder.~~

(2) For nontitled articles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the article has an out-of-state registration, an application must be made

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to that state's appropriate titling facility. When the article is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may apply to the sheriff or chief of police in the jurisdiction where the article is stored to determine the state where the article is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the article's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs the name of the state in which the article is titled.

(D) The magistrate, before selling the article, shall ensure that the owner or any lienholder of record has been notified of the pending sale. The magistrate must advertise the article for at least fifteen days by posting a notice in three public places in his township. The magistrate must pay to the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article the money due, receiving a receipt in return. Any remainder of the sale proceeds must be held by the magistrate for the owner of the vehicle or entitled lienholder for ninety days. The magistrate must notify the owner and all lienholders by ~~certified or registered~~ certified or registered or certified mail, return receipt requested, or certified mail with electronic tracking, that the article owner or lienholder has ninety days to claim the proceeds from the sale of the article. If the article proceeds are not collected within ninety days from the day after the notice to the owner and all lienholders is mailed, then the article proceeds must be deposited in the general fund of the county or municipality.

(E) A proprietor, an owner, or an operator of the towing company, storage facility, garage, or repair shop, or any person who repairs or who furnishes material for repairs to the article may hold the license tag of any vehicle until all towing and storage costs allowed under this section have been paid, or if the vehicle is not reclaimed, until it is declared abandoned and sold."

SECTION 3. Section 56-5-5630(A), (B), and (C) of the 1976 Code is amended to read:

"(A)(1) For purposes of this article, 'vehicle' means a motor vehicle, trailer, mobile home, watercraft, or any other item or object that is

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subject to towing and storage, and applies to any vehicle in custody at the time of the enactment of this section. 'Vehicle' includes:

- (a) items that are towed and left in the possession of a towing, storage, garage, or repair facility;
- (b) contents contained in the vehicle; and
- (c) personal property affixed to the vehicle.

~~Storage costs for those vehicles in custody at the time of the enactment of this section must not exceed sixty days.~~

(2) When an abandoned vehicle has been taken into custody, the towing company and storage facility having towed and received the vehicle shall notify by registered or certified mail, return receipt requested, the last known registered owner of the vehicle and all lienholders of record that the vehicle has been taken into custody. Notification of the owner and all lienholders by ~~certified or registered or certified~~ certified or registered or certified mail with electronic tracking constitutes notification for purposes of this section. This notification must satisfy the notification requirements contained in Section 29-15-10. The notice must:

- (a) give a description of the year, make, model, and identification number of the vehicle;
- (b) set forth the location where the vehicle is being held;
- (c) inform the owner and all lienholders of the right to reclaim the vehicle within thirty days beginning the day after the notice is mailed by registered or certified mail, return receipt requested, or certified mail with electronic tracking upon payment of all towing, preservation, the storage charges allowable pursuant to Section 29-15-10(B), notification, publication, and court costs resulting from placing the vehicle in custody; and
- (d) state that the failure of the owner and all lienholders to exercise their right to reclaim the vehicle within the time provided is considered a waiver by the owner and lienholders of all rights, title, and interest in the vehicle and is considered as their consent to the sale of the vehicle at a public auction.

If a vehicle has been towed pursuant to the provisions of this section, the towing company and storage facility must accept as payment for the release of the vehicle the same manner of payment that they would accept if the owner of the vehicle had requested his vehicle towed.

(B) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, notice by one publication in one newspaper



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of general circulation in the area where the vehicle was abandoned is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles. This notice must be within the time requirements prescribed for notice by registered or certified mail, return receipt requested, or certified mail with electronic tracking, and must have the same contents required for a notice by registered or certified mail.

(C) A lienholder is not subject to a criminal penalty imposed by law in this State for abandonment unless the vehicle is abandoned by the lienholder or his agent or if a false statement or report to a law enforcement officer is made as provided by Section 16-17-722. The owner of a vehicle which has been stolen, whether or not the vehicle was subsequently abandoned, is liable for:

- (1) actual recovery and towing charges; and
- (2) only the storage costs that accrue beginning seven days after the vehicle was towed allowable pursuant to Section 29-15-10(B).

The law enforcement agency must, within two business days after the vehicle's towing, notify the owner that the vehicle has been recovered, provide the owner with the location of the vehicle, and explain that daily storage charges will may begin to accrue ~~if the vehicle is not reclaimed within seven days of the towing date.~~

A vehicle is considered to be stolen when the registered owner notifies a police officer and files a report which is accepted and placed on the records of the sheriff or chief of police as a stolen vehicle. The law enforcement agency that requested the tow must provide the towing company and storage facility, at no cost to the towing company and storage facility, the owner's name and address. A law enforcement agency is not liable for any costs or fees associated with the towing and storage of a vehicle as provided by this section."

SECTION 4. Section 56-5-5635 of the 1976 Code is amended to read:

"Section 56-5-5635. (A) Notwithstanding another provision of law, a law enforcement officer who directs that a vehicle be towed for any reason, whether on public or private property, must use the established towing procedure for his jurisdiction. A request by a law enforcement officer resulting from a law enforcement action including, but not limited to, a vehicle collision, vehicle breakdown, or vehicle recovery incident to an arrest, is considered a law enforcement towing for purposes of recovering costs associated with the towing and storage of the vehicle unless the request for towing is made by a law enforcement officer at the direct request of the owner or operator of the vehicle.

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(B) Within ten days following a law enforcement's towing request, the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop must provide to the sheriff or chief of police a list describing the vehicles remaining in the possession of the proprietor, owner, or operator of any towing company, storage facility, garage, or repair shop. ~~A person who fails to provide the law enforcement agency with this list forfeits recovery of any storage fees that have accrued from the date of towing until the day after the mailing of the notification to the owner and all lienholders by certified or registered mail, return receipt requested, pursuant to Section 29-15-10.~~ Within ten days of receipt of this list, the sheriff or chief of police must provide to the towing company or storage facility, the current owner's name, address, and a record of all lienholders along with the make, model, and identification number or a description of the vehicle at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop having towed or received the vehicle must notify by registered or certified mail, return receipt requested, or certified mail with electronic tracking the last known registered owner and all lienholders of record that the vehicle has been taken into custody, pursuant to Section 29-15-10.

(C) If the identity of the last registered owner cannot be determined, or if the registration contains no address for the owner, or if it is impossible to determine with reasonable certainty the identity and addresses of all lienholders, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must provide notice by one publication in one newspaper of general circulation in the area from which the vehicle was abandoned which is sufficient to meet all requirements of notice pursuant to this article. The notice by publication may contain multiple listings of abandoned vehicles.

(D)(1) Before a vehicle is sold, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must apply to the appropriate titling facility for the name and address of any owner or lienholder, including The appropriate titling facility may include, but is not limited to:

- (a) the Department of Motor Vehicles;
- (b) a vendor authorized by the DMV to provide real-time access to title and lienholder information;
- (c) if the vehicle is not titled in South Carolina, the titling governmental entity in the state in which the vehicle was last titled as

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provided by a search of the National Motor Vehicle Title Information System (NMVTIS);

(d) if the vehicle is not titled in South Carolina, a vendor authorized by the state in which the vehicle was last titled to provide real-time access to the most current title and lienholder information; or

(e) the Department of Natural Resources; ~~for the name and address of any owner or lienholder.~~

(2) For nontitled vehicles, where the owner's name is known, a search must be conducted through the Secretary of State's Office to determine any lienholders. The application must be on prescribed forms as required by the appropriate titling facility or the Secretary of State. If the vehicle has an out-of-state registration, an application must be made to that state's appropriate titling facility. When the vehicle is not titled in this State and does not have a registration from another state, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may apply to the sheriff or chief of police in the jurisdiction where the vehicle is stored to determine the state where the vehicle is registered. The sheriff or chief of police shall conduct a records search. This search must include, but is not limited to, a search on the National Crime Information Center and any other appropriate search that may be conducted with the vehicle's identification number. The sheriff or chief of police must supply, at no cost to the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the name of the state in which the vehicle is titled.

(E) The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop that has towed and stored a vehicle has a lien against the vehicle and may have the vehicle sold at public auction pursuant to Section 29-15-10. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may hold the license tag of any vehicle until all towing and the storage costs have been paid, or if the vehicle is not reclaimed, until it is declared abandoned and sold. ~~Storage costs may be charged that have accrued before the notification of the owner and lienholder, by certified or registered mail, of the location of the vehicle. Notification to the owner and lienholder by the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must occur within five days, after receiving the owner's and lienholders' identities from the appropriate law enforcement agency. If the notice is not mailed within this period, storage costs after the five-day period must not be charged until the notice is mailed. If the vehicle is not reclaimed within thirty days after the day the notice is mailed, return receipt requested, the vehicle is~~

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~~considered abandoned and may be sold by the magistrate pursuant to the procedures set forth in Section 29-15-10.~~

(F) After the vehicle is in the possession of the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop, the owner of the vehicle as demonstrated by providing a certificate of registration has one opportunity to remove from the vehicle any personal property not attached to the vehicle. The proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop must release any personal property that does not belong to the owner of the vehicle to the owner of the personal property.

(G) When a law enforcement agency stores a vehicle at a law enforcement facility, the agency must follow the notification procedures contained in this section and submit vehicle information to a magistrate in the county where the vehicle is stored to provide for the sale of the vehicle at public auction. A law enforcement agency is exempt from paying filing fees in any matter related to the towing and storing of a vehicle.”

SECTION 5. Section 56-5-5640 of the 1976 Code is amended to read:

“Section 56-5-5640. If an abandoned vehicle has not been reclaimed pursuant to Section 56-5-5630, the proprietor, owner, or operator of the towing company, storage facility, garage, or repair shop may have the abandoned vehicle sold at a public auction pursuant to Section 29-15-10. The vehicle’s purchaser shall take title to the vehicle free and clear of all liens and claims of ownership, shall receive a magistrate’s order of sale, and is entitled to register the purchased vehicle and receive a certificate of title. The Office of Court Administration shall design a uniform magistrate’s order of sale for purposes of this section, Section 56-5-5670, and Section 56-5-5945, and shall make the order available for distribution to the magistrates. The magistrate’s order of sale given at the sale must be sufficient title for purposes of transferring the vehicle to a demolisher or secondary metals recycler for demolition, wrecking, or dismantling, and in such case no further titling of the vehicle is necessary. The expenses of the auction, the costs of towing, preserving, and storing the vehicle allowed under Section 29-15-10(B) which resulted from placing the vehicle in custody, and all notice and publication costs incurred pursuant to Section 29-15-10 must be reimbursed up to the amount of the auction sale price from the vehicle’s sale proceeds. The remaining sale proceeds must be held for the vehicle’s owner or entitled lienholder for ninety days. The magistrate shall notify the vehicle’s owner and all lienholders by certified or registered mail,

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return receipt requested, that the vehicle's owner or lienholder has ninety days to claim the proceeds from the vehicle's sale. If the vehicle's proceeds are not collected within ninety days from the day after the notice to the vehicle's owner and all lienholders is mailed, then the vehicle's proceeds must be deposited in the county or municipality's general fund."

SECTION 6. This act takes effect upon approval by the Governor. /

/s/Sen. David Wesley "Wes" Climer /s/Rep. Christopher Sloan "Chris" Wooten

//Sen. Margie Bright Matthews /s/Rep. Bart T. Blackwell

/s/Sen. Sean M. Bennett /s/Rep. Joseph Herman Jefferson, Jr.  
On Part of the Senate. On Part of the House.

On motion of Senator CLIMER, with unanimous consent, the Conference Report was adopted.

, and a message was sent to the House accordingly.

**MOTION TO VARY THE ORDER OF THE DAY ADOPTED**

Senator MASSEY moved under Rule 32A to vary the order of the day and proceed directly to Bills Returned from the House.

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

**Ayes 27; Nays 13**

**AYES**

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

**Total--27**

**NAYS**

Allen	Corbin	Fanning
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Hutto	Jackson	<i>Johnson, Kevin</i>
Malloy	Martin	Matthews
McElveen	Sabb	Stephens
Williams		

**Total--13**

The motion to Vary the Order of the Day was adopted.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**AMENDED**

H. 5198 -- Reps. Lucas, G.M. Smith, Rutherford, Simrill, Finlay, Yow, R. Williams, Jefferson and Cobb-Hunter: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIVERSITY OF SOUTH CAROLINA BOARD OF TRUSTEES, SO AS TO REVISE THE COMPOSITION OF THE BOARD; TO AMEND SECTION 59-117-20, RELATING TO TERMS OF ELECTED MEMBERS OF THE BOARD, SO AS TO PROVIDE FOR THE ELECTION OF NEW MEMBERS OF THE BOARD FOR STAGGERED TERMS BEGINNING JULY 1, 2023; TO AMEND SECTION 59-117-40, RELATING TO THE POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL ELECT A CHAIRMAN, TO PROVIDE THE CHAIRMAN SERVES A TWO-YEAR TERM, TO PROVIDE A TRUSTEE MAY NOT SERVE MORE THAN TWO TERMS AS CHAIRMAN, AND TO REVISE CERTAIN POWERS; AND TO AMEND SECTION 59-117-50, RELATING TO MEETINGS OF THE BOARD, SO AS TO PROVIDE FOR HOW SPECIAL MEETINGS OF THE BOARD MAY BE CALLED.

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

Senator HUTTO explained the Bill.

Senator HUTTO asked unanimous consent, while retaining the floor, to proceed to Amendment No. 9.

There was no objection.

