

NO. 34

JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

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WEDNESDAY, MARCH 6, 2024

**Wednesday, March 6, 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:

Genesis 9:17

In Genesis we read: "So God said to Noah, 'This is the sign of the covenant I have established between me and all life on earth.' "

Let us pray: Glorious Lord, ages ago You established a covenant of grace with Noah, a pledge signified by a "sign," the rainbow, intended to remind everyone of Your promise to care for all creation. So today we all humbly continue to join together to praise You and to thank You. Your promised faithfulness unfailingly gives us hope. And equally do we give our thanks for each one of these Senators and their aides, as well. They, too, have united in a covenant, in their case to labor for the good of the people of South Carolina. This is why, O God, we fervently pray that You grant to each of these servants a clear sense of Your guidance and blessing as they strive to do what is best for all of our citizens. In Your loving name we pray, Lord. Amen.

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

**Doctor of the Day**

Senator GAMBRELL introduced Dr. Bryan Green of Greenwood, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

S. 983 Sen. Rice  
S. 994 Sens. Cromer and Devine  
S. 1126 Sen. Loftis

**RECALLED**

S. 1101 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 38 ALONG

## **WEDNESDAY, MARCH 6, 2024**

INTERSTATE HIGHWAY 95 IN HAMPTON COUNTY “MAJOR GENERAL ARNOLD FIELDS INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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.

## **INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1140 -- Senator Setzler: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND MIDLANDS TECHNICAL COLLEGE FOR THE TRANSFORMATIVE IMPACT THE INSTITUTION HAS HAD ON LEGIONS OF STUDENTS AND ALUMNI, THE COMMUNITY, THE STATE OF SOUTH CAROLINA, AND BEYOND FOR A HALF-CENTURY AND TO CONGRATULATE MIDLANDS TECH AS THE SCHOOL CELEBRATES ITS SEMICENTENNIAL ANNIVERSARY.

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The Senate Resolution was adopted.

S. 1141 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DOUG WILBANKS FOR FIFTY YEARS OF FIRE AND RESCUE SERVICE TO OCONEE COUNTY.

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The Senate Resolution was adopted.

S. 1142 -- Senator Alexander: A SENATE RESOLUTION COMMEMORATING THE SEVENTY-EIGHTH SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS SOUTHERN OFFICE AND WELCOMING ALL LEGISLATIVE, EXECUTIVE, AND JUDICIAL OFFICIALS OF OUR GREAT STATE TO ATTEND THE SOUTHERN LEGISLATIVE CONFERENCE IN JULY 2024.

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The Senate Resolution was adopted.

**WEDNESDAY, MARCH 6, 2024**

S. 1143 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO PROPERTY TAX CLASSIFICATIONS, SO AS TO DEFINE OWNER-OCCUPANT FOR THE PURPOSES OF THE LEGAL RESIDENCE TAX EXEMPTION; AND BY AMENDING SECTION 12-37-250, RELATING TO HOMESTEAD EXEMPTION FOR TAXPAYERS SIXTY-FIVE AND OVER OR THOSE TOTALLY AND PERMANENTLY DISABLED OR LEGALLY BLIND, SO AS TO DEFINE ELIGIBLE OWNER FOR PURPOSES OF THE HOMESTEAD EXEMPTION.

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

S. 1144 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA DREAMERS ACT OF 2024" BY ADDING SECTION 59-112-45 SO AS TO PROVIDE THAT A PERSON WHO HAS A LAWFUL PRESENCE IN THIS STATE AND IS NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR STATE SUPPORTED SCHOLARSHIPS AND GRANTS, PROVIDED THAT OTHER ELIGIBILITY REQUIREMENTS ARE MET; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE THAT A PERSON WHO HAS A LAWFUL PRESENCE IN THIS STATE AND IS NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED THAT OTHER LICENSURE REQUIREMENTS ARE MET.

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

S. 1145 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-10, RELATING TO FORGERY, SO AS TO CLARIFY THAT THE TERM "WRITING", AS USED IN THIS SECTION, INCLUDES MONEY OR CURRENCY, AMONG OTHER THINGS.

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**WEDNESDAY, MARCH 6, 2024**

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

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

**OBJECTION**

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

Senator ALEXANDER objected to consideration of the Bill.

**OBJECTION**

S. 839 -- Senators Alexander, Senn, Rankin and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-3-85, RELATING TO HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE AGE OF A CHILD UNDER THIS SECTION FROM UNDER THE AGE OF ELEVEN TO UNDER THE AGE OF EIGHTEEN.

Senator ALEXANDER objected to consideration of the Bill.

**OBJECTION**

S. 877 -- Senators Senn, Shealy, Gustafson, McLeod and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-90 SO AS TO DEFINE NECESSARY TERMS, CREATE THE OFFENSE OF LURING A CHILD INTO A CONVEYANCE, DWELLING, OR STRUCTURE, AND PROVIDE A PENALTY AND DEFENSES TO PROSECUTION.

Senator ALEXANDER objected to consideration of the Bill.

**OBJECTION**

S. 996 -- Senators Hutto, Shealy, Reichenbach, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-15-390 SO AS TO CREATE THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE, DEFINE TERMS, AND ESTABLISH PENALTIES; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO ADD

**WEDNESDAY, MARCH 6, 2024**

THE OFFENSE OF OBSCENE VISUAL REPRESENTATIONS OF CHILD SEXUAL ABUSE TO THE SEX OFFENDER REGISTRY.

Senator ALEXANDER objected to consideration of the Bill.

**OBJECTION**

S. 968 -- Senators Peeler and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

Senator ALEXANDER objected to consideration of the Bill.

**OBJECTION**

S. 538 -- Senators Kimbrell, M. Johnson, Adams, Reichenbach, Rice, Verdin, Grooms, Climer and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-15 SO AS TO LIMIT TENURE AND TO PROVIDE THAT INSTITUTIONS OF HIGHER LEARNING MUST CREATE A TENURE REVIEW PROCESS.

Senator HEMBREE objected to consideration of the Bill.

**OBJECTION**

S. 1052 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator HEMBREE objected to consideration of the Resolution.

**OBJECTION**

S. 1054 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator CORBIN objected to consideration of the Resolution.

**WEDNESDAY, MARCH 6, 2024**

**OBJECTION**

S. 1055 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE BOARD OF SOCIAL WORK EXAMINERS, RELATING TO STATE BOARD OF SOCIAL WORK EXAMINERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5252, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator GOLDFINCH objected to consideration of the Resolution.

**OBJECTION**

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

Senator HEMBREE objected to consideration of the Bill.

**OBJECTION**

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE

**WEDNESDAY, MARCH 6, 2024**

GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

Senator HEMBREE objected to consideration of the Bill.

**OBJECTION**

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

Senator HEMBREE objected to consideration of the Bill.

**OBJECTION**

S. 650 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-150-70, RELATING TO TEMPORARY REGULATIONS OF THE SOUTH CAROLINA EDUCATION LOTTERY, INITIAL AVAILABILITY OF TICKETS, AND ALTERNATE USE FOR NONWINNING TICKETS, SO AS TO ALLOW PAYMENT BY DEBIT CARD; AND BY ADDING SECTION 59-150-145 SO AS TO EXEMPT CERTAIN PERSONALLY IDENTIFIABLE INFORMATION CONCERNING LOTTERY CLAIMS FROM NONCONSENSUAL DISCLOSURE OR RELEASE UNDER THE FREEDOM OF INFORMATION ACT, TO PROVIDE THE LOTTERY COMMISSION MAY DISCLOSE CERTAIN INFORMATION CONCERNING LOTTERY CLAIMS WITHOUT CONSENT, AND TO PROVIDE AN EXCEPTION FOR PARTICIPANTS IN CERTAIN PROMOTIONS.

Senator MASSEY objected to consideration of the Bill.

**OBJECTION**

S. 859 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "STATE EMPLOYMENT SKILLS BASED HIRING ACT"; BY ADDING SECTION 8-11-188 SO AS TO REQUIRE THE OFFICE OF HUMAN RESOURCES TO CONDUCT PERIODIC REVIEWS OF THE EDUCATIONAL, EXPERIENTIAL, AND TRAINING REQUIREMENTS FOR ALL EXECUTIVE BRANCH JOBS WITH A SPECIAL EMPHASIS ON WHETHER A FOUR-YEAR COLLEGE DEGREE IS NECESSARY, TO PROVIDE THAT THE OFFICE OF HUMAN RESOURCES SHALL REDUCE THE REQUIREMENTS IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT THE

**WEDNESDAY, MARCH 6, 2024**

OFFICE OF HUMAN RESOURCES SHALL REPORT ITS ACTIONS PURSUANT TO THIS ACT; AND SO AS TO PROVIDE THAT THE FIRST PERIODIC REVIEW SHALL COMMENCE WITHIN NINETY DAYS OF THE EFFECTIVE DATE OF THIS ACT.

Senator MASSEY objected to consideration of the Bill.

**OBJECTION**

S. 969 -- Senators Alexander, Peeler, Setzler, K. Johnson and Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

Senator MASSEY objected to consideration of the Bill.

**OBJECTION**

S. 1017 -- Senators M. Johnson, Peeler, Climer and Setzler: 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.

Senator CORBIN objected to consideration of the Bill.

**OBJECTION**

S. 1021 -- Senator Davis: A BILL TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT TO 2035; AND TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-67-140, RELATING TO THE ABANDONED BUILDINGS TAX CREDIT, SO

**WEDNESDAY, MARCH 6, 2024**

AS TO INCREASE THE AMOUNT OF THE MAXIMUM TAX CREDIT THAT MAY BE EARNED.

Senator CORBIN objected to consideration of the Bill.

**OBJECTION**

S. 1047 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-610, RELATING TO DENMARK TECHNICAL COLLEGE AREA COMMISSION MEMBERS, SO AS TO PROVIDE THAT THE MANNER BY WHICH COMMISSIONERS ARE APPOINTED SHALL BE BY APPOINTMENT OF THE GOVERNOR UPON THE RECOMMENDATION OF A MAJORITY OF THE MEMBERS OF THE GENERAL ASSEMBLY REPRESENTING ALLENDALE, BAMBERG, AND BARNWELL COUNTIES.

Senator GAMBRELL objected to consideration of the Bill.

**OBJECTION**

S. 1117 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO WILDERNESS THERAPEUTIC CAMPS FOR CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 5232, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

Senator GAMBRELL objected to consideration of the Resolution.

**OBJECTION**

H. 3121 -- Reps. Hyde, Carter, B. Newton, Neese, T. Moore, Pope, Bauer, Davis, M.M. Smith, Willis, Brewer, Robbins, Felder, Stavrinakis, Wetmore and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3810 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

Senator GAMBRELL objected to consideration of the Bill.

