~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Hebrews 13:2: “Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it.”

Let us pray. We give thanks for these men and women who give of their time and energy to work for the people of South Carolina. Lord, bless them in what they do for the sake of all. Give these women and men the ability to care for us and cherish their deeds. God of love, thank You for the new life that You give to us. Bless our first responders and defenders of freedom. Let Your light shine on our World, Nation, President, State, Governor, Speaker, Staff, and all who serve this great cause. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**REPORTS OF STANDING COMMITTEES**

Rep. THAYER, from the Anderson Delegation, submitted a favorable report on:

S. 478 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BOARD OF DIRECTORS OF THE BROADWATER WATER AND SEWERAGE DISTRICT, SO AS TO REDUCE THE NUMBER OF MEMBERS OF THE BROADWATER WATER AND SEWERAGE DISTRICT BOARD FROM NINE TO SEVEN.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3726 -- Reps. G. M. Smith, West, Ballentine, Davis, Hager, Hewitt, Kirby, Long, B. Newton, Ott, M. M. Smith, Stavrinakis, Tedder, Robbins, Brewer, Murphy, Taylor, Leber, Sandifer, Ligon, Williams, Anderson and Blackwell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "STATEWIDE EDUCATION AND WORKFORCE DEVELOPMENT ACT" BY ADDING CHAPTER 30 TO TITLE 41 SO AS TO CREATE THE OFFICE OF STATEWIDE WORKFORCE DEVELOPMENT COORDINATION IN THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO CENTRALIZE OVERSIGHT OF CERTAIN PUBLICLY FUNDED WORKFORCE DEVELOPMENT SERVICES IN THE OFFICE, TO PROVIDE FOR THE MANAGEMENT AND FUNCTIONS OF THE OFFICE, TO TRANSFER THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT TO THE DEPARTMENT AND PROVIDE FOR THE COMPOSITION AND FUNCTIONS OF THE COUNCIL, TO CREATE AN EXECUTIVE COMMITTEE OF THE COORDINATING COUNCIL AND PROVIDE FOR THE COMPOSITION AND FUNCTIONS OF THE COMMITTEE, TO PROVIDE FOR THE OVERSIGHT OF REGIONAL EDUCATION CENTERS BY THE DEPARTMENT, TO PROVIDE REGIONAL EDUCATION CENTERS MUST CONFORM TO CERTAIN GEOGRAPHIC CONFIGURATIONS, AND TO PROVIDE A MULTIAGENCY COLLABORATIVE EFFORT TO PROMOTE CERTAIN OFFERINGS OF REGIONAL EDUCATION CENTERS; AND BY REPEALING ARTICLE 13 OF CHAPTER 1, TITLE 13 RELATING TO OVERSIGHT OF REGIONAL EDUCATION CENTERS BY THE DEPARTMENT OF COMMERCE, AND ARTICLE 15 OF CHAPTER 1, TITLE 13 RELATING TO THE COORDINATING COUNCIL FOR WORKFORCE DEVELOPMENT.

Ordered for consideration tomorrow.

Rep. HIXON, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3868 -- Reps. Bauer, Cobb-Hunter, Hixon, Bernstein, Neese, J. L. Johnson, Forrest, Trantham, J. Moore, Pendarvis, Brewer, Murphy and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO AS TO DECLARE THE SECOND SATURDAY IN NOVEMBER OF EACH YEAR IS DESIGNATED AS "WOMEN IN HUNTING AND FISHING AWARENESS DAY".

Ordered for consideration tomorrow.

Rep. HIXON, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3905 -- Reps. Hixon and Clyburn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-13-920, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, SO AS TO PROVIDE FOR FILLING A BOARD VACANCY FOR PHYSICAL OR MENTAL INCAPACITATION OR NONATTENDANCE; AND BY AMENDING SECTION 6-13-1010, RELATING TO PENALTIES FOR INJURING OR DESTROYING FACILITIES OF THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, SO AS TO INCREASE PENALTIES.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3816 -- Rep. Leber: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES RUSSELL CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY "DAVID L. LYBRAND MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3678 -- Rep. Rose: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE CROSSING THE CSX AND NORFOLK SOUTHERN RAILROAD TRACKS ALONG BLOSSOM STREET IN THE CITY OF COLUMBIA IN RICHLAND COUNTY "THE HONORABLE L. CASEY MANNING BRIDGE RESPECTED JUDGE AND TRAILBLAZING GAMECOCK" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report with amendments on:

S. 411 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF U.S. HIGHWAY 76 FROM THE LITTLE MOUNTAIN TOWN LIMIT TO THE NEWBERRY/LEXINGTON COUNTY LINE "THE HONORABLE WALTON J. MCLEOD III HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3854 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE IN AIKEN COUNTY LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 20 AND BETTIS ACADEMY ROAD "STATE REPRESENTATIVE IRENE KRUGMAN RUDNICK MEMORIAL INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 398 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT BELTLINE BOULEVARD AND SHOP ROAD IN RICHLAND COUNTY "LAURA TOLIVER JEFFERSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3876 -- Rep. Atkinson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 576 IN MARION COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 501 "DOUGLAS MCROY WIGGINS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3959 -- Reps. S. Jones, Gilliam, McCravy, Willis and Gagnon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 72 IN LAURENS COUNTY FROM ITS INTERSECTION WITH DOVE FIELD ROAD TO ITS INTERSECTION WITH CRYSTAL BAY DRIVE "SAMUEL J. MCCALL, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 451 -- Senators Shealy, Setzler and Senn: A CONCURRENT RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SOUTH CAROLINA SENATE AND HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 16, 2023.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 495 -- Senator Kimpson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME S-81 (SYCAMORE AVENUE) FROM S-6 (MAGNOLIA ROAD) TO S-522 (5TH AVENUE) IN CHARLESTON COUNTY "ANNETTE AND JAMES SMALLS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Ordered for consideration tomorrow.

Rep. MOSS, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3974 -- Rep. Dillard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF S-75 (E WASHINGTON STREET) IN THE CITY OF GREENVILLE IN GREENVILLE COUNTY FROM ITS INTERSECTION WITH LAURENS ROAD TO ITS CONVERGENCE WITH S-1077 "STEWART SPINKS ROAD" AND PLACE APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|  |  |  |
| --- | --- | --- |
| Anderson | Atkinson | Bailey |
| Bamberg | Bannister | Bauer |
| Beach | Bernstein | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Clyburn | Cobb-Hunter |
| Collins | Connell | B. J. Cox |
| B. L. Cox | Crawford | Cromer |
| Davis | Dillard | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Garvin | Gatch |
| Gibson | Gilliam | Gilliard |
| Guest | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hart | Hartnett | Hayes |
| Henderson-Myers | Henegan | Herbkersman |
| Hewitt | Hiott | Hixon |
| Hosey | Howard | Hyde |
| Jefferson | J. E. Johnson | J. L. Johnson |
| S. Jones | W. Jones | Jordan |
| Kilmartin | King | Kirby |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McDaniel | McGinnis |
| Mitchell | J. Moore | A. M. Morgan |
| T. A. Morgan | Moss | Murphy |
| Neese | B. Newton | W. Newton |
| Nutt | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pendarvis | Pope | Rivers |
| Robbins | Rose | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Tedder | Thayer | Thigpen |
| Trantham | Vaughan | Weeks |
| West | Wetmore | Wheeler |
| White | Williams | Willis |
| Wooten | Yow |  |

**Total Present--119**

**STATEMENT OF ATTENDANCE**

Rep. B. J. COX signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, February 28.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. T. MOORE a leave of absence for the day due to a military commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WHITMIRE a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to a prior work commitment.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Chris Fyock of Greenville was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPECIAL PRESENTATION**

Rep. KIRBY presented to the House the Williamsburg Academy "Stallions" 2022 SCISA AA State Championship Football Team.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

