

NO. 49

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, APRIL 2, 2024

**Tuesday, April 2, 2024
(Statewide Session)**

Indicates Matter Stricken

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Isaiah 40:11

We turn again to the writings of Isaiah and hear him proclaim: "He will feed his flock like a shepherd; he will gather the lambs in his arms, and carry them in his bosom, and gently lead the mother sheep."

Let us bow in prayer: Dear Lord almighty, especially here in this incredibly high-tech world of ours, we dare not forget the loving declaration made by the prophet Isaiah, how he reminded each of us to hold fast to our responsibility to care, to care genuinely for those who are less fortunate than we happen to be. Indeed, O God, may this Senate always lead the way here in South Carolina to work in ways that meet the needs of our many sisters and brothers and children who require special assistance. May these leaders never be so preoccupied with other matters that they happen to overlook those who depend upon them to do what is right and just. In Your loving and ever caring name we pray, O Lord. Amen.

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

Motion Adopted

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

Call of the Senate

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

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

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Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Michael</i>	Loftis
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Reichenbach	Rice	Senn
Setzler	Shealy	Talley
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Withdrawn and Resubmitted

Document No. 5190

Agency: Department of Mental Health

Chapter: 87

Statutory Authority: 1976 Code Sections 44-9-100, 44-11-70, and 56-21-70

SUBJECT: Parking Regulations

Received by President of the Senate January 9, 2024

Referred to Medical Affairs Committee

Legislative Review Expiration May 8, 2024

Withdrawn and Resubmitted April 2, 2024

Document No. 5235

Agency: Department of Labor, Licensing and Regulation - State Board of Physical Therapy Examiners

Chapter: 101

Statutory Authority: 1976 Code Section 40-45-60

SUBJECT: Board of Physical Therapy Examiners

Received by President of the Senate January 9, 2024

Referred to Committee on Medical Affairs

Legislative Review Expiration May 8, 2024

Withdrawn and Resubmitted March 28, 2024

Document No. 5252

Agency: Department of Labor, Licensing and Regulation - State Board of Social Work Examiners

Chapter: 110

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Statutory Authority: 1976 Code Sections 40-1-70 and 40-63-70
SUBJECT: State Board of Social Work Examiners
Received by President of the Senate January 9, 2024
Referred to Family and Veterans' Services Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Document No. 5253

Agency: Department of Labor, Licensing and Regulation - South Carolina Real Estate Commission
Chapter: 105
Statutory Authority: 1976 Code Sections 40-1-50, 40-1-70, 40-57-60, 40-57-135, 40-57-320, 40-57-340, and 40-57-740
SUBJECT: Real Estate Commission
Received by President of the Senate January 9, 2024
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Document No. 5257

Agency: Department of Labor, Licensing and Regulation - State Board of Pharmacy
Chapter: 99
Statutory Authority: 1976 Code Sections 40-1-70, 40-43-60(D)(8), 40-43-83(I), and 40-43-86(B)(3)(c)
SUBJECT: State Board of Pharmacy
Received by President of the Senate January 9, 2024
Referred to Medical Affairs Committee
Legislative Review Expiration May 8, 2024
Withdrawn and Resubmitted April 2, 2024

Leave of Absence

On motion of Senator WILLIAMS, at 12:06 P.M., Senator ALLEN was granted a leave of absence until 1:00 P.M.

Leave of Absence

On motion of Senator WILLIAMS, at 12:07 P.M., Senator STEPHENS was granted a leave of absence for today.

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Leave of Absence

On motion of Senator KIMBRELL, at 5:59 P.M., Senator FANNING was granted a leave of absence for the balance of today.

Leave of Absence

On motion of Senator SHEALY, at 5:59 P.M., Senator MARTIN was granted a leave of absence for the balance of today.

CO-SPONSORS ADDED

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

S. 1126 Sens. Bennett and Martin

S. 1150 Sen. Martin

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:

S. 250 Sen. Malloy

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1221 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO RECORDKEEPING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5258, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0691wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1222 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - STATE LICENSING BOARD FOR CONTRACTORS, RELATING TO STATE LICENSING BOARD FOR CONTRACTORS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0687wab-dbs24.docx

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Read the first time and ordered placed on the Calendar without reference.

S. 1223 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD, RELATING TO ENVIRONMENTAL CERTIFICATION BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5245, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0692wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1224 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, RELATING TO PROFESSIONAL LAND SURVEYOR LICENSURE REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5246, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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Read the first time and ordered placed on the Calendar without reference.

S. 1225 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR THE BUILDING CODES COUNCIL, DESIGNATED AS REGULATION DOCUMENT NUMBER 5243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0686wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 1226 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - SOUTH CAROLINA REAL ESTATE COMMISSION, RELATING TO SOUTH CAROLINA REAL ESTATE COMMISSION (RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT FORM), DESIGNATED AS REGULATION DOCUMENT NUMBER 5238, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0684wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1227 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF OCCUPATIONAL SAFETY AND HEALTH, RELATING TO COMPENSATION FOR THE OCCUPATIONAL HEALTH AND SAFETY REVIEW BOARD, DESIGNATED AS REGULATION DOCUMENT NUMBER 5236, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0690wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1228 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO TRANSPORTATION OF RADIOACTIVE WASTE INTO OR WITHIN SOUTH CAROLINA, DESIGNATED AS REGULATION DOCUMENT NUMBER 5226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0693wab-dbs24.docx

Read the first time and ordered placed on the Calendar without reference.

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S. 1229 -- Senator Fanning: A SENATE RESOLUTION TO RECOGNIZE AND HONOR REVEREND DR. KENNETH MONROE, PRESIDING BISHOP OF THE EASTERN NORTH CAROLINA EPISCOPAL DISTRICT OF THE AFRICAN METHODIST EPISCOPAL ZION CHURCH, UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

lc-0441vr-gm24.docx

The Senate Resolution was adopted.

S. 1230 -- Senator Alexander: A CONCURRENT RESOLUTION TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING JUDICIAL ELECTIONS, AS THE TIME TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF THE COLLEGE OF CHARLESTON TO FILL THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 3, THIRD CONGRESSIONAL DISTRICT SEAT 5, FOURTH CONGRESSIONAL DISTRICT SEAT 7, FIFTH CONGRESSIONAL DISTRICT SEAT 9, SIXTH CONGRESSIONAL DISTRICT SEAT 11, SEVENTH CONGRESSIONAL DISTRICT SEAT 13, AT-LARGE SEAT 15, AND AT-LARGE SEAT 17, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER TO THE BOARD OF TRUSTEES OF FRANCIS MARION UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 1, WHOSE TERM WILL EXPIRE ON JUNE 30, 2026, THE TERM OF THE MEMBER FOR THE SECOND CONGRESSIONAL DISTRICT SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024, THE TERM OF THE MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5 AND FOR THE SIXTH CONGRESSIONAL DISTRICT SEAT 6, OF WHICH BOTH TERMS WILL EXPIRE ON JUNE 30, 2026, AND THE TERM OF THE MEMBER FOR AT-LARGE SEATS 8, 10, 12, AND 13, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF LANDER UNIVERSITY TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT SEAT 9, WHOSE TERM WILL EXPIRE ON JUNE 30, 2024; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO FILL THE TERM OF THE MEMBER FOR THE FIRST CONGRESSIONAL DISTRICT MEDICAL SEAT,