**OBJECTION**

H. 3295 -- Reps. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO

**WEDNESDAY, MARCH 6, 2024**

DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

Senator GAMBRELL objected to consideration of the Bill.

**OBJECTION**

H. 3309 -- Reps. Gilliam, Pope, Erickson, Bradley, Davis, Caskey and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SEIZURE SAFE SCHOOLS ACT" BY ADDING SECTION 59-63-97 SO AS TO REQUIRE THE ESTABLISHMENT OF SEIZURE ACTION PLANS IN PUBLIC SCHOOLS, AND TO PROVIDE REQUIREMENTS FOR SUCH PLANS AND THEIR IMPLEMENTATION, AMONG OTHER THINGS.

Senator GAMBRELL objected to consideration of the Bill.

**OBJECTION**

H. 3608 -- Reps. Hixon, Bailey and Brittain: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-39-260, RELATING TO RECORDS OF SALES OR CONVEYANCES AND RESULTING CHANGES IN DUPLICATES AND ENDORSEMENT OF DEEDS BY AUDITORS, SO AS TO PROVIDE GUIDELINES FOR THE RECORDS OF COUNTY REAL PROPERTY SALES AND TO REMOVE COUNTY AUDITOR FEES; BY AMENDING SECTION 30-5-120, RELATING TO THE VALIDATION OF CERTAIN CONVEYANCES NOT ENDORSED BY A COUNTY AUDITOR, SO AS TO PROVIDE THAT ANY CONVEYANCE MEETING THE STATUTORY PREREQUISITES FOR RECORDING ARE VALID AND BINDING; BY REPEALING

**WEDNESDAY, MARCH 6, 2024**

SECTION 30-5-80 RELATING TO THE REQUIREMENT OF THE AUDITOR'S ENDORSEMENT BEFORE THE RECORDATION OF DEEDS; AND BY REPEALING SECTION 8-21-130 RELATING TO FEES COLLECTED BY COUNTY AUDITORS FOR AN ENDORSEMENT ON A DEED.

Senator YOUNG objected to consideration of the Bill.

**OBJECTION**

H. 3811 -- Rep. Elliott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3585, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE FOR AN INCREASE IN THE AGGREGATE CREDIT FROM NINE MILLION TO TWELVE MILLION DOLLARS FOR TAX YEARS AFTER 2022.

Senator YOUNG objected to consideration of the Bill.

**OBJECTION**

H. 3880 -- Reps. M.M. Smith, Herbkersman, Davis, Elliott, B.J. Cox, B.L. Cox and Pace: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-21-2420, RELATING TO THE ADMISSIONS TAX, SO AS TO PROVIDE THAT NO TAX MAY BE CHARGED OR COLLECTED ON ANNUAL OR MONTHLY DUES PAID TO A GOLF CLUB.

Senator YOUNG objected to consideration of the Bill.

**OBJECTION**

H. 4376 -- Reps. B.J. Cox, M.M. Smith, Caskey, T. Moore, Wooten, J.L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF

**WEDNESDAY, MARCH 6, 2024**

AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME,  
FUNERAL ESTABLISHMENT, OR MORTUARY FOR  
DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

Senator YOUNG objected to consideration of the Bill.

**OBJECTION**

H. 4720 -- Rep. Bannister: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2024-2025 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Senator YOUNG objected to consideration of the Resolution.

**OBJECTION**

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoon, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE

**WEDNESDAY, MARCH 6, 2024**

IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF "ATHLETE AGENT"; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

Senator TALLEY objected to consideration of the Bill.

**WEDNESDAY, MARCH 6, 2024**

**OBJECTION**

S. 434 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-78-55 SO AS TO PROVIDE THAT NO CLAUSE OF A SERVICE CONTRACT WHICH STATES THAT THE TERM OF THE CONTRACT SHALL BE DEEMED RENEWED FOR A SPECIFIED ADDITIONAL PERIOD, UNLESS THE SERVICE CONTRACT HOLDER GIVES NOTICE TO THE PROVIDER OF HIS INTENTION TO TERMINATE THE CONTRACT AT THE EXPIRATION OF THE TERM, SHALL BE ENFORCEABLE AGAINST THE SERVICE CONTRACT HOLDER.

Senator TALLEY objected to consideration of the Bill.

**OBJECTION**

S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

Senator TALLEY objected to consideration of the Bill.

**OBJECTION**

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

Senator TALLEY objected to consideration of the Bill.

**OBJECTION**

H. 3255 -- Reps. Jefferson, Henegan, Anderson, Sandifer, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-63-110 SO AS TO PROHIBIT ISSUERS OF INDIVIDUAL LIFE INSURANCE POLICIES FROM

**WEDNESDAY, MARCH 6, 2024**

DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-65-130 SO AS TO PROHIBIT ISSUERS OF GROUP LIFE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; BY ADDING SECTION 38-71-105 SO AS TO PROHIBIT ISSUERS OF DISABILITY INCOME INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS; AND BY ADDING SECTION 38-72-110 SO AS TO PROHIBIT ISSUERS OF LONG-TERM CARE INSURANCE POLICIES FROM DISCRIMINATING AGAINST LIVING ORGAN DONORS.

Senator TALLEY objected to consideration of the Bill.

**OBJECTION**

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer and Devine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-95-65 SO AS TO PROVIDE REGULATIONS FOR THE SALE OF ELECTRONIC NICOTINE DELIVERY SYSTEMS AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION.

Senator CORBIN objected to consideration of the Bill.

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

**MOTION ADOPTED**

At 11:30 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.**

**H. 3594--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED**

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,

**WEDNESDAY, MARCH 6, 2024**

McCrary, 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 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

**WEDNESDAY, MARCH 6, 2024**

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 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

**WEDNESDAY, MARCH 6, 2024**

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

Senator MATTHEWS spoke on the Conference Report.

**Motion Adopted**

On motion of Senator MASSEY, with Senator MATTHEWS retaining the floor on H. 3594, the Senate agreed that the Senate would reconvene one hour after the conclusion of the Joint Assembly.

**RECESS**

At 12:25 P.M., on motion of Senator MASSEY, the Senate receded from business for the purpose of attending the Joint Assembly.

**Committee to Escort**

The PRESIDENT appointed Senators CORBIN, McELVEEN, MATTHEWS, GARRETT and HEMBREE to escort the Honorable Daniel J. Seehafer, National Commander of the American Legion, and members of his party to the House of Representatives for the Joint Assembly.

## **WEDNESDAY, MARCH 6, 2024**

### **Address by the National Commander of the American Legion**

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 1065.

S. 1065 -- Senator Alexander: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, DANIEL J. SEEHAFER, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 6, 2024.

The Honorable Daniel J. Seehafer and members of his party were escorted to the rostrum by Senators CORBIN, McELVEEN, MATTHEWS, GARRETT and HEMBREE and Representatives Hosey, B.L. Cox, T. Moore and Williams. The PRESIDENT of the Senate introduced the Honorable Daniel J. Seehafer, National Commander of the American Legion.

Commander Seehafer addressed the Joint Assembly.

Ladies, gentlemen, distinguished members of this great Body -- it's truly an honor to speak to you today in this beautiful historic capitol. Before I begin, please allow me a moment to introduce members of The American Legion Family of South Carolina who are with me today. We have the Department Commander, Jim Kvam of Charleston; National Executive Committeeman, Joe Lysaght of James Island. James Holland, Alternate NEC from Aiken, the Department Adjutant Mike Strauss, of North Augusta, our American Legion Auxiliary Department President, Lorena Pate of Dalzell; and, our Sons of The American Legion Detachment Commander, Richard Hall of Chesnee.

Ladies and gentlemen -- it is an honor to be in a state with such a proud and distinguished military history. South Carolina has produced famous leaders such as General Thomas Sumter, General William Westmoreland, and Lieutenant Col. William Travis, the man who authored the "Victory or Death" letter from the Alamo.

However, I would like to begin with a tribute to a less famous son of the Palmetto State. Eighty years ago, a 19-year-old private from the farming community of Six Mile, made the Supreme Sacrifice for this Nation. Furman L. Smith, a soldier with the 135th Infantry Regiment, 34th Infantry Division, came under intense fire by a force of 80 Germans near Lanuvio, Italy. After his squad leader and another soldier were seriously wounded, the rest of his company safely withdrew. BUT NOT PRIVATE SMITH. He epitomized the warrior ethos of "leave no one behind" and he placed his wounded comrades in shell craters for their

## **WEDNESDAY, MARCH 6, 2024**

protection. Against overwhelming odds, he fired his rifle and unloaded clip after clip on the enemy. He killed many of them until he was himself mortally wounded, rifle in hand. For the actions he had taken on June 1st, 1944, Furman L. Smith became the first World War II Medal of Honor recipient from South Carolina. He is buried at Pleasant Hill Cemetery. In many ways I believe Private Smith's actions are symbolic of the relationship that South Carolina has with its veterans. Private Smith refused to abandon his friends in need, just as this State has repeatedly stood at the side of its veterans.

Nearly 400,000 veterans call South Carolina home, including 63,000 military retirees. The state income tax-exemptions you provide to military pensions and the multitude of other benefits you award veterans make South Carolina an attractive home for those who have served.

The American Legion is grateful that the South Carolina House of Representatives unanimously passed H. 3116, which will grant immediate property tax exemptions to certain disabled veterans.

Senate Bill 437 calls for the military to do more to assist veterans with transitioning. The American Legion believes that a smooth acclimation from military to civilian life can make a difference in reducing the suicide rate among veterans. For the last several years, previous American Legion National Commanders have appeared before this legislature and discussed the importance of destigmatizing the act of seeking mental wellness.

The United States has lost more than 135,000 veterans to suicide since the 9/11 attacks. This is well more than the total American deaths incurred during the entire Korean War, Vietnam War, Gulf War and Global War on Terrorism combined. A veteran is 50 percent more likely to take his or her own life than a person who has never served in the military.

The American Legion calls on all of us to "Be the One" to stop these tragedies. "Be the One" is not a marketing campaign, or catchy slogan or cool phrase for us. IT IS A MISSION. A mission of relevance and purpose; yes, a mission that changes lives and saves lives. You see, family, veterans value courage and it takes courage to ask for help. Through our "Buddy Check" outreach programs, The American Legion does not sit back and wait for veterans to ask us. WE ASK THEM! We take a pro-active approach and start conversations with veterans.

