

NO. 15

JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

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THURSDAY, FEBRUARY 1, 2024

**Thursday, February 1, 2024**  
**(Statewide Session)**

Indicates Matter Stricken

Indicates New Matter

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

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

Ezekiel 37:7b

Finding himself in a valley full of bones, Ezekiel declared: “. . . as I was prophesying, there was a noise, a rattling sound, and the bones came together, bone to bone.”

Friends, join me as we bow in prayer: O blessed, most Holy God, we cannot help but be struck by Ezekiel’s spirit of faithfulness as he was facing what appeared to be overwhelming tasks. Yet as we recall, in spite of challenges, Your servant steeled himself and he did what was he was supposed to do. Today, Lord, in the face of their weariness and likely even exasperation, these Senators and their dedicated staff members are also facing formidable challenges. So we pray, Lord, that You will lead these modern-day servants as they work together to resolve a number of major issues. And by Your grace may their decisions ultimately enrich the lives of everyone in our State. This we pray in Your loving name, O 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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews

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McElveen	Peeler	Reichenbach
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Reappointment, Chief of the South Carolina Law Enforcement Division, with the term to commence January 31, 2018, and to expire January 31, 2024

Mark A. Keel, 440 Broad River Road, Columbia, SC 29210-4012

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

R. Michael Campbell II, 131 High Knoll Road, Columbia, SC 29223-3276

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2024, and to expire June 30, 2030

At-Large:

Henry Gene McCaskill, 604 Kirkwood Circle, Camden, SC 29020

Referred to the Committee on Judiciary.

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2024, and to expire June 30, 2026

T. Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

Referred to the Committee on Judiciary.

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Initial Appointment, State Board for Technical and Comprehensive Education, with the term to commence July 1, 2020, and to expire July 1, 2026

6th Congressional District:  
Rachel Turner Gainey, 5091 Hwy. 301, Alcolu, SC 29001-8630 *VICE*  
Gregory Askins

Referred to the Committee on Education.

**Doctor of the Day**

Senator DEVINE introduced Dr. Ada Stewart of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MATTHEWS, at 11:35 A.M., Senator McLEOD was granted a leave of absence until 12:35 P.M.

**Leave of Absence**

On motion of Senator SABB, at 3:06 P.M., Senator HUTTO was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator HEMBREE, at 3:06 P.M., Senator CAMPSEN was granted a leave of absence for the balance of the day.

**Leave of Absence**

On motion of Senator TURNER, at 3:06 P.M., Senator TALLEY was granted a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:  
S. 148 Sen. Tedder  
S. 621 Sens. Loftis, Sabb, Gustafson and Garrett  
S. 994 Sen. Loftis

**RECALLED AND ADOPTED**

S. 984 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SKILLSUSA FOR ITS EFFORTS TO ENSURE THAT AMERICA HAS A SKILLED WORKFORCE AND TO DECLARE FEBRUARY 4-10, 2024, AS "SKILLSUSA WEEK" IN SOUTH CAROLINA.

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

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

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

There was no objection.

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

On motion of Senator DAVIS, the Resolution was adopted.

**RECALLED**

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

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

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

**RECALLED**

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

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

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1012 -- Senator Corbin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH DAVID SMITH OF GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL FOR BEING NAMED 2023 CROSS COUNTRY COACH OF THE YEAR FOR BOTH THE SOUTH CAROLINA TRACK AND CROSS COUNTRY COACHES ASSOCIATION AND THE UNITED STATES TRACK AND FIELD CROSS COUNTRY COACHES ASSOCIATION.  
lc-0499sa-bl24.docx

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

S. 1013 -- Senator Corbin: A CONCURRENT RESOLUTION TO CONGRATULATE THE GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL BOYS CROSS COUNTRY AND TRACK AND FIELD TEAMS FOR WINNING THEIR RESPECTIVE CLASS AA BOYS STATE CHAMPIONSHIP TITLES.  
lc-0390vr-bl24.docx

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

S. 1014 -- Senators Kimbrell, Garrett, Rice, Corbin, Campsen, Adams and Reichenbach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 35-1-502, RELATING TO PROHIBITED CONDUCT IN PROVIDING INVESTMENT ADVICE REGARDING SECURITIES, SO AS TO SET DISCLOSURE STANDARDS FOR INVESTMENT ADVISERS WHO RENDER SERVICES BASED ON SOCIAL OR NONFINANCIAL FACTORS.  
lc-0502sa24.docx

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

S. 1015 -- Senators Goldfinch, Hembree and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-3-462, RELATING TO THE TERMINATION OF SEX OFFENDER REGISTRATION REQUIREMENTS, SO AS TO PROVIDE TERMINATION FOR TIER

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1 AND TIER 2 OFFENDERS AFTER A SPECIFIED PERIOD OF TIME FOLLOWING THE COMPLETION OF THE ENTIRE ORIGINAL SENTENCE.

sedu-0062db24.docx

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

S. 1016 -- Senator Massey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-16000 SO AS TO CREATE A SPECIAL LICENSE PLATE FOR MEMBERS OF THE SOUTH CAROLINA EQUINE INDUSTRY.

sr-0546km24.docx

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

S. 1017 -- Senators M. Johnson, Peeler and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

lc-0353dg24.docx

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

H. 3424 -- Reps. T. Moore, Carter, McCravy, Lawson, Beach, Pope, Nutt, Oremus, Vaughan, Long, Haddon, Burns, Chumley, Kilmartin, Cromer, O'Neal, Yow, Gilliam, W. Newton, Guest, Schuessler, Moss, Magnuson, Harris, Pace, Brittain, Bailey, Robbins, Sessions, Ligon, Felder, B. L. Cox, Guffey, Bradley, Murphy, Brewer, Connell, Hiott, Mitchell, Hager, Erickson, B. J. Cox, Blackwell, Wooten, Ballentine, Hyde, Wheeler, Calhoon, M. M. Smith, Davis, B. Newton, Elliott, Forrest, Willis, Hixon, Taylor, J. E. Johnson, Chapman and Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 39-5-190 SO AS TO PROVIDE DEFINITIONS, TO PROVIDE THAT IT IS UNLAWFUL FOR AN OPERATOR TO MAKE A PORNOGRAPHIC WEBSITE AVAILABLE TO PERSONS

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UNDER THE AGE OF EIGHTEEN, TO PROVIDE THAT THE ATTORNEY GENERAL SHALL CREATE CERTAIN PROCEDURES, AND TO PROVIDE FOR A PRIVATE RIGHT OF ACTION.

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

H. 4700 -- Reps. W. Newton, Pope, Guffey, Chapman, Leber, Beach, Kilmartin, Cromer, Oremus, Vaughan, Nutt, Haddon, Burns, Chumley, West, Felder, Guest, McCravy, Bailey, Brittain, Robbins, Sessions, Bradley, Mitchell, Yow, Hiott, Erickson, Hager, Wheeler, Weeks, Ballentine, Wooten, Calhoon, M. M. Smith, Davis, McGinnis, Gagnon, B. Newton, Schuessler, Elliott, Forrest, Willis, Ligon, Hixon and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 5, TITLE 39 SO AS TO PROVIDE DEFINITIONS; TO PROVIDE THAT A SOCIAL MEDIA COMPANY MAY NOT PERMIT CERTAIN MINORS TO BE ACCOUNT HOLDERS; TO PROVIDE REQUIREMENTS FOR SOCIAL MEDIA COMPANIES; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL PROVIDE CERTAIN PARENTS OR GUARDIANS WITH CERTAIN INFORMATION; TO PROVIDE THAT A SOCIAL MEDIA COMPANY SHALL RESTRICT SOCIAL MEDIA ACCESS TO MINORS DURING CERTAIN HOURS; TO PROVIDE FOR CONSUMER COMPLAINTS; TO PROVIDE THAT THE CONSUMER SERVICES DIVISION HAS AUTHORITY TO ADMINISTER AND ENFORCE CERTAIN REQUIREMENTS; TO PROVIDE FOR AN ANNUAL REPORT; TO PROVIDE FOR A CAUSE OF ACTION; AND TO PROVIDE THAT CERTAIN WAIVERS AND LIMITATIONS ARE VOID.