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**Amendment No. 9**

Senators YOUNG, MCELVEEN, WILLIAMS, HARPOOTLIAN, TALLEY, JACKSON, M. JOHNSON, VERDIN and CROMER proposed the following amendment (5198R015.SP.TRY), which was adopted:

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

/SECTION 1. Section 59-117-10 of the 1976 Code is amended to read:

“Section 59-117-10. (A) ~~The board of trustees of the University of South Carolina shall be composed of the Governor of the State (or his designee), the State Superintendent of Education, and the President of the Greater University of South Carolina Alumni Association, which three shall be members ex officio of the board; and seventeen other members including one member from each of the sixteen judicial circuits to be elected by the general vote of the General Assembly as hereinafter provided, and one at-large member appointed by the Governor is~~ composed of:

(1) the Governor of the State, who shall serve as a nonvoting ex officio member;

(2) the President of the student body of the University of South Carolina’s Columbia campus, who shall serve as a nonvoting ex officio member;

(3) three at-large members appointed by the Governor, one of whom must be based upon the recommendation of the Greater University of South Carolina Alumni Association and shall be a nonvoting member; and

(4) one member from each of the sixteen judicial circuits elected by a general vote of the General Assembly pursuant to Section 59-117-20(A).

(B) ~~The Governor shall make the appointment~~ appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

SECTION 2. Section 59-117-20 of the 1976 Code is amended to read:

“Section 59-117-20. (A)(1) ~~The regular term of office of each trustee elected by the General Assembly is four years; however, the trustee shall continue to function as a trustee after his term has expired until his successor is elected and qualifies. Trustees from the first, third, fifth, seventh, ninth, eleventh, twelfth, and thirteenth judicial circuits whose~~

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~~terms expire March 31, 1982, must next be elected for terms commencing on April 1, 1982, and those terms expire on June 30, 1986. Trustees from the second, fourth, sixth, eighth, tenth, fourteenth, fifteenth, and sixteenth judicial circuits elected for terms to commence April 1, 1984, shall have their terms extended to June 30, 1988, and must next be elected for terms commencing on July 1, 1988. Thereafter,~~

(2) The terms of current elected and appointed trustees serving in office on June 30, 2023, expire on that date, and they shall not serve in holdover status. Before June 30, 2023, the General Assembly shall elect sixteen new voting trustees pursuant to Section 59-117-10(A)(4). The initial terms of these sixteen new trustees begin on July 1, 2023, as follows:

(a) trustees elected to represent odd-numbered judicial circuits are elected for initial terms of two years and until their successors are elected and qualify, and thereafter are elected to terms of four years and until their successors are elected and qualify;

(b) trustees elected to even-numbered seats are elected for initial terms of four years, and thereafter are elected to terms of four years and until their successors are elected and qualify.

(3) After the initial elections held pursuant to item (2) occur, the General Assembly shall hold elections every two years for the purpose of selecting successors of those trustees whose terms are then expiring. The term of office of an elective trustee commences on the first day of July of the year in which the trustee ~~under this plan~~ is scheduled to be elected and the term continues until the thirtieth day of June of the year in which the term is scheduled to expire. ~~After its 1984 session,~~ The General Assembly shall elect successors to those elective trustees whose terms are expiring not earlier than the first day of April of the year the term expires.

(4) In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina.

(B) The term of office of the at-large ~~trustee~~ trustees appointed by the Governor is effective upon certification to the Secretary of State and is four years, with the exception of the appointment made upon the recommendation of the Greater University of South Carolina Alumni Association, which shall be for a term of two years. ~~If the Governor, chooses to designate a member to serve in his stead as permitted by Section 59-117-10, the appointment is effective upon certification to the Secretary of State and shall continue, at the pleasure of the Governor~~



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~~making the appointment, so long as he continues to hold the specified office.~~

~~(C) The term of the President of the Greater University of South Carolina Alumni Association~~ President of the student body of the University of South Carolina's Columbia campus is for the active term of office as president.

~~(D) There is no prohibition on members previously serving prior to June 30, 2023, from future election or appointment as a trustee."~~

SECTION 3. Sections 59-117-40(5) and (16) through (18) of the 1976 Code are amended to read:

~~"(5) to appoint a chairman of the board of trustees who shall serve a two-year term and may serve no more than two terms as chairman, and to appoint a university president, treasurer, and secretary, and in the appointment of these latter three to prescribe their duties and their terms of office and to fix their compensation;~~

~~(16) to remove any officer, faculty member, agent, or employee for incompetence, neglect of duty, violation of University regulations, or conduct unbecoming a person occupying such a position; and~~

~~(17) to appoint an executive committee not exceeding six members of the board who have all the powers of the board during the interim between meetings of the board, but not the power to do anything which is inconsistent with the policy or action taken by the board. The executive committee at each meeting of the board shall report fully all action taken by it during the interim; and~~

~~(18) to appoint committees of the board of trustees or officers or members of the faculty of the University, with such power and authority and for such purposes in connection with the operation of the University as the board of trustees may deem wise~~ considers appropriate."

SECTION 4. Section 59-117-50 of the 1976 Code is amended to read:

~~"Section 59-117-50. The board of trustees shall meet not less frequently than quarterly, the time and place of each such regular meeting to be fixed by the chairman of the board or otherwise as the board of trustees shall provide. If the Governor chooses to serve as an ex officio member of the board, he shall preside at all regular and special meetings of the board of trustees in which he is in attendance. At those meetings at which the Governor is not in attendance~~ The chairman of the board of trustees shall preside and in his absence ~~such member shall preside~~ as the board may select another member to preside. The ~~Governor of the State (if serving as an ex officio member of the board),~~ The chairman of the board of trustees, and the president of the university

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~~shall each have~~ has the power to call a special meeting of the board of trustees and fix the time and place ~~thereof of the meeting~~. Any five voting members of the board ~~shall~~ likewise have has this power. A majority of the voting members of the board of trustees shall constitute a quorum for the transaction of all business of the board but not less than a majority vote of the whole board ~~shall be~~ is required for the election or removal of a president. It ~~shall be~~ is the duty of the president and other officers, as well as members of the faculty, to attend meetings of the board of trustees ~~when requested to so~~ at the request of the board.

(B) ~~The secretary or his assistant shall mail~~ notice of the time and place of all meetings, both regular and special meetings, of the board of trustees of the University of South Carolina ~~shall be mailed by the secretary or his assistant~~ to each trustee not less than five days before each meeting ~~thereof~~.”

SECTION 5. This act takes effect upon approval by the Governor.”/  
Re-number sections to conform.  
Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

Senator HUTTO spoke on the Bill.

Debate was interrupted by adjournment.

## STATEWIDE APPOINTMENT

### Confirmation

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

Reappointment, South Carolina State Human Affairs Commission,  
with the term to commence June 30, 2022, and to expire June 30, 2025

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

On motion of Senator RANKIN, the question was confirmation of Sharon L. Sellers.

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

**Ayes 42; Nays 0**

**AYES**

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

**Total--42**

**NAYS**

**Total--0**

The appointment of Sharon L. Sellers was confirmed.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Charleston County Master-in-Equity, with the term to commence December 24, 2022, and to expire December 24, 2028

Mikell R. Scarborough, 100 Broad Street, Suite 266, Charleston, SC 29401

Reappointment, Clarendon County Master-in-Equity, with the term to commence June 30, 2022, and to expire June 30, 2028

Joseph K. Coffey, P. O. Box 1292, Manning, SC 29102

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Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Latoya Tennell Barksdale, 809 Hampton Avenue, Greenville, SC 29609-1129

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Seldon T. Peden, 100 Georgianna Lane, Greenville, SC 29605-3337

Reappointment, Hampton County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Gwen Bampfield, 113 Kinard Lane, Hampton, SC 29924-0132

Reappointment, Jasper County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Warren P. Johnson, Post Office Box 1125, Hardeeville, SC 29927-1125

Reappointment, Greenville County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Jacquelyn I. Duckett, 204 Hawthorne Dr., Simpsonville, SC 29680-6120

#### **RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 12, 2022, at 5:00 P.M. and the following Acts and Joint Resolutions were ratified:

(R164, S. 11) -- Senators Jackson, Shealy, Hutto, Cash and Malloy:  
AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-150 SO AS TO DEFINE TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE BIRTH OF A CHILD OR INITIAL LEGAL PLACEMENT OF A FOSTER CHILD; AND TO AMEND SECTION 8-11-155, RELATING TO THE USE OF SICK LEAVE TO CARE FOR AN ADOPTED CHILD, SO AS TO DEFINE TERMS AND TO PROVIDE THE CIRCUMSTANCES WHEN AN ELIGIBLE STATE EMPLOYEE MAY BE ENTITLED TO PAID PARENTAL LEAVE UPON THE INITIAL LEGAL PLACEMENT OF A CHILD BY ADOPTION.

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(R165, S. 108) -- Senators Campsen, Senn and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING IN THE STATE; TO AMEND SECTION 7-11-10, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT CANDIDATES FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE OFFICE FOR THE SAME ELECTION, AND TO PROHIBIT CANDIDATES FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, SO AS TO PROHIBIT CANDIDATES' NAMES FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-15-220, RELATING TO THE WITNESS REQUIREMENT FOR THE OATH OF AN ABSENTEE BALLOT APPLICANT, SO AS TO ADD THAT THE WITNESS MUST BE AT LEAST EIGHTEEN YEARS OF AGE AND ALSO REQUIRE THE PRINTED NAME OF THE WITNESS IN ADDITION TO THE REQUIRED SIGNATURE AND ADDRESS ON THE OATH; TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AMEND THE LIST OF REASONS FOR WHICH ABSENTEE VOTING IS ALLOWED FOR PERSONS WHO ARE GOING TO BE ABSENT FROM THE COUNTY FOR THE DURATION OF THE EARLY VOTING PERIOD AND ELECTION DAY; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR ABSENTEE BALLOTS AND APPLICATION IN PERSON, SO AS TO DEFINE THE PARAMETERS BY WHICH A PERSON MAY REQUEST AN APPLICATION TO VOTE BY ABSENTEE BALLOT FOR HIMSELF OR OTHERS, TO PROVIDE FOR VERIFICATION OF THE INFORMATION REGARDING THE ELECTOR, TO PROVIDE THAT NO MORE THAN FIVE APPLICATIONS MAY BE REQUESTED IN ADDITION TO THE REQUESTOR HIMSELF, AND TO PROVIDE THE TIMEFRAME THAT THE APPLICATIONS MUST BE RETURNED BY; TO AMEND SECTION 7-15-380, RELATING TO THE OATH OF AN ABSENTEE BALLOT APPLICANT, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 7-15-385, RELATING TO THE MARKING AND RETURN OF ABSENTEE

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BALLOTS, SO AS TO REQUIRE AN AUTHORIZED RETURNEE TO PRODUCE A CURRENT AND VALID FORM OF GOVERNMENT-ISSUED PHOTO IDENTIFICATION AND TO PROVIDE IT IS UNLAWFUL FOR A PERSON TO RETURN MORE THAN FIVE ENVELOPES IN AN ELECTION IN ADDITION TO HIS OWN AND PROVIDE A PENALTY; TO AMEND SECTION 7-15-420, AS AMENDED, RELATING TO THE RECEIPT, TABULATION, AND REPORTING OF ABSENTEE BALLOTS, SO AS TO ALLOW THE EXAMINATION OF RETURN-ADDRESSED ENVELOPES TO BEGIN AT 7:00 A.M. ON THE SECOND DAY PRECEDING ELECTION DAY, TO ALLOW THE TABULATION OF ABSENTEE BALLOTS TO BEGIN AT 7:00 A.M. ON ELECTION DAY, AND TO CREATE A PENALTY FOR PUBLIC REPORTING OF THE RESULTS OF ABSENTEE BALLOTS BEFORE THE POLLS ARE CLOSED; TO AMEND SECTION 7-15-430, RELATING TO ABSENTEE VOTERS NOTED ON ELECTION LISTS AND VOTING BY PERSONS ISSUED ABSENTEE BALLOTS, SO AS TO PROVIDE PROCEDURES FOR THE CASTING OF PROVISIONAL BALLOTS BY PERSONS WHO HAVE NOT RETURNED THEIR ABSENTEE BALLOTS; TO AMEND SECTION 7-5-170, RELATING TO VOTER REGISTRATION WRITTEN APPLICATIONS, FORMS, AND OATHS, SO AS TO REQUIRE ACKNOWLEDGEMENT THAT THE PERSON REGISTERING TO VOTE IS NEITHER REGISTERED NOR INTENDS TO VOTE IN ANOTHER STATE OR COUNTY AND PROVIDE FOR A DATE STAMP ON APPLICATIONS; TO AMEND SECTIONS 7-13-320 AND 7-13-610, BOTH RELATING TO BALLOT STANDARDS AND SPECIFICATIONS, BOTH SO AS TO REQUIRE BALLOTS TO INCORPORATE FEATURES WHICH CAN BE USED TO AUTHENTICATE THE BALLOT AS OFFICIAL, EXCEPT FOR BALLOTS DELIVERED ELECTRONICALLY UNDER THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT; TO AMEND SECTION 7-13-1330, RELATING TO VOTE RECORDERS AND OPTICAL SCAN VOTING SYSTEMS, SO AS TO REQUIRE CERTAIN STEPS BEFORE A STATEWIDE VOTING SYSTEM IS PROCURED, TO PROVIDE REQUIREMENTS FOR AN OPTICAL SCAN VOTING SYSTEM, AND TO REQUIRE THE PRESERVATION OF ELECTRONIC RECORDS FOR A STATEWIDE ELECTION FOR NOT LESS THAN TWENTY-FOUR MONTHS FOLLOWING THE ELECTION; TO AMEND SECTION 7-13-1340, RELATING TO REQUIREMENTS FOR VOTE