Included in those conversations is the most important question of all: "ARE YOU OKAY?" If the answer is "no," we connect that veteran with the resources he or she needs. We follow up. We do not abandon them. As a result of our lobbying efforts, Congress passed legislation directing

## **WEDNESDAY, MARCH 6, 2024**

the Department of Veterans Affairs to conduct its own national “Buddy Check Week”, which they did from October 16-20, 2023. It's impossible to tell how many lives were saved as a result, but we do know that thousands of veterans were told that their lives were valuable and worth living. We also know that in 2023 nearly 50,000 veterans accessed a new VA benefit which offers free emergency suicide prevention care in and outside the VA system. Suicide also is a major problem for the active-duty military. South Carolina is home to eight major military installations and numerous smaller facilities.

Yesterday, I had the honor of visiting the Naval Nuclear Power Training Command Weapons Station. It is truly inspiring to meet the bright professionals serving in today's All-Volunteer Force. Nonetheless, logic would dictate that providing high quality housing, health care, childcare and other lifestyle amenities goes hand-in-hand with reducing the stress and hardships that can contribute to the suicide rate.

You have probably seen the widespread reports of moldy rooms, broken air conditioning, vermin and other problems that have plagued some military barracks and housing facilities around the world. The American Legion finds these conditions UNACCEPTABLE.

In 2022, our organization created the Base Assessment and Servicemember Experience Program -- yes, the acronym is B.A.S.E. The BASE program includes assessment tours by Legion delegations and townhalls with servicemembers and their families to discuss the conditions aboard various installations.

In addition to housing, we focus on issues such as spousal employment opportunities, education, military exchanges, commissaries, economic hardships and food insecurity. The goal is not to criticize military commands but to identify challenges and drive solutions.

As the nation's largest veteran's organization, The American Legion is able to report our findings to the White House, Pentagon and Congress, much like the Department of South Carolina American Legion communicates with all of you. Please consider this our invitation to you. If you have concerns about your veteran constituents or the military community in general, please reach out to our American Legion Department of South Carolina headquarters here in Columbia. Every officer in The American Legion has worn the uniform of the United States military. We have the expertise and experience to help but most importantly, we have the desire to be servant leaders for our communities and our Country.

## **WEDNESDAY, MARCH 6, 2024**

While I am here, I would like to extend my congratulations to Charles Bratton of Clover, S.C. On July 23, 2024, Charles finished first in the sporter category of The American Legion Junior-3 Position Air Rifle Championships that we held in Colorado Springs. Charles's marksmanship skills earned him a \$5,000 scholarship, which he is now using at Harvard University.

This summer, our Past Department Commanders Club also honored Sumter native Bobby Richardson with our 2023 Good Guy Award. Bobby was not just a legendary second baseman for the New York Yankees, but he was also a proud American Legion Baseball alumnus. He is an outstanding patriot and servant of his community.

Now, if you would allow me for one moment to call to this platform two members of this distinguished Body who have proven that they are not only great lawmakers, but they are advocates for those who have served. They have been designated by The American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2024. They are true friends of veterans and The American Legion. Senator MIKE FANNING and Representative Sylleste H. Davis, would you please join me?

Congratulations Senator FANNING and Representative Davis. We appreciate all that you do on behalf of veterans. Thank you so much, South Carolina Legislature. God Bless you and God Bless America.

Immediately following the Joint Assembly called for the address by Daniel J. Seehafer, National Commander of the American Legion, the PRESIDENT announced that the Joint Assembly would proceed to the Election of Chief Justice for the Supreme Court.

H. 4895--Reps. Caskey, Jordan and Rutherford: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, MARCH 6, 2024, UPON THE CONCLUSION OF THE ADDRESS OF THE NATIONAL COMMANDER OF THE AMERICAN LEGION, AS THE DATE AND TIME TO ELECT A SUCCESSOR TO THE HONORABLE DONALD W. BEATTY, CHIEF JUSTICE OF THE SUPREME COURT, UPON HIS RETIREMENT ON OR BEFORE JULY 31, 2024, AND THE SUCCESSOR WILL SERVE A NEW TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2034.

## WEDNESDAY, MARCH 6, 2024

### **Election of a Chief Justice, Supreme Court**

The PRESIDENT announced that nominations were in order to elect a successor to the position of Chief Justice, Supreme Court.

Representative Micajah P. "Micah" Caskey IV, Chairman of the Judicial Merit Selection Commission, indicated that the Honorable John W. Kittredge had been screened and found qualified to serve.

Representative Micajah P. "Micah" Caskey IV placed the name of the Honorable John W. Kittredge in nomination and moved that nominations be closed.

Senator HUTTO moved to second the nomination of Chief Justice Kittredge with the following statement:

It gives me great pride to second the nomination of the Honorable John W. Kittredge as the next Chief Justice of the South Carolina Supreme Court. I know Justice Kittredge to be a jurist of impeccable character, intellect and integrity. I have no doubt that he will serve with great distinction and be a most outstanding leader of the court.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted in the affirmative:

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
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

**Total--46**

## WEDNESDAY, MARCH 6, 2024

On the motion of Representative Caskey, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted in the affirmative:

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

**WEDNESDAY, MARCH 6, 2024**

Weeks	West	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Yow

**Total--120**

**RECAPITULATION**

Total number of Senators voting .....	46
Total number of Representatives voting.....	<u>120</u>
Grand Total.....	166
Necessary to a choice .....	0
Ayes .....	166
Nays .....	0

Whereupon, the PRESIDENT announced that the Honorable John W. Kittredge was elected to the position Chief Justice, Supreme Court for the term to expire July 31, 2034.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 1:09 P.M., by prior motion of Senator MASSEY, the Senate receded until 2:09 P.M.

**Call of the Senate**

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Martin
Massey	Matthews	Peeler
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy

**WEDNESDAY, MARCH 6, 2024**

Stephens	Talley	Tedder
Turner	Williams	Young

A quorum being present, the Senate resumed.

**Motion Adopted**

On motion of Senator GOLDFINCH, with unanimous consent, Senators WILLIAMS, TALLEY, M. JOHNSON, McELVEEN and GOLDFINCH were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Senator MATTHEWS resumed speaking on the Conference Report.

Senator HARPOOTLIAN spoke on the Conference Report.

Senator K. JOHNSON spoke on the Conference Report.

Senator CAMPSEN spoke on the Conference Report.

**Remarks by Senator CAMPSEN**

Thank you, Mr. PRESIDENT. Senators, if there were a clear button at the podium, I'd hit the clear button. Why? Because, as opposed to previous speakers, I will explain why I, a strong supporter and serial exerciser of my second amendment rights, am opposed to this Bill. I am a lifelong hunter and outdoorsman. I dare say there is no one in this chamber, other than Senator ADAMS, who was a law enforcement officer, has carried weapons more than me. From the beginning of deer season in August and to the end of turkey season in May, there is not a week that goes by in which I'm not bearing multiple classes of arms. I also manage timber and hunting land, an endeavor in which guns are tools of the trade to manage nuisance species such as wild hogs, armadillos and coyotes. So, the rest of the year when I'm doing tractor work, planting food plots, cutting fire lines or doing prescribed burns of timberland, I have multiple weapons with me. My wife is an avid hunter as well. My sons are some of the finest hunters and fishermen in the State. My oldest son killed his first deer at age six and my youngest son at age four.

And yet an out-of-state dark money group has been sending fliers and text messages to constituents in my district characterizing me as a threat to their second amendment rights. They portray me as a "gun grabber", a puppet on a string with Joe Biden and Kamala Harris the puppeteers. Why? I assure you it's not because I have suddenly become a gun control zealot. Nothing could be further from the truth. It is simply because I do

## WEDNESDAY, MARCH 6, 2024

not support eliminating a Concealed Weapons Permit as a requirement to carry concealable weapons.

Senator MATTHEWS, "Would you admit that your wife is a better shot than you?"

Senator CAMPSEN, "Last week we both killed an ocellated turkey in Mexico. The ocellated is the rarest of all turkeys. Lalla Lee not only killed a bigger turkey than me. Her turkey was the largest of the eleven turkeys harvested by our hunting party. So, there's your answer, Senator."

One reason Lalla Lee is such a great shot is because when we got engaged, I gave her an engagement rifle instead of a ring. I suspect you don't consider that very sweet and are now thinking I'm a neanderthal. Perhaps I am. But the engagement rifle was very meaningful to Lalla Lee. She harvested her first deer just two days after I gave her the engagement rifle. And the engagement rifle kept more boys at bay than an engagement ring ever could. But don't judge me too quickly. I did redeem myself. I ultimately gave her an engagement ring to compliment her engagement rifle.

My entire life I have associated with hunters, fishermen and outdoorsmen because we share the same passion. I can assure you it is the avid hunters who strongly support firearm training, like the Concealable Weapons Permit. They support it because through experience, they are intimately aware of how dangerous a firearm can be in the hands of a novice.

This Friday I will participate in a sporting clays event. National class shooters will participate. Guess what we will do before the shooting begins? We will take five minutes for a shooting safety briefing. It is mandatory for all participants. These are individuals who have fired hundreds of thousands of rounds in their lives. Yet they will be required to attend a brief gun safety lecture similar to those they have heard hundreds of times. Why? Because experienced shooters know better than all others how dangerous weapons can be. The more you shoot; the more close calls you experience. The more close calls you experience; the more you understand the importance of training.

The most dangerous form of hunting actually is quail hunting because it involves low quick shots. It's very important to have training and experience. And even the most experienced quail hunters obey the hunt master's commands.

So why am I, a serial exerciser of my Second Amendment rights, opposed to this Bill? Because if you're going to handle a firearm you need to have experience in handling firearms. They are lethal weapons,

## WEDNESDAY, MARCH 6, 2024

after all. And if you are going to carry in public for self-defense, it's vitally important to know our complex laws that control when you can shoot someone in self-defense or defense of others. The criminal background check is important so that we have a degree of confidence that those who are carrying weapons in public are the good guys, and not the bad guys.

I find that most people have intentionally been misled about this Bill. Most people have been misled into thinking that somehow their Second Amendment rights are at risk. I know because I received a lot more communication from folks questioning why I, as a Republican and Second Amendment supporter, am opposed to this Bill. I come from a district that has a lot of gun supporters. I have a lot of friends that received deceitful fliers, phone calls and text messages from the out-of-state dark money groups pushing this Bill. They ask, "Campsen what are you doing? I grew up hunting with you, yet I'm receiving mailers accusing you of threatening my Second Amendment rights. They depict you as a gun grabber, a puppet on a string with Joe Biden and Kamala as the puppeteers."

This is absurd. It is politics at its worst. So, I return these calls. The constituent will say, "I want to talk to you about the Constitutional Carry Bill, Senator. I am a CWP holder, and our Second Amendment rights are very important to me." I respond, "Well your Second Amendment rights and CWP are important to me as well. All I'm doing is trying to stop the elimination of the CWP as a requirement to carry concealable weapons."