**“**5.2Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3026 |
| Date: | ADD: |
| 03/01/23 | ELLIOTT, B. J. COX, HEWITT, ANDERSON, MITCHELL, YOW, HYDE, MURPHY, MCGINNIS, MOSS, LAWSON, MCCABE, PEDALINO, HADDON, TAYLOR, GAGNON, CHAPMAN, HIXON, OREMUS, LIGON, FELDER, M. M. SMITH, DAVIS, B. L. COX, PACE, O'NEAL, GUFFEY, HARRIS, THAYER, GUEST, BRITTAIN, ROBBINS, ERICKSON, BRADLEY, HERBKERSMAN, HAGER, CONNELL and FORREST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3096 |
| Date: | ADD: |
| 03/01/23 | HIXON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3118 |
| Date: | ADD: |
| 03/01/23 | YOW and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3127 |
| Date: | ADD: |
| 03/01/23 | BREWER and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3233 |
| Date: | ADD: |
| 03/01/23 | ELLIOTT, B. J. COX, HEWITT, ANDERSON, MITCHELL, YOW, HYDE, MOSS, LAWSON, MCCABE, HADDON, GAGNON, TAYLOR, HIXON, OREMUS, LIGON, FELDER, M. M. SMITH, DAVIS, B. L. COX, O'NEAL, GUFFEY, MCGINNIS, THAYER, GUEST, BRITTAIN, ERICKSON, HERBKERSMAN, BRADLEY, HAGER, CONNELL, POPE and FORREST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3309 |
| Date: | ADD: |
| 03/01/23 | DAVIS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3472 |
| Date: | ADD: |
| 03/01/23 | PACE and MAGNUSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3509 |
| Date: | ADD: |
| 03/01/23 | YOW and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3510 |
| Date: | ADD: |
| 03/01/23 | YOW and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3532 |
| Date: | ADD: |
| 03/01/23 | LANDING, HIXON, TAYLOR, OREMUS, CROMER and J. E. JOHNSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3549 |
| Date: | ADD: |
| 03/01/23 | GUFFEY |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3551 |
| Date: | ADD: |
| 03/01/23 | CRAWFORD and GUEST |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3567 |
| Date: | ADD: |
| 03/01/23 | YOW and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3583 |
| Date: | ADD: |
| 03/01/23 | W. NEWTON, JORDAN and HEWITT |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3618 |
| Date: | ADD: |
| 03/01/23 | KING, W. JONES, BERNSTEIN, BAUER, HENDERSON-MYERS, KIRBY, DILLARD, MCDANIEL, S. JONES, YOW, J. L. JOHNSON and COBB-HUNTER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3685 |
| Date: | ADD: |
| 03/01/23 | PACE and MAGNUSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3695 |
| Date: | ADD: |
| 03/01/23 | SANDIFER, THAYER, HADDON, ELLIOTT, OREMUS, PACE, MAGNUSON, WILLIS, BANNISTER, HEWITT, HERBKERSMAN, CRAWFORD and GUEST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3726 |
| Date: | ADD: |
| 03/01/23 | ANDERSON and BLACKWELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3772 |
| Date: | ADD: |
| 03/01/23 | HIXON and TAYLOR |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3825 |
| Date: | ADD: |
| 03/01/23 | HEWITT, ANDERSON, HYDE, MCGINNIS, MOSS, LAWSON, HADDON, GAGNON, TAYLOR, HIXON, OREMUS, LIGON, FELDER, M. M. SMITH, GUFFEY, O'NEAL, THAYER, ERICKSON, BRADLEY, HERBKERSMAN, HAGER, CONNELL, POPE and FORREST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3895 |
| Date: | ADD: |
| 03/01/23 | FORREST |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3925 |
| Date: | ADD: |
| 03/01/23 | MITCHELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3948 |
| Date: | ADD: |
| 03/01/23 | ANDERSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4015 |
| Date: | ADD: |
| 03/01/23 | KING and COBB-HUNTER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4024 |
| Date: | ADD: |
| 03/01/23 | YOW and MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4041 |
| Date: | ADD: |
| 03/01/23 | S. JONES, BUSTOS, BERNSTEIN, GILLIARD, WETMORE, WHEELER, KING, HOWARD, HENEGAN, STAVRINAKIS, GUEST and CRAWFORD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4042 |
| Date: | ADD: |
| 03/01/23 | GILLIARD, WHEELER, WETMORE, KING, HOWARD, HENEGAN, STAVRINAKIS, BAUER and RUTHERFORD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4048 |
| Date: | ADD: |
| 03/01/23 | JORDAN and HEWITT |

**SPEAKER IN CHAIR**

**OBJECTION TO RECALL**

Rep. HARRIS asked unanimous consent to recall H. 3529 from the Committee on Judiciary.

Rep. W. NEWTON objected.

**SENT TO THE SENATE**

The following Joint Resolution was taken up, read the third time, and ordered sent to the Senate:

H. 3591 -- Reps. G. M. Smith, Taylor, B. Newton, West, Pace, Haddon, Yow, W. Newton, Felder, Thayer, McCravy, Cromer, Hixon, Elliott, Erickson, Caskey, Pope, Leber, Hartnett, Bustos, Landing and M. M. Smith: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO REPEAL SECTION 4, ARTICLE XI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION AGAINST THE STATE OR ITS POLITICAL SUBDIVISIONS PROVIDING DIRECT AID TO RELIGIOUS OR OTHER PRIVATE EDUCATIONAL INSTITUTIONS.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. FORREST.

**H. 3532--AMENDED AND INTERRUPTED DEBATE**

The following Bill was taken up:

H. 3532 -- Reps. G. M. Smith, Pope, McCravy, B. Newton, West, Chapman, Burns, Wooten, Haddon, O'Neal, Carter, W. Newton, M. M. Smith, Davis, Pace, B. L. Cox, Gilliam, Thayer, Bailey, Hardee, Blackwell, Leber, Mitchell, Chumley, Ligon, Hiott, Yow, Landing, Hixon, Taylor, Oremus, Cromer and J. E. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-15-270 SO AS TO PROVIDE SENTENCING ENHANCEMENTS FOR PERSONS WHO COMMIT CERTAIN ADDITIONAL CRIMES WHILE ON PRETRIAL RELEASE ON BOND; BY ADDING SECTION 17-15-280 SO AS TO PROHIBIT PRETRIAL RELEASE ON BOND FOR PERSONS CHARGED WITH COMMITTING CERTAIN ADDITIONAL CRIMES AND TO PROVIDE APPROPRIATE PROCEDURES FOR DETERMINING IF ADDITIONAL CHARGES ARE PENDING; AND BY AMENDING SECTION 17-15-15, RELATING TO THE DEPOSIT OF A CASH PERCENTAGE IN LIEU OF BOND, SO AS TO REQUIRE A FULL CASH BOND FOR PERSONS CHARGED WITH CERTAIN CRIMES.

The Committee on Judiciary proposed the following Amendment   
No. 1 to H. 3532 (LC-3532.AHB0001H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-15-270(A), (B), (C), and (D) and inserting:

(A) If a person commits a subsequent violent crime while out on bond or other pretrial release for a previous violent charge, is charged and convicted of committing or attempting to commit the subsequent violent crime, he must be imprisoned for five years in addition to the punishment provided for the principal crime. The five-year sentence does not apply in cases when the death penalty or a life sentence without parole is imposed for the violent crime. For purposes of this subsection, a subsequent violent crime is one that occurs at a later date and time than the offense that resulted in the imposition of the bond or other pretrial release conditions.

(B) Service of the five‑year sentence is mandatory unless a longer mandatory minimum term of imprisonment is provided by law for the violent crime. The court may impose this mandatory five‑year sentence to run consecutively.

(C) Except as provided in this subsection, the person sentenced under this section is not eligible during this five‑year period for parole, work release, or extended work release. The five years may not be suspended and the person may not complete his term of imprisonment in less than five years pursuant to good‑time credits or work credits.

(D) The additional punishment may not be imposed unless the State notifies the defense in writing of its intention to seek such penalty at least thirty days prior to the trial of the violent crime that occurred while on bond or other pretrial release. If the defendant is convicted of the violent crime that occurred while on bond or other pretrial release, the court must as soon as practicable thereafter conduct a separate sentencing hearing relating to the additional punishment. Only evidence relating to whether the defendant was on pretrial release at the time the subsequent violent crime was committed may be considered in the sentencing hearing. In the hearing, the State must prove beyond a reasonable doubt that the defendant was on pretrial release for some other charge at the time the subsequent violent crime was committed. If the defendant was tried by jury, the same jury that found him guilty of the principal offense must serve for the sentencing hearing. If trial by jury has been waived by the defendant and the State, or if the defendant pleaded guilty, the sentencing hearing must be conducted before the judge. In the sentencing hearing, the jury or judge shall hear only evidence related to whether the defendant was on pretrial release. The State and the defense are permitted to present closing arguments. If the appropriate fact finder, either jury or judge, finds beyond a reasonable doubt that the defendant was on pretrial release when the subsequent violent crime was committed or the defendant stipulates that the subsequent violent crime was committed while he was on pretrial release, the additional five-year penalty must be imposed.