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

H. 4868 -- Reps. Kirby, Lowe, Jordan and Williams: A BILL TO AMEND ACT 84 OF 2011, AS AMENDED, RELATING TO THE TIME AND METHOD BY WHICH THE NINE MEMBERS OF THE FLORENCE COUNTY SCHOOL DISTRICT NUMBER THREE BOARD OF TRUSTEES ARE ELECTED, TO REAPPORTION THE FIVE SINGLE-MEMBER DISTRICTS AND THE TWO MULTIMEMBER DISTRICTS FROM WHICH THESE NINE

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MEMBERS MUST BE ELECTED, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

**REPORTS OF STANDING COMMITTEE**

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

S. 408 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-75-250, RELATING TO ISSUANCE OF LICENSE, DISPLAY, AND RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT; AND BY AMENDING SECTION 40-75-540, RELATING TO REGULATIONS FOR CONTINUING EDUCATION AND LICENSE RENEWAL, SO AS TO REQUIRE ONE HOUR OF SUICIDE PREVENTION TRAINING AS A PORTION OF THE TOTAL CONTINUING EDUCATION REQUIREMENT.

Ordered for consideration tomorrow.

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

S. 558 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-31-40 SO AS TO PROVIDE THE PROCEDURE FOR THE TUBERCULOSIS TESTING OF APPLICANT RESIDENTS AND NEWLY ADMITTED RESIDENTS OF NURSING HOMES IN THIS STATE.

Ordered for consideration tomorrow.

**Appointments Reported**

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

**Statewide Appointments**

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Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Residential Care Administrator:

Sarah D. Doctor-Greenwade, PO Box 23328, Columbia, SC 29224

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence July 31, 2023, and to expire July 31, 2028

5th Congressional District:

Crystal A. Maxwell, 2021 Bridgemill Drive, Suite 102, Fort Mill, SC 29707-9211

Received as information.

Reappointment, South Carolina Panel for Dietetics, with the term to commence May 30, 2023, and to expire May 30, 2025

Dietician, Clinical:

Robert Duffell Hoffman, 501 Gillsbrook Road, Lancaster, SC 29720-1915

Received as information.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2023, and to expire December 31, 2027

6th Congressional District, Registered Nurse:

Bridget J. Holder, Manager of Medical-Surgical and Telemetry, Summerville Medical Center, 1581 Sebago Dr., Charleston, SC 29414-7922 *VICE* Sonya Kay Ehrhardt

Received as information.

**Message from the House**

Columbia, S.C., January 1, 2024

Mr. President and Senators:

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

S. 298 -- Senators Bennett, Turner, Kimbrell, Campsen and Adams:  
A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-2320, RELATING TO ALTERNATE

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METHODS FOR THE ALLOCATION AND APPORTIONMENT OF INCOME FOR STATE INCOME TAX PURPOSES, SO AS TO SET FORTH A PROCESS FOR THE DEPARTMENT OF REVENUE AND TAXPAYERS TO ACCURATELY DETERMINE NET INCOME.

Very respectfully,  
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 1009 -- Senator McElveen: A CONCURRENT RESOLUTION TO RECOGNIZE FEBRUARY 2024 AS "WORLD CHOLANGIOPANCREATIC CANCER MONTH" IN SOUTH CAROLINA.

Returned with concurrence.  
Received as information.

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

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

The following Bills were read the third time and ordered sent to the House:

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT", SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

S. 806 -- Senators Alexander, Malloy and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE

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HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

**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,

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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 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

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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 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

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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 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.

**CARRIED OVER**

S. 578 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-54-240, RELATING TO DISCLOSURE OF RECORDS OF AND REPORTS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO AUTHORIZE THE DISCLOSURE OF DOCUMENTS UNDER CERTAIN CIRCUMSTANCES.

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

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**CARRIED OVER**

S. 620 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-51-50, RELATING TO SALES OF PROPERTY BY A COUNTY RESULTING FROM DELINQUENT TAXES, SO AS TO ALLOW AN ELECTRONIC SALE AND TO PROVIDE FOR THE PROCEDURES OF AN ELECTRONIC SALE; AND BY AMENDING SECTION 12-51-60, RELATING TO PAYMENT BY THE SUCCESSFUL BIDDER IN A TAX SALE, SO AS TO PROVIDE FOR THE DISTRIBUTION OF PROCEEDS DERIVED FROM AN ELECTRONIC TAX SALE.

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

**READ THE SECOND TIME**

S. 778 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING TITLE 40, CHAPTER 63, ARTICLE 5 SO AS TO CREATE THE SOCIAL WORK MEMBER STATE COMPACT, OUTLINE THE RULES OF THE COMPACT, AND DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the 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	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Malloy	Martin	Massey
Matthews	McElveen	Peeler
Rankin	Reichenbach	Rice
Sabb	Senn	Setzler

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Shealy	Talley	Tedder
Turner	Verdin	Williams
Young		

**Total--43**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

H. 3116 -- Reps. Felder, Carter, Pope, Guffey, O'Neal, Hart, Caskey, Williams, Blackwell and Gilliam: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-37-610, RELATING TO PERSONS LIABLE FOR TAXES AND ASSESSMENTS ON REAL PROPERTY, SO AS TO PROVIDE THAT CERTAIN DISABLED VETERANS OF THE ARMED FORCES OF THE UNITED STATES ARE EXEMPT FROM PROPERTY TAXES IN THE YEAR IN WHICH THE DISABILITY OCCURS.

The Senate proceeded to a consideration of the Bill.

Senator BENNETT proposed the following amendment (LC-3116.DG0003S), which was adopted:

Amend the bill, as and if amended, SECTION 3.A., by striking Section 12-37-220(3) and inserting:

(3) two private passenger vehicles owned or leased by any disabled veteran, or the spouse of the disabled veteran if the spouse resides with the veteran and the vehicle is registered at that same address, designated by the veteran for which special license tags have been issued by the Department of Motor Vehicles under the provisions of Sections 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by the county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles. The exemption extends to the surviving spouse of the person on one private passenger vehicle owned or leased by the spouse for their lifetime or until the remarriage of the surviving spouse. If a trustee holds legal title to a vehicle and the beneficiary is a person who qualifies otherwise for the exemption

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provided and the beneficiary uses the vehicle, then the vehicle is exempt from property taxation in the same amount and manner;

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 45; Nays 0**

**AYES**

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

**Total--45**

**NAYS**

**Total--0**

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

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**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (SR-621.JG0002S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(2) and (3) and inserting:

(2) four members appointed by the President of the Senate, two of whom must be members of the Senate; and

(3) seven members appointed by the Governor:

(a) the Secretary of the Department of Commerce or his designee;

(b) the Commissioner of Agriculture or his designee;

(c) two representatives of state institutions of higher education;

(d) two members representing Irish Americans in South Carolina or Irish-American communities; and

(e) one representative of the South Carolina Chamber of Commerce or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(G)(3) and inserting:

(3) The South Carolina-Ireland Trade Commission is authorized to raise funds, through direct solicitation or other fundraising events, alone, or with other groups, and accept gifts, grants, and bequests from individuals, corporations, foundations, governmental agencies, and public and private organizations and institutions, to defray the commission's administrative expenses and to carry out its purposes as set forth in this chapter. The funds, gifts, grants, or bequests received pursuant to this section must be deposited in an account with the State Treasurer and allocated and annually appropriated to the Department of Commerce to defray the commission's administrative expenses and carry out its purposes. The Department of Commerce may use funds appropriated for Foreign Operations to fund the administrative expenses and carry out the purposes of the commission to the extent that sufficient

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non-appropriated funds are not available. Foreign Operations appropriations may also be used for any non-administrative expenses of the commission with approval of the Secretary of Commerce. Expenditures made for the purposes of administering the commission and fulfilling its purposes shall be exempt from the provisions of Title 11, Chapter 35 of the S.C. Code.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Senator ALEXANDER proposed the following amendment (SR-621.KM0005S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 39-79-100(A)(3)(e) and inserting:

(e) one representative of a South Carolina business organization or a trade organization.