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RECORDERS OR OPTICAL SCAN VOTING DEVICES, SO AS TO PROVIDE THESE DEVICES MAY NOT BE USED UNLESS A DELINEATED LIST OF INTERNET AND OTHER CONNECTIONS ARE DISABLED; TO AMEND SECTION 7-13-1620, RELATING TO THE VOTING SYSTEM APPROVAL PROCESS, SO AS TO PROVIDE THAT IF THE FEDERAL VOTING SYSTEM STANDARDS AND GUIDELINES HAVE BEEN AMENDED WITHIN A CERTAIN TIME PERIOD BEFORE AN ELECTION, THE STATE ELECTION COMMISSION MAY APPROVE AND CERTIFY A VOTING SYSTEM IF CERTAIN CRITERIA ARE MET; TO AMEND SECTION 7-13-1640, RELATING TO VOTING MACHINE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; TO REPEAL SECTION 7-13-440 RELATING TO VOTING MACHINE BALLOTS AND ARRANGEMENT OF NOMINATIONS; TO AMEND SECTION 7-3-40, RELATING TO REPORTS TO BE FURNISHED BY THE BUREAU OF VITAL STATISTICS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO INCLUDE IN THE INFORMATION THAT MUST BE PROVIDED ALL INDIVIDUALS EIGHTEEN YEARS OF AGE OR OLDER WHO HAVE DIED OUT-OF-STATE; TO AMEND SECTION 7-5-186, RELATING TO THE STATEWIDE VOTER REGISTRATION DATABASE, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO CONDUCT AN ANNUAL GENERAL REGISTRATION LIST MAINTENANCE PROGRAM AND TO PROVIDE PROCEDURES FOR HANDLING DISCREPANCIES IN THE VOTER REGISTRATION DATABASE; TO AMEND SECTIONS 7-5-330 AND 7-5-340, BOTH RELATING TO REMOVAL OF ELECTORS, SO AS TO PROVIDE A TIMEFRAME TO REMOVE AN ELECTOR UNDER CERTAIN CIRCUMSTANCES WARRANTING SUCH; BY ADDING SECTION 7-25-30 SO AS TO REQUIRE THE STATE LAW ENFORCEMENT DIVISION TO ESTABLISH A PUBLIC REPORTING MECHANISM FOR POSSIBLE ELECTION LAW VIOLATIONS; BY ADDING SECTION 7-5-350 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO REPORT ANNUALLY TO THE GENERAL ASSEMBLY ON ACTIONS TAKEN TO MAINTAIN THE ACCURACY OF THE STATEWIDE VOTER REGISTRATION DATABASE; BY ADDING SECTION 7-1-110 SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES HAVE THE RIGHT TO INTERVENE AND HAVE STANDING ON BEHALF OF THEIR

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RESPECTIVE BODIES IN ACTIONS TO CHALLENGE THE VALIDITY OF AN ELECTION LAW, AN ELECTION POLICY, OR THE MANNER IN WHICH AN ELECTION IS CONDUCTED; TO AMEND SECTION 7-3-20, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO ESTABLISH METHODS OF AUDITING ELECTION RESULTS; TO AMEND SECTIONS 7-25-20, 7-25-110, 7-25-120, 7-25-160, AND 7-25-170, ALL RELATING TO OFFENSES AGAINST ELECTION LAWS, ALL SO AS TO PROVIDE INCREASED PENALTIES; TO AMEND SECTION 7-3-10, RELATING TO THE COMPOSITION, POWERS, AND DUTIES OF THE STATE ELECTION COMMISSION, SO AS TO IDENTIFY CONDITIONS UNDER WHICH A PERSON IS DEEMED INELIGIBLE TO SERVE ON THE COMMISSION, TO ESTABLISH MECHANISMS FOR REMOVING INELIGIBLE COMMISSION MEMBERS, TO REQUIRE THE COMMISSION TO PROMULGATE REGULATIONS TO ESTABLISH STANDARDIZED ELECTION AND VOTER REGISTRATION PROCESSES, AND TO REQUIRE THE COMMISSION TO PROVIDE FOR THE SUPERVISION OF THE EXECUTIVE DIRECTOR TO ENSURE COMPLIANCE WITH APPLICABLE STATE AND FEDERAL ELECTION LAWS; TO AMEND SECTION 7-3-20, RELATING TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO PROVIDE FOR THE EXECUTIVE DIRECTOR'S APPOINTMENT WITH ADVICE AND CONSENT OF THE SENATE, TO ESTABLISH THE TERM, QUALIFICATIONS, AND ELIGIBILITY REQUIREMENTS, METHODS OF REMOVAL AND GROUNDS FOR DISQUALIFICATION, AND TO PROVIDE FOR FILLING OF A VACANCY, AMONG OTHER THINGS; TO AMEND SECTION 7-3-25, RELATING TO COUNTY BOARDS OF VOTER REGISTRATION AND ELECTIONS COMPLIANCE WITH ELECTION LAWS AND POLICY, SO AS TO REQUIRE STANDARDIZED PROCESSES WITH REGARD TO THE CONDUCT OF ELECTIONS; BY ADDING SECTION 7-5-50 SO AS TO PROHIBIT THE STATE ELECTION COMMISSION AND COUNTY BOARDS FROM ACCEPTING GIFTS OR FUNDING FROM PRIVATE INDIVIDUALS OR OTHERS; BY ADDING SECTION 7-5-190 SO AS TO DIRECT THE STATE ELECTION COMMISSION TO ENSURE VOTER REGISTRATION INFORMATION, THE VOTING SYSTEM, AND ELECTRONIC



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POLL BOOKS ARE PROTECTED BY SECURITY MEASURES THAT MEET CERTAIN BEST PRACTICES STANDARDS; TO AMEND SECTION 7-3-70, RELATING TO REPORTS FURNISHED BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION A MONTHLY REPORT OF ALL NON-UNITED STATES CITIZENS ISSUED A DRIVER'S LICENSE OR IDENTIFICATION CARD; TO AMEND SECTION 7-13-35, AS AMENDED, RELATING TO NOTICE OF ELECTIONS, SO AS TO MAKE CONFORMING CHANGES; BY ADDING SECTION 7-3-45 SO AS TO REQUIRE EACH COUNTY PROBATE COURT TO FURNISH THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION A MONTHLY REPORT OF ALL PERSONS EIGHTEEN YEARS OF AGE OR OLDER DECLARED MENTALLY INCAPACITATED; TO REQUIRE THE STATE ELECTION COMMISSION MUST ESTABLISH A TEMPORARY VOTER EDUCATION PROGRAM; TO AMEND SECTION 7-15-310, RELATING TO DEFINITIONS FOR PURPOSES OF ABSENTEE VOTING, SO AS TO REVISE THE DEFINITION OF "AUTHORIZED REPRESENTATIVE"; BY ADDING SECTION 7-15-400 SO AS TO PROVIDE THAT NO BALLOT APPLICATION OR ABSENTEE BALLOT MAY BE PROVIDED BY AN ELECTION OFFICIAL IF THE APPROPRIATE PROCEDURES ARE NOT FOLLOWED; BY ADDING SECTION 7-25-65 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO PROVIDE OR ACCEPT ANYTHING OF VALUE IN EXCHANGE FOR REQUESTING, COLLECTING, OR DELIVERING AN ABSENTEE BALLOT AND TO PROVIDE A PENALTY; TO AMEND SECTION 7-25-180, RELATING TO UNLAWFUL DISTRIBUTION OF CAMPAIGN LITERATURE, SO AS TO EXPAND THE PROHIBITION ON DISTRIBUTION OF CAMPAIGN LITERATURE OUTSIDE OF POLLING PLACES FROM TWO HUNDRED TO FIVE HUNDRED FEET; AND TO REPEAL SECTION 7-15-470 RELATING TO IN-PERSON ABSENTEE VOTING.

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(R166, S. 152) -- Senators Davis, Campsen, Goldfinch, Senn, M. Johnson, Hutto, Malloy, Harpootlian, Cromer, Matthews, K. Johnson, Rice, Hembree, Scott, Climer and Kimpson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO

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AS TO ENACT THE "COUNTY GREEN SPACE SALES TAX ACT"; BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4, SO AS TO CREATE THE COUNTY GREEN SPACE SALES TAX, TO IMPOSE THE TAX, TO PROVIDE FOR THE CONTENTS OF THE BALLOT AND THE PURPOSE FOR WHICH TAX PROCEEDS MAY BE USED, TO PROVIDE FOR THE IMPOSITION AND TERMINATION OF THE TAX, TO PROVIDE THAT THE DEPARTMENT OF REVENUE SHALL ADMINISTER AND COLLECT THE TAX, TO PROVIDE FOR DISTRIBUTIONS TO COUNTIES AND CONFIDENTIALITY, AND TO PROVIDE FOR UNIDENTIFIED FUNDS, TRANSFERS, AND SUPPLEMENTAL DISTRIBUTIONS.  
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(R167, S. 158) -- Senator Scott: AN ACT TO AMEND SECTION 40-57-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE BROKERS AND SALESPERSONS, SO AS TO PROVIDE AN EXEMPTION TO THE BIENNIAL CONTINUING EDUCATION REQUIREMENT FOR BROKERS AND SALESPERSONS WHO HAVE TWENTY-FIVE YEARS OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER; TO AMEND SECTION 35-1-411, RELATING TO POSTREGISTRATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH REGISTERED INDIVIDUALS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER; AND TO AMEND SECTION 38-43-106, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO PROVIDE AN EXEMPTION TO CONTINUING EDUCATION FOR SUCH INSURANCE PRODUCERS WHO HAVE TWENTY-FIVE YEARS OR MORE OF LICENSURE AND ARE SIXTY-FIVE YEARS OF AGE OR OLDER.  
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(R168, S. 222) -- Senators Shealy, McLeod, Hutto, Jackson, Matthews, Gustafson, K. Johnson and McElveen: AN ACT TO AMEND SECTION 63-7-2320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE KINSHIP FOSTER CARE PROGRAM, SO AS TO PROVIDE THAT FICTIVE KIN ARE ELIGIBLE TO BE FOSTER PARENTS UNDER THE KINSHIP FOSTER CARE PROGRAM, TO PROVIDE THAT RELATIVES

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AND FICTIVE KIN MAY FOSTER A CHILD BEFORE BEING LICENSED AS A KINSHIP FOSTER CARE PROVIDER UNDER CERTAIN CIRCUMSTANCES, AND TO DEFINE NECESSARY TERMS.

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(R169, S. 227) -- Senators Shealy, McElveen and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30 OF TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE

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FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR

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RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

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(R170, S. 449) -- Senator Young: AN ACT TO AMEND ACT 926 OF 1962, AS AMENDED, RELATING TO THE COMPOSITION OF THE AIKEN COUNTY COMMISSION FOR TECHNICAL AND COMPREHENSIVE EDUCATION, SO AS TO ADD TWO NONVOTING MEMBERS; AND TO AMEND SECTION 31-12-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION AND MEMBERSHIP OF REDEVELOPMENT AUTHORITIES, SO AS TO INCLUDE THE SAVANNAH RIVER SITE REDEVELOPMENT AUTHORITY.

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(R171, S. 460) -- Senator Alexander: AN ACT TO AMEND SECTION 23-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF THE OFFICE OF STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL'S DUTIES AND RESPONSIBILITIES, SO AS TO DELETE CERTAIN OBSOLETE LANGUAGE, MAKE TECHNICAL CHANGES, AND PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY SHALL BE REFERRED TO AS STATE FIRE AND ESTABLISH ITS PROGRAM AREAS; TO AMEND SECTION 23-9-20, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, SO AS TO PROVIDE HE HAS STATEWIDE JURISDICTION AND PROVIDE ADDITIONAL RESPONSIBILITIES; TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE THE PEER-REVIEW PANEL SHALL HAVE AUTHORITY TO ESTABLISH FUNDING PRIORITIES COMMUNICATED THROUGH AN ANNUAL NOTICE OF FUNDING OPPORTUNITY, TO MAKE TECHNICAL CHANGES, TO ALLOW CERTAIN GRANT RECIPIENTS WHO HAVE GRANT FUNDS AVAILABLE AFTER COMPLETING THE APPROVED SCOPE OF WORK PRIOR TO THE END OF THE PERFORMANCE PERIOD TO CONTINUE OR EXPAND CERTAIN ACTIVITIES WITHOUT SUBMITTING AN APPLICATION TO AMEND THEIR GRANT REQUESTS OR