(E) For purposes of this section, violent crime is defined as the same as those contained in Section 16-1-60.

Amend the bill further, by deleting SECTION 2.

Amend the bill further, SECTION 3, by striking Section 17-15-15(D) and inserting:

(D) The provisions of this section do not apply if the defendant is charged with a violent crime as defined by Section 16-1-60 while out on bond or other pretrial release. If the court, pursuant to the limitations of Section 17‑15‑30, finds that such defendant may be released pending trial, bond must be set at the full United States currency cash bond to the exclusion of all other forms of bond whether the bond is posted by the defendant or with a surety.

Amend the bill further, by adding appropriately numbered SECTIONS to read:

SECTION X. Section 17-15-55 of the S.C. Code is amended to read:

Section 17-15-55. (A)(1) The circuit courts, at their discretion, may review and reconsider bond for general sessions offenses set by summary court judges. Also, the circuit courts may consider motions regarding reconsideration of bond for general sessions offenses set by summary court judges upon motions filed with the clerks of court. Hearings on these motions must be scheduled. The rules of evidence do not apply to bond hearings.

(2) After a circuit court judge has heard and ruled upon a defendant's motion to reconsider a bond set by a summary court judge, further defense motions to reconsider may be heard by the circuit court only upon the defendant's prima facie showing of a material change in circumstances which relate to the factors provided in Section 17-15-30, and which have arisen since the prior motion to reconsider. In addition, the circuit court may hear further defense motions to reconsider based on the length of time the defendant has been held for trial after six months. The chief judge shall schedule a hearing or if such showing is not set forth in the written motion, deny the motion for failure to make a prima facie showing of a material change in circumstances. Information regarding the defendant's guilt or innocence does not qualify as a change in circumstances for purposes of reconsidering bond absent the solicitor's consent.Notwithstanding another provision of law, nothing prevents a solicitor or the defendant from filing a motion for a speedy trial or requesting the court to set a date certain for trial based on the facts and circumstances in the case.

(B)(1) Motions by the State to revoke or modify a bond must be made in writing, state with particularity the grounds for revocation or modification, and set forth the relief or order sought. The motions must be filed with the clerks of court, and a copy must be served on the chief judge, defense counsel of record, and bond surety, if any. The court must have a hearing and rule on the state’s motion within thirty days of the filing.

(2) After a circuit court judge has heard and ruled upon the state's motion to reconsider a bond set by a summary court judge, further state motions to reconsider may be heard by the circuit court only upon the state's prima facie showing of a material change in circumstances which have arisen since the prior motion to reconsider. The chief judge shall schedule a hearing or if such showing is not set forth in the written motion, deny the motion for failure to make a prima facie showing of a material change in circumstances.

(3) If the state's motion to revoke or modify bond includes a prima facie showing of imminent danger to the community, imminent danger to the defendant, or flight by the defendant, the chief judge or presiding judge shall conduct or order an emergency bond hearing to be conducted by the circuit court judge within forty-eight hours of receiving service of the state's motion or as soon as practical. The chief judge shall order the solicitor to notify the defense counsel of record and bond surety of the time and date of the hearing, and the solicitor shall provide proof reasonable efforts were made to affect the notice. Upon notice by the State, the defense counsel of record and bond surety shall make reasonable efforts to notify the defendant of the emergency hearing. The court may proceed with the hearing despite the absence of the defendant or bond surety. The court may not proceed with the hearing if the defense counsel of record is not present. If an emergency bond hearing is held without the presence of the defendant and bond is revoked, the judge having heard the matter may conduct the hearing on the defendant's motion to reconsider the revocation. Defense motions to reconsider revocation must be filed with the clerk of court and served on the solicitor and bond surety.

(C) If a person commits a violent crime, as defined in Section 16-1-60, which was committed when the person was already out on bond for a previous violent crime and the subsequent violent crime did not arise out of the same series of events as the previous violent crime, then the bond hearing for the subsequent violent crimeoriginal offense must be revoked and a hearing for the subsequent violent crime must be held in the circuit court within thirtyfourteen days. The court must issue findings of fact and conclusions of law addressing the revocation of bond, whether a new bond is issued for the previous offense as well as if bond is appropriate for the subsequent violent crime. If the court finds that certain conditions of release on bond will ensure that the person is unlikely to flee or pose a danger to any other person or the community and the person will abide by the terms of release on bond, the judge shall consider bond in accordance with the provisions of this chapter and set or amend bond accordingly Section 17-15-15(D) and under the condition that the defendant be placed on electronic monitoring. If the court finds no such conditions will ensure that the person is unlikely to flee or not pose a danger to the community, the court shall not set a bond for the instant offense and must revoke all previously set bonds.

(D) If a person commits a violent crime, as defined in Section 16-1-60, which was committed when the person was already out on bond for a previous violent crime, and the subsequent violent crime did not arise out of the same series of events as the previous violent crime, then the arresting law enforcement agency must transmit notice of the second arrest, implicating subsection (C), to the solicitor of the circuit in which the crime was committed and the administrative chief judge of the circuit in which the crime was committed. The prosecuting agency must notify any victims of the initial or subsequent crimes pursuant to Chapter 3, Title 16 of any bond hearings.

(E) For the purpose of bond revocation only, a summary court has concurrent jurisdiction with the circuit court for ten days from the date bond is first set on a charge by the summary court to determine if bond should be revoked.

SECTION X. Section 22-5-510(A) of the S.C. Code is amended to read:

(A) Magistrates may admit to bail a person charged with an offense, except offenses the punishment of which is not death or imprisonment for life; provided, however, with respect to or violent offenses as defined by the General Assembly pursuant to Section 15, Article I of the Constitution of South Carolina, 1895, magistrates may deny bail giving due weight to the evidence and to the nature and circumstances of the event, including, but not limited to, any charges pending against the person requesting bail. “Violent offenses” as used in this section means the offenses contained in Section 16-1-60. If a person under lawful arrest on a charge not bailable is brought before a magistrate, the magistrate shall commit the person to jail. If the offense charged is bailable, the magistrate shall take recognizance with sufficient surety, if it is offered, in default whereof the person must be incarcerated. Nothing in this section should be read to exclude a motion to reconsider denial of bail to a circuit court.

Renumber sections to conform.

Amend title to conform.

Rep. J. E. JOHNSON explained the amendment.

**ACTING SPEAKER HIOTT IN CHAIR**

Rep. J. E. JOHNSON continued speaking.

**SPEAKER IN CHAIR**

Rep. J. E. JOHNSON continued speaking.

Rep. KING spoke upon the amendment.

Rep. J. E. JOHNSON spoke in favor of the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. POPE spoke in favor of the amendment.

Rep. THIGPEN spoke against the amendment.

Rep. THIGPEN spoke against the amendment.

Rep. ROSE spoke against the amendment.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. ROSE continued speaking.

Rep. W. NEWTON spoke in favor of the amendment.

The amendment was then adopted by a division vote of 68 to 20.

Rep. J.E. JOHNSON proposed the following Amendment No. 2 to   
H. 3532 (LC-3532.AHB0011H), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 17-15-15(D) and inserting:

(D) The provisions of this section do not apply if the defendant is charged with a violent crime as defined by Section 16-1-60 while out on bond or other pretrial release. If the court, pursuant to the limitations of Section 17‑15‑30, finds that such defendant may be released pending trial, bond must be set at the full United States currency cash bond to the exclusion of all other forms of bond whether the bond is posted by the defendant or with a bondsman.

Amend the bill further, by deleting SECTION 4.

Renumber sections to conform.

Amend title to conform.

Rep. J. E. JOHNSON explained the amendment.

The amendment was then adopted.

Rep. J. E. JOHNSON moved that the House recede until 1:30 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of amendments.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NUTT a leave of absence for the remainder of the day due to medical reasons.