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SECOND CONGRESSIONAL DISTRICT MEDICAL SEAT, THIRD CONGRESSIONAL DISTRICT MEDICAL SEAT, FOURTH CONGRESSIONAL DISTRICT LAY SEAT, FIFTH CONGRESSIONAL DISTRICT LAY SEAT, SIXTH CONGRESSIONAL DISTRICT MEDICAL SEAT, AND SEVENTH CONGRESSIONAL DISTRICT LAY SEAT, OF WHICH ALL TERMS WILL EXPIRE JUNE 30, 2026; TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY TO FILL THE TERM OF A MEMBER FOR THE FIFTH CONGRESSIONAL DISTRICT SEAT 5, SEVENTH CONGRESSIONAL DISTRICT SEAT 7, AND AT-LARGE SEATS 9 AND 11, OF WHICH ALL TERMS WILL EXPIRE ON JUNE 30, 2026; AND TO ELECT A MEMBER OF THE BOARD OF TRUSTEES OF WINTHROP UNIVERSITY FOR THE FOURTH CONGRESSIONAL DISTRICT SEAT 4, WHOSE TERM WILL EXPIRE ON JUNE 30, 2028; AND TO FIX WEDNESDAY, APRIL 17, 2024, IMMEDIATELY FOLLOWING COLLEGE AND UNIVERSITY BOARDS OF TRUSTEES ELECTIONS, AS THE TIME TO ELECT MEMBERS TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S APPELLATE PANEL.

lc-0435hdb-hdb24.docx

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

S. 1231 -- Senators Loftis, Corbin, Massey, Martin, Alexander and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-37-200 SO AS TO PROVIDE A PROCEDURE FOR THE REMOVAL OF A PERSON UNLAWFULLY OCCUPYING A RESIDENTIAL DWELLING; BY ADDING SECTION 16-11-785 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO UNLAWFULLY DETAINS OR OCCUPIES OR TRESPASSES UPON A RESIDENTIAL DWELLING AND WHO INTENTIONALLY DAMAGES THE DWELLING CAUSING ONE THOUSAND DOLLARS OR MORE IN DAMAGES; BY ADDING SECTION 16-11-790 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO LISTS OR ADVERTISES RESIDENTIAL REAL PROPERTY FOR SALE KNOWING THAT THE PURPORTED SELLER HAS NO LEGAL TITLE OR AUTHORITY TO SELL THE PROPERTY, OR RENTS OR LEASES THE PROPERTY TO ANOTHER PERSON KNOWING THAT HE HAS NO LAWFUL OWNERSHIP IN THE PROPERTY OR LEASEHOLD INTEREST IN THE PROPERTY; AND BY ADDING

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SECTION 16-11-795 SO AS TO PROVIDE A CRIMINAL PENALTY FOR A PERSON WHO, WITH THE INTENT TO DETAIN OR REMAIN UPON REAL PROPERTY, KNOWINGLY AND WILLFULLY PRESENTS TO ANOTHER PERSON A FALSE DOCUMENT PURPORTING TO BE A VALID LEASE AGREEMENT, DEED, OR OTHER INSTRUMENT CONVEYING REAL PROPERTY RIGHTS.

sr-0136jg24.docx

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

S. 1232 -- Senator Fanning: A CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FAIRFIELD STREET IN THE TOWN OF WINNSBORO IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH TRUMAN STREET TO THE ADULT CENTER FOR EDUCATION "T.E. GREENE STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THESE WORDS.

lc-0577cm-cm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1233 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 "ELDER RICHARD BROWN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0574cm-ar24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1234 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF UNITED STATES HIGHWAY 21 SOUTH IN FAIRFIELD COUNTY FROM THE INTERSECTION OF WEST CHURCH STREET AND LONGTOWN ROAD TO THE RICHLAND COUNTY LINE "DONALD PRIOLEAU SR. ROAD" AND ERECT

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APPROPRIATE SIGNS OR MARKERS ALONG THIS STRETCH OF ROAD CONTAINING THESE WORDS.

lc-0575cm-cm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

S. 1235 -- Senators Alexander and Setzler: A SENATE RESOLUTION TO CONGRATULATE DR. GEORGE R. ASKEW, JR. UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0667km-vc24.docx

The Senate Resolution was adopted.

S. 1236 -- Senator Kimbrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GEORGE "TROTTING SALLY" WASHINGTON MULLINS.

sr-0673km-vc24.docx

The Senate Resolution was adopted.

H. 3227 -- Reps. Rutherford, Crawford, Gagnon, Mitchell, Taylor, Guffey, O'Neal, Pope, Felder and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-1-40 AND 63-19-20, BOTH RELATING TO STATUS OFFENSES, SO AS TO ELIMINATE PLAYING A PINBALL MACHINE AS A STATUS OFFENSE; AND BY REPEALING SECTION 63-19-2430 RELATING TO THE PLAYING OF PINBALL MACHINES BY A MINOR.

lc-0041vr23.docx

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

H. 3980 -- Reps. J. E. Johnson, M. M. Smith, Moss, Lawson, Guffey, West, Brittain, Hardee, McGinnis, Bailey, B. L. Cox, Pace, Mitchell, Chapman, Davis, B. Newton, Burns, Cromer, Hixon, A. M. Morgan and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 14-1-250 SO AS TO REQUIRE JUDGES AND OTHER JUDICIAL OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM TO REPORT ALL CASES OF SUSPECTED FALSE STATEMENTS OR MISREPRESENTATIONS TO THE INSURANCE FRAUD DIVISION OF THE OFFICE OF ATTORNEY

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GENERAL; AND BY AMENDING SECTION 38-55-570, RELATING TO NOTIFICATION OF INSURANCE FRAUD DIVISION OF KNOWLEDGE OR BELIEF OF FALSE STATEMENTS OR MISREPRESENTATIONS, SO AS TO INCLUDE A REFERENCE TO THE OBLIGATION OF JUDGES AND OTHER OFFICIALS OF THE UNIFIED JUDICIAL SYSTEM TO REPORT SUSPECTED FALSE STATEMENTS OR MISREPRESENTATIONS TO THE INSURANCE FRAUD DIVISION.

lc-0106ph23.docx

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

H. 4158 -- Reps. Pendarvis, M. M. Smith, Bauer, King, Henderson-Myers, Gilliard, Rivers, Jefferson, Henegan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 27-40-350 SO AS TO PROVIDE THAT RESIDENTIAL TENANTS WHO ARE VICTIMS OF CERTAIN DOMESTIC VIOLENCE MAY TERMINATE A RENTAL AGREEMENT AND TO PROVIDE FOR NECESSARY REQUIREMENTS.

lc-0245sa23.docx

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

H. 4189 -- Rep. Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-10, RELATING TO DEFINITIONS, SO AS TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-20, RELATING TO LICENSING AND FEES, SO AS TO AMEND MEETING REQUIREMENTS, REMOVE A CERTIFICATION FEE AND OUTLINE HOW TO MAKE PROPER PAYMENTS TO THE DEPARTMENT; BY AMENDING SECTION 38-90-40, RELATING TO CAPITALIZATION REQUIREMENTS, SO AS TO GIVE DISCRETION TO THE DIRECTOR; BY AMENDING SECTION 38-90-60, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS, SO AS TO INCLUDE FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-70, RELATING TO REPORTS, SO AS TO CHANGE A DEADLINE AND INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO AS TO ALLOW A SPONSORED CAPTIVE INSURANCE COMPANY TO FILE ONE ACTUARIAL OPINION; BY AMENDING SECTION 38-90-80, RELATING TO