Their typical response is, "Oh Senator, I had no idea that is what this Bill is about. I just got a flyer saying you were threatening my Second Amendment rights. I've been misled. Please, please continue opposing this Bill, Senator. I support the Concealable Weapons Permit requirement. I took the course. It is very educational, very important."

This is what 70% of those who call me to express **support** of the Constitutional Carry Bill end up concluding after I explain the Bill to them. They realize they have been deceived by this dark money out-of-state group. The dark money group promoting this Bill has employed this tactic in state after state around the country. We are simply its current target.

I established I'm a neanderthal when I relayed the engagement rifle story at the beginning of this speech. I am also a dinosaur. So, I didn't know what the term "astroturfing" meant. One of my young staffers said of the dark money group, "They are astroturfing us." I responded, "What? What is astroturfing?" Astroturf, of course, is not real grass. It is fake grass. "Astroturfing" is when individuals who are not really your

## WEDNESDAY, MARCH 6, 2024

constituents -- thus the fake grass analogy -- lobby you to support the Bill. Many are not even South Carolinians at all.

In response to these calls, I drafted a four-page letter. You know how I am. I had to do a four-page letter and a dissertation on the *Heller* decision by Justice Scalia and the *Bruen* decision by Justice Thomas. I can't help myself. I couldn't do it in just one page. The vast majority of my constituents who read it and replied back indicated they had been misled. They had not realized the Bill was really about eliminating the Concealable Weapons Permit requirement to carry concealable weapons. And they asked me to continue opposing the Bill.

Based upon my engagement of the public on this issue, I'm convinced a large majority of the public does not want this. This group has done this in state after state. When they are finished here, they are going to go to another state to pedal their lies.

You all are aware of my love for the Constitution. It is disheartening that this foolishness and deceit has happened in the wake of the most significant United States Supreme Court decisions on the Second Amendment in the history of the Court. These are the *Heller* decision in 2008 by Justice Antonin Scalia and the *Bruen* decision in 2022 by Justice Clarence Thomas. For the first time *Heller* held that Second Amendment rights are a personal right. There had been a debate over whether Second Amendment rights were limited to the military only. But in a tour-de-force of Second Amendment jurisprudence that drew upon the history and traditions of gun policy, ownership and usage in America, Scalia clearly lays out a compelling argument that the Second Amendment confers a personal right to keep and bear arms that are in common usage. The concept is that law-abiding citizens should have a right to bear firepower commensurate with firepower criminals are likely to bear against them. Don't give me a muzzleloader when my assailant will likely bear an AR15. Don't give me a single shot .22 when my assailant will have a semi-automatic shotgun.

And the most relevant holding in *Heller* with regard to this Bill that's about to become law over my objection, is that the Second Amendment is for "law-abiding, responsible people". It is not for people who are not law-abiding. It is not for people who are not responsible. This principle does not emanate from some left-wing justice. This is Antonin Scalia, arguably the greatest conservative justice in the history of the court.

Why is Scalia the greatest of all time? Because he influenced the way other justices construe constitutional provisions. Scalia had a great wit and set a noble example for all of us as to how we can and should befriend and influence our most formidable opponents. He and Justice

## **WEDNESDAY, MARCH 6, 2024**

Ruth Bader Ginsburg developed a strong friendship. Scalia taught her how to hunt and took her on many hunting outings. Referring to Scalia's impact upon the Court, Justice Elana Kagan famously said, "We are all textualists now."

The Second Amendment is for "law-abiding, responsible people". What does our current concealed weapons permit law do? It simply confirms a permit holder is law-abiding through the background check, and it assures a permit holder is responsible through firearm range training and training on when lethal force is lawful. This is extremely important. No one understands intuitively when lethal force is warranted. You might be a marine sniper able to shoot the enemy at 2500 meters repeatedly. But you still have to learn when lethal force is warranted in a civilian context. How important is this? It's the difference between self-defense and a homicide conviction for the shooter. Consequences for the unlawfully shot innocent victim are even more dire.

This happened just about a year and a half ago in a nearby state. An innocent man got the wrong address, walked onto the wrong porch and was shot by the homeowner on the porch through a window.

Was that lawful under the Castle Doctrine or stand your ground? Nope. That's a homicide conviction. Someone must be breaking and entering for you to use lethal force. And that only is applicable in certain locations. You do not know these important distinctions unless you study the law.

I know the law even though Jake Knotts was my instructor. He was actually a good instructor. And we enjoyed a lot of laughs. But most importantly, we knew everyone had been instructed in the laws governing self-defense. We knew everyone was law-abiding because we all had clean background checks. And everyone had to demonstrate minimal proficiency on the range. In other words, the process of earning a Concealed Weapons Permit simply confirmed we were the "law-abiding, responsible people" that Justices Scalia, Thomas and a majority of the Supreme Court concluded had a right to bear arms ordinary self-defense needs.

I will conclude with a story that highlights the importance of range training. I personally did not need range training. I have shot pistols my entire life. I always carry pistols when I'm archery hunting, and when I'm engaged in habitat management, which is a year-around endeavor. I've killed wild hogs charging me, armadillos, poisonous snakes, coyotes and much more with pistols. I didn't personally need the range training. But I don't begrudge it because I know it's for the public good. It is to

## WEDNESDAY, MARCH 6, 2024

make sure everyone carrying concealable weapons has some minimal amount of training in handling a handgun.

An experience I had at the range during my Concealable Weapons Permit class drives this home. As I was preparing my .40 caliber Glock Model 22 for firing, a lady came up to me with a .38 Special snub-nose revolver. She walked up to me, pointed the pistol at her face, looked at the barrel and the cylinder holes, and asked, “Which hole does the bullet come out of?”

I thought she had to be kidding, but there she was, pointing her pistol at her face, and asked a second time, “Which hole does the bullet come out of?”

If you haven’t already noted, that is not a responsible gun owner. So, I gently instructed her to lower the pistol with the barrel to the ground, and hand me the pistol. I confirmed it was empty and then called the Range Master to inform him he had a remedial student in need of special attention. Under the Range Master’s strict oversight, she fired her first five rounds at a distance of ten feet from the target. She missed the entire target five times at ten feet -- not just the bullseye. She missed the entire target.

This was obviously the first time she had ever handled a gun. The Range Master instructed her in gun safety and eventually got her to the point where she was generally hitting the target. The Range Master and I implored her to get more training and she committed to do that.

I return to Justices Scalia and Thomas’ majority opinions in *Heller* and *Bruen* wherein the Court concluded the Second Amendment is for “law-abiding, responsible people”. Our Concealable Weapons Permit law confirmed this lady was law-abiding through the criminal background check. And although not initially, the Concealable Weapons Permit course assured she had become a responsible gun owner for the purpose of “defending hearth and home” as Justice Scalia opined in *Heller*.

In this Bill, we are eliminating requirements under current law that enable law enforcement and citizens to have a level of comfort that those who are carrying concealable weapons are law-abiding and responsible. Today, law enforcement can require someone carrying a concealable weapon to show them their Concealable Weapons Permit. This requirement is not by force of law. It is by consent. When someone obtains a Concealable Weapons Permit, they voluntarily consent to presenting their permit to law enforcement upon request. Once this law passes, law enforcement will no longer be able to do that. This is because there is no reasonable suspicion that a crime is or about to be committed

## WEDNESDAY, MARCH 6, 2024

when anyone over age eighteen can carry a pistol with no Concealable Weapons Permit.

There is a final matter that is perhaps the most disconcerting. I mentioned it the other day when the Conference Committee first made its presentation. I asked Senator HUTTO, the spokesperson for the committee, "What about the hostage situation? Has the hostage been released?" He paused and asked, "I'm not sure what you are talking about. What hostage?" I replied, "You know, what has been held hostage for almost three years? I have the press accounts right here. They go back to September 26, 2021. The Speaker of the House was talking about the hostage situation."

What's the hostage situation I was referring to? What has been held hostage for almost three years to get this Bill passed? It is a Bill any law-abiding person would support, and anyone who cared about public safety would support. It is a Bill that would lengthen the penalties for felons unlawfully in possession of firearms and increase them exponentially for repeat offenders. Repeat violent offenders would spend much more time in prison and off the street.

This common sense public safety measure has been law enforcement's number one legislative priority since 2021. Top law enforcement official, Mark Keel, pleaded for enhanced penalties for felons in possession. He said, "We need the ability to arrest more convicted felons. My top priority is trying to keep the citizens of this State safe" as he cited a 51% increase in killings over the last five years. What were they asking for? Enhanced penalties for felons in possession. Violent felons can't possess guns, but currently there are no enhanced penalties for repeat offenses. A first offense is the same sentence as a fourth offense.

We should have passed that law three years ago. And we could have passed it three years ago if it hadn't been held hostage by the advocates of the Constitutional Carry as a bargaining chip to bring law enforcement into submission. There is nothing in our rules or processes that requires us to pass enhanced penalties for felons in possession with this Constitutional Carry Bill. They are separate concepts. They can be done in separate Bills. This was raw political gamesmanship at its worst, and with the highest of stakes. For it involved releasing repeat violent felons back on the street at the public's risk -- as a form of leverage to get Constitutional Carry passed.

But those who wanted this Constitutional Carry Bill refused to let enhanced penalties for felons in possession pass unless and until Constitutional Carry passed. They subordinated public safety to politics. Citizens will likely die or be severely injured because Constitutional

## WEDNESDAY, MARCH 6, 2024

Carry proponents refused to increase prison time for felons who unlawfully possess a gun -- which is most of them -- until Constitutional Carry passed.

I also am offended by the notion that people don't need any training at all to handle firearms. I am a lifelong gun owner and serial user of my Second Amendment rights; I know how important training is. The more you handle a gun, the more you respect its power. The more you respect its power, the more you realize the importance of training in handling guns. So that upsets me.

But what really upsets me is the General Assembly holding hostage a Bill that would enhance the penalties for convicted felons unlawfully carrying guns.

How many members of the public have been assaulted by violent offenders with a gun since 2021? Many of these offenders would have been imprisoned instead of on the street if we had passed that Bill early instead of using it for leverage for Constitutional Carry. We will never know how many people have and will be assaulted by violent felons because of this legislative tactic, but it assuredly will be some. Is eliminating the CWP requirement that compelling that it justifies subordination of public safety and public lives to its passage?

In conclusion, I encourage you to look at this out-of-state group that's been astroturfing us. Look at the Second Amendment Foundation's website about Dudley who controls this dark money group. He has done this in state after state. The Second Amendment Foundation is a very credible advocate for the Second Amendment. It is like the NRA in three piece suits. It litigates strategically to secure and protect Second Amendment rights. Yet they dedicate an entire page on their website to explain how the leader of this group has done permanent harm to the Second Amendment cause. You should all read that page.