**H. 3532--ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

H. 3532 -- Reps. G. M. Smith, Pope, McCravy, B. Newton, West, Chapman, Burns, Wooten, Haddon, O'Neal, Carter, W. Newton, M. M. Smith, Davis, Pace, B. L. Cox, Gilliam, Thayer, Bailey, Hardee, Blackwell, Leber, Mitchell, Chumley, Ligon, Hiott, Yow, Landing, Hixon, Taylor, Oremus, Cromer and J. E. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-15-270 SO AS TO PROVIDE SENTENCING ENHANCEMENTS FOR PERSONS WHO COMMIT CERTAIN ADDITIONAL CRIMES WHILE ON PRETRIAL RELEASE ON BOND; BY ADDING SECTION 17-15-280 SO AS TO PROHIBIT PRETRIAL RELEASE ON BOND FOR PERSONS CHARGED WITH COMMITTING CERTAIN ADDITIONAL CRIMES AND TO PROVIDE APPROPRIATE PROCEDURES FOR DETERMINING IF ADDITIONAL CHARGES ARE PENDING; AND BY AMENDING SECTION 17-15-15, RELATING TO THE DEPOSIT OF A CASH PERCENTAGE IN LIEU OF BOND, SO AS TO REQUIRE A FULL CASH BOND FOR PERSONS CHARGED WITH CERTAIN CRIMES.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. TEDDER proposed the following Amendment No. 4 to H. 3532 (LC-3532.SA0026H), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-15-270(E) and inserting:

(E) For purposes of this section, violent crime is defined as the same as those contained in Section 16-1-60 but does not include an offense involving a controlled substance pursuant to Chapter 53, Title 44.

Amend the bill further, SECTION 2, by striking Section 17-15-15(D) and inserting:

(D) The provisions of this section do not apply if the defendant is charged with a violent crime as defined by Section 16-1-60 while out on bond or other pretrial release. If the court, pursuant to the limitations of Section 17‑15‑30, finds that such defendant may be released pending trial, bond must be set at the full United States currency cash bond to the exclusion of all other forms of bond whether the bond is posted by the defendant or with a surety. For the purposes of this section, a violent crime does not include an offense involving a controlled substance pursuant to Chapter 53, Title 44.

Amend the bill further, SECTION 3, Section 17-15-55, by adding a subsection to read:

(E) For the purposes of this section, a violent crime does not include an offense involving a controlled substance pursuant to Chapter 53, Title 44.

Renumber sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. J. E. JOHNSON moved to table the amendment.

Rep. J. E. JOHNSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 75; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Bannister | Beach |
| Blackwell | Bradley | Brewer |
| Brittain | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Collins | Connell |
| B. J. Cox | B. L. Cox | Cromer |
| Davis | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Gibson | Gilliam | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hewitt | Hiott |
| Hixon | Hyde | J. E. Johnson |
| S. Jones | Jordan | Kilmartin |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McGinnis | Mitchell |
| A. M. Morgan | T. A. Morgan | Murphy |
| Neese | W. Newton | O'Neal |
| Oremus | Pace | Pedalino |
| Pope | Robbins | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Taylor | Thayer |
| Trantham | Vaughan | West |
| White | Wooten | Yow |

**Total--75**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atkinson | Bauer | Clyburn |
| Cobb-Hunter | Dillard | Gatch |
| Hartnett | Hayes | Henderson-Myers |
| Hosey | J. L. Johnson | W. Jones |
| King | Kirby | McDaniel |
| J. Moore | Ott | Pendarvis |
| Rivers | Rose | Rutherford |
| Stavrinakis | Tedder | Thigpen |
| Wetmore |  |  |

**Total—25**

So, the amendment was tabled.

Rep. TEDDER proposed the following Amendment No. 5 to H. 3532 (LC-3532.SA0025H), which was tabled:

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

SECTION X. Article 3, Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-125. The Drug Analysis Department of the State Law Enforcement Division must provide the results of any sample submitted by a law enforcement agency to determine the presence, identity, aggregate quantity, or absence of a controlled substance no later than one hundred twenty days from the day the sample is submitted. If the results of the analysis are not provided within the time period required by this section, any criminal charges relating to the sample must be dismissed and expunged.

Renumber sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. J. E. JOHNSON moved to table the amendment.

Rep. J. L. JOHNSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 78; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Bannister | Beach |
| Blackwell | Bradley | Brewer |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Collins | Connell |
| B. J. Cox | B. L. Cox | Crawford |
| Cromer | Davis | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Gatch | Gibson |
| Gilliam | Guffey | Haddon |
| Hager | Hardee | Harris |
| Hartnett | Hewitt | Hiott |
| Hixon | Hyde | J. E. Johnson |
| S. Jones | Jordan | Kilmartin |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McGinnis | Mitchell |
| A. M. Morgan | T. A. Morgan | Neese |
| B. Newton | W. Newton | O'Neal |
| Oremus | Pace | Pedalino |
| Pope | Robbins | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Taylor | Thayer |
| Trantham | Vaughan | West |
| White | Wooten | Yow |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atkinson | Bauer | Clyburn |
| Cobb-Hunter | Dillard | Hayes |
| Henderson-Myers | Henegan | Hosey |
| J. L. Johnson | W. Jones | King |
| Kirby | McDaniel | J. Moore |
| Ott | Pendarvis | Rose |
| Rutherford | Stavrinakis | Tedder |
| Weeks | Wetmore | Wheeler |

**Total--24**

So, the amendment was tabled.

Rep. MCCRAVY proposed the following Amendment No. 6 to   
H. 3532 (LC-3532.AHB0031H), which was tabled:

Amend the bill, as and if amended, SECTION 3, by striking Section 17-15-55(C) and (D) and inserting:

(C) If a person commits a violent crime, as defined in Section 16-1-60, or a felony firearm or weapon offense, which was committed when the person was already out on bond for a previous violent crime or felony firearm offense and the subsequent violent crime or felony firearm offense did not arise out of the same series of events as the previous violent crime or felony firearm or weapon offense, then the bond hearing for the subsequent violent crimeoriginal offense must be revoked and a hearing for the subsequent violent crime or felony firearm offense must be held in the circuit court within thirtyfourteen days. The court must issue findings of fact and conclusions of law addressing the revocation of bond, whether a new bond is issued for the previous offense as well as if bond is appropriate for the subsequent violent crime or felony firearm offense. If the court finds that certain conditions of release on bond will ensure that the person is unlikely to flee or pose a danger to any other person or the community and the person will abide by the terms of release on bond, the judge shall consider bond in accordance with the provisions of this chapter and set or amend bond accordingly Section 17-15-15(D) and under the condition that the defendant be placed on electronic monitoring. If the court finds no such conditions will ensure that the person is unlikely to flee or not pose a danger to the community, the court shall not set a bond for the instant offense and must revoke all previously set bonds.

(D) If a person commits a violent crime, as defined in Section 16-1-60, or a felony firearm or weapon offense which was committed when the person was already out on bond for a previous violent crime or felony firearm offense, and the subsequent violent crime or felony firearm offense did not arise out of the same series of events as the previous violent crime or felony firearm offense, then the arresting law enforcement agency must transmit notice of the second arrest, implicating subsection (C), to the solicitor of the circuit in which the crime was committed and the administrative chief judge of the circuit in which the crime was committed. The prosecuting agency must notify any victims of the initial or subsequent crimes pursuant to Chapter 3, Title 16 of any bond hearings.

Renumber sections to conform.

Amend title to conform.

Rep. MCCRAVY explained the amendment.

Rep. RUTHERFORD spoke against the amendment.

Rep. CASKEY spoke against the amendment.

Rep. MCCRAVY moved to table the amendment, which was agreed to.

Rep. WHITE proposed the following Amendment No. 7 to H. 3532 (LC-3532.SA0033H), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-15-270(B) and inserting:

(B) Service of the five‑year sentence is mandatory unless a longer mandatory minimum term of imprisonment is provided by law for the violent crime. The court must impose this mandatory five‑year sentence to run consecutively.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

Rep. W. NEWTON spoke against the amendment and moved to table the amendment.