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INSPECTIONS AND EXAMINATIONS, SO AS TO MAKE THE EXAMINATION OF SOME CAPTIVE INSURANCE COMPANIES OPTIONAL AND TO INCLUDE REFERENCES TO FOREIGN CAPTIVE INSURANCE COMPANIES; BY AMENDING SECTION 38-90-140, RELATING TO TAX PAYMENTS, SO AS TO AMEND REQUIRED TAX PAYMENTS FOR A SPONSORED CAPTIVE INSURANCE COMPANY; BY AMENDING SECTION 38-90-165, RELATING TO DECLARATION OF INACTIVITY, SO AS TO ALLOW FOR THE SUBMISSION OF A WRITTEN APPROVAL; BY AMENDING SECTION 38-90-175, RELATING TO THE CAPTIVE INSURANCE REGULATORY AND SUPERVISION FUND, SO AS TO CHANGE THE ALLOWED TRANSFER OF COLLECTED TAXES FROM TWENTY PERCENT TO FORTY PERCENT; AND BY AMENDING 38-90-215, RELATING TO PROTECTED CELLS, SO AS TO REMOVE LICENSING REQUIREMENTS.

lc-0237ph23.docx

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

H. 4289 -- Reps. McGinnis, Erickson, Ballentine, Murphy, Brewer, Robbins, Gatch, Mitchell, Yow, Cromer, Beach, Pace, Taylor, Guffey, Magnuson, Burns, Kilmartin, Chapman, Gagnon, Forrest, Oremus and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-101-680 SO AS TO PROVIDE THAT A PUBLIC INSTITUTION OF HIGHER LEARNING MAY NOT CONDITION OR PROMISE ADMISSIONS OR BENEFITS TO CERTAIN APPLICANTS FOR CERTAIN SUPPORT OR DISAGREEMENTS WITH CERTAIN STATEMENTS REGARDING DIVERSITY, EQUITY, INCLUSION, OR ASSOCIATED ISSUES.

lc-0273sa23.docx

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

H. 4294 -- Reps. Connell, Mitchell, Hager, Wheeler and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-320, RELATING TO THE LIMITATION ON MILLAGE INCREASES, SO AS TO ALLOW THE GOVERNING BODY OF A RURAL COUNTY TO SUSPEND THE LIMITATION FOR THE PURPOSE OF SUPPORTING A FIRE PROTECTION DISTRICT.

lc-0193dg23.docx

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

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H. 4304 -- Reps. Connell, Mitchell, Yow, Murphy, Elliott, Robbins, Collins, Pope and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-75-30 SO AS TO PERMIT PARENTAL AND FILIAL CONSORTIUM CLAIMS.
lc-0141ahb23.docx

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

H. 4349 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-53-1500, RELATING TO THE GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REMOVE OBSOLETE REFERENCES, TO REVISE RESIDENCY REQUIREMENTS FOR CERTAIN COMMISSION SEATS, AND TO REVISE THE ABSENCE POLICY FOR COMMISSION MEMBERS, AMONG OTHER THINGS.

lc-0320wab23.docx

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

H. 4548 -- Reps. Oremus, Hayes, McCravy, Trantham, Atkinson, Clyburn, Henegan, Taylor, West, Erickson, Wooten, Forrest, S. Jones, Long, Herbkersman, Cobb-Hunter, Haddon, Bailey, Whitmire, Hart and Henderson-Myers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 9-1-1790, RELATING TO THE EARNINGS LIMITATION FOR A RETIRED MEMBER OF THE SOUTH CAROLINA RETIREMENT SYSTEM UPON THE RETURN TO COVERED EMPLOYMENT, SO AS TO PROVIDE THAT THIS LIMITATION DOES NOT APPLY TO MEMBERS WHO RETURN TO COVERED EMPLOYMENT AS A SCHOOL BUS DRIVER.

lc-0389sa24.docx

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

H. 4649 -- Reps. Bannister, Carter, Leber, Vaughan, West, Elliott, Williams, Henegan, Caskey, Erickson, Bradley and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-19-275 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS WITH MORE THAN FIFTEEN THOUSAND STUDENTS MAY USE CERTAIN SECURITY PERSONNEL TO PROMOTE SAFETY AND SECURITY ON SCHOOL PREMISES IF LICENSED AS A PROPRIETARY SECURITY BUSINESS, AND TO PROVIDE DISTRICTS REMAIN OBLIGATED TO USE SCHOOL

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RESOURCE OFFICERS AS OTHERWISE PROVIDED BY LAW; BY AMENDING SECTION 40-18-60, RELATING TO PROPRIETARY SECURITY BUSINESS LICENSURE, SO AS TO ADD PROVISIONS CONCERNING PUBLIC SCHOOL DISTRICTS APPLYING FOR LICENSURE; BY AMENDING SECTION 40-18-80, RELATING TO SECURITY OFFICER REGISTRATION CERTIFICATION, SO AS TO PROVIDE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION SHALL IMPLEMENT CERTAIN RELATED TRAINING REQUIREMENTS; AND BY AMENDING SECTION 40-18-140, RELATING TO EXCEPTIONS FROM PRIVATE SECURITY AND INVESTIGATION AGENCY LICENSURE REQUIREMENTS, SO AS TO CLARIFY THAT PUBLIC SCHOOL DISTRICTS ARE EXCLUDED FROM THESE REQUIREMENTS.

lc-0512wab24.docx

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

H. 4673 -- Reps. Erickson, Gilliam, Williams and Henegan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-50, RELATING TO BEGINNERS' PERMITS, HOURS AND CONDITIONS OF VEHICLE OPERATION, RENEWAL AND FEES, DRIVERS' TRAINING COURSES, AND ELIGIBILITY FOR FULL LICENSURE, SO AS TO EXEMPT ADDITIONAL PERSONS FROM OBTAINING BEGINNERS' PERMITS BEFORE OPERATING MOTOR VEHICLES, AND TO PROVIDE PERSONS AT LEAST EIGHTEEN YEARS OLD MAY TAKE THE DRIVING TEST AFTER MAINTAINING A BEGINNERS' PERMIT FOR AT LEAST THIRTY DAYS.

lc-0442cm24.docx

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

H. 4681 -- Reps. M. M. Smith, Henegan, Chapman and Hartnett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-1-230, RELATING TO THE FIRST RESPONDERS ADVISORY COMMITTEE, SO AS TO INCREASE THE NUMBER OF COMMITTEE MEMBERS FROM NINE TO TEN BY ADDING A PERSON WHO REPRESENTS THE SOUTH CAROLINA CORONERS' ASSOCIATION AS A MEMBER.

lc-0435cm24.docx

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

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H. 4702 -- Reps. Davis, Pope, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA, AND TO PROVIDE RELATED REQUIREMENTS OF THE STATE BOARD OF EDUCATION AND THE STATE DEPARTMENT OF EDUCATION.

lc-0422wab24.docx

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

H. 4703 -- Reps. Davis, Pope, West, Schuessler, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STEM OPPORTUNITY ACT" BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 13 SO AS TO ESTABLISH THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) COALITION, THE SOUTH CAROLINA SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) EDUCATION FUND WITHIN THE STATE TREASURY, AND THE SC STEM COALITION ADVISORY COUNCIL, AND TO PROVIDE THEIR RESPECTIVE PURPOSES AND FUNCTIONS.

lc-0526wab24.docx

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

H. 4867 -- Reps. Lawson, Hayes, G. M. Smith, Moss, Hiott, Blackwell, B. L. Cox, Caskey, M. M. Smith, Hart, Sandifer, J. E. Johnson, Brittain and Bauer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-23-45 SO AS TO REQUIRE ALL 911 TELECOMMUNICATORS THAT PROVIDE DISPATCH FOR EMERGENCY MEDICAL CONDITIONS TO BE TRAINED IN HIGH-QUALITY TELECOMMUNICATOR CARDIOPULMONARY RESUSCITATION (T-CPR).