In final analysis this is what we have kowtowed to. But you know what? I don't kowtow to anybody. And I am convinced my constituents really appreciate it. I have heard from them. They are shocked when they learn the truth and find out how they have been misled. They are particularly shocked when they learn that their safety from violent felons has been used as a bargaining chip to get this Bill passed. The people I grew up hunting with were saying, "Chip, what's going on? What's happened to you?" I have not suddenly become a gun control advocate. After I explain all this to them, they are first shocked, then agree with me and then they get mad. The only way this has gotten any traction at all is through deceit, lies and bullying.

## WEDNESDAY, MARCH 6, 2024

Do you know what my daddy taught me? My daddy was a champion boxer at the Citadel and captain of the boxing team. He taught me how to box, not to be a bully, but to defend myself from bullies. He was a fighter his whole life, not only in the boxing ring, but in the courtroom as well. I am the same way. Do you know what he told me to do with a bully? You box him in the nose. You don't kowtow to him. If you do, you invite more bullying.

I have completed my remarks if there are no other questions. Thank you, Mr. PRESIDENT.

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

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

**Ayes 28; Nays 18**

### AYES

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

**Total--28**

### NAYS

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

**Total--18**

The Committee of Conference Report was adopted as follows:

**WEDNESDAY, MARCH 6, 2024**

**H. 3594--Conference Report**

The General Assembly, Columbia, S.C., March 06, 2024

The COMMITTEE OF CONFERENCE, to whom was referred:

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: 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 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

**WEDNESDAY, MARCH 6, 2024**

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 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

**WEDNESDAY, MARCH 6, 2024**

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

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

That the same do pass with the following amendments:

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

SECTION 1. This act may be cited as the "South Carolina Constitutional Carry/Second Amendment Preservation Act of 2023".

SECTION 2. Section 10-11-320(B) of the S.C. Code is amended to read:

(B) This section does not apply to a person who possesses—a ~~concealable weapons' permit pursuant to Article 4, Chapter 31, Title 23 firearms~~ and is authorized to park on the capitol grounds or in the parking garage below the capitol grounds. The firearm must remain locked in the

## WEDNESDAY, MARCH 6, 2024

person's vehicle while on or below the capitol grounds and must be stored in a place in the vehicle that is not readily accessible to any person upon entry to or below the capitol grounds.

SECTION 3. Section 16-23-20 of the S.C. Code is amended to read:

Section 16-23-20. (A) It is unlawful, whether or not the person has a concealed weapon permit, for anyone to carry about the person any handgun, whether concealed or not, except as follows; unless otherwise specifically prohibited authorized by law into a:

- (1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;
- (2) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;
- (3) members, or their invited guests, of organizations authorized by law to purchase or receive firearms from the United States or this State or regularly enrolled members, or their invited guests, of clubs organized for the purpose of target shooting or collecting modern and antique firearms while these members, or their invited guests, are at or going to or from their places of target practice or their shows and exhibits;
- (4) licensed hunters or fishermen who are engaged in hunting or fishing or going to or from their places of hunting or fishing while in a vehicle or on foot;
- (5) a person regularly engaged in the business of manufacturing, repairing, repossessing, or dealing in firearms, or the agent or representative of this person, while possessing, using, or carrying a handgun in the usual or ordinary course of the business;
- (6) guards authorized by law to possess handguns and engaged in protection of property of the United States or any agency of the United States;
- (7) members of authorized military or civil organizations while parading or when going to and from the places of meeting of their respective organizations;
- (8) a person in his home or upon his real property or a person who has the permission of the owner or the person in legal possession or the person in legal control of the home or real property;
- (9) a person in a vehicle if the handgun is:
  - (a) secured in a closed glove compartment, closed console, closed

~~trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver's license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon under a seat in a vehicle, or in any open or closed storage compartment within the vehicle's passenger compartment; or~~

~~—(b) carried openly or concealed on or about his person, and he has a valid concealed weapons permit pursuant to the provisions of Article 4, Chapter 31, Title 23;~~

~~—(10) a person carrying a handgun unloaded and in a secure wrapper from the place of purchase to his home or fixed place of business or while in the process of changing or moving one's residence or changing or moving one's fixed place of business;~~

~~—(11) a prison guard while engaged in his official duties;~~

~~—(12) a person who is granted a permit under provision of law by the State Law Enforcement Division to carry a handgun about his person, under conditions set forth in the permit, and while transferring the handgun between the permittee's person and a location specified in item (9);~~

~~—(13) the owner or the person in legal possession or the person in legal control of a fixed place of business, while at the fixed place of business, and the employee of a fixed place of business, other than a business subject to Section 16-23-465, while at the place of business; however, the employee may exercise this privilege only after: (a) acquiring a permit pursuant to item (12), and (b) obtaining the permission of the owner or person in legal control or legal possession of the premises;~~

~~—(14) a person engaged in firearms related activities while on the premises of a fixed place of business which conducts, as a regular course of its business, activities related to sale, repair, pawn, firearms training, or use of firearms, unless the premises is posted with a sign limiting possession of firearms to holders of permits issued pursuant to item (12);~~

~~—(15) a person while transferring a handgun directly from or to a vehicle and a location specified in this section where one may legally possess the handgun.~~

~~—(16) Any person on a motorcycle when the pistol is secured in a closed saddlebag or other similar closed accessory container attached, whether permanently or temporarily, to the motorcycle.~~

(1) law enforcement, correctional, or detention facility:

**WEDNESDAY, MARCH 6, 2024**

(2) courthouse, courtroom, or other publicly owned building, whether owned by the State, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session;

(3) polling place on election days;

(4) office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district;

(5) school or college athletic event not related to firearms;

(6) daycare facility or preschool facility;

(7) place where the carrying of firearms is prohibited by federal law;

(8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;

(9) hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity;

(10) residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or

(11) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with Section 23-31-235. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.

(B) The provisions of subsection (A) do not apply to:

(1) regular, salaried law enforcement officers, and reserve police officers of a state agency, municipality, or county of the State, uncompensated Governor's constables, law enforcement officers or other authorized personnel of the federal government or other states when they are carrying out official duties while in this State, deputy enforcement officers of the Natural Resources Enforcement Division of the Department of Natural Resources, and retired commissioned law enforcement officers;

(2) employees of a law enforcement facility, correctional facility, detention facility, or courthouse while in the course of employment and where the employment requires the possession of a firearm;

(3) members of the Armed Forces of the United States, the National Guard, organized reserves, or the State Militia when on duty;

(4) subject to the limitations of Section 23-31-600(D), persons who meet the definition of "qualified retired law enforcement officer" contained in Section 23-31-600; or

**WEDNESDAY, MARCH 6, 2024**

(5) a person carrying as authorized by Section 23-31-240.

(C) Nothing contained in this section may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-30, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, and 51-3-145, or the ability for a person to obtain a concealed weapon permit as provided for in Section 23-31-215.

(D) Notwithstanding any provision in this section, a person who is not otherwise prohibited by law from carrying a firearm may lawfully store a firearm anywhere in a vehicle whether occupied or unoccupied.

SECTION 4. Section 16-23-50(A)(2) of the S.C. Code is amended to read:

(2) A person violating the provisions of Section 16-23-20 is guilty of a misdemeanor and, upon conviction, must be:

(1) a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both, for a first offense;

(2) a misdemeanor and, upon conviction, must be imprisoned not more than three years for a second offense; or

(3) a felony and, upon conviction, must be imprisoned not more than five years for a third or subsequent offense.

SECTION 5. Section 16-23-55(C) and (D) of the S.C. Code is amended to read:

(C) After the ninety days have elapsed from publication of the first advertisement, and upon request of the individual who found and turned over the handgun, the agency shall return the handgun to this person if the individual fully completes the application process as described in Section 23-31-140 and in federal law, and pays all advertising and other costs incidental to returning the handgun. No handgun may be returned until the individual fully completes the application.

(D) Upon proper completion of the application, the law enforcement agency shall provide copies of the application in compliance with Section 23-31-140. Notwithstanding subsection (C), the agency shall not return a handgun to the individual who found and turned it in if that individual is prohibited under state or federal law from possessing or receiving a handgun. The agency may dispose of any handgun that is not reclaimed or returned under this section by sale in accordance with Section 27-21-22 and Section 27-21-20.

SECTION 6. Section 16-23-420 of the S.C. Code is amended to read:

Section 16-23-420. (A) It is unlawful for a person to possess a firearm of any kind on any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, other

**WEDNESDAY, MARCH 6, 2024**

post-secondary institution, or in any publicly owned building, without the express permission of the authorities in charge of the premises or property. The provisions of this subsection related to any premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, do not apply to ~~a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon~~ firearm remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(B) It is unlawful for a person to enter the premises or property described in subsection (A) and to display, brandish, or threaten others with a firearm.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both.

(D) This section does not apply to a guard, law enforcement officer, or member of the armed forces, or student of military science. A married student residing in an apartment provided by the private or public school whose presence with a ~~weapon~~ firearm in or around a particular building is authorized by persons legally responsible for the security of the buildings is also exempted from the provisions of this section.

(E) For purposes of this section, the terms "premises" and "property" do not include state or locally owned or maintained roads, streets, or rights-of-way of them, running through or adjacent to premises or property owned, operated, or controlled by a private or public school, college, university, technical college, or other post-secondary institution, which are open full time to public vehicular traffic.

(F) This section does not apply to a person ~~who is authorized to carry concealed weapons pursuant to Article 4, Chapter 31 of Title 23 when~~ upon any premises, property, or building that is part of an interstate highway rest area facility.

SECTION 7. Section 16-23-430 of the S.C. Code is amended to read:

Section 16-23-430. (A) It shall be unlawful for any person, except state, county, or municipal law enforcement officers or personnel authorized by school officials, to carry on his person, while on any elementary or secondary school property, a knife, with a blade over two inches long, a blackjack, a metal pipe or pole, firearms, or any other type of weapon, device, or object which may be used to inflict bodily injury or death.

**WEDNESDAY, MARCH 6, 2024**

(B) This section does not apply to a person who is authorized to carry a concealed weapon pursuant to Article 4, Chapter 31, Title 23 when the weapon remains inside an attended or locked motor vehicle and is secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle.

(C) A person who violates the provisions of this section is guilty of a felony and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than five years, or both. Any weapon or object used in violation of this section may be confiscated by the law enforcement division making the arrest.

SECTION 8. Section 16-23-465 of the S.C. Code is amended to read:

Section 16-23-465. (A) In addition to the penalties provided for by Sections 16-11-330, 16-11-620, ~~16-23-460~~, 23-31-220, and Article 1, Chapter 23, Title 16, a person convicted of knowingly carrying a firearm into a business which sells alcoholic liquor, beer, or wine for consumption on the premises is guilty of a misdemeanor; and, upon conviction, must be fined not more than two thousand dollars or imprisoned not more than two years, or both.