Rep. MCCABE demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bailey | Bannister |
| Bauer | Bernstein | Blackwell |
| Bradley | Brewer | Bustos |
| Calhoon | Carter | Chapman |
| Clyburn | Cobb-Hunter | Collins |
| Connell | B. J. Cox | B. L. Cox |
| Crawford | Davis | Dillard |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Garvin |
| Gilliard | Guest | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Henderson-Myers | Henegan |
| Hewitt | Hiott | Hixon |
| Hosey | Hyde | Jefferson |
| J. E. Johnson | W. Jones | Jordan |
| Kirby | Leber | Ligon |
| Lowe | McDaniel | Mitchell |
| Moss | Murphy | Neese |
| B. Newton | W. Newton | Ott |
| Pope | Rivers | Robbins |
| Rose | Rutherford | Sandifer |
| Sessions | G. M. Smith | M. M. Smith |
| Stavrinakis | Taylor | Thayer |
| Thigpen | Weeks | West |
| Wetmore | Wheeler | Williams |
| Yow |  |  |

**Total--76**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Beach | Burns | Chumley |
| Cromer | Gibson | Gilliam |
| Guffey | Haddon | S. Jones |
| Kilmartin | Landing | Lawson |
| Long | May | McCabe |
| McCravy | McGinnis | A. M. Morgan |
| T. A. Morgan | O'Neal | Oremus |
| Pace | Trantham | Vaughan |
| White | Willis | Wooten |

**Total--27**

So, the amendment was tabled.

Rep. TEDDER proposed the following Amendment No. 8 to H. 3532 (LC-3532.SA0034H), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 17-15-270(A) and inserting:

(A) If a person commits a subsequent violent crime while out on bond or other pretrial release for a previous violent charge, is charged and convicted of committing or attempting to commit the subsequent violent crime, he must be imprisoned for five years in addition to the punishment provided for the principal crime. If the original charge is dismissed or the person is found to be not guilty, the State shall pay the person two hundred fifty thousand dollars. The five-year sentence does not apply in cases when the death penalty or a life sentence without parole is imposed for the violent crime. For purposes of this subsection, a subsequent violent crime is one that occurs at a later date and time than the offense that resulted in the imposition of the bond or other pretrial release conditions.

Renumber sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. J. E. JOHNSON moved to table the amendment, which was agreed to.

Rep. TEDDER proposed the following Amendment No. 9 to H. 3532 (LC-3532.SA0035H), which was tabled:

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

SECTION X. Article 3, Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-125. The Drug Analysis Department of the State Law Enforcement Division must provide the results of any sample submitted by a law enforcement agency to determine the presence, identity, aggregate quantity, or absence of a controlled substance no later than one hundred eighty days from the day the sample is submitted. If the results of the analysis are not provided within the time period required by this section, any criminal charges relating to the sample must be dismissed and expunged.

Renumber sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. J. E. JOHNSON moved to table the amendment.

Rep. TEDDER demanded the yeas and nays which were taken, resulting as follows:

Yeas 81; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Bannister | Beach |
| Blackwell | Bradley | Brewer |
| Burns | Bustos | Calhoon |
| Carter | Caskey | Chapman |
| Chumley | Collins | Connell |
| B. J. Cox | B. L. Cox | Crawford |
| Cromer | Davis | Elliott |
| Erickson | Felder | Forrest |
| Gagnon | Gatch | Gibson |
| Gilliam | Guest | Guffey |
| Haddon | Hager | Hardee |
| Harris | Hartnett | Hewitt |
| Hiott | Hixon | Hyde |
| J. E. Johnson | Jordan | Kilmartin |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McGinnis | Mitchell |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| W. Newton | O'Neal | Oremus |
| Pace | Pedalino | Pope |
| Robbins | Sandifer | Schuessler |
| Sessions | G. M. Smith | M. M. Smith |
| Taylor | Thayer | Trantham |
| Vaughan | West | White |
| Willis | Wooten | Yow |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atkinson | Bauer | Bernstein |
| Dillard | Garvin | Gilliard |
| Hayes | Henderson-Myers | Henegan |
| Jefferson | J. L. Johnson | W. Jones |
| King | Kirby | McDaniel |
| J. Moore | Ott | Pendarvis |
| Rivers | Rose | Rutherford |
| Tedder | Thigpen | Weeks |
| Wetmore | Wheeler | Williams |

**Total--27**

So, the amendment was tabled.

Rep. TEDDER spoke against the Bill.

Rep. TEDDER proposed the following Amendment No. 10 to H. 3532 (LC-3532.AHB0037H), which was tabled:

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

SECTION X. Article 3, Chapter 53, Title 44 of the S.C. Code is amended by adding:

Section 44-53-125. The Drug Analysis Department of the State Law Enforcement Division must provide the results of any sample submitted by a law enforcement agency to determine the presence, identity, aggregate quantity, or absence of a controlled substance no later than one hundred eighty days from the day the sample is submitted. If the results of the analysis are not provided within the time period required by this section, any additional penalty pursuant to Section 17-15-270 may not be imposed.

Renumber sections to conform.

Amend title to conform.

Rep. TEDDER explained the amendment.

Rep. PENDARVIS spoke in favor of the amendment.

Rep. J. E. JOHNSON moved to table the amendment.

Rep. J. L. JOHNSON demanded the yeas and nays which were taken, resulting as follows:

Yeas 57; Nays 52

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bailey | Bannister | Blackwell |
| Bradley | Brewer | Brittain |
| Burns | Bustos | Calhoon |
| Carter | Chapman | Chumley |
| Collins | B. J. Cox | B. L. Cox |
| Davis | Elliott | Erickson |
| Felder | Forrest | Gagnon |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Hewitt | Hiott |
| Hixon | Hyde | J. E. Johnson |
| Jordan | Lawson | Ligon |
| Long | McCabe | McCravy |
| McGinnis | Moss | Neese |
| B. Newton | W. Newton | O'Neal |
| Pope | Robbins | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Taylor | Thayer |
| West | Willis | Wooten |

**Total--57**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bauer | Beach |
| Bernstein | Caskey | Clyburn |
| Cobb-Hunter | Connell | Cromer |
| Dillard | Garvin | Gatch |
| Gilliard | Harris | Hart |
| Hartnett | Henderson-Myers | Henegan |
| Hosey | Jefferson | J. L. Johnson |
| W. Jones | Kilmartin | King |
| Kirby | Landing | Leber |
| Lowe | Magnuson | May |
| McDaniel | Mitchell | J. Moore |
| A. M. Morgan | T. A. Morgan | Oremus |
| Ott | Pedalino | Pendarvis |
| Rivers | Rose | Rutherford |
| Stavrinakis | Tedder | Thigpen |
| Trantham | Vaughan | Weeks |
| Wetmore | Wheeler | White |
| Yow |  |  |

**Total--52**

So, the amendment was tabled.

**ACTING SPEAKER HIOTT IN CHAIR**

Rep. WOOTEN spoke in favor of the Bill.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. WOOTEN continued speaking.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 20

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atkinson | Bailey |
| Bannister | Bauer | Beach |
| Bernstein | Blackwell | Bradley |
| Brewer | Burns | Bustos |
| Calhoon | Carter | Caskey |
| Chapman | Chumley | Collins |
| Connell | B. J. Cox | B. L. Cox |
| Crawford | Cromer | Davis |
| Elliott | Erickson | Felder |
| Forrest | Gagnon | Gatch |
| Gibson | Gilliam | Guest |
| Guffey | Haddon | Hager |
| Hardee | Harris | Hartnett |
| Hayes | Hewitt | Hiott |
| Hixon | Hyde | J. E. Johnson |
| S. Jones | Jordan | Kilmartin |
| Landing | Lawson | Leber |
| Ligon | Long | Lowe |
| Magnuson | May | McCabe |
| McCravy | McGinnis | Mitchell |
| A. M. Morgan | T. A. Morgan | Moss |
| Murphy | Neese | B. Newton |
| W. Newton | O'Neal | Oremus |
| Ott | Pace | Pedalino |
| Pope | Robbins | Sandifer |
| Schuessler | Sessions | G. M. Smith |
| M. M. Smith | Stavrinakis | Taylor |
| Thayer | Trantham | Vaughan |
| Weeks | West | Wetmore |
| Wheeler | White | Willis |
| Wooten | Yow |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Clyburn | Cobb-Hunter | Dillard |
| Garvin | Gilliard | Hart |
| Henderson-Myers | Henegan | Hosey |
| Jefferson | J. L. Johnson | W. Jones |
| King | McDaniel | J. Moore |
| Pendarvis | Rivers | Tedder |
| Thigpen | Williams |  |

**Total--20**

So, the Bill, as amended, was read the second time and ordered to third reading.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3532. If I had been present, I would have voted against the Bill.