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SUBMIT APPLICATIONS TO AMEND GRANT REQUESTS, TO REDIRECT REMAINING FUNDS TO ANOTHER ELIGIBLE PROJECT, AND TO PROVIDE THREE PERCENT OF THE FUNDS COVERED BY THIS SECTION SHALL BE USED TO FUND COSTS ASSOCIATED WITH THE ADMINISTRATION OF THIS PROGRAM; TO AMEND SECTION 23-9-30, RELATING TO CERTAIN DUTIES THAT MAY BE DELEGATED TO THE CHIEFS OF ORGANIZED FIRE DEPARTMENTS, COUNTY FIRE MARSHALS, OR DEPUTY STATE FIRE MARSHALS BY THE STATE FIRE MARSHAL, SO AS TO PROVIDE CERTAIN DUTIES RELATING TO INVESTIGATIONS, INSPECTIONS AND ENFORCEMENT MAY BE DELEGATED TO CERTAIN PERSONS BY THE STATE FIRE MARSHAL AND PROVIDE THE STATE FIRE MARSHAL HAS AUTHORITY TO PROMULGATE CERTAIN REGULATIONS; TO AMEND SECTION 23-9-45, RELATING TO THE ISSUANCE OF CLASS D FIRE EQUIPMENT PERMITS, SO AS TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND PERMITS, PROVIDE APPLICANTS OF THESE LICENSES AND PERMITS MUST MEET CERTAIN REQUIREMENTS SET FORTH IN REGULATION, AND ARE ABLE TO MEET THE MAINTENANCE AND PERFORMANCE STANDARDS AND CODES ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT ALLOWS THE STATE FIRE MARSHAL TO ESTABLISH LICENSE AND PERMIT FEES; TO AMEND SECTION 23-9-50, RELATING TO THE STATE FIRE MARSHAL'S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, SO AS TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER BUILDINGS AND PREMISES TO INCLUDE WHEN AN EXPLOSION HAS OCCURRED, OR UNDER CERTAIN CIRCUMSTANCES WHEN A FATALITY OR SERIOUS INJURY HAS OCCURRED; BY ADDING SECTION 23-9-125 SO AS TO PROVIDE THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC OR THE REGULATION OF FIREWORKS ARE NOT AFFECTED BY THESE PROVISIONS; TO AMEND CHAPTER 10, TITLE 26, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-49-120, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION'S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION

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DIVISION OF FIRE AND LIFE SAFETY ALSO MAY ACCEPT DONATIONS OF EQUIPMENT; TO AMEND SECTION 40-80-30, RELATING TO FIREFIGHTERS REGISTERING WITH THE STATE FIRE MARSHAL, SO AS TO REVISE THE COSTS AND PROCESS OF OBTAINING FIREFIGHTER RECORDS; TO REPEAL SECTIONS 23-9-35, 23-9-40, 23-9-60, 23-9-110, AND 23-9-130 ALL RELATING TO CERTAIN DUTIES OF THE STATE FIRE MARSHAL; AND TO AMEND SECTION 23-9-25, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, SO AS TO PROVIDE IT IS NOW WITHIN THE DIVISION OF THE STATE FIRE MARSHAL, REMOVE THE LIMITATION PLACED ON THE MAXIMUM DOLLAR AMOUNT OF GRANTS IT MAY OFFER, TO DELETE THE TERM "CHARTERED" AS IT IS USED TO IDENTIFY VARIOUS FIRE DEPARTMENTS, TO PROVIDE FIRE DEPARTMENTS MAY BE AWARDED ONE GRANT ANNUALLY, TO REVISE THE PURPOSES FOR WHICH FIRE DEPARTMENTS MAY USE GRANT MONEY, TO PROVIDE THE PEER-REVIEW PANEL SHALL OVERSEE THE ISSUANCE AND COMPLIANCE WITH THE PRESCRIBED INTENT OF THE GRANTS, TO DELETE THE PROVISIONS THAT RELATE TO JUSTIFICATIONS THAT MUST BE INCLUDED IN GRANT APPLICATIONS AND CRITERIA TO EVALUATE GRANT APPLICATIONS, TO PROVIDE INSTANCES THAT WOULD MAKE FIRE DEPARTMENTS INELIGIBLE TO BE AWARDED FUTURE GRANTS, TO PROVIDE RECIPIENTS MAY USE A CERTAIN AWARD AMOUNT TO CONTINUE OR EXPAND ACTIVITIES WITHOUT SUBMITTING APPLICATIONS TO AMEND GRANT REQUESTS, TO PROVIDE AWARD RECIPIENTS CAN SUBMIT APPLICATIONS TO HAVE GRANT FUNDS REDIRECTED TO ANOTHER ELIGIBLE PROJECT, TO PROVIDE THE STATE FIRE MARSHAL ADDITIONAL DUTIES, TO PROVIDE HE MAY RETAIN CERTAIN FUNDS TO DEFRAY CERTAIN ADMINISTRATIVE COSTS, AND PROVIDE GRANT FUNDS MAY BE CARRIED FORWARD TO THE NEXT FISCAL YEAR AND USED FOR THE SAME PURPOSE.

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(R172, S. 613) -- Senator Davis: AN ACT TO AMEND SECTION 40-33-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE NURSE PRACTICE ACT, SO AS TO ADD AND REVISE DEFINITIONS; TO

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AMEND SECTION 40-33-42, RELATING TO THE DELEGATION BY CERTAIN BOARD OF NURSING LICENSEES OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL, SO AS TO INCLUDE PROVISIONS REGARDING THE ADMINISTRATION OF MEDICATIONS BY CERTIFIED MEDICAL ASSISTANTS; TO AMEND SECTION 40-47-20, AS AMENDED, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF PHYSICIANS AND MISCELLANEOUS HEALTH CARE PROFESSIONALS, SO AS TO ADD DEFINITIONS; BY ADDING SECTION 40-47-196 SO AS TO PROVIDE FOR THE DELEGATION OF CERTAIN TASKS TO CERTIFIED MEDICAL ASSISTANTS BY PHYSICIANS AND PHYSICIAN ASSISTANTS; TO AMEND SECTION 40-47-30, AS AMENDED, RELATING TO EXCEPTIONS FROM THE REQUIREMENT OF LICENSURE TO PRACTICE MEDICINE, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL; AND TO AMEND SECTION 40-47-935, AS AMENDED, RELATING TO ACTS AND DUTIES THAT PHYSICIANS ASSISTANTS MAY PERFORM, SO AS TO REMOVE PROVISIONS CONCERNING THE DELEGATION BY PHYSICIANS ASSISTANTS OF CERTAIN TASKS TO UNLICENSED ASSISTIVE PERSONNEL.  
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(R173, S. 635) -- Senators Setzler and Scott: AN ACT TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT AN ADDITIONAL MEMBER WHO IS NOT REQUIRED TO BE A TRUSTEE AT THE TIME OF HIS ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN



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

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(R174, S. 637) -- Senator Cromer: AN ACT TO AMEND SECTION 37-22-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO THE MORTGAGE LENDING LAWS OF THIS STATE, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON"; AND TO AMEND SECTION 40-58-20, RELATING TO DEFINITIONS APPLICABLE TO THE LICENSING OF MORTGAGE BROKERS ACT, SO AS TO ESTABLISH CERTAIN CRITERIA A RETAILER OF MANUFACTURED OR MODULAR HOMES MUST MEET TO QUALIFY AS AN "EXEMPT PERSON".

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(R175, S. 812) -- Senator Alexander: AN ACT TO AMEND CHAPTER 2, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF ACCOUNTANTS, SO AS TO REVISE PROVISIONS REGULATING CERTIFIED PUBLIC ACCOUNTANTS, PUBLIC ACCOUNTANTS, AND ACCOUNTING PRACTITIONERS.

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(R176, S. 888) -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-11-40 SO AS TO PROVIDE APPLICANTS FOR CONTRACTORS LICENSES VOLUNTARILY MAY MAKE CONTRIBUTIONS TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING DEGREES IN CONSTRUCTION SCIENCE, BUILDING SCIENCE, OR CIVIL ENGINEERING, TO PROVIDE

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FOR THE MANAGEMENT AND DISTRIBUTION OF THESE CONTRIBUTIONS, AND TO IMPOSE CERTAIN RELATED REPORTING REQUIREMENTS ON INSTITUTIONS RECEIVING FUNDS FROM THESE CONTRIBUTIONS AND THE STATE COMMISSION ON HIGHER EDUCATION.

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(R177, S. 910) -- Senator Grooms: AN ACT TO AMEND ACT 518 OF 1982, AS AMENDED, RELATING TO THE COMPOSITION OF THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION, SO AS TO PROVIDE THAT EIGHT BOARD MEMBERS SHALL BE ELECTED IN NONPARTISAN ELECTIONS FROM SINGLE-MEMBER DISTRICTS IN WHICH THEY ARE RESIDENTS, COTERMINOUS WITH COUNTY COUNCIL DISTRICTS AND SHARING THE CORRESPONDING DISTRICT NUMBERS; TO PROVIDE THAT ONE MEMBER SHALL BE ELECTED FROM THE COUNTY AT LARGE; TO STAGGER THE MEMBERS' TERMS OF OFFICE; AND TO REPEAL SECTION 3A OF ACT 518 OF 1982 RELATING TO THE BERKELEY COUNTY SCHOOL DISTRICT BOARD OF EDUCATION SINGLE-MEMBER ELECTION DISTRICTS.

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(R178, S. 934) -- Senator Davis: AN ACT TO AMEND SECTION 6-9-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT EACH MEMBER OF THE COUNCIL MUST BE A SOUTH CAROLINA RESIDENT, AND THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

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(R179, S. 946) -- Senator Goldfinch: AN ACT TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE AT LEAST THIRTY MINUTES OF UNENCUMBERED TIME ON EACH REGULAR SCHOOL DAY FOR ALL FULL-TIME

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PUBLIC ELEMENTARY SCHOOL TEACHERS AND FOR TEACHERS RESPONSIBLE FOR INSTRUCTING SPECIAL EDUCATION CLASSES FOR MORE THAN TWENTY PERCENT OF THE SCHOOL DAY WITH STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, TO PROVIDE DETAILS FOR RELATED POLICIES, TO PROVIDE IMPLEMENTATION REQUIREMENTS OF LOCAL SCHOOL BOARDS, AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

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(R180, S. 953) -- Senator Verdin: AN ACT TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R181, S. 969) -- Senators Garrett, Kimbrell, Rice, Adams, Talley, Cash, M. Johnson, Gustafson, Hembree, Loftis, Shealy, Peeler, Climer, Gambrell, Turner and Verdin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-325 SO AS TO PROVIDE EVERY PUBLIC SCHOOL SHALL DISPLAY DEPICTIONS OF THE RESPECTIVE FLAGS AND MOTTOS OF THE UNITED STATES AND SOUTH CAROLINA BEFORE JANUARY 1, 2023, TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND PUBLIC SCHOOLS, AND TO MAKE THESE PROVISIONS APPLICABLE TO PRIVATE SCHOOLS THAT RECEIVE ANY PUBLIC FUNDING; BY ADDING SECTION 59-1-465 SO AS TO PROVIDE PUBLIC SCHOOL PRINCIPALS SHALL ALLOW YOUTH PATRIOTIC SOCIETY REPRESENTATIVES TO ADDRESS STUDENTS ON CERTAIN TOPICS DURING PATRIOT DAY, CONSTITUTION DAY, OR PATRIOTISM WEEK EVENTS, TO PROVIDE RELATED IMPLEMENTATION PROVISIONS, AND TO DEFINE RELATED TERMS; AND TO AMEND SECTION 53-3-150, RELATING TO PATRIOTISM WEEK OBSERVATIONS, SO AS TO MAKE SUCH OBSERVATIONS MANDATORY IN

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PUBLIC SCHOOL DISTRICTS AND TO INCLUDE MANDATORY OBSERVATIONS FOR PATRIOT DAY AND CONSTITUTION DAY, AMONG OTHER THINGS.

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(R182, S. 980) -- Senators Goldfinch and Campsen: AN ACT TO AMEND SECTION 50-5-2730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICABILITY OF FEDERAL FISHING REGULATIONS IN THIS STATE, SO AS TO DESIGNATE CATCH LIMITS AND MINIMUM SIZES FOR RED SNAPPER.

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(R183, S. 1059) -- Senator Verdin: AN ACT TO AMEND SECTION 40-33-43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY AND NURSING HOMES, AND TO PROVIDE THE DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL CREATE A RELATED MEDICAL TECHNICIAN CERTIFICATION PROGRAM AND MEDICATION TECHNICIAN REGISTRY.

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(R184, S. 1060) -- Senators Young and Massey: AN ACT TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

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(R185, S. 1103) -- Senators Shealy, Jackson, Talley, Davis, Gustafson, M. Johnson, Young, Kimbrell, McElveen, Williams, Cromer, Grooms, Alexander, Gambrell, Setzler and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY

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ADDING SECTION 59-3-35 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN FINGERPRINT AND DNA IDENTIFICATION KITS TO ALL PUBLIC SCHOOL DISTRICTS AND OPEN-ENROLLMENT CHARTER SCHOOLS, TO PROVIDE FOR THE DISTRIBUTION OF THE KITS AT THE REQUEST OF THE PARENT OR LEGAL CUSTODIAN OF ANY STUDENT OF SUCH SCHOOLS IN KINDERGARTEN THROUGH HIGH SCHOOL, TO PROVIDE FOR THE USE OF SUCH KITS BY PARENTS TO ASSIST LAW ENFORCEMENT IN LOCATING AND RETURNING MISSING OR TRAFFICKED CHILDREN, AND TO PROVIDE THE DEPARTMENT SHALL NOT EXPEND FUNDS TO PROCURE THE KITS UNLESS EXPRESSLY APPROPRIATED BY THE GENERAL ASSEMBLY.