In addition to the penalties described above, a person who violates this section while carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23 must have his concealed weapon permit revoked for a period of five years.

(B)(1) This section does not apply to a person otherwise lawfully carrying a ~~concealable weapon pursuant to and in compliance with Article 4, Chapter 31, Title 23; however, the person shall~~ firearm who does not consume alcoholic liquor, beer, or wine while carrying the concealable weapon on the business' premises. A person who violates this item may be charged with a violation of subsection (A).

(2) A property owner, holder of a lease interest, or operator of a business may prohibit the carrying of concealable weapons into the business by posting a "NO CONCEALABLE WEAPONS ALLOWED" sign in compliance with Section 23-31-235. A person who carries a concealable weapon into a business with a sign posted in compliance with Section 23-31-235 may be charged with a violation of subsection (A).

(3) A property owner, holder of a lease interest, or operator of a business may request that a person carrying a concealable weapon leave the business' premises, or any portion of the premises, or request that a person carrying a concealable weapon remove the concealable weapon from the business' premises, or any portion of the premises. A person

**WEDNESDAY, MARCH 6, 2024**

carrying a concealable weapon who refuses to leave a business' premises or portion of the premises when requested or refuses to remove the concealable weapon from a business' premises or portion of the premises when requested may be charged with a violation of subsection (A).

SECTION 9. Section 23-31-215(K), (M), (O), and (U) of the S.C. Code is amended to read:

(K) ~~A permit holder must have his permit identification card in his possession whenever he carries a concealable weapon. When carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, a permit holder must inform a law enforcement officer of the fact that he is a permit holder and present the permit identification card when an officer:~~

~~— (1) identifies himself as a law enforcement officer; and~~

~~— (2) requests identification or a driver's license from a permit holder.~~

A permit holder ~~immediately~~ must report the loss or theft of a permit identification card to SLED headquarters ~~within forty-eight hours of the time the permit holder knew or reasonably should have known of the loss or theft.~~ A person who violates the provisions of this subsection is guilty of a misdemeanor and, upon conviction, must be fined twenty-five dollars.

~~An owner or other person who is lawfully in possession of a firearm, rifle, or shotgun in this State who suffers the loss or theft of such weapon shall report, within ten days of discovery, the loss or theft of each weapon to the appropriate local law enforcement agency, whether local police department or county sheriff's office, which would have appropriate jurisdiction where the weapon is located. In addition, the facts and circumstances of the loss or theft also must be reported to the appropriate law enforcement agency to which the report is made.~~

(M) A permit issued pursuant to this section does not authorize a permit holder to carry a concealable weapon into ~~a~~any place listed in Section 16-23-20(A) except as permitted by law.

~~— (1) law enforcement, correctional, or detention facility;~~

~~— (2) courthouse or courtroom;~~

~~— (3) polling place on election days;~~

~~— (4) office of or the business meeting of the governing body of a county, public school district, municipality, or special purpose district;~~

~~— (5) school or college athletic event not related to firearms;~~

~~— (6) daycare facility or preschool facility;~~

~~— (7) place where the carrying of firearms is prohibited by federal law;~~

~~— (8) church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body;~~

~~— (9) hospital, medical clinic, doctor's office, or any other facility~~

**WEDNESDAY, MARCH 6, 2024**

~~where medical services or procedures are performed unless expressly authorized by the employer; or~~

~~— (10) place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises pursuant to Sections 23-31-220 and 23-31-235. Except that a property owner or an agent acting on his behalf, by express written consent, may allow individuals of his choosing to enter onto property regardless of any posted sign to the contrary. A person who violates a provision of this item, whether the violation is wilful or not, only may be charged with a violation of Section 16-11-620 and must not be charged with or penalized for a violation of this subsection.~~

~~— Except as provided for in item (10), a person who wilfully violates a provision of this subsection is guilty of a misdemeanor and, upon conviction, must be fined not less than one thousand dollars or imprisoned not more than one year, or both, at the discretion of the court and have his permit revoked for five years.~~

Except as provided in Section 16-23-20(A)(11), a person who wilfully violates a provision of this subsection may be charged with a violation of Section 16-23-20 and in addition to the penalties provided in Section 16-23-20, at the discretion of the court, may have his permit revoked for up to five years.

Nothing contained in this subsection may be construed to alter or affect the provisions of Sections 10-11-320, 16-23-420, 16-23-430, 16-23-465, 44-23-1080, 44-52-165, ~~50-9-830~~, and 51-3-145.

(O)(1) A permit issued pursuant to this article is not required for a person:

(1) specified in Section 16-23-20, items (1) through (5) and items (7) through (11);

(2a) carrying a self-defense device generally considered to be nonlethal including the substance commonly referred to as "pepper gas"; or

(3b) carrying a concealable weapon in a manner not prohibited by law.

(2) The availability of a permit to carry a concealable weapon under this section must not be construed to prohibit the permitless transport or carrying of a firearm in a vehicle or on or about one's person, whether openly or concealed, loaded or unloaded, in a manner not prohibited by law.

(U) A concealable weapon permit holder whose permit has been expired for no more than one year may not be charged with a violation of Section 16-23-20 but must be fined not more than one hundred dollars.

## WEDNESDAY, MARCH 6, 2024

SECTION 10. Section 23-31-220 of the S.C. Code is amended to read:

Section 23-31-220. (A) Nothing contained in this article shall in any way be construed to limit, diminish, or otherwise infringe upon:

(1) the right of a public or private employer to prohibit a person who is ~~licensed under this article otherwise not prohibited by law from possessing a handgun~~ from carrying a concealable weapon, whether concealed or openly carried, upon the premises of the business or ~~work place workplace~~ or while using any machinery, vehicle, or equipment owned or operated by the business; or

(2) the right of a private property owner or person in legal possession or control to allow or prohibit the carrying of a concealable weapon, whether concealed or openly carried, upon his premises.

(B) The posting by the employer, owner, or person in legal possession or control of a sign stating “NO CONCEALABLE WEAPONS ALLOWED” shall constitute notice to a person ~~holding a permit issued pursuant to this article~~ that the employer, owner, or person in legal possession or control requests that concealable weapons, whether concealed or openly carried, not be brought upon the premises or into the ~~work place workplace~~. A person who knowingly brings a concealable weapon, whether concealed or openly carried, onto the premises or ~~work place workplace~~ in violation of the provisions of this paragraph may be charged with a violation of Section 16-11-620. In addition to the penalties provided in Section 16-11-620, a person convicted of a second or subsequent violation of the provisions of this paragraph must have his permit revoked for a period of one year. The prohibition contained in this section does not apply to persons specified in Section 16-23-20, item (B)(1).

(C) In addition to the provisions of subsection (B), a public or private employer or the owner of a business may post a sign regarding the prohibition or allowance on those premises of concealable weapons, whether concealed or openly carried, which may be unique to that business.

(D) This section must not be construed to limit an individual from carrying a concealable weapon pursuant to Section 51-3-145(G).

SECTION 11. Section 23-31-232(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, upon express permission given by the appropriate church official or governing body, ~~a person who holds a valid permit issued pursuant to this article any person~~ may carry a concealable weapon, whether concealed or openly carried, on the leased premises of an elementary or secondary school if

**WEDNESDAY, MARCH 6, 2024**

a church leases the school premises or areas within the school for church services or official church activities.

(1) The provisions contained in this section apply:

(a) only during those times that the church has the use and enjoyment of the school property pursuant to its lease with the school; and

(b) only to the areas of the school within the lease agreement, any related parking areas, or any reasonable ingress or egress between these areas.

(2) A school district may request that a church utilizing school property for its services disclose and notify the school district if persons are, or may be, carrying concealed weapons on the school property.

(3) The provisions of this section do not apply during any time students are present as a result of a curricular or extracurricular school-sponsored activity that is taking place on the school property.

SECTION 12. Section 23-31-235(B) of the S.C. Code is amended to read:

(B) All signs must be posted at each entrance into a building where carrying of a concealable weapon permit holder is prohibited from carrying a concealable weapon, whether concealed or openly carried, and must be:

(1) clearly visible from outside the building;

(2) eight inches wide by twelve inches tall in size;

(3) contain the words "NO CONCEALABLE WEAPONS ALLOWED" in black one-inch tall uppercase type at the bottom of the sign and centered between the lateral edges of the sign;

(4) contain a black silhouette of a handgun inside a circle seven inches in diameter with a diagonal line that runs from the lower left to the upper right at a forty-five-degree angle from the horizontal;

(5) a diameter of a circle; and

(6) placed not less than forty inches and not more than sixty inches from the bottom of the building's entrance door.

SECTION 13. Section 23-31-600(D) of the S.C. Code is amended to read:

(D) The restrictions contained in Sections Section 23-31-220 and 23-31-225 are applicable to a person carrying a concealed weapon pursuant to this section. Carrying a concealed weapon into the residence or dwelling place of another person is prohibited without the expressed permission of the owner or person in legal control or possession of the premises, as appropriate.

SECTION 14. Section 51-3-145(G) of the S.C. Code is amended to read:

**WEDNESDAY, MARCH 6, 2024**

(G) Possessing any firearm, airgun, explosive, or firework except by duly authorized park personnel, law enforcement officers, or persons using areas specifically designated by the department for use of firearms, airguns, fireworks, or explosives. Licensed hunters may have firearms in their possession during hunting seasons provided that such firearms are unloaded and carried in a case or the trunk of a vehicle except that in designated game management areas where hunting is permitted, licensed hunters may use firearms for hunting in the manner authorized by law. This subsection shall not apply to a person in possession or carrying a concealable weapon pursuant to Article 4, Chapter 31, Title 23, and the concealable weapon and its ammunition, as defined in Section 23-31-20(5).

SECTION 15. Sections 16-23-460, 23-31-225, and 23-31-230 of the S.C. Code are repealed.

SECTION 16. Section 16-23-500 of the S.C. Code is amended to read:

Section 16-23-500. (A) Except as provided in subsection (F), it is unlawful for a person who has been convicted of a violent crime, as defined by Section 16-1-60, that is classified as a felony offense, crime punishable by a maximum term of imprisonment of more than one year to possess a firearm or ammunition within this State.

(B) A person who violates the provisions of this section is guilty of a felony and, upon conviction must be fined not more than two thousand dollars or imprisoned not more than five years, or both.:

- (1) for a first offense, must be imprisoned not more than five years;
- (2) for a second offense, must be imprisoned for a mandatory minimum of five years, but not more than twenty years; and
- (3) for a third or subsequent offense, must be imprisoned for a mandatory minimum of ten years, but not more than thirty years.