Amend the bill further, SECTION 1, by striking Section 39-79-100(B)(5) and inserting:

(5) one representative of a South Carolina business organization or a trade organization.

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 45; Nays 0**

**AYES**

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

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

**Total--45**

**NAYS**

**Total--0**

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

**S. 621--Ordered to a Third Reading**

On motion of Senator SETZLER, S. 621 was ordered to receive a third reading on Friday, February 2, 2024.

**POINT OF ORDER**

S. 843 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-56-120, RELATING TO MISREPRESENTATIONS PROHIBITED, SO AS TO PROHIBIT A SOLICITATION FROM A PERSON OR GROUP REPRESENTING ITSELF AS A SOUTH CAROLINA-BASED NATIVE AMERICAN INDIAN TRIBE OR SOUTH CAROLINA-BASED NATIVE AMERICAN ENTITY UNLESS THE GROUP HAS BEEN FEDERALLY ACKNOWLEDGED AS A TRIBE, OR DESIGNATED AS A TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION BY THE BOARD OF THE STATE COMMISSION FOR MINORITY AFFAIRS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

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The PRESIDENT sustained the Point of Order.

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

**MOTION FOR SPECIAL ORDER FAILED**

S. 423 -- Senators Davis, Hutto, Grooms, Kimpson, Malloy, McLeod, Verdin, Fanning, Goldfinch, Gustafson and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; BY AMENDING CHAPTER 53, TITLE 44 OF THE S.C. CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20 SO AS TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; BY ADDING SECTION 56-5-3910 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A DRIVER OF A MOTOR VEHICLE TO VAPORIZATE CANNABIS PRODUCTS AS DEFINED IN SECTION 44-53-2010 WHILE OPERATING THE MOTOR VEHICLE AND TO PROVIDE PENALTIES; BY REPEALING ARTICLE 4, CHAPTER 53, TITLE 44, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

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

**Ayes 25; Nays 16**

**AYES**

Adams	Allen	Bennett
Climer	Cromer	Davis
Gambrell	Goldfinch	Grooms
Gustafson	Hutto	Jackson
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Rankin
Reichenbach	Shealy	Talley
Tedder	Turner	Verdin
Williams		

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**Total--25**

**NAYS**

Alexander	Cash	Corbin
Devine	Garrett	Harpootlian
Hembree	<i>Johnson, Kevin</i>	Loftis
Matthews	Peeler	Rice
Sabb	Senn	Stephens
Young		

**Total--16**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

Senator MASSEY moved to close the Motion Period.

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

**Ayes 31; Nays 13**

**AYES**

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

**Total--31**

**NAYS**

Allen	Devine	Fanning
Harpootlian	Hutto	<i>Johnson, Kevin</i>
Malloy	Matthews	Sabb
Senn	Setzler	Stephens
Tedder		

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**Total--13**

**MOTION ADOPTED**

At 11:58 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**OBJECTION**

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, Bailey, Schuessler, Blackwell, W. Jones, Dillard, Bauer, Sessions, T. Moore, J.L. Johnson, Jefferson, B.J. Cox, Garvin, B.L. Cox, Tedder and Alexander: 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.

Senator MATTHEWS asked unanimous consent to make a motion that the Bill be made a Special Order.

Senator MASSEY objected.

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

**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

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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.

**CARRIED OVER**

S. 782 -- Senators Matthews and Davis: A BILL TO DELINEATE THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY SCHOOL BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2024 GENERAL ELECTION, TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE DISTRICTS, AND TO REPEAL SECTION 2 OF ACT 476 OF 1998 RELATING TO THE ESTABLISHMENT OF SINGLE-MEMBER DISTRICTS OF THE JASPER COUNTY SCHOOL DISTRICT.

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

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**AMENDED, READ THE THIRD TIME  
RETURNED TO THE HOUSE**

H. 3594 -- Reps. B.J. Cox, G.M. Smith, Lowe, Wooten, Hiott, Bailey, Beach, Burns, Caskey, Crawford, Cromer, Elliott, Forrest, Haddon, Hardee, Hixon, Hyde, Jordan, Ligon, Long, Magnuson, May, McCabe, McCravy, A.M. Morgan, T.A. Morgan, T. Moore, B. Newton, Nutt, Oremus, M.M. Smith, S. Jones, Taylor, Thayer, Trantham, Willis, Yow, West, Lawson, Chapman, Chumley, Leber, Mitchell, Pace, Harris, O'Neal, Kilmartin, Murphy, Brewer, Robbins, Hager, Sandifer, Connell, Gilliam, Davis, B.L. Cox, Vaughan, White, Collins, J.E. Johnson, Gagnon, Gibson, W. Newton, Bustos, Herbkersman, Landing, Moss, Pope and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA CONSTITUTIONAL CARRY/SECOND AMENDMENT PRESERVATION ACT OF 2023" BY AMENDING SECTION 10-11-320, RELATING TO CARRYING OR DISCHARGING FIREARMS AND EXCEPTIONS FOR CONCEALABLE WEAPONS PERMIT HOLDERS, SO AS TO DELETE A PROVISION THAT MAKES THIS SECTION INAPPLICABLE TO PERSONS THAT POSSESS CONCEALABLE WEAPONS PERMITS AND TO PROVIDE THIS SECTION DOES NOT APPLY TO PERSONS WHO POSSESS FIREARMS; BY AMENDING SECTION 16-23-20, RELATING TO UNLAWFUL CARRYING OF HANDGUNS, SO AS

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TO REVISE THE PLACES WHERE AND CIRCUMSTANCES UPON WHICH HANDGUNS MAY BE CARRIED, AND PERSONS WHO MAY CARRY HANDGUNS; BY AMENDING SECTION 16-23-50, RELATING TO CERTAIN PENALTIES, DISPOSITION OF FINES, AND FORFEITURE AND DISPOSITION OF HANDGUNS, SO AS TO PROVIDE EXCEPTIONS TO THE UNLAWFUL CARRYING OF HANDGUNS; BY AMENDING SECTION 16-23-55, RELATING TO PROCEDURES FOR RETURNING FOUND HANDGUNS, SO AS TO DELETE THE PROVISION RELATING TO FILING APPLICATIONS TO OBTAIN FOUND HANDGUNS, AND PROVIDE CIRCUMSTANCES THAT ALLOW LAW ENFORCEMENT AGENCIES TO MAINTAIN POSSESSION OR DISPOSE OF FOUND HANDGUNS; BY AMENDING SECTION 16-23-420, RELATING TO POSSESSION OF FIREARMS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION, AND DELETE THE TERM "WEAPON" AND REPLACE IT WITH THE TERM "FIREARM"; BY AMENDING SECTION 16-23-430, RELATING TO CARRYING WEAPONS ON SCHOOL PROPERTY, SO AS TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THIS PROVISION; BY AMENDING SECTION 16-23-465, RELATING TO THE ADDITIONAL PENALTIES FOR UNLAWFULLY CARRYING PISTOLS OR FIREARMS ONTO PREMISES OF BUSINESSES SELLING ALCOHOLIC LIQUOR, BEER, OR WINE FOR ON-PREMISES CONSUMPTION, SO AS TO PROVIDE THIS PROVISION DOES NOT APPLY TO CERTAIN OFFENSES THAT PROHIBIT PERSONS FROM CARRYING CERTAIN DEADLY WEAPONS, TO PROVIDE THIS PROVISION APPLIES TO PERSONS WHO KNOWINGLY CARRY CERTAIN FIREARMS, TO DELETE THE PROVISION THAT EXEMPTS PERSONS WHO POSSESS CONCEALED WEAPON PERMITS FROM THE PROVISIONS OF THIS SECTION, AND TO PROVIDE PERSONS LAWFULLY CARRYING FIREARMS WHO DO NOT CONSUME ALCOHOLIC BEVERAGES ARE EXEMPT FROM THE PROVISIONS OF THIS SECTION; BY AMENDING SECTION 23-31-215, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, SO AS TO DELETE THE PROVISIONS REQUIRING PERMIT HOLDERS TO CARRY PERMITS WHILE CARRYING WEAPONS AND IDENTIFYING THEMSELVES AS