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(R186, S. 1117) -- Senator Climer: AN ACT TO AMEND ARTICLE 2 OF CHAPTER 41, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, SO AS TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO DEFINE THE TERMS "AGRICULTURAL COMMODITY" AND "AGRICULTURAL COMMODITY DEALER", TO REVISE THE DEFINITION OF THE TERM "FAIR MARKET VALUE" TO INCLUDE VALUE BASED ON THE AVERAGE MARKET PRICE PAID TO PRODUCERS LICENSED BY THREE LICENSED COTTON DEALERS UNDER CERTAIN CIRCUMSTANCES, TO DELETE THE TERM "GRAIN DEALER" AND ITS DEFINITION, TO REVISE THE DEFINITION OF THE TERM "PRODUCER" TO INCLUDE PRODUCERS OF COTTON, TO SUBSTITUTE THE TERM "COMMODITY" FOR THE TERM "GRAIN" IN THE DEFINITION OF THE TERM "DATE OF LOSS", TO PROVIDE AN ASSESSMENT AMOUNT FOR A BALE OF COTTON, TO REVISE THE PROVISION RELATING TO WHOM DELIVERY MUST BE MADE FOR THE IMPOSITION OF ASSESSMENTS, TO REVISE THE PLACES WHERE THE ASSESSMENTS SHALL BE COLLECTED, TO REVISE WHERE ASSESSMENTS MUST BE REPORTED AND REMITTED TO THE DEPARTMENT OF AGRICULTURE, TO SUBSTITUTE THE TERM "AGRICULTURAL COMMODITY" FOR THE TERM "GRAIN", TO REVISE THE PERSONS FOR WHOM THE FUND IS ESTABLISHED TO

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BENEFIT, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO REVISE THE PROCEDURE TO FILE AND SATISFY CLAIMS FOR LOSSES INCURRED FOR CERTAIN COMMODITIES, TO REVISE THE DATES WHEN ASSESSMENTS MUST BE REMITTED TO AND CERTAIN REPORTS FILED WITH THE DEPARTMENT, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION ADVISORY COMMISSION TO MAKE RECOMMENDATIONS TO THE DEPARTMENT REGARDING THE DUTIES OF THE DEPARTMENT IN ADMINISTERING THE GRAIN AND COTTON PRODUCERS GUARANTY FUND, AND TO PROVIDE FOR ITS MEMBERSHIP, POWERS, AND DUTIES; TO AMEND SECTION 46-41-60, RELATING TO SURETY BONDS OR EQUIVALENT SECURITY REQUIRED OF APPLICANTS FOR DEALER IN AGRICULTURAL PRODUCTS LICENSES, SO AS TO PROVIDE FOR SURETY BONDS OR THEIR EQUIVALENTS BASED ON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170, RELATING TO PENALTIES, SO AS TO MAKE CONFORMING CHANGES, TO PROVIDE THE INSURANCE RESERVE FUND OF THE STATE FISCAL ACCOUNTABILITY AUTHORITY IS AUTHORIZED TO LEND CERTAIN AMOUNTS OF MONEY TO THE DEPARTMENT FOR THE USE OF THE GRAIN AND COTTON PRODUCERS GUARANTY FUND FOR CERTAIN PURPOSES, TO PROVIDE FOR THE REPAYMENT OF THE LOAN, AND TO PROVIDE FOR THE USE OF FUNDS NOT DERIVED FROM ASSESSMENTS TO REIMBURSE CLAIMS OR LOSSES.

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(R187, S. 1178) -- Senator Climer: AN ACT TO AMEND SECTION 39-20-45, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF A LIEN ON A SELF-SERVICE STORAGE FACILITY, SO AS TO AUTHORIZE THE CONTENTS OF THE STORAGE FACILITY TO BE SOLD ONLINE BY AN AUCTIONEER.

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(R188, S. 1179) -- Senator Shealy: AN ACT TO AMEND SECTION 40-63-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSURE OF SOCIAL WORKERS, SO AS TO CLARIFY THAT SOCIAL WORKERS LICENSED IN THIS

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STATE MAY PROVIDE SERVICES WITHIN THEIR SCOPE OF PRACTICE THROUGH TELEPHONIC, ELECTRONIC, OR OTHER MEANS; BY ADDING SECTION 40-63-35 SO AS TO AUTHORIZE INDEPENDENT CLINICAL PRACTICE SOCIAL WORKERS LICENSED IN OTHER STATES OR JURISDICTIONS TO PROVIDE INDEPENDENT SOCIAL WORK SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR SCOPE OF PRACTICE, AND TO PROVIDE RELATED DEFINITIONS AND REQUIREMENTS; AND BY ADDING ARTICLE 5 TO CHAPTER 75, TITLE 40 SO AS TO AUTHORIZE PROFESSIONAL COUNSELORS, ADDICTION COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND LICENSED PSYCHO-EDUCATIONAL SPECIALISTS SERVICES IN OTHER STATES OR JURISDICTIONS TO PROVIDE THEIR PROFESSIONAL SERVICES BY MEANS OF BEHAVIORAL TELEHEALTH TO CLIENTS LOCATED IN THIS STATE IF REGISTERED IN THIS STATE AND PROVIDING SERVICES WITHIN THEIR APPLICABLE SCOPE OF PRACTICE, AND TO PROVIDE RELATED DEFINITIONS AND REQUIREMENTS.

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(R189, S. 1180) -- Senator Fanning: AN ACT 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 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.

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(R190, S. 1263) -- Senators Gambrell and Garrett: AN ACT TO AMEND ACT 293 OF 2012, RELATING TO THE ELECTION DISTRICTS FOR THE ABBEVILLE COUNTY SCHOOL DISTRICT, SO AS TO REAPPORTION THE ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL TRUSTEE ELECTIONS, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO UPDATE ARCHAIC LANGUAGE.

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(R191, S. 1264) -- Senator Hutto: AN ACT TO AMEND ACT 184 OF 2020, AS AMENDED, RELATING TO THE CONSOLIDATION OF HAMPTON COUNTY SCHOOL DISTRICT NO. 1 AND HAMPTON COUNTY SCHOOL DISTRICT NO. 2 INTO ONE SCHOOL DISTRICT TO BE KNOWN AS THE HAMPTON COUNTY SCHOOL DISTRICT, SO AS TO ESTABLISH AND REAPPORTION THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE HAMPTON COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE ELECTION DISTRICTS.

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(R192, S. 1270) -- Senators Peeler, Fanning, Climer and M. Johnson: AN ACT TO AMEND ACT 473 OF 2002, AS AMENDED, RELATING TO THE ELECTION DISTRICTS OF MEMBERS OF CLOVER SCHOOL DISTRICT 2 IN YORK COUNTY, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO UPDATE THE MAP NUMBER ON WHICH THESE SINGLE-MEMBER ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS, AND TO REMOVE ARCHAIC LANGUAGE.

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(R193, S. 1271) -- Senator Peeler: AN ACT TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY



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SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2022, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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(R194, S. 1292) -- Senator Fanning: AN ACT TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF FAIRFIELD COUNTY, SO AS TO REVISE THE BOUNDARIES OF THE SEVEN SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF FAIRFIELD COUNTY ARE ELECTED.

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(R195, S. 1314) -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF MOTOR VEHICLES, RELATING TO DRIVER TRAINING SCHOOLS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5105, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R196, H. 3006) -- Reps. Brawley, Robinson, Cobb-Hunter, Haddon, Henegan, Hosey, J.L. Johnson, Govan, King, Gilliard, Murray, McDaniel, Henderson-Myers and Garvin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-785 SO AS TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT USE DEBT COLLECTION AGENCIES TO COLLECT OR ATTEMPT TO COLLECT OUTSTANDING DEBTS ON STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE PUBLIC SCHOOLS, PUBLIC SCHOOL DISTRICTS, CHARTER SCHOOLS, AND CHARTER SCHOOL GOVERNING BODIES MAY NOT ASSESS OR COLLECT ANY INTEREST, FEES, OR OTHER SUCH MONETARY PENALTIES FOR OUTSTANDING DEBTS FOR STUDENT SCHOOL LUNCH OR BREAKFAST ACCOUNTS, TO PROVIDE NECESSARY DEFINITIONS, AND TO MAKE THE

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PROVISIONS OF THIS ACT APPLICABLE TO DEBTS ON STUDENT LUNCH AND BREAKFAST ACCOUNTS OUTSTANDING ON THE EFFECTIVE DATE OF THIS ACT AND INCURRED AFTER THE EFFECTIVE DATE OF THIS ACT.

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(R197, H. 3166) -- Reps. King, Robinson, Thigpen, Cobb-Hunter, Anderson, Brawley, Govan and G.M. Smith: AN ACT TO AMEND CHAPTER 33, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SICKLE CELL DISEASE, SO AS TO ENACT THE "RENA GRANT SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY ACT"; TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEVELOP AND MAINTAIN A SICKLE CELL DISEASE VOLUNTARY PATIENT REGISTRY IN WHICH PATIENTS DIAGNOSED WITH SICKLE CELL DISEASE MAY REGISTER; TO ESTABLISH REQUIREMENTS FOR A PHYSICIAN TO SUBMIT THE NAME AND OTHER IDENTIFYING INFORMATION OF A PATIENT DIAGNOSED WITH SICKLE CELL DISEASE TO THE REGISTRY; TO PROHIBIT RELEASE OF INFORMATION CONTAINED IN THE REGISTRY, WITH EXCEPTIONS; TO ALLOW ACCESS TO INFORMATION IN THE REGISTRY BY, AMONG OTHERS, TREATING PHYSICIANS AND OTHER HEALTH CARE PRACTITIONERS TO VERIFY PATIENT REGISTRATION AND HEALTH CARE RESEARCHERS; TO ALLOW A PATIENT TO REVOKE A REGISTRATION; AND FOR OTHER PURPOSES.

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(R198, H. 3247) -- Reps. G.M. Smith, B. Cox, V.S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO ALLOW FOR THE DEDUCTION OF ALL MILITARY RETIREMENT INCOME.

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(R199, H. 3271) -- Reps. Henderson-Myers, Govan, Hyde, T. Moore, Weeks, G.M. Smith, King, McDaniel, Collins, Morgan and Caskey: AN ACT TO AMEND SECTIONS 15-49-10 AND 15-49-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONS FOR A CHANGE OF NAME, SO AS TO REQUIRE A PETITIONER TO HAVE RESIDED IN THE STATE OF SOUTH CAROLINA FOR AT LEAST SIX MONTHS TO BE ELIGIBLE TO APPLY FOR A NAME CHANGE, WITH EXCEPTIONS; AND FOR OTHER PURPOSES.

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(R200, H. 3325) -- Reps. King, Murray, Rivers, M.M. Smith and Parks: AN ACT TO AMEND SECTION 44-63-74, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO ELIMINATE EXEMPTIONS FOR PHYSICIANS WHO CERTIFY FEWER THAN TWELVE DEATHS ANNUALLY; AND FOR OTHER PURPOSES.

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(R201, H. 3340) -- Reps. Bailey, Hardee, Atkinson, Hayes, Brittain and Weeks: AN ACT TO AMEND SECTION 12-20-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STATE LICENSE TAX CREDITS ALLOWED CERTAIN TAXPAYERS FOR CONTRIBUTIONS TO QUALIFYING INFRASTRUCTURE AND ECONOMIC DEVELOPMENT PROJECTS, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM FOUR HUNDRED THOUSAND TO SIX HUNDRED THOUSAND DOLLARS, TO PROVIDE ADDITIONAL ANNUAL CREDIT AMOUNTS OF FIFTY THOUSAND DOLLARS, ONE HUNDRED THOUSAND DOLLARS, AND ONE HUNDRED FIFTY THOUSAND DOLLARS, RESPECTIVELY, FOR QUALIFYING PROJECTS LOCATED IN COUNTIES CLASSIFIED FOR THE TARGETED JOBS TAX CREDIT AS TIER II, III, AND IV COUNTIES, TO PROVIDE ADDITIONAL ELIGIBILITY REQUIREMENTS FOR THESE INCREASED CREDIT AMOUNTS.

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(R202, H. 3591) -- Reps. Allison, Lucas, Erickson, Bradley and Kirby: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-35 SO AS TO IMPROVE THE MEANS FOR EVALUATING EDUCATOR PREPARATION PROGRAMS; AND BY ADDING SECTION 59-26-120 SO AS TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE CERTAIN EDUCATOR PREPARATION PROGRAMS WITH CERTAIN INFORMATION REGARDING GRADUATES OF THOSE PROGRAMS, TO PROVIDE EDUCATOR PREPARATION PROGRAMS MAY NOT SHARE IDENTIFIABLE EDUCATOR DATA WITH THIRD PARTIES WITHOUT WRITTEN CONSENT, AND TO PROVIDE THIS INFORMATION IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

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(R203, H. 3599) -- Reps. B. Newton, McGarry, Dabney, Brawley, Gilliard, King, Jefferson, Howard, S. Williams, Carter, Erickson and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 36, TITLE 40 SO AS TO ENACT THE "OCCUPATIONAL THERAPY LICENSURE COMPACT" WHICH ENTERS SOUTH CAROLINA INTO A MULTISTATE OCCUPATIONAL LICENSURE COMPACT TO PROVIDE FOR THE RECIPROCAL PRACTICE OF OCCUPATIONAL THERAPY AMONG THE STATES THAT ARE PARTIES TO THE COMPACT; TO AMEND SECTION 40-36-230, RELATING TO APPLICANTS FOR LICENSURE AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; TO AMEND SECTION 40-36-250, RELATING TO APPLICANTS FOR LICENSURE WITHOUT EXAMINATION AS OCCUPATIONAL THERAPISTS OR OCCUPATIONAL THERAPIST ASSISTANTS, SO AS TO REQUIRE CERTAIN CRIMINAL BACKGROUND CHECKS FOR APPLICATIONS MADE PURSUANT TO THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 36 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

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(R204, H. 3606) -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.  
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(R205, H. 3775) -- Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-144 SO AS TO PROVIDE PATIENTS COVERED FOR STAGE FOUR ADVANCED METASTATIC CANCER TREATMENTS UNDER HEALTH BENEFIT PLANS ARE ENTITLED TO CERTAIN EXPEDITED EXTERNAL REVIEWS OF PLAN DENIALS OF CERTAIN DIAGNOSTIC IMAGING SERVICE CLAIMS OR PRIOR AUTHORIZATION REQUESTS BASED UPON ADVERSE MEDICAL NECESSITY DETERMINATIONS, AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE FOR THE APPLICABILITY OF THE PROVISIONS OF THIS ACT TO HEALTH BENEFIT PLANS ISSUED, RENEWED, DELIVERED, OR ENTERED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.  
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(R206, H. 3795) -- Rep. Allison: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SIGN LANGUAGE INTERPRETERS ACT" BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO REQUIRE MINIMUM COMPETENCY REQUIREMENTS FOR SIGN LANGUAGE INTERPRETERS USED BY CERTAIN GOVERNMENTAL AGENCIES AND HOSPITALS AND HEALTH CARE FACILITIES, TO PROVIDE EXCEPTIONS, TO PROVIDE NECESSARY DEFINITIONS, AND TO PROVIDE MORE RIGOROUS STANDARDS APPLY WHEN THEY CONFLICT WITH THE PROVISIONS OF THIS ACT; BY ADDING

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SECTION 59-33-120 SO AS TO PROVIDE FOR THE PROMULGATION OF REGULATIONS FOR THE APPROPRIATE CREDENTIALING OF SIGN LANGUAGE INTERPRETERS IN PUBLIC SCHOOLS AND SPECIAL SCHOOLS, AND TO REQUIRE INTERPRETERS FOR THE DEAF WORKING IN SCHOOLS AND SCHOOL DISTRICTS IN THIS STATE TO SUBMIT TO THE SAME BACKGROUND CHECKS AS EDUCATORS; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE JANUARY 1, 2024.