Rep. Seth Rose

RECORD FOR VOTING

I had leave for the day due to a business conflict; however, if I had been present, I would have voted in favor of passing H. 3532 on second reading.

Rep. Nathan Ballentine

RECORD FOR VOTING

I had to leave Session today due to illness and was not present for the vote on second reading of H. 3532. If I had been present, I would have vote in favor of giving H. 3532 approval for second reading.

Rep. Roger Nutt.

**RECURRENCE TO THE MORNING HOUR**

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3750 -- Reps. Erickson, Alexander and Kirby: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 11-35-710, RELATING TO EXEMPTIONS FROM THE STATE PROCUREMENT CODE, SO AS TO ADD PLANNING FOR REPAIRS TO BRIDGES, HIGHWAYS, ROADS, AND OTHER IMPROVEMENTS ON THE STATE'S RIGHTS OF WAY TO THE LIST OF EXEMPTIONS AND TO PROVIDE CERTAIN EXCEPTIONS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

S. 361 -- Senators Grooms and Scott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-5-1630, RELATING TO THE EXTENSION OF CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION COMMISSION IS NOT REQUIRED TO PROVIDE PREAPPROVAL OF CONSTRUCTION CONTRACT EXTENSIONS AND TO PROVIDE THAT THE COMMISSION MUST RATIFY EXTENSIONS AT THE NEXT COMMISSION MEETING.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3857 -- Rep. McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-103-15, RELATING TO CATEGORIES OF INSTITUTIONS OF HIGHER LEARNING IN THIS STATE AND THEIR RESPECTIVE MISSIONS, SO AS TO ADD A NEW CATEGORY FOR DOCTORAL/PROFESSIONAL UNIVERSITIES AND TO PROVIDE THEIR RELATED MISSIONS.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3295 -- Reps. Collins, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3843 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-63-25 SO AS TO PROVIDE AN OPEN ENROLLMENT OPTION IN PUBLIC SCHOOLS; BY AMENDING SECTIONS 59-63-30 AND 59-63-32, RELATING TO REQUIREMENTS FOR PUBLIC SCHOOL ENROLLMENT AND PENALTIES FOR PROVIDING FALSE INFORMATION, AND SECTION 59-63-480, RELATING TO ATTENDANCE AT SCHOOLS IN ADJACENT COUNTIES, ALL SO AS TO MAKE CONFORMING CHANGES; AND BY REPEALING SECTION 59-63-500 RELATING TO TRANSFER WITHOUT CONSENT OF SCHOOL DISTRICT OF RESIDENCE.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3360 -- Reps. Pope, Gilliam, Wooten, McCravy, Felder, Williams, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 17 TO CHAPTER 23, TITLE 23 SO AS TO ESTABLISH THE CENTER FOR SCHOOL SAFETY AND TARGETED VIOLENCE WITHIN THE STATE LAW ENFORCEMENT DIVISION.

Ordered for consideration tomorrow.

Rep. ERICKSON, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3308 -- Reps. Gilliam, McCravy, Felder, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-21-720, RELATING TO CERTIFICATION OF SCHOOL PSYCHOLOGISTS BY THE STATE DEPARTMENT OF EDUCATION, SO AS TO PROVIDE THAT IN DETERMINING ELIGIBILITY FOR CERTIFICATION, THE DEPARTMENT MAY ACCEPT THE CREDENTIALS OF SCHOOL PSYCHOLOGISTS, SOCIAL WORKERS, AND SCHOOL GUIDANCE COUNSELORS CERTIFIED IN OTHER STATES TO SERVE AS SCHOOL PSYCHOLOGISTS IN THIS STATE UPON DEMONSTRATING COMPLIANCE WITH CREDENTIALING REQUIREMENTS OF THIS STATE, AND TO PROVIDE FOR THE ISSUANCE OF TEMPORARY CERTIFICATION FOR APPLICANTS WHO NEED TO MEET THESE REQUIREMENTS.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3014 -- Reps. Gilliard, Henegan, Ott, Collins, Carter, Murphy, Robbins, Brewer, Gatch, Kirby, Anderson, Rivers, Howard, King, McDaniel, Hosey, Clyburn, Cobb-Hunter, Bamberg, Williams, Bernstein, W. Newton, Herbkersman, Hyde, Brittain, Guest, Erickson, Bradley, Hager, Connell, Hewitt, Rutherford, Thigpen, B. Newton, McGinnis, Hardee, Hixon, Taylor, Sandifer, M. M. Smith, Wetmore, Bustos, Landing, Elliott, Pope, Felder, Stavrinakis, Rose, Neese, Davis, Wooten, Bannister, Wheeler, Moss, Lawson, Bailey, Schuessler, Blackwell, W. Jones, Dillard, Bauer, Sessions, T. Moore, J. L. Johnson, Jefferson, B. J. Cox and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "CLEMENTA C. PINCKNEY HATE CRIMES ACT"; BY ADDING ARTICLE 22 TO CHAPTER 3, TITLE 16 SO AS TO ENTITLE THE ARTICLE "PENALTY ENHANCEMENTS FOR CERTAIN CRIMES", TO PROVIDE ADDITIONAL PENALTIES FOR PERSONS WHO COMMIT CERTAIN DELINEATED CRIMES WHEN THE VICTIM WAS INTENTIONALLY SELECTED BASED ON CERTAIN FACTORS, AND TO PROVIDE VICTIMS OF A VIOLATION OF THE ARTICLE MAY BRING A CIVIL ACTION FOR DAMAGES SUSTAINED.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3019 -- Reps. King, Leber, Henegan, Murphy, Brewer, Robbins, Schuessler and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-1-43 SO AS TO PROVIDE FOR THE DESTRUCTION OF ARREST RECORDS OF PERSONS ARRESTED AS A RESULT OF MISTAKEN IDENTITY NOT LATER THAN ONE HUNDRED EIGHTY DAYS AFTER AN INVESTIGATION BY A LAW ENFORCEMENT OR PROSECUTION AGENCY REVEALS THAT THE PERSON WAS ARRESTED AS A RESULT OF MISTAKEN IDENTITY AND TO PROVIDE THAT THE LAW ENFORCEMENT OR PROSECUTION AGENCY MAY NOT CHARGE OR COLLECT A FEE FOR THE DESTRUCTION OF ARREST RECORDS UNDER THESE CIRCUMSTANCES; AND BY ADDING SECTION 17-1-70 SO AS TO ALLOW PERSONS CHARGED WITH SPECIFIC OFFENSES TO PETITION TO HAVE THEIR CHARGES DISMISSED IF THEY HAVE NOT BEEN ADJUDICATED OR OTHERWISE DISMISSED AFTER A PERIOD OF TIME AND OTHER DELINEATED CONDITIONS ARE MET, AND TO PROVIDE PROCEDURES FOR THE DESTRUCTION OF THE RECORDS.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3204 -- Rep. Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-55-420, RELATING TO PSYPACT DISPUTE RESOLUTION, SO AS TO PROVIDE FOR THE UNITED STATES DISTRICT COURT OF GEORGIA TO RESOLVE DISPUTES.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3682 -- Reps. Murphy, Wetmore, Bailey, Rose, Crawford, Brewer, Taylor, Hardee, Wooten, Pope, McDaniel, Hewitt, Bauer, Yow, J. E. Johnson, Willis, Ligon, Lawson, Robbins, Schuessler, Guest, Henegan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 47-1-140, RELATING TO THE CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO REMOVE PROVISIONS REGARDING A LIEN ON THE SEIZED ANIMAL; BY AMENDING SECTION 47-1-145, RELATING TO CUSTODY AND CARE OF ANIMALS AFTER THE ARREST OF THE OWNER, SO AS TO OUTLINE HEARING PROCEDURES FOR ORDERING THE COST OF CARE OF THE SEIZED ANIMALS; AND BY AMENDING SECTION 47-1-170, RELATING TO PENALTIES FOR ANIMAL CRUELTY, SO AS TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3866 -- Rep. Rutherford: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-7-95 SO AS TO CLARIFY THAT, WHEN THE ATTORNEY GENERAL PROCEEDS IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL DOES NOT UNDERTAKE REPRESENTATION OF STATE AGENCIES AND CANNOT BE CONSIDERED TO HAVE POSSESSION, CUSTODY, OR CONTROL OVER STATE AGENCY DOCUMENTS OR ELECTRONICALLY STORED INFORMATION; AND BY ADDING SECTION 39-5-55 SO AS TO SPECIFY THAT THE ATTORNEY GENERAL IS ACTING IN THE PUBLIC INTEREST OF THE STATE IN UNFAIR TRADE PRACTICE PROCEEDINGS, AND TO PROVIDE AN EXCEPTION.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3890 -- Reps. Rose, Murphy, Brewer, Mitchell, Robbins, Schuessler and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-5-920, RELATING TO YOUTHFUL OFFENDER ELIGIBILITY FOR EXPUNGMENT OF CERTAIN OFFENSES, SO AS TO ALLOW EXPUNGMENT FOR CONVICTIONS INVOLVING A DRIVING UNDER SUSPENSION OFFENSE.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3925 -- Reps. Bannister, Murphy, Gatch, Robbins and Mitchell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-7-920, 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.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4050 -- Reps. Elliott, Carter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO DECLARE TUESDAY, MARCH 7, 2023, AS "CLEMSON DAY" IN THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4051 -- Rep. J. L. Johnson: A HOUSE RESOLUTION TO HONOR BISHOP WENDELL B. SUMTER OF ZION MILL CREEK BAPTIST CHURCH IN COLUMBIA ON THE OCCASION OF HIS THIRTIETH ANNIVERSARY OF GOSPEL MINISTRY AT ZION MILL CREEK AND TO EXTEND TO HIM BEST WISHES FOR GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4052 -- Reps. Anderson and Hewitt: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SHERRY DAVIS-LIVINGSTON, SENIOR 4-H/YOUTH DEVELOPMENT AGENT AND COUNTY COORDINATOR FOR THE CLEMSON UNIVERSITY COOPERATIVE EXTENSION SERVICES IN GEORGETOWN COUNTY, AND TO COMMEND HER FOR THIRTY-TWO YEARS OF DEDICATION TO THE CLEMSON UNIVERSITY COOPERATIVE EXTENSION SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4053 -- Reps. J. L. Johnson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND JOHN L. GOODWINE, PASTOR OF SWEET HOME BAPTIST CHURCH IN COLUMBIA, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-NINE YEARS OF EXEMPLARY MINISTRY, TO COMMEND HIM FOR HIS DECADES OF COMMUNITY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4054 -- Reps. Herbkersman, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO DECLARE FEBRUARY 28, 2023, "RARE DISEASE AWARENESS DAY" IN SOUTH CAROLINA AND TO ENCOURAGE ALL CITIZENS TO LEARN ABOUT, CONNECT WITH, AND CHAMPION PEOPLE LIVING WITH RARE DISEASES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4055 -- Reps. Anderson, Bamberg and Hosey: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SHANNON B. HERNDON, THE 4-H AGENT FOR BAMBERG AND BARNWELL COUNTIES, AND TO COMMEND HER FOR TWENTY-FOUR YEARS OF DEDICATION TO THE CLEMSON UNIVERSITY EXTENSION PROGRAM.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4056 -- Reps. Yow, B. Newton, Neese and Mitchell: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WRESTLER JUSTIN PARDUE OF BUFORD HIGH SCHOOL FOR AN OUTSTANDING SEASON AND TO CONGRATULATE HIM FOR WINNING THE 2022 AND 2023 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4057 -- Reps. Hixon, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO COMMEND THE STATE 4-H TEEN COUNCIL AND THE 4-H PROGRAM TEAM ON THEIR NUMEROUS ACCOMPLISHMENTS OVER THE 2022-2023 YEAR, FOR THE LEADERSHIP AND IMPACT THEY HAVE DEMONSTRATED, AND TO DECLARE TUESDAY, MARCH 7, 2023, AS "4-H DAY" AT THE STATE CAPITOL.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4058 -- Reps. Kilmartin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE CHAPIN GARDEN CLUB FOR ITS OUTSTANDING HISTORY AND VOLUNTEER WORK IN THE CHAPIN COMMUNITY AND TO CONGRATULATE CINDY CHIN, CLUB PRESIDENT, AND THE CLUB'S MEMBERS UPON THE OCCASION OF THEIR EIGHTY-FIFTH ANNIVERSARY.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 570 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE NONPROFIT AND PHILANTHROPIC ORGANIZATIONS OF SOUTH CAROLINA AND THEIR MANY VOLUNTEERS, DONORS, BOARD MEMBERS, AND PROFESSIONAL LEADERS FOR THEIR SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**INTRODUCTION OF BILLS**