(C)(1) In addition to the penalty provided in this section, the firearm or ammunition involved in the violation of this section must be confiscated. The firearm or ammunition must be delivered to the chief of police of the municipality or to the sheriff of the county if the violation occurred outside the corporate limits of a municipality. The law enforcement agency that receives the confiscated firearm or ammunition may use it within the agency, transfer it to another law enforcement agency for the lawful use of that agency, trade it with a retail dealer licensed to sell firearms or ammunition in this State for a firearm, ammunition, or any other equipment approved by the agency, or destroy it. A firearm or ammunition must not be disposed of in any manner until the results of any legal proceeding in which it may be involved are finally determined. If the State Law Enforcement Division seized the firearm or

**WEDNESDAY, MARCH 6, 2024**

ammunition, the division may keep the firearm or ammunition for use by its forensic laboratory. Records must be kept of all confiscated firearms or ammunition received by the law enforcement agencies under the provisions of this section.

(2) A law enforcement agency that receives a firearm or ammunition pursuant to this section shall administratively release the firearm or ammunition to an innocent owner. The firearm or ammunition must not be released to the innocent owner until the results of any legal proceedings in which the firearm or ammunition may be involved are finally determined. Before the firearm or ammunition may be released, the innocent owner shall provide the law enforcement agency with proof of ownership and shall certify that the innocent owner will not release the firearm or ammunition to the person who has been charged with a violation of this section which resulted in the confiscation of the firearm or ammunition. The law enforcement agency shall notify the innocent owner when the firearm or ammunition is available for release. If the innocent owner fails to recover the firearm or ammunition within thirty days after notification of the release, the law enforcement agency may maintain or dispose of the firearm or ammunition as otherwise provided in this section.

(D) The judge that hears the case involving the violent court with jurisdiction over an offense, as defined by Section 16-1-60, that is classified as a felony offense, punishable by imprisonment for more than one year, as provided in subsection (A), shall make a specific finding on the record that the offense is a violent offense, as defined by Section 16-1-60, and is classified as a felony offense subject to the provisions of this section. A judge's failure to make a specific finding on the record does not bar or otherwise affect prosecution pursuant to this subsection and does not constitute a defense to prosecution pursuant to this subsection.

(E) A second or subsequent offense for the purpose of this section means any conviction pursuant to Section 16-23-500(A).

(F) For the purpose of this section, "crime punishable by a maximum term of imprisonment of more than one year" does not include:

(1) any offense in this State or another jurisdiction pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices;

(2) any offense classified by the laws of this State or another jurisdiction as a misdemeanor and punishable by a term of imprisonment of five years or less; or

(3) any crime for which the conviction has been expunged, or set aside or for which a person has been pardoned or has had civil rights

**WEDNESDAY, MARCH 6, 2024**

restored, unless such pardon, expungement, or restoration of civil rights expressly provides that the person may not ship, transport, possess, or receive firearms.

SECTION 17. Section 22-5-910 of the S.C. Code is amended to read:

Section 22-5-910. (A) Following a conviction for a crime carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both, or a first offense for unlawful possession of a firearm or weapon carrying a penalty of not more than one year or a fine of one thousand dollars, or both, the defendant after three years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant. However, this section does not apply to an offense involving the operation of a motor vehicle.

(B) Following a conviction for domestic violence in the third degree pursuant to Section 16-25-20(D), or Section 16-25-20(B)(1) as it existed before June 4, 2015, the defendant after five years from the date of the conviction, including a conviction in magistrates or general sessions court, may apply, or cause someone acting on his behalf to apply, to the circuit court for an order expunging the records of the arrest and conviction and any associated bench warrant.

(C) If the defendant has had no other conviction, including out-of-state convictions, during the three-year period as provided in subsection (A), or during the five-year period as provided in subsection (B), the circuit court may issue an order expunging the records including any associated bench warrant.

(D) After the expungement, the South Carolina Law Enforcement Division is required to keep a nonpublic record of the offense and the date of the expungement to ensure that no person takes advantage of the rights of this section more than once. This nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know this information in order to prevent the rights afforded by this section from being taken advantage of more than once.

(E) As used in this section, “conviction” includes a guilty plea, a plea of nolo contendere, or the forfeiting of bail. For the purpose of this section, any number of offenses for crimes carrying a penalty of not more than thirty days imprisonment or a fine of one thousand dollars, or both listed pursuant to subsection (A), for which the individual received sentences at a single sentencing proceeding that are closely connected and arose out of the same incident may be considered as one offense and

## WEDNESDAY, MARCH 6, 2024

treated as one conviction for expungement purposes.

(F) No person may have the person's record expunged under this section if the person has pending criminal charges of any kind unless the charges have been pending for more than five years; however, this five-year time period is tolled for any time the defendant has been under a bench warrant for failure to appear. No person may have the person's records expunged under this section more than once. A person may have the person's record expunged even though the conviction occurred before the effective date of this section.

SECTION 18. Section 23-31-240 of the S.C. Code is amended to read:

Section 23-31-240. (A) Notwithstanding any other provision contained in this article, the following persons who possess a valid permit pursuant to this article may carry a concealable weapon anywhere within this State:

- (1) active Supreme Court justices;
- (2) active judges of the court of appeals;
- (3) active circuit court judges;
- (4) active family court judges;
- (5) active masters-in-equity;
- (6) active probate court judges;
- (7) active magistrates;
- (8) active municipal court judges;
- (9) active federal judges;
- (10) active administrative law judges;
- (11) active solicitors and assistant solicitors;
- (12) active workers' compensation commissioners; ~~and~~
- (13) the Attorney General and assistant attorneys general;
- (14) active county clerks of court; and
- (15) active public defenders and assistant public defenders.

(B) Notwithstanding the provisions of subsection (A), public defenders and assistant public defenders may not carry a concealable weapon into a local or state correctional facility.

SECTION 19. Article 4, Chapter 31, Title 23 of the S.C. Code is amended by adding:

Section 23-31-245. A person openly carrying a weapon in accordance with this article does not give a law enforcement officer reasonable suspicion or probable cause to search, detain, or arrest the person. This article does not prevent a law enforcement officer from searching, detaining, or arresting a person when he has a particularized and objective basis for suspecting the particular person stopped of criminal activity. A person merely carrying a weapon in accordance with this

## WEDNESDAY, MARCH 6, 2024

article is not sufficient to justify a search, detention, or arrest.

SECTION 20. 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.

SECTION 21. Section 23-31-215 of the S.C. Code is amended by adding:

(V)(1) The State Law Enforcement Division shall provide a statewide concealed weapon permit training course that satisfies the proof of training requirement for the issuance of a concealed weapon permit. SLED may not charge participants a fee of any kind for the concealed weapon permit training course provided for in this subsection. SLED may contract with private certified concealed weapon permit training class instructors or local law enforcement to provide the course or SLED itself may provide the course.

(2) The training course must be offered in every county in South Carolina at least twice per month. If demand exceeds the capacity of the training course in any county, SLED shall provide additional classes until there exists a sufficient number of classes offered at least twice a month to meet the demand for training in each respective county. If SLED is unable to contract with a certified concealed weapon permit training class instructor or local law enforcement in any county, SLED must conduct the training class for that county.

(3) This program does not prohibit any certified concealed weapon permit training class instructors from providing their own training classes and charging participants a fee.

SECTION 22. Chapter 23, Title 16 of the S.C. Code is amended by adding:

Section 16-23-495. (A) A person convicted of committing or attempting to commit a crime involving a concealable weapon, as defined by Section 23-31-210(5), in violation of an offense listed in Chapter 23, Title 16, or a violation of Section 10-11-320, must be imprisoned not to exceed three years. A term of imprisonment imposed for violating this section must be served consecutively to any term of imprisonment imposed for the underlying offense, and may not exceed the actual sentence imposed for the underlying offense.

(B) This section does not apply to a person with a valid permit to carry a concealable weapon issued pursuant to Article 4, Chapter 31, Title 23,

**WEDNESDAY, MARCH 6, 2024**

provided that the permit was valid at the time the crime was committed.

(C) The additional punishment may not be imposed unless the indictment alleged as a separate count that the person was in possession of a concealable weapon without a valid concealed weapon permit during the commission of the crime and conviction was had upon this count in the indictment. The penalties prescribed in this section may not be imposed unless the person convicted was at the same time indicted and convicted of the underlying crime.

(D) The State Law Enforcement Division shall develop a document and distribute it to retailers that are federally licensed to engage in the business of dealing in or selling firearms in South Carolina. Such retailers shall provide the document to gun purchasers in South Carolina to inform them that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The document must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

(E) The State Law Enforcement Division must conduct a regular, statewide marketing campaign to inform South Carolinians that South Carolina law provides a process for gun owners to obtain a concealed weapon permit and allows law-abiding gun owners to carry their weapons without a permit. The campaign must inform gun purchasers that if a gun owner commits a crime involving a concealable weapon, and the owner does not have a valid concealed weapon permit, then there may be an additional criminal penalty for the underlying offense.

SECTION 23. Section 23-31-215(A) of the S.C. Code is amended to read:

(A) Notwithstanding any other provision of law, except subject to subsection (B), SLED must issue a permit, which is no larger than three and one-half inches by three inches in size, to carry a concealable weapon to a resident or qualified nonresident who is at least ~~twenty-one eighteen~~ years of age and who is not prohibited by state law from possessing the weapon upon submission of:

- (1) a completed application signed by the person;
- (2) a photocopy of a driver's license or photographic identification card;
- (3) proof of residence or if the person is a qualified nonresident, proof of ownership of real property in this State;
- (4) proof of actual or corrected vision rated at within six months of

**WEDNESDAY, MARCH 6, 2024**

the date of application or, in the case of a person licensed to operate a motor vehicle in this State, presentation of a valid driver's license;

(5) proof of training; and

(6) a complete set of fingerprints unless, because of a medical condition verified in writing by a licensed medical doctor, a complete set of fingerprints is impossible to submit. In lieu of the submission of fingerprints, the applicant must submit the written statement from a licensed medical doctor specifying the reason or reasons why the applicant's fingerprints may not be taken. If all other qualifications are met, the Chief of SLED may waive the fingerprint requirements of this item. The statement of medical limitation must be attached to the copy of the application retained by SLED. A law enforcement agency may charge a fee not to exceed five dollars for fingerprinting an applicant.

**SECTION 24.** No provision in this act should be construed as the General Assembly discouraging responsible gun ownership; and the General Assembly, in fact, encourages all gun owners to pursue and receive appropriate gun safety training before carrying a firearm or weapon.

**SECTION 25.** The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

**SECTION 26.** If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

**SECTION 27.** This act takes effect upon approval by the Governor.

**WEDNESDAY, MARCH 6, 2024**

Amend title to conform.