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(R207, H. 3833) -- Reps. Erickson, Bradley, Herbkersman, Dabney, Brawley, King, Gilliard, Jefferson, Howard, S. Williams, Henegan and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “PSYCHOLOGY INTERJURISDICTIONAL COMPACT (PSYPACT)” BY ADDING ARTICLE 3 TO CHAPTER 55, TITLE 40 SO AS TO PROVIDE FOR THE ENTRY OF SOUTH CAROLINA INTO THIS MULTISTATE COMPACT, TO PROVIDE FOR THE STRUCTURE, FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNING BODY OF THE COMPACT; TO PROVIDE THE OBLIGATIONS, BENEFITS, AND RIGHTS OF COMPACT MEMBERS; TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 55, TITLE 40 AS ARTICLE 1 ENTITLED “GENERAL PROVISIONS”; AND TO AMEND SECTIONS 40-55-60 AND 40-55-80, RELATING TO THE STATE BOARD OF EXAMINERS IN PSYCHOLOGY AND QUALIFICATIONS FOR LICENSURE AS A PSYCHOLOGIST RESPECTIVELY, SO AS TO MAKE CONFORMING CHANGES.

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(R208, H. 3840) -- Reps. Erickson, Herbkersman, Bradley, W. Newton, Wooten, Caskey, B. Cox, Blackwell, Dabney, King, Jefferson, Brawley, Howard, S. Williams, G.R. Smith, Huggins, Murray and Rivers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 67, TITLE 40 SO AS TO ESTABLISH THE “AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT”, TO STATE THE PURPOSE OF THE ACT, TO PROVIDE DEFINITIONS, TO OUTLINE STATE PARTICIPATION, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE

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ACCOMMODATIONS FOR ACTIVE DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE "AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION", TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY, RULES, WITHDRAWAL, AND AMENDMENT, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND BINDING EFFECT OF THE COMPACT; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS".

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(R209, H. 3948) -- Reps. Stavrinakis, Murphy and Dillard: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE A CAPITAL PROJECTS SALES AND USE TAX; TO AMEND SECTION 4-37-40, RELATING TO THE LIMITATION ON THE SALES TAX RATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 4-10-310, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECT SALES TAX, SO AS TO MAKE A CONFORMING CHANGE; AND BY ADDING SECTION 4-10-315 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED ANOTHER SALES AND USE TAX ALSO MAY IMPOSE A TAX PURSUANT TO CHAPTER 37, TITLE 4.

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(R210, H. 4048) -- Rep. G.M. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-445 SO AS PROVIDE THAT THE STATE OF SOUTH CAROLINA MUST PROVIDE A LEGAL DEFENSE FOR AND INDEMNIFICATION TO A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY AGAINST A CLAIM OR SUIT THAT ARISES OUT OF OR BY VIRTUE OF THE PERFORMANCE OF

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OFFICIAL DUTIES ON BEHALF OF A STATE AGENCY, DEPARTMENT, OR INSTRUMENTALITY, AND TO PROVIDE A SIMILAR DEFENSE AND INDEMNIFICATION TO BOARD MEMBERS AND EMPLOYEES, AND OFFICERS OF THE ENTITY; TO REPEAL SECTION 1-11-440 RELATING TO LEGAL DEFENSES AND INDEMNIFICATIONS PROVIDED TO MEMBERS OF THE FISCAL ACCOUNTABILITY AUTHORITY AND ITS DIRECTOR; AND TO REPEAL SECTION 12-4-325 RELATING TO LEGAL DEFENSES AND INDEMNIFICATION PROVIDED TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF REVENUE.

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(R211, H. 4161) -- Rep. Bannister: AN ACT TO AMEND SECTION 12-21-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TYPES OF GAMING MACHINES PROHIBITED BY LAW, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER; AND TO AMEND SECTION 16-19-50, RELATING TO THE KEEPING OF UNLAWFUL GAMING TABLES, SO AS TO PROVIDE THAT THE PROHIBITION DOES NOT APPLY TO CERTAIN ITEMS THAT ARE DESIGNATED FOR USE IN OUT-OF-STATE JURISDICTIONS BY A GAMING DEVICE MANUFACTURER.

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(R212, H. 4220) -- Reprs. Sandifer and Hardee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-63-230 SO AS TO PROVIDE FOR MUTUAL RESCISSION OF INDIVIDUAL LIFE INSURANCE POLICIES; AND TO AMEND SECTION 38-6-220, RELATING TO REQUIRED INDIVIDUAL LIFE INSURANCE POLICY PROVISIONS, SO AS TO ALLOW FOR THE MUTUAL DECISION TO TERMINATE OR RESCIND A POLICY OF INSURANCE.

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(R213, H. 4408) -- Rep. G.M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN



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ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

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(R214, H. 4519) -- Reps. Huggins, Dabney, Forrest, Bustos, Wooten and McGarry: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-13-40 SO AS TO PROVIDE PERSONS REGISTERED WITH THE STATE BOARD OF BARBER EXAMINERS AS BARBERS OR MASTER HAIR CARE SPECIALISTS MAY PRACTICE WITHIN THE SCOPE OF THEIR LICENSE IN SALONS REGISTERED WITH THE STATE BOARD OF COSMETOLOGY.

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(R215, H. 4597) -- Reps. Bustos, M.M. Smith, Huggins, Bennett, Hill, Matthews and Brawley: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 43, TITLE 44 SO AS TO PROHIBIT DISCRIMINATION AGAINST INDIVIDUALS WITH DISABILITIES IN ACCESSING ANATOMICAL GIFTS AND ORGAN TRANSPLANTS; TO DEFINE CERTAIN TERMS; TO ESTABLISH REQUIREMENTS AND PROHIBITED CONDUCT FOR COVERED ENTITIES, INCLUDING HOSPITALS AND ORGAN PROCUREMENT ORGANIZATIONS, WITH REGARD TO THE ORGAN TRANSPLANT PROCESS; TO CREATE CIVIL REMEDIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE; AND FOR OTHER PURPOSES.

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(R216, H. 4600) -- Reps. West and Bennett: AN ACT TO AMEND SECTIONS 44-22-40 AND 44-22-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY CONSENT ON BEHALF OF CERTAIN PATIENTS TO ELECTRO-CONVULSIVE THERAPY OR MAJOR MEDICAL TREATMENT, SO AS TO CONFORM THE ORDER OF PRIORITY OF SUCH PERSONS TO THE ORDER OF PRIORITY IN THE ADULT HEALTH CARE CONSENT ACT.

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(R217, H. 4601) -- Reps. W. Cox, G.R. Smith, Bustos, Gagnon, Bennett, McGarry, Atkinson, Hayes, M.M. Smith, V.S. Moss and Matthews: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH

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CAROLINA, 1976, BY ADDING SECTION 6-1-2020 SO AS TO, AMONG OTHER THINGS, DESIGNATE AMBULANCE SERVICE AS AN ESSENTIAL SERVICE IN SOUTH CAROLINA; TO REQUIRE THAT EACH COUNTY GOVERNING BODY ENSURES THAT AT LEAST ONE LICENSED AMBULANCE SERVICE IS OPERATING WITHIN THE COUNTY; AND TO DEFINE RELEVANT TERMS.

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(R218, H. 4608) -- Reps. Trantham, Oremus, Burns, McCravy, G.R. Smith, M.M. Smith, B. Cox, Bennett, McGarry, Taylor, Jones, Gilliam, Yow, Hixon, Hill, Gagnon, Whitmire, Haddon, Bannister, Magnuson, May, Dabney, Long, Willis, McCabe, Morgan, Bryant, V.S. Moss, Nutt, T. Moore, Forrest, Bailey, West, Thayer, White, McKnight, Atkinson, Fry, Caskey, Blackwell, Ballentine, Wooten, Huggins, Chumley and Hiott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SAVE WOMEN'S SPORTS ACT" BY ADDING SECTION 59-1-500 SO AS TO EXPRESS LEGISLATIVE INTENT AND MAKE CERTAIN FINDINGS, TO PROVIDE ASSUMPTIONS CONCERNING THE CORRECTNESS OF BIOLOGICAL GENDER STATEMENTS ON OFFICIAL BIRTH CERTIFICATES OF STUDENTS, TO REQUIRE GENDER-BASED OR COEDUCATIONAL DESIGNATION OF CERTAIN PUBLIC SCHOOL SPORTS TEAMS, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR MALES SHALL NOT BE OPEN TO STUDENTS OF THE FEMALE SEX UNLESS NO TEAM DESIGNATED FOR FEMALES IN THAT SPORT IS OFFERED AT THE SCHOOL IN WHICH THE STUDENT IS ENROLLED, TO PROVIDE SUCH SPORTS TEAMS DESIGNATED FOR FEMALES SHALL NOT BE OPEN TO STUDENTS OF THE MALE SEX, TO PROVIDE PRIVATE SCHOOLS OR PRIVATE INSTITUTIONS SPONSORING A SPORTS TEAM IN WHICH ITS STUDENTS OR TEAMS COMPETE AGAINST A PUBLIC SCHOOL OR INSTITUTION ALSO SHALL COMPLY WITH THESE PROVISIONS FOR THE APPLICABLE TEAM OR SPORT, AND TO PROVIDE REMEDIES FOR VIOLATIONS OF THE PROVISIONS OF THIS ACT; AND BY ADDING SECTION 59-63-72 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS SUPPORTED BY STATE FUNDS SHALL NOT USE ANY FUNDS OR PERMIT ANY SCHOOL WITHIN THE DISTRICT TO USE ANY FUNDS TO JOIN, AFFILIATE WITH, PAY DUES OR FEES TO, OR IN ANY WAY

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FINANCIALLY SUPPORT ANY INTERSCHOLASTIC ATHLETIC ASSOCIATION, BODY, OR ENTITY UNLESS THE CONSTITUTION, RULES OR POLICIES OF THE ASSOCIATION, BODY, OR ENTITY RECOGNIZES, SANCTIONS, AND REGULATES INTERSCHOLASTIC COMPETITION OF WRESTLING TEAMS COMPOSED EXCLUSIVELY OF FEMALE STUDENTS.

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(R219, H. 4766) -- Reps. Allison, Lucas, Felder and Alexander: AN ACT TO AMEND SECTION 13-1-2030, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT, SO AS TO CHANGE MEMBERSHIP AND DUTIES; AND TO REPEAL SECTION 59-59-175 RELATING TO THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL.