lc-0473cm24.docx

TUESDAY, APRIL 2, 2024

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

H. 4871 -- Reps. Haddon, Ligon and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 47-9-420 SO AS TO PROHIBIT THE INTERFERENCE OR INTERACTION WITH FARM ANIMALS BEING TRANSPORTED BY A MOTOR VEHICLE WITHOUT PERMISSION.

lc-0318ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 4874 -- Reps. Hixon, Chapman and Forrest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 17 TO TITLE 50 SO AS TO REGULATE CAPTIVE WILDLIFE BY DEFINING TERMS, OUTLINING THE PERMITTING PROCESS, LISTING EXCEPTIONS, AND PROVIDING PENALTIES FOR VIOLATIONS, AMONG OTHER THINGS; BY AMENDING SECTION 50-16-40, RELATING TO EXCEPTIONS TO THE PERMIT REQUIREMENT FOR WILDLIFE IMPORTED FOR EXHIBITION PURPOSES, SO AS TO LIMIT THE EXCEPTIONS; AND BY REPEALING SECTION 50-11-1180 RELATING TO THE AUTHORITY OF THE DEPARTMENT TO ISSUE PERMITS TO COLLECT PROTECTED WILDLIFE FOR SCIENTIFIC OR PROPAGATING PURPOSES.

lc-0313ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 4912 -- Rep. Murphy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-43-220, RELATING TO ASSESSMENT RATIOS FOR AD VALOREM TAXATION, SO AS TO ALLOW CERTAIN CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE TO CONTINUE TO CLAIM THE SPECIAL FOUR PERCENT ASSESSMENT RATIO WHEN THE CIVILIAN RECEIVES CERTAIN ORDERS FOR A CHANGE OF STATION.

lc-0335dg24.docx

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

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H. 4934 -- Reps. Mitchell, Gilliam, Pace, Yow, Murphy, Guffey, Pope, Sandifer, Hart and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-7-90, RELATING TO LEAVES OF ABSENCE FOR PUBLIC OFFICERS AND EMPLOYEES IN NATIONAL GUARD OR RESERVE MILITARY FORCES, SO AS TO PROVIDE THAT CERTAIN STATE EMPLOYEES RECEIVE FORTY-FIVE DAYS OF PAID MILITARY LEAVE EACH YEAR.

lc-0469sa24.docx

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

H. 4953 -- Reps. B. J. Cox, Davis, M. M. Smith, Bustos, Hart, Williams, Henegan, Caskey, Jefferson, J. Moore and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-80, RELATING TO STATE VETERANS' CEMETERIES, SO AS TO REMOVE A RESIDENCY REQUIREMENT.

lc-0472sa24.docx

Read the first time and referred to the Committee on Family and Veterans' Services.

H. 5014 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Kilmartin, May, McCabe, Ott, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

lc-0349dg24.docx

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

H. 5016 -- Reps. B. Newton, Murphy, Caskey, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 11-7-70 SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE STATE AUDITOR WITH THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING SECTION 1-3-240, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE STATE AUDITOR; AND BY REPEALING SECTION 11-7-10 RELATING TO THE SELECTION OF THE STATE AUDITOR.

lc-0500sa24.docx

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

H. 5066 -- Reps. Elliott, G. M. Smith, W. Newton, Bailey, Wheeler, T. Moore, Taylor, Hixon, Oremus, Blackwell, Schuessler, Stavrinakis, Wetmore, Bradley, Erickson, Hyde, Ballantine, Calhoon, Crawford, Guest and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 103 TO TITLE 38 ENTITLED THE "FAIR ACCESS TO INSURANCE REQUIREMENTS" SO AS TO PROVIDE AN AFFORDABLE OPTION TO PROVIDE LIQUOR LIABILITY INSURANCE TO ANY PERSON OR BUSINESS REQUIRED TO MAINTAIN SUCH A POLICY, TO CREATE THE AFFORDABLE LIQUOR LIABILITY FUND TO AID IN THE FUNDING OF THE PROGRAM, AND TO PROVIDE THAT THE EXCISE TAX ON ALCOHOLIC LIQUOR BY THE DRINK MUST BE CREDITED TO THE FUND IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 12-33-245, RELATING TO THE EXCISE TAX, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 61-2-145, RELATING TO LIABILITY INSURANCE COVERAGE REQUIREMENTS, SO AS TO PROVIDE FOR A LIQUOR LIABILITY RISK MITIGATION PROGRAM; AND TO PROVIDE THAT THE INSURANCE RESERVE FUND IS AUTHORIZED TO PROVIDE A START-UP LOAN TO THE FUND.

lc-0366dg24.docx

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

H. 5118 -- Reps. G. M. Smith, West, Davis, Hager, Hewitt, Kirby, Long, M. M. Smith, B. Newton, Pendarvis, Sandifer, Hiott, Landing, Crawford, Brittain, Lawson, Williams, Whitmire, Jefferson, Bustos, Hartnett, Carter, Blackwell, Neese, W. Newton, Bradley, Erickson, Murphy, Brewer, Yow, Mitchell, Connell, Jordan, Thayer, Elliott, Wooten, Pedalino, Bailey, T. Moore, McGinnis, Gatch, Ligon, Gagnon, Hardee, B. L. Cox, Chapman, Leber, Anderson, Bannister, Calhoon, Felder, Hixon, Lowe, Taylor, Thigpen, Willis and Pope: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA TEN-YEAR ENERGY TRANSFORMATION ACT"; BY AMENDING SECTION 58-3-20, RELATING TO THE MEMBERSHIP, ELECTION, AND QUALIFICATIONS OF THE PUBLIC SERVICE COMMISSION, SO AS TO CHANGE THE NUMBER OF COMMISSIONERS FROM

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SEVEN TO THREE TO BE ELECTED BY THE GENERAL ASSEMBLY FROM THE STATE AT LARGE; BY AMENDING SECTION 58-3-140, RELATING TO THE PUBLIC SERVICE COMMISSION'S POWERS TO REGULATE PUBLIC UTILITIES, SO AS TO ESTABLISH CONSIDERATIONS AND STATE POLICY FOR THE COMMISSION'S DECISION-MAKING PROCESS, TO ESTABLISH A SCHEDULE FOR CERTAIN TESTIMONY AND DISCOVERY IN CONTESTED PROCEEDINGS, TO PERMIT ELECTRICAL UTILITY CUSTOMERS TO ADDRESS THE COMMISSION AS PUBLIC WITNESSES, AND TO ESTABLISH REQUIREMENTS FOR AN INDEPENDENT THIRD PARTY CONSULTANT HIRED BY THE COMMISSION; BY AMENDING SECTION 58-3-250, RELATING TO SERVICE OF ORDERS AND DECISIONS ON PARTIES, SO AS TO MAKE A TECHNICAL CHANGE; BY AMENDING SECTION 58-4-10, RELATING TO THE OFFICE OF REGULATORY STAFF AND ITS REPRESENTATION OF PUBLIC INTEREST BEFORE THE COMMISSION, SO AS TO ESTABLISH ITS CONSIDERATIONS FOR PUBLIC INTEREST; BY ADDING SECTION 58-4-150 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO PREPARE A COMPREHENSIVE STATE ENERGY ASSESSMENT AND ACTION PLAN AND TO ESTABLISH REQUIREMENTS FOR THIS PLAN; BY ADDING CHAPTER 38 TO TITLE 58 SO AS TO ESTABLISH THE SOUTH CAROLINA ENERGY POLICY INSTITUTE; BY ADDING SECTION 58-33-195 SO AS TO ENCOURAGE DOMINION ENERGY, THE PUBLIC SERVICE AUTHORITY, DUKE ENERGY CAROLINAS, AND DUKE ENERGY PROGRESS TO EVALUATE CERTAIN ELECTRICAL GENERATION FACILITIES AND PROVIDE FOR CONSIDERATIONS RELATED TO THESE FACILITIES; BY ADDING SECTION 58-31-205 SO AS TO PERMIT THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN ELECTRICAL GENERATION AND TRANSMISSION FACILITIES WITH INVESTOR-OWNED ELECTRIC UTILITIES, AND TO PROVIDE REQUIREMENTS FOR JOINT OWNERSHIP; BY AMENDING SECTION 58-27-650, RELATING TO REASSIGNMENT OF ELECTRIC SUPPLIERS' SERVICE AREAS, SO AS TO PERMIT THE COMMISSION TO APPROVE A REQUEST FOR ANY ELECTRIC SUPPLIER TO SERVE ANY TRANSFORMATIONAL ECONOMIC DEVELOPMENT PROJECT CUSTOMER UNDER CERTAIN CONDITIONS; BY AMENDING ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE