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 4059 -- Reps. W. Newton, Bradley, Erickson, Herbkersman, Rivers and Hager: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-37-30, RELATING TO USES FOR WHICH THE REVENUES OF A SALES TAX FOR TRANSPORTATION FACILITIES MAY BE USED, SO AS TO PROVIDE THAT THE REVENUES MAY BE USED FOR ADDITIONAL PROJECTS.

Referred to Committee on Ways and Means

H. 4060 -- Reps. G. M. Smith, West, Ballentine, M. M. Smith, B. Newton, Davis, Hewitt, Sandifer, Kirby, Ott, Hager, Stavrinakis and Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-485 SO AS TO ESTABLISH A STATEWIDE WORKFORCE READINESS GOAL; BY ADDING SECTION 59-29-245 SO AS TO PROVIDE REMEDIATION IN COURSES IN LITERACY AND MATHEMATICS TO HIGH SCHOOL SENIORS SEEKING POST-SECONDARY STUDIES BUT LACKING REQUISITE ACADEMIC PREPARATION, TO PROVIDE THIS COURSEWORK MAY BE USED TO MEET HIGH SCHOOL GRADUATION REQUIREMENTS, AND TO PROVIDE RELATED IMPLEMENTATION REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, STATE BOARD OF EDUCATION, AND THE STATE TECHNICAL COLLEGE SYSTEM; BY ADDING SECTION 59-39-105 SO AS TO PROVIDE HIGH SCHOOL SENIORS SHALL COMPLETE AND SUBMIT A FREE APPLICATION FOR FEDERAL STUDENT AID BEFORE GRADUATING FROM HIGH SCHOOL, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED REQUIREMENTS FOR THE IMPLEMENTATION OF THESE PROVISIONS, AND TO MAKE THESE PROVISIONS APPLICABLE BEGINNING WITH THE 2023-2024 SCHOOL YEAR; BY AMENDING SECTION 59-26-35, RELATING TO EDUCATOR PREPARATION PROGRAM EVALUATIONS AND THE SOUTH CAROLINA EDUCATOR PREPARATION REPORT CARD, SO AS TO TRANSFER PRIMARY RESPONSIBILITY FOR CONDUCTING THESE EVALUATIONS AND PRODUCING THIS REPORT CARD TO THE STATE DEPARTMENT OF EDUCATION; BY AMENDING SECTION 59-59-210, RELATING TO DUAL ENROLLMENT ARTICULATION AGREEMENTS, SO AS TO PROVIDE A UNIFORM SYSTEM OF DUAL ENROLLMENT COLLEGE COURSES OFFERED TO HIGH SCHOOL STUDENTS BY INSTITUTIONS OF HIGHER LEARNING IN THIS STATE, AND TO PROVIDE FOR THE DEVELOPMENT OF POLICIES FOR THE GUARANTEED TRANSFER OF COURSEWORK EARNED AT TECHNICAL COLLEGES IN THIS STATE TO PUBLIC INSTITUTIONS OF HIGHER LEARNING IN THIS STATE; BY ADDING SECTION 41-1-140 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL MAINTAIN AND PROVIDE FREE ONLINE ACCESS TO INFORMATION REGARDING THE ECONOMIC VALUE OF COLLEGE MAJORS, AMONG OTHER THINGS; AND BY INCREASING THE PERCENTAGE OF WORKING-AGED ADULTS WITH POSTSECONDARY DEGREES OR INDUSTRY CREDENTIALS BY FACILITATING THE TRANSFER OF CERTAIN ADULT EDUCATION PROGRAMS TO THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND MAXIMIZING USE OF CAREER AND TECHNOLOGY CENTERS TO IMPROVE AND UPDATE CAREER AND TECHNICAL EDUCATION.