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(R220, H. 4832) -- Reps. Sandifer and Anderson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-69-247 SO AS TO ESTABLISH MINIMUM NONFORFEITURE AMOUNTS FOR CONTRACTS ISSUED AFTER JUNE 30, 2022; BY ADDING SECTION 38-72-78 SO AS TO REQUIRE LONG-TERM CARE INSURERS TO PROVIDE NOTICE OF PROPOSED PREMIUM RATE INCREASES TO POLICYHOLDERS; TO AMEND SECTION 38-9-180, RELATING TO STANDARD VALUATION LAW, SO AS TO REMOVE A REQUIREMENT; TO AMEND SECTION 38-9-210, AS AMENDED, RELATING TO THE REDUCTION FROM LIABILITY FOR REINSURANCE, SO AS TO CORRECT THE NAME OF THE APPROPRIATE OFFICE OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS; TO AMEND SECTION 38-13-80, RELATING TO THE ANNUAL STATEMENT AS TO BUSINESS STANDING AND FINANCIAL CONDITION, SO AS TO PROVIDE THE TIME AND MANNER THAT THE STATEMENT OF BUSINESS STANDING AND FINANCIAL CONDITION MUST BE FILED; TO AMEND SECTION 38-13-85, RELATING TO THE FILING OF ANNUAL STATEMENTS, SO AS TO PROVIDE THE TIME AND MANNER THAT THE ANNUAL STATEMENTS ARE FILED; TO AMEND SECTION 38-57-150, AS AMENDED,

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RELATING TO PROHIBITED INDUCEMENTS, SO AS TO ALLOW AN EMPLOYEE, AFFILIATE, OR THIRD PARTY OF AN INSURER TO OFFER AN INSURED SERVICES RELATING TO THE LOSS CONTROL OF THE COVERED RISK; TO AMEND SECTION 38-73-240, RELATING TO RATE FILINGS, SO AS TO CLARIFY WHERE AN INSURER MAY FILE A MULTIPLIER; TO AMEND SECTION 38-73-910, AS AMENDED, RELATING TO THE APPLICATION OF THE SECTION, SO AS TO ESTABLISH THAT RATE, RULE, AND FORM FILINGS SUBMITTED BY A RATING ORGANIZATION ARE SUBJECT TO PRIOR APPROVAL OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-79-200, AS AMENDED, RELATING TO RATE INCREASE OR ASSESSMENT AUTHORIZATION, SO AS TO INCLUDE A REFERENCE; TO AMEND SECTIONS 38-101-20, 38-101-30, 38-101-40, AND 38-101-110, ALL RELATING TO THE ISSUANCE OF FLOOD INSURANCE POLICIES, ALL SO AS TO REQUIRE A PERIL OF FLOOD TO BE NAMED; TO AMEND SECTION 38-101-120, RELATING TO THE WRITTEN NOTICE OF CANCELLATION OR NONRENEWAL, SO AS TO CLARIFY THE REQUIRED NOTICE PERIOD; AND TO REPEAL CHAPTER 95 OF TITLE 38 RELATING TO THE INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

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(R221, H. 4837) -- Reps. Elliott, B. Cox, Felder, B. Newton, Pope, Wooten, Caskey, Collins, Haddon, Gilliam, W. Cox, Atkinson, Jefferson, Forrest, R. Williams, Bryant, T. Moore, Hardee, McGinnis, Anderson, Thigpen, Hayes, Rutherford, Hyde, Daning, Bennett, Huggins, M.M. Smith, White, V.S. Moss, Blackwell, Taylor, Ballentine, Henegan and Matthews: AN ACT TO AMEND SECTION 40-37-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE PRACTICE OF OPTOMETRY, SO AS TO PROVIDE A NECESSARY DEFINITION; AND TO AMEND SECTION 40-37-320, RELATING TO OPTOMETRY MOBILE UNITS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS FOR THE OPERATION OF SUCH UNITS.

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(R222, H. 4889) -- Rep. Bannister: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-79-215 SO AS TO PROHIBIT AN ALARM BUSINESS

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OR CONTRACTOR FROM BEING FINED FOR A FALSE ALARM NOT ATTRIBUTED TO IMPROPER INSTALLATION, DEFECTIVE EQUIPMENT, OR OPERATIONAL ERROR BY THE ALARM BUSINESS OR CONTRACTOR.

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(R223, H. 4983) -- Rep. Sandifer: AN ACT TO AMEND SECTION 37-11-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE LICENSING AND REGULATION OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO DEFINE THE TERM "RESERVATION DEPOSIT"; TO AMEND SECTION 37-11-30, RELATING TO THE LICENSING OF CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO ADD THAT A CONTINUING CARE RETIREMENT COMMUNITY MUST NOT BE ADVERTISED OR COLLECT A RESERVATION DEPOSIT UNLESS THE APPROPRIATE LICENSE IS OBTAINED FIRST, AND TO ADD INFORMATION REQUIRED TO BE SET FORTH IN AN APPLICATION FOR A PRELIMINARY LICENSE; TO AMEND SECTION 37-11-35, RELATING TO CONTINUING CARE CONTRACT REQUIREMENTS, SO AS TO PROVIDE THE REQUIREMENTS ALSO APPLY TO RESERVATION AGREEMENTS, AND TO PROVIDE ADDITIONAL MINIMUM REQUIREMENTS FOR CONTRACTS AND AGREEMENTS; TO AMEND SECTION 37-11-40, RELATING TO A DETERMINATION BY THE DEPARTMENT OF CONSUMER AFFAIRS AS TO THE FINANCIAL RESPONSIBILITY OF AN APPLICANT FOR A CONTINUING CARE RETIREMENT COMMUNITY LICENSE, SO AS TO ALLOW THE DEPARTMENT TO CONSIDER A PROJECT FEASIBILITY DOCUMENT; TO AMEND SECTION 37-11-50, RELATING TO LICENSING ELIGIBILITY FOR CONTINUING CARE RETIREMENT COMMUNITIES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A PRELIMINARY LICENSE TO AN APPLICANT IF CERTAIN DETERMINATIONS ARE MADE; TO AMEND SECTION 37-11-90, RELATING TO CERTAIN ENTRANCE FEES REQUIRED TO BE PLACED IN AN ESCROW ACCOUNT, SO AS TO ALSO REQUIRE THAT RESERVATION DEPOSITS BE PLACED IN AN ESCROW ACCOUNT, AND TO PROVIDE FOR THE CONDITIONS OF RELEASE OF RESERVATION DEPOSITS HELD IN ESCROW; AND TO AMEND SECTION 37-11-135, RELATING TO EXEMPTIONS FROM THE

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REQUIREMENTS OF THIS CHAPTER, SO AS TO PROVIDE THAT A FACILITY THAT HAS OBTAINED A LETTER OF NONAPPLICABILITY FROM THE DEPARTMENT MAY NOT HOLD ITSELF OUT TO BE A CONTINUING CARE RETIREMENT COMMUNITY.

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(R224, H. 4986) -- Rep. Ott: AN ACT TO AMEND SECTION 50-5-555, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAP PLACEMENT, SO AS TO PROHIBIT TRAPS IN THE WATERS OF THE GENERAL TRAWL ZONE WHEN THESE WATERS ARE OPEN TO TRAWLING FOR SHRIMP; AND TO AMEND SECTION 50-11-2540, RELATING TO TRAPPING SEASON OF FURBEARING ANIMALS, SO AS TO ALLOW FOR TRAPPING FURBEARING ANIMALS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES AND TO ALLOW FOR THE YEAR ROUND TRAPPING OF BEAVERS ON PRIVATE LAND FOR NONCOMMERCIAL PURPOSES.

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(R225, H. 4999) -- Rep. Hiott: AN ACT TO AMEND SECTION 44-56-200 CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HAZARDOUS WASTE CLEANUP, SO AS TO PROVIDE STANDARDS FOR CONDUCTING CERTAIN CLEANUP, REMOVAL, REMEDIATION, OR OTHER RESPONSES; TO PROVIDE SITE-SPECIFIC REMEDIATION STANDARDS; AND TO DEFINE NECESSARY TERMS.

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(R226, H. 5000) -- Reps. Matthews, Caskey, Wooten and May: AN ACT TO AMEND SECTION 44-63-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING IN PART TO THE RIGHT OF ADULT ADOPTED PERSONS TO ACCESS THEIR ORIGINAL BIRTH CERTIFICATES IN CERTAIN CIRCUMSTANCES, SO AS TO APPLY RETROACTIVELY; AND FOR OTHER PURPOSES.

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(R227, H. 5057) -- Reps. Simrill, Pope, Erickson and W. Newton: AN ACT TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE

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APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2021 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES; AND TO PROVIDE THAT FOR TAX YEAR 2021, SOUTH CAROLINA ADOPTS CERTAIN FEDERAL EXCLUSIONS FROM GROSS INCOME.

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(R228, H. 5075) -- Reps. G.M. Smith and West: AN ACT 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 PROVIDE A ONE-TIME AUTHORIZATION OF SOUTH CAROLINA HOUSING TAX CREDITS FOR CERTAIN PROJECTS APPROVED BEFORE 2022; 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.

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(R229, H. 5144) -- Reps. G.M. Smith, Wheeler, Lowe, Kirby, Weeks, R. Williams, Jefferson and Yow: AN ACT TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO FURTHER SPECIFY THE APPLICATION OF THE EXEMPTION OF PROPERTY OF TELEPHONE COMPANIES AND RURAL TELEPHONE COOPERATIVES.

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(R230, H. 5151) -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL

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RESERVE FUND FOR FISCAL YEAR 2021-2022, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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(R231, H. 5288) -- Reps. Weeks and G.M. Smith: AN ACT TO AMEND ACT 321 OF 2010, AS AMENDED, RELATING TO THE CONSOLIDATION OF THE SUMTER SCHOOL DISTRICT, SO AS TO, AMONG OTHER THINGS, ESTABLISH AND REAPPORTION THE NINE SINGLE-MEMBER ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE GOVERNING BODY OF THE SUMTER SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS; TO PROVIDE THAT THE NINE MEMBERS OF THE SUMTER SCHOOL DISTRICT BOARD OF TRUSTEES MUST BE ELECTED FOR FOUR-YEAR TERMS IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE 2022 GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER, EXCEPT AS NECESSARY TO STAGGER THE MEMBERS' TERMS; AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE SINGLE-MEMBER ELECTION DISTRICTS.

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(R232, H. 5338) -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO PROMULGATION OF REGULATIONS PURSUANT TO THE SOUTH CAROLINA ELECTRONIC NOTARY PUBLIC ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 5104, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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(R233, H. 5339) -- Reps. Lowe, R. Williams, Jordan, Kirby and Alexander: AN ACT TO PROVIDE, AMONG OTHER THINGS, THAT PURSUANT TO THE STATE SUPERINTENDENT OF EDUCATION'S EMERGENCY DECLARATION AND MANDATORY CONSOLIDATION OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR, THE RESULTING CONSOLIDATED SCHOOL



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DISTRICT MUST BE KNOWN AS FLORENCE COUNTY SCHOOL DISTRICT ONE; TO PROVIDE THAT BEGINNING JULY 1, 2022, FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE GOVERNED INITIALLY BY A NINE-MEMBER BOARD OF TRUSTEES TO BE APPOINTED BY A MAJORITY OF THE FLORENCE COUNTY LEGISLATIVE DELEGATION; TO ESTABLISH AND REAPPORTION NINE SINGLE-MEMBER ELECTION DISTRICTS FROM THE COMBINED GEOGRAPHIC AREA OF FLORENCE COUNTY SCHOOL DISTRICT ONE AND FLORENCE COUNTY SCHOOL DISTRICT FOUR FROM WHICH, BEGINNING WITH THE 2022 SCHOOL DISTRICT ELECTIONS, THE GOVERNING BODY OF FLORENCE COUNTY SCHOOL DISTRICT ONE MUST BE ELECTED; TO PROVIDE THAT THE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT ONE BOARD OF TRUSTEES MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY TWO OR FOUR YEARS THEREAFTER AS NECESSARY TO STAGGER THE MEMBERS' TERMS; TO PROVIDE FOR A FLORENCE COUNTY SCHOOL DISTRICT ONE MAP THAT DELINEATES THE NINE SINGLE-MEMBER ELECTION DISTRICTS; AND TO PROVIDE DEMOGRAPHIC INFORMATION FOR THESE NINE SINGLE-MEMBER ELECTION DISTRICTS.

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(R234, H. 3144) -- Reps. White, Robinson, Thigpen, V.S. Moss, Dillard, Weeks, Wheeler, Fry, B. Newton, Forrest, Rivers and S. Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-365 SO AS TO ESTABLISH THE "SOUTH CAROLINA WORKFORCE INDUSTRY NEEDS SCHOLARSHIP (SCWINS)", TO PROVIDE THAT CERTAIN STUDENTS ATTENDING A TECHNICAL COLLEGE ARE ELIGIBLE FOR THE SCHOLARSHIP, AND TO PROVIDE ELIGIBILITY REQUIREMENTS.