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GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO AS ESTABLISH THE COUNCIL IN THE OFFICE OF REGULATORY STAFF, TO PROVIDE FOR ITS DUTIES AND MEMBERSHIP, AND TO PROVIDE FOR THE COUNCIL'S DIRECTOR; BY AMENDING SECTION 37-6-604, RELATING TO THE CONSUMER ADVOCATE'S INTERVENTION ON MATTERS FILED AT THE COMMISSION, SO AS TO TRANSFER THESE DUTIES TO THE OFFICE OF REGULATORY STAFF; BY ADDING SECTION 58-33-196 SO AS TO ENCOURAGE CONSIDERATION OF DEPLOYMENT OF NUCLEAR FACILITIES AND TO PROVIDE RELATED REQUIREMENTS; BY ADDING SECTION 58-37-70 SO AS TO PERMIT A SMALL MODULAR NUCLEAR PILOT PROGRAM AND TO ESTABLISH REQUIREMENTS; BY ADDING ARTICLE 3 TO CHAPTER 37, TITLE 58 SO AS TO PROVIDE FOR STATE AGENCY REVIEW OF ENERGY INFRASTRUCTURE PROJECT APPLICATIONS AND TO PROVIDE A SUNSET; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR", SO AS TO ESTABLISH CHARACTERISTICS FOR A "CUSTOMER-GENERATOR"; BY AMENDING SECTION 58-41-30, RELATING TO VOLUNTARY RENEWABLE ENERGY PROGRAMS, SO AS TO PROVIDE ADDITIONAL REQUIREMENTS AND CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-41-10, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION OF "ENERGY STORAGE FACILITIES"; BY AMENDING SECTION 58-41-20, RELATING TO PROCEEDINGS FOR ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES AND RELATED PROCESSES, SO AS TO AUTHORIZE COMPETITIVE PROCUREMENT PROGRAMS FOR RENEWABLE ENERGY, CAPACITY, AND STORAGE, TO PERMIT COMPETITIVE PROCUREMENT OF NEW RENEWABLE ENERGY CAPACITY AND ESTABLISH REQUIREMENTS FOR NON-COMPETITIVE PROCUREMENT PROGRAMS, AND TO DELETE LANGUAGE REGARDING THE COMMISSION HIRING THIRD-PARTY EXPERTS FOR THESE PROCEEDINGS; BY ADDING SECTION 58-41-25 SO AS TO PROVIDE FOR A PROCESS FOR COMPETITIVE PROCUREMENT OF RENEWABLE ENERGY FACILITIES; BY AMENDING SECTION 58-33-20, RELATING TO DEFINITIONS, SO AS TO ADD THE DEFINITION "LIKE FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO

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PROVIDE FOR A LIKE FACILITY, TO ESTABLISH REQUIREMENTS AND CONSIDERATIONS FOR PROPOSED FACILITIES, TO PROVIDE WHAT ACTIONS MAY BE TAKEN WITHOUT PERMISSION FROM THE COMMISSION, AND TECHNICAL CHANGES; BY AMENDING SECTION 58-37-40, RELATING TO INTEGRATED RESOURCES PLANS, SO AS TO ADD CONSIDERATION OF A UTILITY'S TRANSMISSION AND DISTRIBUTION RESOURCE PLAN, TO ESTABLISH PROCEDURAL REQUIREMENTS AND EVALUATION BY THE COMMISSION, AND REQUIRE PARTIES TO BEAR THEIR OWN COSTS; BY AMENDING SECTION 58-3-260, RELATING TO COMMUNICATIONS BETWEEN THE COMMISSION AND PARTIES, SO AS TO MODIFY REQUIREMENTS FOR ALLOWABLE EX PARTE COMMUNICATIONS AND BRIEFINGS, AND TO PERMIT COMMISSION TOURS OF UTILITY PLANTS OR OTHER FACILITIES UNDER CERTAIN CIRCUMSTANCES; BY AMENDING SECTION 58-3-270, RELATING TO EX PARTE COMMUNICATION COMPLAINT PROCEEDINGS AT THE ADMINISTRATIVE LAW COURT, SO AS TO PERMIT AN ORDER TOLLING ANY DEADLINES ON A PROCEEDING SUBJECT TO A COMPLAINT TO THE EXTENT THE PROCEEDING WAS PREJUDICED SO THAT THE COMMISSION COULD NOT CONSIDER THE MATTER IMPARTIALLY; BY ADDING CHAPTER 43 TO TITLE 58 SO AS TO ESTABLISH ECONOMIC DEVELOPMENT RATES FOR ELECTRICAL UTILITIES; BY AMENDING SECTION 58-33-310, RELATING TO AN APPEAL FROM A FINAL ORDER OR DECISION OF THE COMMISSION, SO AS TO REQUIRE A FINAL ORDER ISSUED PURSUANT TO CHAPTER 33, TITLE 58 BE IMMEDIATELY APPEALABLE TO THE SOUTH CAROLINA SUPREME COURT AND TO PROVIDE FOR AN EXPEDITED HEARING; BY AMENDING SECTION 58-33-320, RELATING TO JOINT HEARINGS AND JOINT INVESTIGATIONS, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-4-160 SO AS TO REQUIRE THE OFFICE OF REGULATORY STAFF TO CONDUCT A STUDY TO EVALUATE ESTABLISHING A THIRD-PARTY ADMINISTRATOR FOR ENERGY EFFICIENCY AND DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-10, RELATING TO DEFINITIONS, SO AS TO ADD A REFERENCE TO "DEMAND-SIDE MANAGEMENT PROGRAM" AND PROVIDE DEFINITIONS FOR "COST-EFFECTIVE" AND

