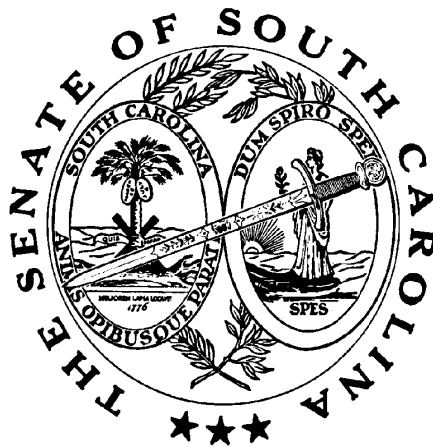


NO. 5

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, JANUARY 16, 2024

Tuesday, January 16, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

Isaiah 40:31b

About those who faithfully follow the Lord, Isaiah tells us that: “They will soar on wings like eagles, they will run and not grow weak, they will walk and not be faint.”

Please join me as we bow in prayer: Gracious, ever-loving God, how determined, diligent and dedicated to the work of freedom for all was Your servant, Martin Luther King, Jr. And how lovingly did he seek to work Your will on behalf of so many of our sisters and brothers across this land. How appropriate and right was it for our Nation to pause yesterday, to reflect upon how he labored for those he loved, and how much he gave on behalf of the cause of freedom. May we ourselves, O Lord, also be determined to work for the well-being of everyone around us. And so we pray that You will guide these dedicated leaders here in the Senate of South Carolina to continue doing all they can to assure that Dr. King’s dream is kept alive for every woman, man and child here in this State. In Your all-encompassing love we pray this, dear Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy

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Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

RECESS

At 12:08 P.M., on motion of Senator MASSEY, the Senate recessed from business not to exceed 5 minutes.

At 12:21 P.M., the Senate resumed.

MESSAGE FROM THE GOVERNOR

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

Statewide Appointment

Reappointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2023, and to expire June 30, 2027
5th Congressional District:

Christy B. Rhyne, 726 Poston Drive, Rock Hill, SC 29732-7838

Referred to the Committee on Labor, Commerce and Industry.

Local Appointment

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Otis Prioleau, 1128 Universal Circle, Saint Stephens, SC 29479-3648

Doctor of the Day

Senator McELVEEN introduced Dr. Christopher Yeakel of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator CROMER, at 12:22 P.M., Senator CAMPSSEN was granted a leave of absence for today.

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Leave of Absence

On motion of Senator SHEALY, at 12:24 P.M., Senator DAVIS was granted a leave of absence for today.

Leave of Absence

On motion of Senator GOLDFINCH, at 1:10 P.M., Senator CLIMER was granted a leave of absence until 1:30 P.M.

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

Remarks by Senator ADAMS

Good morning everybody. I just wanted to bring this to your attention. About thirty-four years ago, on March 3, 1989, there was a young boy, five-year-old Justin Turner, who was reported missing. During the time that the parents reported him missing, he supposedly went to school and didn't return home. The investigation was done by the Berkeley County Sheriff's Office, and approximately a few days after he was reported missing, the father found his body in a camper on the property. The case went cold and was stagnant for about twenty-seven to twenty-eight years. Then Berkeley County Sheriff's Office reopened the case. The detectives started working the cold evidence and looking for new technology to apply to their investigation. They soon found DNA evidence, which led them back to the parents. I'm mentioning this because I want to congratulate the Berkeley County Sheriff's Office and those who assisted in this investigation, Sheriff Dwayne Lewis, Detective Lewis and Detective Plitch. After thirty years, they made the arrest, and it turned out to be the parents. So, thank you to the Berkeley County Sheriff's Office.

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

CO-SPONSORS ADDED

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

S. 861 Sen. Corbin
S. 882 Sen. Cash
S. 910 Sen. K. Johnson

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

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S. 958 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AL'S UPSTAIRS UPON THE OCCASION OF ITS CLOSING, TO COMMEND THE RESTAURANT FOR ITS FORTY-FOUR YEARS OF SERVICE, AND TO WISH THE OWNER OF AL'S UPSTAIRS, AL LOFTIS, MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0476km-vc23.docx

The Senate Resolution was adopted.

S. 959 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MARION MILHOUSE UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY-ONE YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0470km-vc24.docx

The Senate Resolution was adopted.

S. 960 -- Senators Alexander, Peeler, Massey, Harpootlian, Grooms, Martin, Turner and Talley: A SENATE RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 28, 2024, AS "CLEMSON DAY" IN THE STATE OF SOUTH CAROLINA.

lc-0302dg-gm24.docx

The Senate Resolution was adopted.