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#### **ADDENDUM TO THE JOURNAL**

The following remarks by Senator MASSEY were ordered printed in the Journal of April 20, 2022:

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**Remarks by Senator MASSEY**

Thank you, Mr. PRESIDENT. Senators, I think this is the most important part of the Bill. We passed this -- the language Senator KIMBRELL is trying to change. We have passed that language twice in here. I understand Senator DAVIS' point. I won't capitulate. I think Senator SENN is actually right on this. I want to go through and explain not only what we are doing in the Bill; but, I think it is important that I explain why we are doing it. With regard to the explanation I'm going to give, some of you have heard these things before. Some of you have not. But I'm going to tell you about our experiences in 2020, which led to the Senate proposing and adopting the legislation twice last year. I'm going to tell you about the experience that Senator PEELER -- who was President of the Senate at time -- had in the summer and the fall of 2020. I'm going to tell you a little bit about Senator CAMPSEN and I being involved in those conversations, too. I think it is time to talk about them. I think it is important we do those things. Before I get into all that, I'm going to say first what is in the Bill. What is in the Bill is the requirement that there be advice and consent for South Carolina Elections Commission members and also the executive director. That is not some novel approach to the function of state government. In fact, that is what we do for most appointed commissions and directors. I don't know of a state agency where the Governor has unilateral authority to appoint with no advice and consent. There might be some lower level agency or lower level commission where the Senate is not involved in advice and consent. But I haven't been able to think of one. I think we would all agree that the State Elections Commission is not some lower level entity. Folks, it matters. I think when I talk about the experiences from 2020, we are all going to understand that it matters. Now, I have heard the arguments from downstairs that the Senate is usurping the governor's power. But what we are talking about is advice and consent, right? This is not something that SHANE MASSEY makes up. This is Madisonian. This isn't something new. Being involved to have the check and balance ensures that there is some balance between the branches. It is something we have had since the founding of the Senate. We can talk about Federalist Papers on this. This is an important function. I don't know why it was created without an advice and consent option to begin with. But what the Bill does now is it requires advice and consent of the commission members and the executive director. We do that for the Department of Health and Environmental Control, the Department of Mental Health, Department of Natural Resources -- we do that for all. Advice and consent is a safe measure, and sometimes I think we need to

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ask more questions. We take these things seriously. When we evaluate these nominees for whatever appointments, it is not a partisanship evaluation. We don't do this like they do in Washington. Honestly, when nominees have been rejected, Republicans have been more involved in that decision than Democrats were. The advice and consent function is an important and essential function of republican government -- I say republican with a little "r." What we are asking is that we apply that same function of republican government to the State Elections Commission. Now let's talk a little bit about 2020. Of course, in 2020 we were still in the pandemic. We made some changes to our elections laws at both primary and general elections levels. You probably remember that. For those serving in 2020, you'll remember that shortly before we adjourned, we made changes to allow everybody to vote in the primary elections. We came back in September to allow for that, as well as for the general election. We did those things because of the emergency status we were in due to the pandemic. We had to take those actions largely on our own, unfortunately. And now I want to tell you some things that really got us to the point where we are today. On March 30, 2020, the Executive Director of the State Elections Commission sent out a letter. It was addressed to the Governor, Senator PEELER, as President of the Senate, and to the Speaker of the House. It was a four-page letter that later became an exhibit in a lawsuit against us. We will talk about that in a minute. In this letter the executive director wrote, on behalf of the Elections Commission, mind you (we are going to talk about the commission as well) what their involvement was and should have been. Mr. Chairman, they asked the Senate to enact certain changes in the elections laws. One of the things they asked for was that we remove the witness requirement for absentee ballots. We are going to hear about that some more. I know there are some people who would like for us to remove the witness requirement. But, a whole lot would rather we not. Ultimately, after some debate and amendments, this Body and the House chose not to do that. The executive director and the State Elections Commission asked us to remove the witness signature requirement. They wrote that we should have a vote by mail program and that we should preemptively send ballots to every voter so they could vote by mail. They cited that in most states that have enacted vote by mail, a ballot is mailed to everyone prior to each election, regardless of the accuracy or inaccuracy of the voter rolls. Part of the conversation we have had on this legislation we are debating is in trying to do a better job of ensuring the accuracy of the voter rolls, right? We are taking steps in this legislation to address that. We have had an amendment that had a good

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bit of conversation about non-citizens. And what the State Elections Commission proposed was that we send everybody on the rolls a ballot.

Senator CAMPSEN: Senator, did you know I have been dealing with elections law many years? Did you know that historically voter rolls are 30% to 40% inaccurate? We have voters on our roll that are inactive voters who have been there for decades or have never voted, but are still part of voter rolls.

Senator MASSEY: That is right.

Senator CAMPSEN: Even in states that don't do that, the voter rolls are notoriously very, very inaccurate. You are talking about flooding the State with ballots. That is their recommendation -- flooding the State with ballots. Many of those ballot also go into mailboxes where people haven't been there in 20 years and a lot of people go out to harvest those ballots.

Senator MASSEY: If you do that -- send everybody a ballot and remove the witness requirement, what is going to happen -- Take them out of the mailbox and fill it out for somebody. There is no way to verify, right? This is nuts. This is what our Elections Commission and the executive director they hired asked us to do. Now around this time, shortly thereafter, I can't remember the exact date, but South Carolina got sued. We had six or seven in that year. We are going to talk about those too. In that first lawsuit the plaintiffs asked for a number of things. The primary one was they wanted to have the judge intercede in state law and the federal judge intercede the requirement for the witness signature. So when they got sued, it was the State Elections Commission's job to respond to that. What happened ultimately is that the federal district court in South Carolina struck the witness requirement. This letter that I just referenced that the executive director wrote on March 30, 2020, became an exhibit in that trial. It was filed with the court on April 28, 2020, as an exhibit to that case. This really got developed more in the later lawsuits, because there were depositions taken at that point wherein the executive director said that if the witness signature is really meaningless, then they don't ever look at it. Of course the court did take testimony from SLED to say if there is no witness requirement, where else are we going to look to prevent fraud? Y'all for the State Elections Commission to not look at the witness requirement as important is removing a key component for law enforcement to determine if and when there is an allegation of fraud. If they don't have the witness signature, they have no trail to follow in determining fraud. The Elections Commission asked us to eliminate those things, and then it was used against them in that lawsuit when the court struck it. And this

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is important when the court ruled, there was no appeal. Senators, none of them appealed. They let it go. Now, that happened in the statewide primaries, which many would argue were not as big a deal as the general election. They're charged with defending state law. Surely the Elections Commission or the Governor or somebody is going to step up. But they didn't. So let's skip forward to July 17, 2020. The PRESIDENT got another four-page letter from the executive director. This one goes beyond what the last one did. Writing on behalf of the Elections Commission, the executive director says we (as in the Elections Commission) respectfully recommend allowing every voter to vote absentee. Now, we ultimately did that. But they wanted us to remove the witness requirement for absentee return envelopes. Here we go again. Institute this vote by mail program and preemptively send everybody in the general elections and in a presidential election, an absentee ballot by mail. And then allow for the use of drop boxes for return of all absentee ballots. First of all, that's an interesting recommendation, because the Elections Commission historically had allowed the use of drop boxes in some locations. We had drop boxes in places, even though the law says you can't do it. And they knew it cannot be done, because she asked us in the letter to allow it. The Elections Commission signed off on it though. Shortly thereafter, we received a number of other lawsuits, one of which was a state lawsuit filed in the original jurisdiction of the Supreme Court, by a law firm with a lawyer who is a Senator in this Body. They used this letter that the State Elections Commission sent us as essentially the complaint. You can go back and read the complaint. In response to this and to a number of other lawsuits around August 2020, I called Senator PEELER. I said to Senator PEELER, "We've seen these two letters. We have seen how they responded to the lawsuit in the primary. I'm concerned about what's going to happen." I'm going to tell you, there wasn't a whole lot of questioning from Senator PEELER. He had the same concerns, and so there were conversations then with lawyers about whether we ought to intervene. We talked about how this would be a whole lot more effective if the House was with us. Turned out that the House was with us, but only after I think it was determined that the Senate's going to do this whether they came along or not. Then the Speaker joined in. I think that was helpful. Things would have been different if Senator PEELER had not intervened. I am confident that the State Elections Commission would have done the same thing in the general election that they did in the primary elections. Actually it would have been worse, because we got to the point that they were about to enter into the consent order to do these things. Not only were they not

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going defend it, they were going to consent to it. The Senate did intervene. The House intervened. Then we have the trial in the district court before the same judge -- Judge Michelle Childs -- and she struck the witness requirement again. To her credit, part of her argument was that she did it before in the primary, so there was really no argument against it now. I remember having this conversation with Senator PEELER and our attorneys that if we're going to engage in this, we have got to be prepared to go all the way to the U.S. Supreme Court with it. Senator PEELER, to his credit, said, "Let's do it." So we did. We intervened and we lost it at the district court level. We appealed to the Fourth Circuit Court of Appeals in Richmond. We had the hearing before the three judge panel and we won. They overturned and reversed the district court judge. Then something that doesn't happen every day occurred. The entire Fourth Circuit Court held another hearing and they reversed the three judge panel! So at that point, the PRESIDENT was faced with what he had been told may have to happen, and he signed off on going forward to the U.S. Supreme Court, and we won! The United States Supreme Court reinstates South Carolina's witness requirement as being reasonable and not being in violation of the U.S. Constitution or the Voting Rights Act. It was a reasonable thing for South Carolina to do. Y'all, that would not have happened if HARVEY PEELER hadn't intervened and supported going forward. But more importantly it, should not have happened, because the State Elections Commission, which is charged with enforcing state law, was derelict in its duties. I think it is important for people to understand that the states that had trouble, places like Georgia and Pennsylvania -- you know what got them into trouble? What got Georgia in trouble is that they got sued and they entered into a consent decree to do a lot of these things. And in Pennsylvania, their State Supreme Court changed the law. In Arizona there were similar consent decrees. But we didn't do that here in South Carolina. We didn't do it because the Elections Commission was going sit and do nothing, and the PRESIDENT of the Senate had to enforce it. I am absolutely convinced that if the Senate had not intervened in those lawsuits, South Carolina would have been Georgia. Most people don't realize that we were that close to being Georgia. Because if we had not intervened, the Elections Commission not only would have not fought it, they wouldn't have appealed to the U.S. Supreme Court. They would have just consented to it. We would have been Georgia. As it turns out, and as I told people since, South Carolina's elections laws were really very strong. I mean, what we're doing here in this Bill is not taking any drastic measures or making major changes. We performed well. Our laws held

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up. But make no mistake. We wouldn't have though if we had allowed the Elections Commission and its executive director to do what they wanted to do. We were that close, Senators. We were that close. Afterward, we had conversations with our lawyers about some of the most important reforms that needed to be made. Some of those things came into Bills here and over in the House. The House introduced and passed legislation to make things uniform -- to make sure that the counties are all operating under the same procedures. The Speaker introduced that Bill in October, before the election, and it was a challenge because counties were doing things differently when it came to evaluating witness signatures and absentee ballots. Some were discarded with no witness signature. Some were calling and asking for the witness to come in. Some had different types, even though the law spells out that they have to be uniform and consistent. We get to court on that one, too. The counties have to comply with the law. If we are going to change the law, then we need to change the law. But until then, they have to comply with the law. So the Speaker, in response to that, filed legislation that would give the State Elections Commission power to make the counties comply with everything. My thought to that was that we had just seen what this Elections Commission does or doesn't do. We had just seen what this executive director does or doesn't do. Why in the world would we give them power to do anything? I'm open to having more conformity, but not with the current Elections Commission. We've had them historically allowing drop boxes when the law says they couldn't. Remember that we came back in September 2020, to pass some changes. One of the things we did was to allow everybody to vote early for the entire absentee period, which was for 30 days. We told them that they can start having early voting on like October 4<sup>th</sup> (whatever the 30 days was before the election). Then in a call -- the Executive Director of the State Elections Commission is having a call with all of the counties to update them on the law. The executive director proceeds to tell them they can start allowing for absentee voting in September. We found out about that, I think in part, because Senator VERDIN was engaged in this through his county election staff. I'm like no, they can't do that. So I called Senator SENN. I called our lawyer. I told them that what I was hearing is that the executive director is on the phone right now with all these counties, telling them they can do this. Our lawyer calls their lawyer and says in probably much more colorful language, what the heck are you all doing? The executive director then gets a call from her lawyer and reverses herself in the same phone call. She had just told the counties they can start allowing for voting now, and then she has to reverse herself

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in the same phone call. This is what we dealt with in 2020. There were numerous requests thereafter to the Governor that she has got to go. Nothing was done. She was allowed to stay for an additional year, with the preparations for 2022 already going strong. Every one of the commissioners who were there in the 2020 election are still there. Every one of them. Even though they all sat on their hands throughout this whole ordeal. Mr. PRESIDENT, they sat on their hands. Now, what I'm hearing from outside is yes they did, but they didn't know she was sending that letter. They each claim that they didn't know she sent the second letter. I guess they didn't know about the lawsuits. They didn't know that the letter they were referenced in as requesting certain things became an issue in a federal lawsuit. Seriously? Are they really just not doing anything? Because if that's the case, that's almost even worse. If the Elections Commission is allowing its executive director to run unchecked, that's even worse. We had a big fight for three or four years about Santee Cooper doing that. Finally, we made some changes there. Why in the world would we allow that same thing to happen at the Elections Commission? I bet nobody in here can name more than two people on the Elections Commission. You might name one because he might live down the street from you. But I bet nobody in here can name more than one person on the Elections Commission. There is absolutely no oversight at all. You all know me. You've heard me argue about different things over the year. I'm not going to usurp power to the Governor. But don't you think that a check and balance system is important? And right now, there is none. When not only does the Governor not do anything; but then all of these people are still there, so why should we not be engaged in the process? I don't know another state agency where the Legislature is not involved in the process of selecting the leadership of the agency by advice and consent. I hear all of these things like the House isn't going to accept it. Look, I don't serve in the House. I ran for and was elected to serve in the Senate. There are lots of things that we pass in this Body that the House doesn't agree with. There are lots of things the House passes that we don't agree with. But we work those things out. This suggestion that the House won't even take it up when they're on the ballot in two months, they're going to get significant push back from their voters. I get that the House is going to get significant push back from the Governor's office. The idea that the Governor would veto this, with all the other things in there, in an election year is incomprehensible. I think this is the right thing to do. I think the Senate should have advice and consent over these appointments. Frankly, that's enough for me. I don't care what the House is going to do.



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I don't care what the Governor's position is. If that's what we think the right policy is, we ought to adopt it. Let's see what happens from there. But I will tell you again, I think this is actually a most important piece of the legislation. This legislation gives the Elections Commission additional powers and additional duties. Why in the world would we give this Elections Commission more power and more duties with no oversight? Considering what they've done, I can't imagine that the people who may be watching, the grass roots folks, the folks who are really concerned about election integrity -- I can't imagine that they think it is a good thing for us to give that up. It doesn't matter what changes we make, if the entity charged with enforcing and defending it, is not going to do its job. Then it is all meaningless, right? It doesn't matter what updates we make if they don't like it, they're not going to enforce it. It is thus meaningless. That's what we have dealt with. The only way to ensure that doesn't happen in the future is to require that there be some regular interaction and some oversight. The confirmation process seems to be the most reasonable and effective process to adopt.

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#### ADJOURNMENT

At 5:00 P.M., the Senate adjourned under the provisions of S. 1325, the *Sine Die* Resolution.

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