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"DEMAND-SIDE MANAGEMENT PILOT PROGRAM"; BY AMENDING SECTION 58-37-20, RELATING TO COMMISSION PROCEDURES ENCOURAGING ENERGY EFFICIENCY PROGRAMS, SO AS TO EXPAND COMMISSION CONSIDERATIONS FOR COST-EFFECTIVE DEMAND-SIDE MANAGEMENT PROGRAMS, AND REQUIRE EACH INVESTOR-OWNED ELECTRICAL UTILITY TO SUBMIT AN ANNUAL REPORT TO THE COMMISSION REGARDING ITS DEMAND-SIDE MANAGEMENT PROGRAMS; BY AMENDING SECTION 58-37-30, RELATING TO REPORTS ON DEMAND-SIDE ACTIVITIES, SO AS TO MAKE A CONFORMING CHANGE; BY ADDING SECTION 58-37-35 SO AS TO PERMIT PROGRAMS AND CUSTOMER INCENTIVES TO ENCOURAGE OR PROMOTE DEMAND-SIDE MANAGEMENT PROGRAMS FOR CUSTOMER SITED DISTRIBUTION RESOURCES, AND TO PROVIDE CONSIDERATIONS FOR THESE PROGRAMS; BY AMENDING SECTION 58-37-50, RELATING TO AGREEMENTS FOR ENERGY EFFICIENCY AND CONSERVATION MEASURES, SO AS TO ESTABLISH CERTAIN TERMS AND RATE RECOVERY FOR AGREEMENTS FOR FINANCING AND INSTALLING ENERGY EFFICIENCY AND CONSERVATION MEASURES, AND FOR APPLICATION TO A RESIDENCE OCCUPIED BEFORE THE MEASURES ARE TAKEN; BY ADDING SECTION 58-31-215 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY, IN CONSULTATION WITH THE DEPARTMENT OF COMMERCE, TO SERVE AS AN ANCHOR SUBSCRIBER OF NATURAL GAS AND PIPELINE CAPACITY FOR THIS STATE, TO ESTABLISH THE "ENERGY INVESTMENT AND ECONOMIC DEVELOPMENT FUND", AND TO PROVIDE FOR RELATED REQUIREMENTS; BY AMENDING SECTION 58-3-70, RELATING TO COMPENSATION OF PUBLIC SERVICE COMMISSION MEMBERS, SO AS TO ESTABLISH SALARIES IN AMOUNTS EQUAL TO NINETY-SEVEN AND ONE-HALF PERCENT OF SUPREME COURT ASSOCIATE JUSTICES.

lc-0284ha24.docx

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

H. 5121 -- Rep. Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-1-50, RELATING TO GEOGRAPHIC BOUNDARIES FOR LAKE MARION, SO AS TO INCLUDE AN ADDITIONAL GEOGRAPHIC REFERENCE; AND

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BY AMENDING SECTION 50-13-675, RELATING TO NONGAME FISHING DEVICES OR GEAR PERMITTED IN CERTAIN BODIES OF FRESHWATER, SO AS TO PERMIT HOOP NETS IN THE CONGAREE RIVER.

lc-0350ph24.docx

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 5154 -- Reps. West and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-5-1030, RELATING TO CIVIL PENALTIES, SO AS TO PROVIDE A GAS UTILITY WHICH VIOLATES SECTION 58-5-1020 OR A REGULATION UNDER ARTICLE 9 OF CHAPTER 5, TITLE 58 IS SUBJECT TO A CIVIL PENALTY NOT MORE THAN THE CIVIL PENALTY PROVIDED BY 49 U.S.C. SECTION 60122 AND 49 C.F.R. 190.233.

lc-0285ha24.docx

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

H. 5169 -- Reps. Haddon, G. M. Smith, Hiott, Taylor, Hixon, Forrest, Wooten, Crawford, Gibson, Hartnett, Robbins, Sessions, Mitchell, T. Moore, Gilliam, Brewer, Ligon, Bradley, Brittain, Guest, B. L. Cox, Long, Chapman, J. E. Johnson, Burns, O'Neal, Vaughan, McCravy, Davis, Nutt, Trantham, Hyde, McGinnis, Hardee, Bailey, S. Jones, Guffey, West, Schuessler, Gatch, Gagnon, Herbkersman, Lawson, Moss, Murphy, Chumley, Carter, Magnuson, M. M. Smith, Pope, Cromer, Oremus and Beach: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 46 BY ENACTING THE "FARMERS PROTECTION ACT" TO PREVENT DISCRIMINATION IN FINANCING AGAINST FARMERS.

lc-0359ph24.docx

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 5183 -- Reps. M. M. Smith, West, Hewitt, Chapman, B. Newton, Hiott, Sessions, Pope, Davis, Gagnon, Thayer and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO THE DEFINITION OF A CERTIFIED MEDICAL ASSISTANT, SO AS TO REVISE THE REQUIRED QUALIFICATIONS FOR CERTIFICATION; AND BY

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AMENDING SECTION 40-47-196, RELATING TO THE DELEGATION OF NURSING TASKS TO UNLICENSED ASSISTIVE PERSONNEL BY CERTAIN MEDICAL PROFESSIONALS, SO AS TO DESIGNATE ADDITIONAL TASKS THAT MAY BE DELEGATED.

lc-0638wab24.docx

Read the first time and referred to the Committee on Medical Affairs.

H. 5225 -- Reps. Cobb-Hunter and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-1180 SO AS TO ALLOW AN INCOME TAX DEDUCTION FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

lc-0368dg24.docx

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

H. 5245 -- Reps. G. M. Smith, Erickson, Bradley and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS, SO AS TO PROVIDE CHARTER SCHOOLS MAY GIVE ENROLLMENT PREFERENCE TO CHILDREN OF ACTIVE DUTY MILITARY SERVICEMEMBERS IN THIS STATE IF THEIR ENROLLMENT DOES NOT CONSTITUTE MORE THAN TWENTY PERCENT OF THE OVERALL ENROLLMENT, AND TO REVISE EXISTING ENROLLMENT PREFERENCE PROVISIONS.

lc-0622wab24.docx

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

REPORT OF STANDING COMMITTEE

Senator RANKIN from the Committee on Judiciary polled out H. 4364 favorable:

H. 4364 -- Reps. W. Newton, Davis, Rutherford, Bernstein, M.M. Smith, Ott, Brittain, Guest, Hewitt, Elliott, Stavrinakis, Bradley, Wooten, Murphy, Herbkersman, Leber, Sessions, Caskey, Rose, Mitchell, Brewer, Guffey, Hardee, Collins, Gatch, B. Newton, Pace, Bauer, Bailey, Erickson, Schuessler and Hart: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 61-2-170, RELATING TO DRIVE-THROUGH OR CURBSIDE SERVICE OF ALCOHOLIC BEVERAGES, SO AS TO

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PROVIDE CERTAIN EXCEPTIONS; BY ADDING SECTION 61-4-45 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; BY ADDING SECTION 61-4-280 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN BEER AND WINE AND TO PROVIDE FOR REQUIREMENTS; BY ADDING SECTION 61-6-1570 SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISSUE CERTAIN LICENSES OR PERMITS ALLOWING A RETAILER TO OFFER CERTAIN CURBSIDE DELIVERY OR PICK UP; AND BY ADDING SECTION 61-6-1580 SO AS TO PROVIDE THAT A RETAIL DEALER MAY HIRE A DELIVERY SERVICE TO DELIVER CERTAIN ALCOHOLIC LIQUORS AND TO PROVIDE FOR REQUIREMENTS.

Poll of the Judiciary Committee
Polled 23; Ayes 18; Nays 4; Not Voting 1

AYES

Rankin	Hutto	Malloy
Campsen	Sabb	Climer
McLeod	Senn	Talley
Harpootlian	Loftis	Adams
Gustafson	Kimbrell	<i>M. Johnson</i>
Reichenbach	Tedder	Devine

Total--18

NAYS

Massey	Rice	Cash
Garrett		

Total--4

NOT VOTING

Stephens

Total--1

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., April 2, 2024

Mr. President and Senators:

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

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS

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EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION 40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST

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ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

asks for a Committee of Conference, and has appointed Reps. Sandifer, Mark Smith and King to the committee on the part of the House.

Very respectfully,
Speaker of the House

Received as information.

H. 4116--CONFERENCE COMMITTEE APPOINTED

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

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

CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

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

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**COMMITTEE AMENDMENT TABLED
AMENDED, CARRIED OVER**

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

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-843.DG0001S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H) and inserting:

(H)(1) In connection with the solicitation of contributions or the sale of goods or services for charitable purposes, a charitable organization, professional fundraising counsel, professional solicitor, or commercial co-venturer shall not represent that it is a South Carolina-based Native American Indian Tribe unless:

(a) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina, or

(b) it has been designated as a state-recognized tribe by the Board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

(2) An entity designated by the Board of the State Commission for Minority Affairs as a Native American Indian Group or a Native American Special Interest Organization that has not been federally acknowledged as a tribe or has not been designated as a state recognized tribe must not represent itself or its members as a Native American Indian Tribe.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

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Senator CLIMER moved to lay the amendment on the table.