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PERMIT HOLDERS TO LAW ENFORCEMENT OFFICERS, TO REVISE THE REQUIREMENTS TO REPORT THE LOSSES OF PERMITS TO SLED, TO REVISE THE PREMISES UPON WHICH PERMIT HOLDERS MUST NOT CARRY WEAPONS, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN VIOLATIONS, TO REVISE THE PROVISION THAT PROVIDES EXEMPTIONS TO CARRYING PERMITS, AND TO DELETE THE PROVISION RELATING TO PENALTIES FOR CARRYING EXPIRED PERMITS; BY AMENDING SECTION 23-31-220, RELATING TO THE RIGHT TO ALLOW OR PERMIT CONCEALED WEAPONS UPON PREMISES AND THE POSTING OF SIGNS PROHIBITING THE CARRYING OF WEAPONS, SO AS TO MAKE TECHNICAL CHANGES, THAT PERSONS MUST KNOWINGLY VIOLATE THE PROVISIONS OF THIS SECTION TO BE CHARGED WITH A VIOLATION, AND TO PROVIDE THIS SECTION DOES NOT LIMIT PERSONS FROM CARRYING CERTAIN WEAPONS IN STATE PARKS; BY AMENDING SECTION 23-31-232, RELATING TO CARRYING CONCEALABLE WEAPONS ON PREMISES OF CERTAIN SCHOOLS LEASED BY CHURCHES, SO AS TO PROVIDE APPROPRIATE CHURCH OFFICIALS OR GOVERNING BODIES MAY ALLOW ANY PERSON TO CARRY A CONCEALABLE WEAPON ON THE LEASED PREMISES; BY AMENDING SECTION 23-31-235, RELATING TO CONCEALABLE WEAPON SIGN REQUIREMENTS, SO AS TO PROVIDE THE SIGNS MUST BE POSTED AT LOCATIONS WHERE THE CARRYING OF CONCEALABLE WEAPONS ARE PROHIBITED; BY AMENDING SECTION 23-31-600, RELATING TO RETIRED PERSONNEL, IDENTIFICATION CARDS, AND QUALIFICATIONS FOR CARRYING CONCEALED WEAPONS, SO AS TO MAKE A TECHNICAL CHANGE; BY REPEALING SECTIONS 16-23-460, 23-31-225, AND 23-31-230, RELATING TO THE CARRYING OF WEAPONS BY INDIVIDUALS ON THEIR PERSON, INTO RESIDENCES OR DWELLINGS, OR BETWEEN A MOTOR VEHICLE AND A RENTED ACCOMMODATION; AND BY AMENDING SECTION 16-23-500, RELATING TO UNLAWFUL POSSESSION OF FIREARMS BY PERSONS CONVICTED OF VIOLENT OFFENSES, THE CONFISCATION OF CERTAIN WEAPONS, AND THE RETURN OF FIREARMS TO INNOCENT OWNERS, SO AS TO REVISE THE LIST OF CRIMES SUBJECT TO THIS PROVISION AND THE PENALTIES ASSOCIATED WITH VIOLATIONS, AND TO DEFINE THE TERM "CRIME

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PUNISHABLE BY A MAXIMUM TERM OF IMPRISONMENT OF MORE THAN ONE YEAR".

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

**Amendment No. 37**

Senator MATTHEWS proposed the following amendment (SMIN-3594.AA0171S), which was tabled:

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

SECTION X. Upon the effective date of this act, all pending charges of unlawful carry must be dismissed for persons that would have been deemed carrying a firearm legally under the Constitutional Carry Act.

Renumber sections to conform.

Amend title to conform.

Senator MATTHEWS explained the amendment.

Senator CASH moved to lay the amendment on the table.

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

**Ayes 30; Nays 12**

**AYES**

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

**Total--30**

**NAYS**

Allen	Devine	Harpootlian
Hutto	<i>Johnson, Kevin</i>	Matthews
McElveen	Sabb	Setzler

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Stephens	Tedder	Williams
<b>Total--12</b>		

The amendment was laid on the table.

**Amendment No. 40**

Senators HEMBREE, HUTTO, TEDDER and MATTHEWS proposed the following amendment (SEDU-3594.DB0175S), which was carried over and subsequently adopted:

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

SECTION X. Chapter 1, Title 17 of the S.C. Code is amended by adding:

Section 17-1-65. A person may apply for an expungement of one conviction for unlawful possession of a handgun as provided in Section 16-23-20, if the conviction occurred prior to the enactment of the S.C. Constitutional Carry/Second Amendment Preservation Act of 2023. An application under this section must be made within five years of the enactment of this section.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

On motion of Senator CLIMER, with unanimous consent, the amendment was carried over and subsequently adopted.

**Amendment No. 41**

Senator MASSEY proposed the following amendment (SR-3594.JG0178S), which was tabled:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-246. (1)(a) When a person knowingly possesses or carries a firearm, and a law enforcement officer initiates an otherwise lawful stop, detention, or investigation, including but not limited to a traffic stop, upon the request of the officer, the person must inform the officer of the fact that he is carrying or is in possession of a firearm, whether concealed or otherwise.

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(b) When a person knowingly possesses or carries a firearm, that person does not have a duty to inform a law enforcement officer of the fact that he is carrying or is in possession of a firearm unless and until the officer requests such information.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned for not more than thirty days, or both.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

Senator MALLOY spoke on the amendment.

Senator ADAMS spoke on the amendment.

Senator MALLOY moved to lay the amendment on the table.

The amendment was laid on the table.

On motion of Senator JACKSON, with unanimous consent, Amendment No. 9 was withdrawn.

**Motion Adopted**

On motion of Senator GROOMS, with unanimous consent, Senators YOUNG, McELVEEN, FANNING, GOLDFINCH, MATTHEWS and GROOMS were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Amendment No. 43**

Senator TEDDER proposed the following amendment (SMIN-3594.MW0141S), which was ruled out of order:

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

SECTION X. Chapter 23, Title 16 of the S.C. Code is amended by adding:

**ARTICLE 2**

**Background Checks for Firearm Sales and Transfers**

Section 16-23-100. As used in this article:

(1) "Firearm" means a weapon, including a starter gun, that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of such a weapon, a firearm

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muffler or firearm silencer, or a destructive device. The term does not include an antique firearm.

(2) “Licensed dealer” means the holder of any federal firearms licensed under 18 U.S.C. Section 923(a).

(3) “Transfer” means to sell, furnish, give, lend, deliver, or otherwise provide, with or without consideration.

(4) “Transferee” means a person who receives or intends to receive a firearm in a sale or transfer.

Section 16-23-110. For any sale or transfer of a firearm for which a licensed dealer contacts the National Instant Criminal Background Check System (NICS) to conduct a background check, the licensed dealer may not deliver a firearm to any transferee unless:

(1) the NICS provides the licensed dealer with a unique identification number; or

(2) if the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law within ten business days, in order to continue the purchase or transfer, the licensed dealer must again recontact the NICS to conduct a background check. If another ten business days have elapsed from the date of the second application and the NICS has not notified the licensed dealer that a sale or transfer to the person would violate state or federal law, then the sale or transfer of the firearm may then proceed.

Section 16-23-120. A person who violates the provisions of this article is guilty of a Class A misdemeanor and, upon conviction, must be imprisoned not more than three years, fined not more than one thousand dollars, or both.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

**Point of Order**

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

Senator TEDDER spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

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**Amendment No. 44**

Senator McLEOD proposed the following amendment (LC-3594.CM0084S), which was ruled out of order:

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

SECTION X. Chapter 31, Title 23 of the S.C. Code is amended by adding:

**Article 9**

**Firearm Liability Insurance**

Section 23-31-9010. (A) A resident of this State who owns or possesses a firearm shall obtain and continuously maintain in full force and effect a homeowner's, renter's, or gun liability insurance policy that covers losses or damages resulting from any negligent or accidental use of the firearm including, but not limited to, death, injury, and property damage. Proof of insurance must be displayed upon demand by a law enforcement officer.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be sentenced not more than thirty days, fined one thousand dollars, or both.