S. 961 -- Senators Shealy, Cromer, Harpootlian, Massey and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MASTER DEPUTY JACOB ALAN SMITH OF THE LEXINGTON COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0458sa-rm24.docx

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

S. 962 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-2330, RELATING TO DUTIES OF PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS, SO AS TO REMOVE THE REQUIREMENT THAT PHARMACY SERVICE ADMINISTRATIVE ORGANIZATIONS MUST ACT AS FIDUCIARIES TO PHARMACIES.

lc-0558wab24.docx

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

S. 963 -- Senators Garrett and Massey: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JOHN COKER AND DEPUTY HEATHER CAMPBELL OF THE MCCORMICK COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0348hdb-bl24.docx

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

H. 4617 -- Reps. Hixon, Davis, M. M. Smith, Bannister, Pope, Wooten, Haddon, Brewer, Burns, Thayer, Kirby, Oremus, Hager, Hyde, Sessions, Carter, McDaniel, Magnuson, Hayes, W. Newton, Bauer, Trantham, J. L. Johnson, Henegan, Guffey, Chapman, Leber, Kilmartin, Robbins, Felder, Jefferson, Caskey, Ligon and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

lc-0314vr24.docx

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

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

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. 3799 -- Reps. Hyde and Nutt: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 53-3-270 SO

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AS TO DECLARE THE FIRST MONDAY OF MARCH OF EACH YEAR AS “WATER PROFESSIONALS DAY”.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER’S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS’ LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS’ LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS’ LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER’S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE’S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS

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TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED

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PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH

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THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

AMENDED, CARRIED OVER

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

The Senate proceeded to a consideration of the Bill.

Senator HUTTO proposed the following amendment (SJ-3782.PB0012S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 58-12-300(1)(b) and inserting:

(b) For purposes of Chapter 12, Title 58 only, "cable service" does not include any video programming accessed via a service that enables end users to access content, information, electronic mail, or other

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services offered over the Internet, including streaming video content, regardless of the provider of the Internet access services.

Amend the bill further, SECTION 1, by striking Section 58-12-300(10)(a) and (b) and inserting:

(10)(a) “Video service” means video programming services provided by a video service provider through wireline facilities located at least in part in the public ~~rights of way~~ rights of way without regard to delivery technology, including Internet protocol technology. This definition does not include any video programming provided by a commercial mobile service provider as defined in 47 U.S.C. Section 332(d), any video programming provided via a cable service, or any video programming ~~provided as part of, and accessed~~ via, a service that enables end users to access content, information, electronic mail, or other services offered over the ~~public~~ Internet, including streaming video content, regardless of the provider of the Internet access services.

(b) For purposes of Chapter 12, Title 58 only, “video service” also means video programming services provided by a video service provider through wireline facilities located at least in part in the public rights of way without regard to delivery technology, including Internet protocol technology, and does not include any direct-to-home satellite services as defined in 47 U.S.C. Section 303(v).

Amend the bill further, SECTION 2, by striking Section 58-9-2200(2)(e) and inserting:

(e) video programming accessed via a service that enables end users to access content, information, electronic mail, or other services offered over the Internet, including streaming video content, regardless of the provider of the Internet access services; provided, however, that this exception does not include Voice over Internet Protocol service. This item (e) only applies to Article 20, Chapter 9, Title 58 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

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READ THE SECOND TIME

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS 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 IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8 RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

The Senate proceeded to a consideration of the Bill.

The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

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NAYS

Total--0

There Bill was read the second time, passed and ordered to a third reading.

CARRIED OVER

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

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

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MADE SPECIAL ORDER

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO

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NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

Senator MASSEY moved that the Bill be made a Special Order.

The Bill was made a Special Order.

MOTION ADOPTED

At 12:51 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

CARRIED OVER

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

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

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

READ THE SECOND TIME

H. 3690 -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley, Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt,

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Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “ESG PENSION PROTECTION ACT”; BY AMENDING SECTION 9-16-10, RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS SO AS TO ADD A DEFINITION OF “PECUNIARY FACTOR”; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.

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

Senator BENNETT explained the Bill.

The question then was second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Corbin
Cromer	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell

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Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

LOCAL APPOINTMENT

Confirmation

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Reappointment, Berkeley County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Otis Prioleau, 1128 Universal Circle, Saint Stephens, SC 29479-3648

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Pamela Gayle Lamb of Hanahan, S.C. Pamela worked for the Department of the Navy for forty-five years at the Naval Hospital and Naval Medical Clinic in Charleston. She was a member of the Berkeley County Republican Party and Berkeley County Election Commission. Pamela loved Kenny Rogers, the Allman Brothers and Cokesbury Hymnals. Pamela was a loving mother who will be dearly missed.

TUESDAY, JANUARY 16, 2024

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Robert Eugene “Bobby” Thomas of Sumter, S.C. Bobby was a lover of baseball, westerns and the great outdoors. Bobby was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 1:16 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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