Referred to Committee on Education and Public Works

H. 4061 -- Reps. Beach, B. L. Cox, Kilmartin, Leber, Pace, Cromer and O'Neal: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-73-50 SO AS TO PROHIBIT LEGAL ACTION BY THE STATE OR ITS POLITICAL SUBDIVISIONS AGAINST A MANUFACTURER, TRADE ASSOCIATION, DISTRIBUTOR, OR DEALER OF FIREARMS OR AMMUNITION ARISING OUT OF THE LAWFUL DESIGN, MARKETING, DISTRIBUTION, OR SALE OF FIREARMS OR AMMUNITION TO THE PUBLIC.

Referred to Committee on Judiciary

H. 4062 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-360, RELATING IN PART TO ELECTRONIC PRESCRIPTIONS SO AS TO ADD AN EXEMPTION TO MANDATORY ELECTRONIC PRESCRIBING FOR DENTISTS WHO WRITE CERTAIN PRESCRIPTIONS FOR SCHEDULE II CONTROLLED SUBSTANCES FOR ACUTE PAIN MANAGEMENT OR POSTOPERATIVE PAIN MANAGEMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4063 -- Reps. Blackwell, Oremus, Taylor and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-3-20, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THAT A HAND-COUNT AUDIT BE CONDUCTED PUBLICLY.

Referred to Committee on Judiciary

H. 4064 -- Reps. Davis, Bustos and Bernstein: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "MULTIFAMILY DWELLING SAFETY ACT", BY ADDING CHAPTER 21 TO TITLE 40 SO AS TO PROVIDE NECESSARY DEFINITIONS, TO REQUIRE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO ADOPT A MULTIFAMILY DWELLING BALCONY CODE ESTABLISHING MINIMUM STANDARDS FOR BALCONY RAILINGS THAT ARE PRIMARILY CONSTRUCTED OF WOOD AND ARE LOCATED IN MULTIFAMILY DWELLINGS, TO REQUIRE THE DEPARTMENT PERIODICALLY CONDUCT INSPECTIONS OF SUCH BALCONIES TO ASCERTAIN COMPLIANCE WITH THE CODE, AND TO PROVIDE REMEDIES FOR VIOLATIONS, AMONG OTHER THINGS.

Referred to Committee on Labor, Commerce and Industry

H. 4065 -- Rep. Herbkersman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "LIVABLE HOMES TAX CREDIT ACT"; AND BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INDIVIDUAL INCOME TAX CREDIT TO AN INDIVIDUAL WHO PURCHASES A NEW RESIDENCE OR RETROFITS AN EXISTING RESIDENCE, PROVIDED THAT THE NEW RESIDENCE OR THE RETROFITTING OF THE EXISTING RESIDENCE IS DESIGNED TO IMPROVE ACCESSIBILITY, TO PROVIDE A CUMULATIVE TOTAL FOR WHICH THE CREDIT MAY NOT EXCEED, TO PROVIDE CERTAIN DESIGN ELEMENT REQUIREMENTS AND ELIGIBLE COSTS, AND TO PROVIDE A MAXIMUM AMOUNT OF TAX CREDITS THAT MAY BE GRANTED IN EACH INCOME TAX YEAR.

Referred to Committee on Ways and Means

H. 4066 -- Rep. B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 7-9-80 AND 7-9-100, RELATING TO THE COUNTY AND STATE CONVENTIONS OF A POLITICAL PARTY, RESPECTIVELY, SO AS TO CHANGE THE FORMULA FOR DETERMINING HOW MANY DELEGATES EACH COUNTY MAY ELECT TO THE STATE CONVENTION; BY AMENDING SECTION 7-17-560, RELATING TO THE AUTHORITY OF THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO HEAR CERTAIN PRIMARY PROTESTS AND CONTESTS, SO AS TO REQUIRE THE STATE EXECUTIVE COMMITTEE TO ALSO HEAR PROTESTS AND CONTESTS IN THE CASE OF COUNTY OFFICERS, LESS THAN COUNTY OFFICERS, AND MUNICIPAL OFFICERS, TO AUTHORIZE THE STATE EXECUTIVE COMMITTEE TO ADOPT A RESOLUTION TO REQUIRE THE FILING OF ANY PROTEST OR CONTEST TO BE ACCOMPANIED BY A BOND WITH SURETY, AND TO PROVIDE FOR APPEALS FROM DECISIONS BY THE STATE EXECUTIVE COMMITTEE; BY AMENDING SECTION 7-17-570, RELATING TO HEARINGS OF PRIMARY PROTESTS AND CONTESTS, SO AS TO EXTEND THE TIME IN WHICH THE STATE EXECUTIVE COMMITTEE MUST CONDUCT SUCH HEARINGS; BY AMENDING SECTION 5-15-80, RELATING TO MUNICIPAL PRIMARY PROTESTS AND CONTESTS, SO AS TO PROVIDE THAT SUCH PROTESTS AND CONTESTS ARE TO BE FILED, HEARD, AND DECIDED IN THE MANNER PROVIDED IN SECTIONS 7-17-560 AND 7-17-570; AND BY REPEALING SECTIONS 7-17-520, 7-17-530, 7-17-540, 7-17-550, 7-17-580, AND 7-17-590 ALL RELATING TO PRIMARY PROTESTS AND CONTESTS FOR CERTAIN OFFICES.

Referred to Committee on Judiciary

H. 4067 -- Reps. J. Moore, Garvin, Pendarvis, Jefferson, J. L. Johnson, Rose and McDaniel: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 22 TO CHAPTER 13, TITLE 24 SO AS TO PROVIDE CERTAIN PERSONS WRONGFULLY CONVICTED OF AND IMPRISONED FOR CRIMES MAY RECOVER THE MONETARY VALUE OF THE LOSS SUSTAINED FROM THEIR WRONGFUL CONVICTIONS AND IMPRISONMENTS.

Referred to Committee on Judiciary

S. 304 -- Senators Turner, Climer, Verdin, Kimbrell and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1885, RELATING TO OVERTAKING AND PASSING ANOTHER VEHICLE IN THE FARTHEST LEFT-HAND LANE, SO AS TO INCREASE THE FINE FROM TWENTY-FIVE DOLLARS TO ONE HUNDRED DOLLARS AND TO PROVIDE THAT SEVENTY-FIVE DOLLARS FROM EACH FINE COLLECTED MUST BE CREDITED TO THE HIGHWAY PATROL.

Referred to Committee on Judiciary

S. 375 -- Senators Grooms, Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-1538, RELATING TO THE DEFINITIONS OF EMERGENCY SCENE MANAGEMENT, SO AS TO PROVIDE THAT A DRIVER SHALL ENSURE THAT HIS VEHICLE IS KEPT UNDER CONTROL WHEN APPROACHING OR PASSING A MOTOR VEHICLE STOPPED ON OR NEAR THE RIGHT-OF-WAY OF A STREET OR HIGHWAY; TO PROVIDE THAT A PERSON DRIVING A VEHICLE APPROACHING A STATIONARY VEHICLE DISPLAYING FLASHING HAZARD LIGHTS SHALL SLOW DOWN, YIELD THE RIGHT-OF-WAY, AND MAINTAIN A SAFE SPEED IF CHANGING LANES IS UNSAFE; AND TO PROVIDE PENALTIES.

Referred to Committee on Judiciary

S. 407 -- Senators Shealy and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-361(A), RELATING TO PRESCRIPTIONS FOR OPIOID ANTIDOTES, SO AS TO PROVIDE FOR IT TO BE OFFERED CONSISTENT WITH THE EXISTING STANDARD OF CARE AND THE FDA.

Referred to Committee on Medical, Military, Public and Municipal Affairs

Rep. MAY moved that the House do now adjourn, which was agreed to.

**ADJOURNMENT**

At 3:08 p.m. the House, in accordance with the motion of Rep. MAY, adjourned to meet at 10:00 a.m. tomorrow.

\*\*\*