Renumber sections to conform.

Amend title to conform.

Senator McLEOD explained the amendment.

**Point of Order**

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

Senator McLEOD spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator RANKIN spoke on the Bill.

**Remarks by Senator RANKIN**

Thank you, ladies and gentlemen of the Senate. Yesterday might have been the longest day we've had here in quite a while, and I'll assure you my intention is not to belabor this day longer than it takes me to share a few comments with you about this Bill. I want to commend Senator MARTIN on his persistence and the pressing and the persuading, and it's

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about to create policy -- at least of this Senate. I want to go back just a moment with you all as the chair of the committee that was blessed to have this Bill -- rest in it, and the efforts by Senator MARTIN to dislodge this Bill from that committee over the last year or two. Senator MARTIN said he's been working on this for fifteen years. I started paying attention to this Bill when it became a Judiciary Committee assignment, and lo those many years ago Senator GOLDFINCH was the subcommittee chairman within the Judiciary Committee itself that was going to have a subcommittee meeting the very next day. By persuasion -- I'll call it pouncing -- at a perfect opportunity with my absence by going to see my daughter in Greenville at the Governor's School -- sensing she needed a parent -- I leave and roll to Greenville and I'm listening to the Senate as the weird folk in this Body do when we're not here and if you say you don't do it, you are not being honest. But I hear the effort to dislodge and recall that Bill from the full Judiciary Committee that passed narrowly, and it thus did not have a subcommittee hearing that next day. Again, that was within his right to do; so, I compliment him for that persistence. We'll talk here in a moment about what we have done thereafter and given it our due diligence and tried to hear from folks as best we could.

But that was then, and we come to another session where Senator MARTIN, to his credit -- he dutifully writes to all as we all do to those that chair committees and he requests to have the Bill assigned and considered. So, we did that last year -- those of you recall who served on that subcommittee. And Senator M. JOHNSON conducted a wonderfully balanced and fair hearing of this Bill. I will point out to you all that there was another Bill assigned to that subcommittee, which was the stand-alone Bill, now Senator CAMPSEN'S amendment which we rejected 24 to 19. And that Bill was to give us what we have uniformly heard from law enforcement, that which they wanted and that which they asked for -- **enhanced penalties on gun law violations**. That Bill last year in that subcommittee, in the discretion of the subcommittee itself, and I'm not assailing their work, but they did not take that Bill up. They focused solely on the Bill that we have before us, and that being the grand bargain that includes something that no one in law enforcement has asked for and no one in law enforcement wants. That is this permitless carry Bill. And so, we have labored these last few days, hours and hours and hours, talking about the balance between our state's current law and where some wanted to take us, and some did not. But we have heard from lobbying groups how we are an outlier in the country, how we are trading on the rights of our law-abiding citizens, and we are sacrificing

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our people compared to other states. I have heard from several of you -- you've all gotten door hangers -- perhaps, saying, "I am a gun rights sellout." Perhaps some of you other Senators are too. "I am one who is against the Constitution because of my position. I am against your God-given and inalienable rights given to you at birth because I support **not** their politics but our **police**. So, forgive me for not standing with those who are from Austin, Texas. I don't think I have any constituents in Austin, Texas. This leaflet last year from the Young Americans for Liberty, 32 Brody Suite, 107-65 -- I've never been to Austin. I don't think I've ever met a Young American for Liberty. No offense to anybody else, Senator M. JOHNSON, that's got the liberty placard or lapel pin. I've never met anybody from Austin, Texas.

I wonder whether just like the dark money mailers that you've all gotten -- I know of a few, where one was addressed from a place in the upstate. When we sent somebody to find out what was at that address, it was an empty building beside a pawn shop. We found out through the owner of that strip shopping center he had never heard of and had never rented to that group mailing out things to my area saying "Rankin is the worst thing since COVID. Rankin caused the pandemic. Rankin is standing in your way of freedom.' That's fine, folks. I'm not assailing our first amendment rights to do or say about anybody -- whatever you want to do or say but be a little more honest about it. But you don't have to be because you get to hide behind the dark money and the group efforts that come to push and pull us to do what they want us to do. That's fine. I'm a big boy. I can withstand the assaults, and I have been there, done that before. Perhaps this will be my last stand, and perhaps this time the dark money will win and perhaps this time the outside politics of pushing us to do something will work. But I rest easy. I rest comfortably, and I rest at night knowing that I am standing **not** with the persuaders, **not** with the pushers, but I'm standing with the **police officers** in this State who to a person, to an agency, to a department within this State has said to me uniformly -- today included after what we adopted last night -- and I voted for the amendment, trying to make a better Bill in hopes of giving the police officers cover -- to say Rankin, we're for it, today with these enhancements that we have tried to make. I haven't heard a police officer say to me yet, Luke, we want it. We're asking for it. My point being even today -- concerns, concerns, concerns, concerns. We're muddying the water. We're not clarifying for them. Same thing with the former police officer retired now -- our brother in the Senate and others today, the former solicitor -- we are not creating clarity. We are creating uncertainty. We are creating more of a morass of who knows what you

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can do, and to accomplish what? To make us like the other states who the proponents say, we want to be just like.

So, I'm up here again just to talk a little bit about this, and if I can, Mr. Clerk, Mr. PRESIDENT, I want to just show four folks that I want you to be reminded of. Let me start with Conway City Police Chief. That is Chief Long of Conway. I'm not going to read verbatim their testimonies. We can't under our rules play their testimony, but I want you just to see their face and not mine. I don't want my face to be the voice of the opposition that I've heard from and I daresay the faceless people in Austin, Texas, that aren't going to come here to tell you what the people that we have hired and entrusted to carry out the laws that **we** pass have said. First voice -- again, the face belongs to Chief Long. He's been in law enforcement since 1986. He respects our State. He's a product of our State, born and raised here and prides himself on being a South Carolinian. He points to that balance between our laws, our rights and law abiding gun ownership and gun safety for their families. His belief, and this was a pretty key term, I thought, that I had never heard before: "my belief is that in our community we all operate under a guideline of **social contracts**". Y'all on that subcommittee, you've heard this and again, and you're not going to hear a total regurgitation. He analogized that social contract to the driver's license that we have, and we're tested to see whether we have safe driving proficiency -- hunter safety as well. The goal being what the Senator from Charleston talked about the other day with the quail hunter, the dove shoot, loading the gun, where do you aim the gun? All folks within the hunting world, the driving world and now the boating world have to have training and operate under the same guidelines. So, his point, again, was the benefit of and the necessity of the requirement of minimum standard training. Again, I'm not going to talk about all these things we talked about but again the law. What is the law? Where can you possess? Where can you present? When do you have to stand down? When under the castle doctrine, when under the various other iterations of "stand your ground", but more importantly, what training do they have to safely operate that gun? So, his point -- without training, people will take for granted, I'm allowed, I can do what I want to do and so that social contract whether hunting, boating, driving, pick your other example -- that's our obligation.

The next picture is Chief Prock from the City of Myrtle Beach. Again, very forceful personality, very forceful statements she made -- that public safety is a **shared responsibility**, and that our role, just like theirs in our communities -- our entrusting them, charging them to carry it out -- it is a shared responsibility, and her position on this Bill was that the

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training that they pursued, and y'all heard it -- we've heard it over and over again in here: train, train, train, four times a year. SLED talked about the various guns that they use, and how they train. So, we are effectively, with the passage of this Bill, holding our lay folk, our everyday folk to a totally different standard than we expect out of our law enforcement officers. Her point is, we are asking that the public no longer to be required to train, yet we will expect the same result out of them. They aren't going to train. They don't have to train -- and so, her view, again, the City of Myrtle Beach's Police Chief is the rights and freedoms of everyone are supported but the safety of our communities needs to be at the forefront.