/s/Sen. Massey	/s/Rep. Caskey
/s/Senator Martin	/s/Rep. B.J. Cox
/s/Senator Hutto	/s/Rep. Bamberg
On part of the Senate.	On part of the House.

, and a message was sent to the House accordingly.

**Message from the House**

Columbia, S.C., March 6, 2024

Mr. President and Senators:

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

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 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

**WEDNESDAY, MARCH 6, 2024**

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 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

**WEDNESDAY, MARCH 6, 2024**

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

Very respectfully,  
Speaker of the House

Received as information.

**WEDNESDAY, MARCH 6, 2024**

**H. 3594--REPORT OF COMMITTEE OF CONFERENCE  
ENROLLED FOR RATIFICATION**

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

A message was sent to the House accordingly.

**Motion to Ratify Adopted**

At 3:47 P.M., on motion of Senator MARTIN, the House of Representatives was invited to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

A message was sent to the House accordingly.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**DEBATE INTERRUPTED**

S. 1046 -- Senators Hembree, Climer, M. Johnson, Peeler, Corbin, Cromer, Shealy, Grooms, Bennett, Gambrell, Loftis, Rice, Gustafson, Martin, Verdin, Turner, Kimbrell, Reichenbach, Cash, Harpootlian, McLeod and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-10, RELATING TO JUDICIAL MERIT SELECTION COMMISSION, APPOINTMENT, QUALIFICATIONS, AND TERMS, SO AS TO PROVIDE FOR THE APPOINTMENT OF JUDICIAL MERIT SELECTION COMMISSION MEMBERS, INITIAL TERMS, AND SUBSEQUENT TERMS, TO AMEND THE MEMBERSHIP OF THE COMMISSION, TO PROVIDE THAT, EXCEPT THOSE FIRST APPOINTED, THE MEMBERS APPOINTED BY THE SENATE PRESIDENT, THE SENATE JUDICIARY CHAIRMAN, THE SPEAKER OF THE HOUSE, AND THE HOUSE JUDICIARY CHAIRMAN SHALL SERVE AN INITIAL TERM OF TWO YEARS, AND TO PROVIDE THAT NO NOMINEE MAY BE A FAMILY MEMBER OF A CURRENT MEMBER OF THE JUDICIAL MERIT SELECTION COMMISSION; BY ADDING SECTION 2-19-15 SO AS TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE DIRECTOR AND PROFESSIONAL STAFF; BY AMENDING SECTION 2-19-20, RELATING TO INVESTIGATION BY COMMISSION AND PUBLICATION OF VACANCIES, SO AS TO PROVIDE THE CRITERIA FOR THE QUALIFICATION OF JUDICIAL CANDIDATES; BY AMENDING SECTION 2-19-30, RELATING TO HEARINGS AND EXECUTIVE SESSION, SO AS

**WEDNESDAY, MARCH 6, 2024**

TO REQUIRE ALL PUBLIC HEARINGS BE LIVE STREAMED; BY AMENDING SECTION 2-19-70, RELATING TO THE PROHIBITION AGAINST DUAL OFFICES, PRIVILEGES OF THE FLOOR, AND PLEDGES, SO AS TO PROVIDE FOR CERTAIN FLOOR PRIVILEGES AND PROHIBITIONS FOR CANDIDATES AND ESTABLISHING SET TIMES FOR THE RELEASE OF REPORTS AND THE SEEKING OF PLEDGES AND TO PROVIDE THAT THE FORMAL RELEASE OF THE REPORT OF QUALIFICATIONS SHALL OCCUR NO EARLIER THAN TWELVE DAYS AFTER NOMINEES HAVE BEEN RELEASED TO MEMBERS OF THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-80, RELATING TO NOMINATION OF QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT ALL QUALIFIED CANDIDATES SHALL BE RELEASED TO THE GENERAL ASSEMBLY; BY AMENDING SECTION 2-19-90, RELATING TO THE APPROVAL OF THE GENERAL ASSEMBLY IN JOINT SESSION, SO AS TO PROVIDE THAT A CANDIDATE MUST RECEIVE A MAJORITY VOTE OF EACH HOUSE; AND BY AMENDING SECTION 22-1-10, RELATING TO APPOINTMENT, TERMS AND TERRITORIAL JURISDICTION, TRAINING, AND CERTIFICATION OR RECERTIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT THE GOVERNOR SHALL RECEIVE RECOMMENDATIONS FROM THE FULL LEGISLATIVE DELEGATION OF THE COUNTY THE MAGISTRATE WILL SERVE.

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

The Committee on Judiciary proposed the following amendment (SJ-1046.PB0003S):

Amend the bill, as and if amended, SECTION 2, Section 2-19-10, by striking the last undesignated paragraph and inserting:

All appointees, except for the one provided in item (6), must be members of the South Carolina Bar and in good standing. Appointees made pursuant to items (2) and (3) may not be current members of the South Carolina General Assembly.

Amend the bill further, SECTION 3, by striking Section 2-19-10(D) and inserting:

(D) The term of office of a member of the commission who is not a member of the General Assembly shall be for four years, except those first appointed, the members appointed by the Senate President, the

**WEDNESDAY, MARCH 6, 2024**

Senate Judiciary Chairman, the Speaker of the House, and the House Judiciary Chairman shall serve an initial term of two years. Members may serve two non-consecutive terms provided a period of four years separates each term. Those initially appointed for a two-year term may serve one consecutive four-year term and a non-consecutive four-year term provided a period of four years has expired from previous service, subject to a right of removal at any time by the person appointing him, and until his successor is appointed and qualifies. A member of the commission who is a serving member of the General Assembly shall serve for the term of office to which he has been elected.

Amend the bill further, SECTION 4, by striking Section 2-19-10(G)(1) and (2) and inserting:

(1) No member of the Judicial Merit Selection Commission is eligible for nomination and appointment as a judge or justice of the state court system or administrative law judge division court while serving on the commission and for a period of one year two years thereafter; and

(2) If a candidate is a family member of a current Judicial Merit Selection Commission member, the member must resign his position on the commission. Family member is defined for the purpose of this section as a spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild.

Amend the bill further, SECTION 6, by striking Section 2-19-20(D) and inserting:

(D) Any person wishing to seek a judicial office, which is elected by the General Assembly, shall file a notice of intention to seek the office with the Judicial Merit Selection Commission. Upon receipt of the notice of intention, the commission shall begin to conduct the investigation of the candidate as it considers appropriate and may in the investigation utilize the services of any agency of state government. This agency shall, upon request, cooperate fully with the commission. The investigation must include the South Carolina Bar assessment of the candidate, the Citizens Committee assessment of the candidate, and public testimony from any witness appearing before the commission. The commission may consider other information provided by any agency of state government, but such information shall be provided to the candidate seeking office at least forty-eight hours prior to a public hearing and it must be described during a public hearing. The commission must not utilize anonymous surveys sent to members of the South Carolina Bar.

**WEDNESDAY, MARCH 6, 2024**

Amend the bill further, SECTION 12, Section 2-19-80, by striking Section 2-19-80(A) and inserting:

(A) The commission shall make nominations to the General Assembly of candidates and their qualifications for election to the Supreme Court, court of appeals, circuit court, family court, and the administrative law ~~judge division court~~. It shall review the qualifications of all applicants for a judicial office and select therefrom and submit to the General Assembly the names and qualifications of ~~the three all~~ candidates whom it considers best qualified for the judicial office under consideration. ~~If fewer than three persons apply to fill a vacancy or if the commission concludes there are fewer than three candidates qualified for a vacancy, it shall submit to the General Assembly only the names and qualifications of those who are considered to be qualified, with a written explanation for submitting fewer than three names.~~

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the committee amendment.

Senator RANKIN spoke on the committee amendment.

Senator HEMBREE spoke on the committee amendment.

**Motion Adopted**

On motion of Senator MASSEY, with Senator HEMBREE retaining the floor, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

**Motion Adopted**

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

**WEDNESDAY, MARCH 6, 2024**

**MOTION ADOPTED**

On motion of Senators MASSEY, ALEXANDER, ALLEN, BENNETT, CAMPSEN, CASH, CLIMER, CORBIN, CROMER, DAVIS, DEVINE, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, LOFTIS, MALLOY, MARTIN, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TEDDER, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. David Scott Adams of Ladson, S.C. David was the brother of our beloved Senator Brian Adams. David made a lasting impression on everyone he met and lived life to the fullest. David was a loving son and brother, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Marnie Ray Hook of Columbia, S.C. Dr. Hook attended Clemson University before transferring to the University of Georgia Veterinary School where he earned a DVM degree. He served as the base veterinarian at Keesler Air Force Base. In 1965, Dr. Hook founded St. Andrews Animal Clinic where he practiced until retirement. He was a member of the South Carolina Board of Veterinary Medical Examiners where he served as treasurer, the Greater Columbia Association of Veterinarians, the American Veterinary Medical Association and South Carolina Association of Veterinarians. Dr. Hook was honored by SCAV as Distinguished Veterinarian of the Year in 2000. Dr. Hook was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 5:30 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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WEDNESDAY, MARCH 6, 2024

SENATE JOURNAL INDEX

S. 107.....	<b>7</b>	S. 1055.....	<b>6</b>
S. 434.....	<b>14</b>	S. 1065.....	<b>19</b>
S. 538.....	<b>5</b>	S. 1101.....	<b>1</b>
S. 650.....	<b>7</b>	S. 1117.....	<b>9</b>
S. 746.....	<b>14</b>	S. 1140.....	<b>2</b>
S. 839.....	<b>4</b>	S. 1141.....	<b>2</b>
S. 859.....	<b>7</b>	S. 1142.....	<b>2</b>
S. 877.....	<b>4</b>	S. 1143.....	<b>3</b>
S. 954.....	<b>6</b>	S. 1144.....	<b>3</b>
S. 962.....	<b>4</b>	S. 1145.....	<b>3</b>
S. 968.....	<b>5</b>		
S. 969.....	<b>8</b>	H. 3121 .....	<b>9</b>
S. 994.....	<b>15</b>	H. 3255 .....	<b>14</b>
S. 995.....	<b>6</b>	H. 3295 .....	<b>9</b>
S. 996.....	<b>4</b>	H. 3309 .....	<b>10</b>
S. 1017.....	<b>8</b>	H. 3594 .....	<b>15, 55</b>
S. 1021.....	<b>8</b>	H. 3608 .....	<b>10</b>
S. 1031.....	<b>14</b>	H. 3811 .....	<b>11</b>
S. 1046.....	<b>58</b>	H. 3880 .....	<b>11</b>
S. 1047.....	<b>9</b>	H. 4376 .....	<b>11</b>
S. 1052.....	<b>5</b>	H. 4720 .....	<b>12</b>
S. 1054.....	<b>5</b>	H. 4957 .....	<b>12</b>