The amendment was laid on the table.

Senator CLIMER proposed the following amendment (LC-843.PH0006S), which was withdrawn:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H)(1)(a) and (b) and inserting:

(a) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina;

(b) it is an entity created by a federally acknowledged tribe that meets the requirements of subitem (a); or

(c) it has been designated as a state-recognized tribe by the Board of the State Commission for Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was withdrawn.

Senator HUTTO proposed the following amendment (LC-843.PH0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 33-56-120(H)(1), (a), (b), and (2) and inserting:

(H) In connection with the solicitation of contributions or the sale of goods or services for charitable purposes, a charitable organization, professional fundraising counsel, professional solicitor, or commercial co-venturer shall not represent that it is a South Carolina-based Native American Indian Tribe, Native American Indian Group, or Native American Indian special interest organization unless:

(1) it is a federally acknowledged tribe, as provided in Part 83 of Title 25 of the Code of Federal Regulations, that is located within the boundaries of the State of South Carolina;

(2) it is an entity created by a federally acknowledged tribe that meets the requirements in item (1); or

(3) it has been designated as a state-recognized tribe, group, or special interest organization by the board of the State Commission for

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Minority Affairs, as provided in the regulations promulgated pursuant to Title 1, Chapter 31 of the South Carolina Code of Laws.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

CARRIED OVER

S. 846 -- Senator Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-401, RELATING TO CORPORATE NAME, SO AS TO PROHIBIT THE USE OF CERTAIN INDIAN DESCRIPTIONS AS PART OF A NONPROFIT CORPORATION'S CORPORATE NAME UNLESS THE ENTITY IS A FEDERALLY ACKNOWLEDGED TRIBE OR A STATE DESIGNATED TRIBE, GROUP, OR SPECIAL INTEREST ORGANIZATION.

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

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

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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 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

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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 MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 1095 -- Senators M. Johnson and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

On motion of Senator M. JOHNSON, the Bill was carried over.

OBJECTION

S. 87 -- Senator Malloy: A BILL TO AMEND SECTION 15-78-120 OF THE SOUTH CAROLINA CODE OF LAWS, RELATING TO LIMITATIONS ON LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE FROM THREE HUNDRED THOUSAND DOLLARS TO FIVE HUNDRED THOUSAND DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE FROM SIX HUNDRED THOUSAND DOLLARS TO ONE MILLION DOLLARS, AND TO PROVIDE THAT A PARTY WHO FILES AN OFFER OF JUDGMENT THAT IS NOT ACCEPTED, SHALL BE ALLOWED TO RECOVER FROM THE OFFEREE, AS PROVIDED FOR IN SECTION 15-35-400(B), REGARDLESS OF WHETHER THE TOTAL OF ADMINISTRATIVE, FILING, OR OTHER COURT COSTS, AND EIGHT PERCENT INTEREST ON THE AMOUNT OF THE VERDICT OR AWARD FROM THE DATE OF THE OFFER,

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COMBINED WITH THE VERDICT OR AWARD, EXCEEDS THE LIABILITY LIMITS SPECIFIED IN THIS SECTION.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 154 -- Senators Young, Senn and Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA STREET GANG AND CRIMINAL ENTERPRISE PREVENTION AND ANTI-RACKETEERING ACT"; BY AMENDING ARTICLE 3 OF CHAPTER 8, TITLE 16, RELATING TO THE CRIMINAL GANG PREVENTION ACT, SO AS TO RETITLE THE ARTICLE, REVISE THE DEFINITIONS FOR PURPOSES OF THE ARTICLE, AND RESTRUCTURE THE ARTICLE AND THE OFFENSES AND PENALTIES CONTAINED WITHIN IT; AND BY ADDING ARTICLE 5 TO CHAPTER 8, TITLE 16 SO AS TO CREATE ANTI-RACKETEERING PROVISIONS TO COMPLIMENT THE REVISED STREET GANG AND CRIMINAL ENTERPRISE PREVENTION ARTICLE, DEFINE NECESSARY TERMS, AND CREATE VARIOUS RACKETEERING OFFENSES AND ESTABLISH PENALTIES FOR VIOLATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-154.MB0005S):

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

SECTION 1. This act may be cited as the "South Carolina Criminal Gang and Criminal Enterprise Prevention and Anti-Racketeering Act".

Amend the bill further, SECTION 2, by striking the third undesignated paragraph and inserting:

(3) The substantial harm inflicted on the people and economy of this State by pervasive violent gangs and other forms of criminal enterprise is legitimately a matter of grave concern to the people of this State who have a basic right to be protected from that criminal activity and to be given adequate remedies to redress its harms. Gangs, in particular, are responsible for a disproportionate amount of violent, sexual, and property crime which often involves the recruitment, use, or victimization of minors.

Amend the bill further, SECTION 2, by striking the fifth undesignated paragraph and inserting:

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(5) The General Assembly finds that the most effective punishment and deterrence of the criminal activities of criminal gangs is not just through incarceration where appropriate, but also through forfeiture of the profits, proceeds, and instrumentalities acquired, accumulated, or used by criminal gangs.

Amend the bill further, SECTION 3, by striking the name of Article 3 and inserting:

Criminal South Carolina Criminal Gang and Criminal Enterprise Prevention Act

Amend the bill further, SECTION 3, by striking Section 16-8-210 and inserting:

Section 16-8-210. This article may be cited as the “Criminal South Carolina Criminal Gang and Criminal Enterprise Prevention Act”.

Amend the bill further, SECTION 3, by striking Section 16-8-230(2) and inserting:

(2) “Criminal gang” means any organization, association, or group of three or more persons associated in fact, whether formal or informal, which engages in criminal gang activity as defined in this section. The existence of such organization, association, or group of individuals associated in fact may be established by evidence of a common name or common identifying signs, symbols, tattoos, graffiti, or attire or other distinguishing characteristics including, but not limited to, common activities, customs, or behaviors. The term does not include three or more persons exercising the right to assembly or associated in fact, whether formal or informal, who are not engaged in criminal gang activity as applied in this article.

Amend the bill further, SECTION 3, by striking Section 16-8-240(A) and (B) and inserting:

(A) It is unlawful for a person employed by or associated with a criminal gang to conduct or participate in a criminal gang activity offense, as defined in Section 16-8-230.

(B) It is unlawful for a person to commit a criminal gang activity offense, as defined in Section 16-8-230, with the intent to obtain or earn membership or maintain or increase his status or position in a criminal gang.

Amend the bill further, SECTION 3, by striking Section 16-8-240(D), (E), (F), (G), (H), (I), and (J) and inserting:

(D) It is unlawful for a person who occupies a position of organizer, a supervisory position, or any other position of management or leadership with regard to a criminal gang to engage in, directly or indirectly, or conspire to engage in criminal gang activity.

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(E) It is unlawful for a person to cause, encourage, solicit, recruit, or coerce another to become a member or associate of a criminal gang, to participate in a criminal gang, or to conduct or participate in criminal gang activity.

(F) It is unlawful for any person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to deter such person from assisting a member or associate of a criminal gang to withdraw from a criminal gang.

(G) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for having withdrawn from a criminal gang.

(H) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for refusing to or encouraging another to refuse to become or obtain the status of a member or associate of a criminal gang.

(I) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to punish or retaliate against a person for providing statements or testimony against criminal gangs or any criminal gang member or associate.