The next face that I want you just to momentarily focus on, this is Chief Stewart, representing the South Carolina Police Chiefs Association, and focus on what I've heard and you all have heard, that our SLED Director Chief Keel has said, "We are the envy of the country with the law that we currently have, and the ability to protect not only the public but to protect law enforcement." But they train. He references the four types of weapons they train with and that they train day and night. And the shots fired discussion -- I had not heard of that before that subcommittee hearing in Anderson, I believe. They've got that program. Technology, again, the area where the shots were fired -- they key in on it with other technology cameras. Again, the ability to try to get to an area quicker -- that are enhancements to the safety of our communities. And not just them but the safety of the police officers as well. So, his point, again, in unison with the other two chiefs of police, is that we need to be able to expect the same out of our law-abiding citizens -- the proficiency in how to handle a gun.

And then finally, last picture. That is Skip Holbrook, Columbia Police Chief. Very briefly, the takeaway from him -- uncharted and unclear territory if we pass this law -- personal concern as a citizen and concern from a police chief's perspective. No training requirement, no minimum standard will do nothing but lead to chaos, and increased danger to them. That's all from the slides, Mr. PRESIDENT. Thank you for displaying those.

So, who are we listening to and what is our goal? I'm not saying the word "cave", Senator HUTTO. That's an adjective. Perhaps it applies, but just like these officers have said, we are coming at this with the best of intentions. I don't malign the proponents of this Bill. I don't malign the folks from Austin, Texas. Your desire was to come into South Carolina and do successfully what you have done with money in other states. But who are we to hear from and who are we to believe if we

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don't believe these faces, these voices? And dare I say a few more because in Horry County, as I referenced the other day, a letter from the Law Enforcement Officers Association dated December 5<sup>th</sup> -- and I can't read it here but let me just highlight: the repeal would remove the very standard we have in this State to keep our community and visitors safe. Requirements for training and background checks alone provide a framework to assist in the lawful use of weapons and their purchase and possession. They oppose in the strongest possible terms, for reasons of public safety -- our doing away with required training in this Bill. I have said it from my desk. I won't read every name, but I dare say to anyone who would like to see -- not one of the misguided, misinformed but duly elected, duly appointed, duly hired and continuing in service with their own training officers from Horry and Georgetown Counties who have said, "Folks, keep the minimum standards". That's the law enforcement world.

Again, who do I hear? Who do I listen to? Who do you hear? Who should you listen to? That's your own walk. That's up to you. I dare say I don't intend to or believe that I'm going to persuade one vote different than has been cast thus far, but I think we owe it to the people outside in our homes, in the balcony, and those listening -- perhaps the twelve of you that are listening to us right now -- we owe the honest truth to them about what we're about to do and what it's going to do and own it.

Now, the reverse of that is, "Rankin, it isn't going to be that bad. It ain't going to be that bad. Pay no attention to them." The reference to the Wizard of Oz the other day, "Pay no attention to the man behind the curtain. Listen to the big bad wolf out there. The big bad Oz out there. Pay attention to him, so that the big bad wolf out there tells us it ain't going to be that bad. They're not that many. It's not going to be that big of a problem. Law enforcement will get over it. They'll work it through. It will work out. It ain't that big of a deal."

And this is not Luke Rankin, anti-second amendment right. I believe in it. I don't but my wife does have a CWP. Any of you who know Lindsay would not be any more surprised to know that. Not Annie get your gun; Lindsay get your gun. Lindsey doesn't need a gun -- but I hunt, my brother hunts. I love the right to bear arms. But to the point that -- I'm not going to go through this ad nauseam but the point that the reality of this Bill being called something suggesting that anyone daring to say or question or pause in the adoption of it -- that it is a constitutional right that we are infringing upon by insisting on law enforcement being given the tools that they so deathly and fatally and desperately are calling for is not an abridgment of the Constitution. Chief Justice Massey from

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Edgefield quoted, Chief Justice Harpootlian from Richland, again, discussing the very case perhaps -- I don't know if it was this one with Anthony Scalia, but the Supreme Court says, you have a right -- effectively like Chief Long said, a social contract. The law requires certain things out of you. The Constitution requires the allowance of certain things. But they are not mutually exclusive, and so the Supreme Court has defined with precedent the right to do what we have done before. So, the law doesn't say it's unconstitutional to keep South Carolina's existing CWP. If that were so, folks, if this were the unconstitutional carry Bill, why hasn't it been overturned since we passed it twenty some years ago? Why hasn't someone from Texas come down here to challenge the constitutional veracity of that law twenty years ago? It is because it isn't unconstitutional. And so, no aspersions to those who believe this is a constitutional right. Some of you know better that the Constitution doesn't say -- "no states, you don't have a social contract and no states you can't require."

I'm going to wrap up here in just a second. I want to harken back to an exchange with Senator MASSEY and my sincere endorsement of -- I stated from my desk as I was asking him, the laudable goal of training and the laudable goal of giving the officers the ability to assess before they get into a mess with someone bearing -- and that is the topic of training. So, we are undoing the requirement. We're going from twenty-one to eighteen. Some are offended by that on its face. Perhaps that's not as bad as the fearful folk would suspect. The federal government allows twenty-one so there's a little difference -- excuse me eighteen versus twenty-one. I don't see that as a big problem. But what is the biggest offense here and the biggest problem that officers tell me -- will mean they will suffer loss of lives -- is the lack of mandatory training. So my exchange with the Senator from Edgefield, I will remind y'all, after doing away with their laws, just like we are on the cusp of doing here, despite our effort to incentivize with a carrot or a stick -- the real reality will be you will see a dramatic decline in those who will say, "the law doesn't require me to do it but I'm going to do it any way." I'm not assailing those who will hereafter not want to do it under the belief that that's not the law, therefore they don't have to abide by it. Good people, smart people, will do it any way. Smart, good people already, with their families, have great training. I'm sure.

But when passed in other states, folks in terms of those seeking training: Georgia drops off 60%, Oklahoma 54%, Texas 43%, Florida 64%, Ohio 71% and Tennessee 53%. I voted for that amendment because I think that makes this Bill better, but it does not speak to the minimum

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requirements being a requirement. We are hoping that people will be their best. We are hoping that people will be as trained as our law enforcement officers are, but that's a big hope, folks. It's a big bet. Perhaps time will prove that there will be no problems with a lack of training, but you can't ignore in those states that have passed this and the incidents -- increased incidents of homicide and gun-related violence and gun-related injury; you cannot escape the trajectory of those statistics. Look around. Has it worked? What do you look to determine how has it worked? So, either the stats are wrong -- in Indiana where press coverage says, "over the stern objections of law enforcement," and that is the statement in the press release -- stern objections, stern criticism from their state Police Superintendent, they did it anyway. And in Indiana handgun licenses and training dropped.

So, "Rankin, you're ignoring half of the gain here. You're ignoring the win here." The Governor, again, in the State of the State last week asked for what? Enhanced penalties -- he didn't ask for open carry without permit. Senator CAMPSEN asked this Body for enhanced penalties of repeat offenders with gun violations. Twenty-four of you said no, nineteen said yes. So, we've got now effectively, respectfully, but honestly a gun to our heads to pass a Bill to give law enforcement something they **don't want, haven't asked for** in exchange for something they **desperately need**. That is a prerogative of a legislative body. Give them not what **they want**; give them what **we want**.

So, when we pass this Bill and go to our homes and talk to neighbors -- brothers and sisters in churches, in our home communities, but more importantly is that police view, the sheriffs' offices -- ask them where were they? Why didn't they come to Columbia when hearings were taking place. Why didn't they come tell you that they were for it? But more important to me in Horry County, why didn't you come tell me why you were for it. Where were you? By default, the only four cases I've got, two in my area, one in Anderson and one in Columbia, took the time and took it upon themselves to say what you know in your heart of hearts is the truth -- "You are jeopardizing us, hamstringing us, cramming something down our throats legally that we don't know how to enforce. You have not clarified anything. You're muddying the water, and now asking me, Mr. and Mrs. law enforcement officer to step into a situation where I don't know who is on my side and put myself at risk of harm, injury or death" and expect what the chief said -- the same results of their training, their expert repetitive, continuing good education out of somebody that from now on won't have one iota -- nothing other than their self-motivation to learn to do and be safe. God, I pray that everyone

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who picks up a gun will do just that. To the CWP holders, forty some odd thousand, God bless you for the training. I hope I'm wrong, and the stats in South Carolina prove differently, that we have truly incentivized. But I will be shocked if it is the case.

So, folks, I'm going to wrap up and urge you, not to vote the way Luke Rankin votes, but talk to your officers. Again, I make the point about every law enforcement officer I saw come to Columbia to testify. I don't know whether they were under oath or not. Would their testimony be any different? Are they recognizing the political expediency and is it going to jeopardize them? If they'll tell you straight, like the sheriffs have done and the police chiefs have done, Senators, you know they are not going to be happy, because what we've done is not listened to them. We are going to stand with our men in blue, stand with our women in blue. Folks, we stand with them **only** when it is convenient. We listen to them **only** when it is convenient. That is a travesty in our State. We want to hear from you when it is convenient. We don't want to give you what you want unless it is convenient. Folks, we are putting our best in blue in harm's way and making them take something they don't want and have not asked for. That is our choice. We all get a vote.

God bless this country and God bless my ability to come speak to each of y'all. God bless those who we are here to reward and to stand by. To me, that is **my law enforcement**, that is **my police chief** and that is my **sheriff** from Horry County -- not from Texas.

On motion of Senator JACKSON, with unanimous consent, the remarks of Senator RANKIN were ordered would be printed in the Journal.

Senator MALLOY spoke on the Bill.

Senator McLEOD spoke on the Bill.

### **Remarks by Senator McLEOD**

Thank you, Mr. PRESIDENT. Well, we knew this day was coming -- still doesn't make it any easier. I think what we are doing today is going to turn our State into the wild, wild west -- no license, no training and inadequate background checks. We can assume the average gun owner will have no knowledge of current gun laws since CWPs and the training that comes with it are optional. We can also assume that gun owners will have very little, if any knowledge or understanding about where they can and cannot carry.

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There is no language that expressly prohibits racial profiling, although I fought to have that language included yesterday. That is going to be a problem. It is going to be a problem for citizens of our State, for law enforcement as well as citizen vigilantes. I think about what happened in Georgia to Ahmaud Arbery. There will be no gun liability insurance that will require gun owners to assume some semblance of responsibility for properly and safely handling and storing their gun. Yet we talk about everybody practically being a responsible gun owner. There is no protection or consideration for law enforcement officers who, in most cases, won't be able to tell the good guys from the bad guys.

We just debated an amendment that proposed sending between five and twenty million dollars to the South Carolina Law Enforcement Division to help cover the costs of CWPAs and to launch a statewide permitless carry campaign. Meanwhile at SLED, rape kits of South Carolina women and girls sit and continue to sit -- some for years, some for decades -- they will continue to sit in our cold case files while our women and girls get no justice because their rape kits are unprocessed, not investigated, forgotten. Five to twenty million dollars to SLED is what we took all that time discussing and debating. While many of the proponents of this Bill are co-signing and celebrating denying our state's most vulnerable children food during the summer months -- five to twenty million dollars for SLED. I couldn't believe it!

When we consistently dismantle public education as we frantically try to find skilled, educated workers to fill the high-paying jobs at Boeing, BMW and now Scout Motors in my area -- five to twenty million dollars for SLED. We actually spent a lot of time on that yesterday. At the same time, we have consistently refused to expand Medicaid in this State. We intentionally make working people poorer by paying them wages we know they can't live on. Yet even as we debate this Bill we are also attempting, some are attempting, to cut unemployment pay for those who need and deserve every penny of it. We have listened to colleagues propose enhanced penalty amendments to this Bill while some of our colleagues continue to block us from even debating the Bill that would enhance penalties for those who would commit hate crimes in the State.

I'm going to close by just reminding all of you, not that you need to be reminded, that this Bill is anti-law enforcement. I think that Senator STEPHENS said it best last night. It is very much anti-law enforcement -- anti-law abiding citizens, especially law-abiding citizens of color. When my son moved back, when my baby boy graduated from Colorado State University and came home for a while -- just long enough for me to get used to him being here -- but told me last year that he just can't

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stay here. I hated to see him go but today I'm so glad he went because this Bill will make it extremely dangerous for him to live here. It will give law-abiding citizens and ruthless criminals equal access to guns without a license or training especially at a time when gun violence is already wreaking havoc across our State and Nation -- is senseless, reckless and quite frankly the beginning of the end of any decent quality of life we once knew and enjoyed here in South Carolina. For those reasons, and many others, I will definitely be voting against this Bill. Thank you, Mr. PRESIDENT.

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

Senator K. JOHNSON spoke on the Bill.

### **Remarks by Senator K. JOHNSON**

Members, you all have probably realized that I have been extremely quiet as we debated this Constitutional Carry Bill. I have been listening and just making some mental notes in my head and came up with a few things I want to emphasize.

I want to begin by saying that it has been noted on multiple occasions and highly recognized that the State of South Carolina has the best concealed weapon permit statute in the country, and I agree with that. I do support the Second Amendment. My family and I are all concealed weapon permit holders -- we all went through the classes together. I feel comfortable knowing that not only do we have guns, but we have the training, and we have the knowledge for these guns.

Now we are moving towards a free-for-all where people can have guns permit less and without training. I think that is a recipe for disaster for the State of South Carolina, especially when we have such a strong CWP statute in South Carolina. We are going to have people who don't understand guns, don't know how to store guns or how to be responsible with guns, and I'm not just referring to young adults. We have older adults who will not have the knowledge of how to be responsible gun owners because they won't be required to have the CWP training certification.

As Senator McLEOD said, I'm not in support of spending five to ten million dollars so people can go get training if they want it -- I think it should be required. I'm not a constitutional scholar but I believe we have constitutional rights that we are guaranteed, but also have strings attached to them. We have the right to vote but we have voter identification laws. I could say, "Hey, I have a constitutional right. I

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don't have to give you an I.D. I want to vote." We have the constitutional right to freedom of speech, but I was taught in high school that I can't go into a theater and yell "fire!" There are other constitutional rights where strings are attached. I heard someone ask, what about the other twenty-seven states? That argument doesn't move me because when I say I want to be like the other forty-eight states that have hate crime legislation, it doesn't influence many people.

I was talking to folks the other day, and I told them, "I don't like the fact that our CWP statute says you must be twenty-one years old to get a CWP. But with this law passing, you can be eighteen years old." Someone said back to me, "You can go in the army at eighteen years old, look at all the weapons they have." I told them, "When you go into the military, the first thing you are going to have is basic training, then you are going to have advanced training, and then throughout your whole military career you are going to be training on multiple different levels." I followed up by saying, "The weapons that eighteen year olds have in the military are in a controlled environment. The military doesn't give them weapons and allow them to move freely with those weapons." So, in my opinion, the argument of allowing an eighteen year old in the military to possess a weapon does not justify this legislation.

Senator MALLOY talked about our experience one homecoming weekend when I was a freshman at the University of South Carolina, he mentioned David Simmons. If I'm correct, David Simmons is still walking around with a bullet in his neck. I know people who were shot and killed, who were not even the intended targets -- they just happened to be nearby. Innocent people dying because you have folks who can't utilize the gun properly. They have a gun, an issue arises, they pull it out, and just start aimlessly shooting. So innocent people and their families lives have been ruined due to improper usage and training of guns.

I keep hearing that our biggest industry in South Carolina is tourism. I think that if this Bill passes, it is going to be detrimental to our tourism industry. I don't know that many tourists are going to want to come to Myrtle Beach, Charleston or Hilton Head Island to vacation while we have people walking around with guns, and on top of that, having guns with no training or understanding of how the guns work. I'm not casting aspersions onto anyone but some of us know this is a bad Bill. I have heard some pretty good amendments that would strengthen the Bill, but just as soon as the amendment is explained by the author the amendment is voted down. We know this Bill is not necessary nor good for South Carolina, but I think that some of you believe that you don't have to worry about the pitfalls because it is not going to happen to you. I say

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that because I know there have been several Bills that have passed in South Carolina because they hit home to one of us, then we want to react rather than having been proactive. So, for those reasons and others that have been articulated, I look forward to voting against the Bill. Thank you, Mr. PRESIDENT.

On motion of Senator McLEOD, with unanimous consent, the remarks of Senator K. JOHNSON were ordered printed in the Journal.

Senator DEVINE spoke on the Bill.

**Remarks by Senator DEVINE**

Thank you, Mr. PRESIDENT and to ladies and gentlemen of the Senate. I'm not going to be up here long. I echo many of the September sentiments from Senator McLEOD. I was going to say as I was campaigning and getting ready to join the Senate, the biggest issue in my community -- my district -- was about guns. I didn't have people asking me for Constitutional Carry. I had people asking me, "How are you going to make our communities safer." Just in 2022, one zip code in my district -- there were 75 shootings. In 2023 there were 107 shootings. I mentioned earlier I have communities that utilize technology called shot-spotter. Sometimes shot-spotter is the only thing that alerts law enforcement that there's been a shooting. Because some of those communities are so immune to hearing gunshots, they don't call the police anymore. We talk about law-abiding, responsible gun owners -- to me that is such an oxymoron. This Bill takes away law enforcement's ability to see if those carrying guns are law-abiding.

When we talk about responsible gun owners -- responsible gun owners want and need training. I appreciate all of the amendments that have been put up by my colleagues, especially all those who sat here at the well and admitted that training is a good thing but we certainly need to make sure that we don't wait for the will of people to get training, then spend state-paying dollars to give people training. We should be mandating training. If someone wants a gun in this State, they need to know the gun laws. We'll have 18-year olds carrying guns, not knowing whether or not they have the ability to protect themselves in certain situations. When I took the training, I learned things. Law enforcement gets training to make sure they understand what the laws are in the State. Now we are asking citizens, starting as young as eighteen, to just know what the laws are and to be able to carry guns with no ability or no demand that they get training. We talk about people wanting this Bill. But as I get people and -- I'm an elected official who no matter if I agree with you or not, when

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you call me or email, I'm going to talk to you about what your position is. When I talk to citizens about what this Bill is and we use the terms Constitutional Carry, yes, people believe in their right to carry arms. I believe in the Second Amendment. But when you tell people that this gun Bill does not require training, does not require a permit, does not require a background check -- people are mortified. They do not understand that this is what is going to pass today. And what will happen is, we will give people the expectation of yes, I have a right to carry a gun but all the other things that go along with it, they are not going to know.

We are setting our citizens and State up for failure. We are setting ourselves up for a more dangerous community. When I think about citizens of District 19 as they call me and say Senator, make my community safer, I'm going to go back to them today and tell them, not only have I not been able to make your community safer today but we, the Senate today, have now made your community less safe. It's made our children less safe. I have sat with moms who have lost children due to gun violence. I'm going to have to sit with them and tell them that now we have taken away law enforcement's ability to keep their communities safer.

I want to thank the members of Mom Demand Action for being here every single day. You all have fought -- have been here and I appreciate you all being here -- Safer Communities of the Midlands, a very new organization within my district, because of the gun violence in my district, I thank you for being here. I just hope that we all will look at this Bill as it passes and then continue to advocate because our work is cut out for us. Not only has the work we have done up to this point been ignored, but now we have more things to do. We have to educate our communities, mobilize our communities and make sure people understand what this law says. Hopefully the members of this Senate after some time, once this passes, will realize what we have done and come back and fix it. For those reasons, I will not be voting for this Bill.

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

Senator STEPHENS spoke on the Bill.

### **Remarks by Senator STEPHENS**

Thank you, Mr. PRESIDENT. Thanks to my colleagues who over the past week, have sat and deliberated this Bill. I cannot sit back any longer and not express myself concerning open carry, the Constitutional Carry

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Act. My hometown of Bowman has a population of just under a thousand people. In May of 2020, we lost three high school students and five others. Three of them died, five were injured, and all three that died were high school students. On April 4, 2022, there was a Bowman woman shot to death and a Bowman man injured. On February 3, 2022, a forty-two year old Bowman man was shot to death. On August 23, 2023, a forty-two year old man was shot to death. On October 20, 2023, a Bowman man was critically injured. Those are a few shooting incidents that occurred in that small town in the last three years. There were many other shootings, but by God's grace those individuals survived.

I have no disregard for anyone's Second Amendment Rights. I too have guns which are in my possession at home, safely stored away and I have been trained. However, my feelings today are that there are major disadvantages to open carry that may lead to a higher risk of accidental death. I believe also that when guns are being displayed the possibility of stress by someone else in proximity of that gun -- strange things can happen. Strange things happen in the lives of children wanting to play with guns, because mom and dad are now allowed to have guns readily available. To my colleagues KEVIN JOHNSON, I truly believe that a couple seconds makes a lot of difference in whether a person lives or dies. I believe that if a gun is in a glove compartment that is locked, or in a console that may be locked -- those couple of seconds could prove fatal. Those couple of seconds could be just enough to calm that individual down who want to go and get that gun and probably take someone's life. Everybody is not comfortable carrying a gun. Everybody is not trained to carry a gun or to use a gun. If the gun is mishandled or misused, it could result in the life of someone innocently ending.

Open carry, I believe, makes you a target. As mentioned earlier, it makes it seem like this is the wild, wild west. I heard Senator ADAMS mention that when he was at the ATM machine, a couple guys came running up. He pulled up his shirt or his jacket and saw his gun. There is a flip side to that story, as I believe, it could have been the other two people that had guns as well. Therefore, it could have been exchange of gunfire with multiple persons injured or even killed. The accessibility of guns is dangerous. The inability to understand and to use guns properly is dangerous. I don't believe in this State that we should go down this road. I believe if you listen to the masses of citizens of the State of South Carolina they will tell you. They will tell you that I want my Second Amendment Rights, but I want to make sure that the other person understands as well as I do, that I need to be very careful in the

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brandishing of my gun. Brandishing is no more than standing there with your gun on your side, careful use of the gun and understanding the effects. It is a sad day for me in this State. May not be for a lot of you, but it is a sad day for me when we legislate such topics that will put many others in harm's way, and we are saying we are doing right by our people or by our citizens. I think just the opposite. It is time that we come to the realization that some of what we are doing is not the best interest of the citizens of South Carolina. I don't want to bring racism into the scenario, but it is here. I believe our police should be protectors. I believe what we had earlier will do just that, but now we are opening up where they feel insecure. Yes, I have had the opportunity to speak with police chiefs, county sheriffs as well as deputies and they all fear this piece of legislation. These are the people who are out there on a day-to-day basis. They know what is going on, but are we listening to a great degree? No. So, then are we advocating for those individuals who sent us here to voice their concerns? I would answer that question and say no. It is high time, ladies and gentlemen, that we do just that. With that being said, I cannot in my right mind go back to my community and say that I voted yes for this piece of legislation. Thank you, Mr. PRESIDENT.

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

The question then was third reading of the Bill.

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

**Ayes 28; Nays 15**

**AYES**

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

**Total--28**

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**NAYS**

Allen	Devine	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Setzler
Stephens	Tedder	Williams

**Total--15**

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

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator K. JOHNSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William "Bill" Emerson Fenters, Jr. of Manning, S.C. Bill was a graduate of Wofford College where he played football. He was a past Master of St. Peter's Masonic Lodge #54, past Potentate of Omar Shrine Temple and served on the Board of Governors for the Greenville Shriners Hospital for Children. Bill owned and operated W. E. Fenters Insurance Agency in Manning and was a member of Emmanuel Baptist Church. Bill was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 3:12 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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