(J) It is unlawful for a person to communicate, directly or indirectly, with another any threat of injury or damage to the person or property of the other person or of any associate or relative of the other person with the intent to intimidate, deter, or prevent a person from communicating to a law enforcement or corrections officer, prosecuting attorney, or judge information relating to criminal gangs, criminal gang members or associates, or criminal gang activity.

Amend the bill further, SECTION 3, by striking Section 16-8-240(L) and inserting:

(L) In addition to any other penalty provided in this section, all sentences imposed pursuant to this section require as a special condition of the sentence that the person sentenced may not knowingly have contact of any kind or character with any other member or associate of a criminal gang, may not participate in any criminal gang activity and, in cases involving a victim, may not knowingly have contact of any kind or

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character with any such victim or any member of the victim's family or household. This special condition of the sentence does not apply to prisoners or inmates in the custody of the Department of Corrections or local jails or a child in the custody of the Department of Juvenile Justice or local jail.

Amend the bill further, SECTION 3, by striking Section 16-8-250(A) and inserting:

(A) Any real property which is erected, established, maintained, owned, leased, or used by a criminal gang for the purpose of conducting criminal gang activity constitutes a public nuisance and may be abated pursuant to Chapter 43, Title 15.

Amend the bill further, SECTION 3, by striking Section 16-8-250(C) and inserting:

(C) The State, political subdivision, or any person aggrieved by a criminal gang or criminal gang activity may bring an action to enjoin a violation of this article.

Amend the bill further, SECTION 3, by striking Section 16-8-270(A) and inserting:

(A) For the purpose of proving the existence of a criminal gang and criminal gang activity, the adjudication or conviction by any plea or trial of a criminal gang activity offense enumerated in Section 16-8-230 by any member or associate of a criminal gang is admissible in any trial or proceeding. If the prosecution seeks to offer evidence of a third party adjudication or conviction, the person so adjudicated or convicted must be available for cross examination in order for the evidence to be admitted. The pendency of an appeal may be shown but does not affect admissibility.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION 5. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of criminal gang and criminal enterprise prevention and associated anti-racketeering provisions as clearly enumerated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

Renumber sections to conform.

Amend title to conform.

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Senator HUTTO explained the amendment.

The question being adoption of the amendment.

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

OBJECTION

S. 266 -- Senators Hutto, Jackson, Shealy, Devine and McLeod: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-19-820, RELATING TO OUT-OF-HOME PLACEMENT, SO AS TO ELIMINATE THE EXCEPTION FOR CHILDREN TO BE TRIED AS AN ADULT AND TO DECREASE THE LENGTH OF TIME THAT A CHILD MAY BE HELD IN A JUVENILE DETENTION FACILITY FOR COMMITTING A STATUS OFFENSE OR FOR VIOLATING A RELATED COURT ORDER; BY AMENDING SECTION 63-19-1020, RELATING TO INSTITUTING PROCEEDINGS, SO AS TO REQUIRE THAT THE CHILD AND HIS FAMILY SEEK COUNSELING WHEN THE STATUS OFFENSE IS OF INCORRIGIBILITY; BY AMENDING SECTION 63-19-1440, RELATING TO COMMITMENT, SO AS TO DISTINGUISH BETWEEN STATUS AND CRIMINAL OFFENSES AND TO CHANGE THE REQUIREMENTS FOR COURT ORDERS; BY AMENDING SECTION 63-19-1810, RELATING TO DETERMINATION OF RELEASE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-19-2050, RELATING TO PETITION FOR EXPUNGEMENT OF OFFICIAL RECORDS, SO AS TO PROVIDE FOR THE AUTOMATIC EXPUNGEMENT OF A JUVENILE'S RECORDS FOR STATUS OFFENSES, WITH EXCEPTIONS.

Senator CASH objected to consideration of the Bill.

OBJECTION

S. 543 -- Senator Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-11-140, RELATING TO AUTHORIZATION OF FISCAL ACCOUNTABILITY AUTHORITY THROUGH THE OFFICE OF INSURANCE RESERVE FUND, SO AS TO PROVIDE FOR EXTENSION OF COVERAGE TO EMPLOYEES OF ENTITIES INSURED BY THE INSURANCE RESERVE FUND PROVIDED

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THAT EMPLOYEES ACTED IN GOOD FAITH AND WITHIN THE SCOPE OF EMPLOYMENT.

Senator ALEXANDER objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED
CARRIED OVER**

S. 723 -- Senator Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-40-20, RELATING TO THE PURPOSES AND RULES OF CONSTRUCTION FOR THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO EXEMPT CERTAIN TENANCIES FROM THE ACT; AND BY AMENDING SECTION 45-2-60, RELATING TO THE EJECTMENT OF A PERSON FROM A LODGING ESTABLISHMENT, SO AS TO AUTHORIZE AN INNKEEPER TO REQUEST ASSISTANCE FROM LAW ENFORCEMENT TO EJECT A PERSON AND TO PROVIDE THAT A PERSON EJECTED FROM A CAMPGROUND HAS TEN DAYS TO MAKE A CLAIM FOR PROPERTY LEFT AT THE TIME OF EJECTMENT.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-723.PB0004S), which was adopted:

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

SECTION 1. Section 27-40-120 of the S.C. Code is amended to read:

Section 27-40-120. The following arrangements are not governed by this chapter:

(1) residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, educational, counseling, religious, or similar service;

(2) occupancy under a contract of sale of a dwelling unit or the property of which it is a part, if the occupant is the purchaser or a person who succeeds to his interest;

(3) occupancy by a member or a fraternal or social organization in the portion of a structure operated for the benefit of the organization;

(4) transient occupancy in a hotel, motel, or other accommodations subject to the sales tax on accommodations as provided by Section 12-36-920;

(5) occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in and about the premises;

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(6) occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative;

(7) occupancy under a rental agreement covering the premises used by the occupant primarily for agricultural purposes;

(8) occupancy under a rental agreement in a premises regulated by the provisions of Chapter 32 of Title 27 of the 1976 Code (Vacation Time Sharing Plan Act);

(9) residence, whether temporary or not, at a charitable or emergency protective shelter, public or private; or

(10) tenancy where a rental space is offered for occupancy in a vehicle which primarily is designed as temporary living quarters for recreational camping or travel use that has its own motor or is mounted on or drawn by another vehicle.

SECTION 2. Chapter 2, Title 45 of the S.C. Code is amended by adding:

Section 45-2-65. (A) After making a reasonable attempt to verbally warn a tenant to cease and desist, the owner, operator, manager, or keeper of a campground has the right to demand the tenant's removal and request law enforcement assistance to immediately remove a tenant who by violating any of the provisions of Section 45-2-60 has willfully denied any other tenants their right to quiet enjoyment of their tenancies.

(B) A tenant who refuses to leave after receiving the warning and demand as provided in subsection (A) may be arrested by law enforcement and charged with trespass as provided in Section 16-11-620.

(C) An action for damages or otherwise must not be allowed in a court of law against the owner, operator, manager, or keeper of a campground for reasonable exercise of rights pursuant to this section.

(D) A tenant who leaves or is arrested as provided in this section is considered to have abandoned his right to use the campground, and the owner, operator, manager, or keeper may make the rental available to other persons.

(E) A tenant removed from a campground as provided in this section has ten days from the date of removal to make a written claim for any property left behind. After providing a written claim, the tenant has twenty days to collect the property. After the passage of twenty days from the date of the tenant's written claim, any property left uncollected may be kept or otherwise disposed of in the sole discretion of the owner, operator, manager, or keeper of a campground.

SECTION 3. This act takes effect upon approval by the Governor.

Renumber sections to conform.

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Amend title to conform.

Senator TALLEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

OBJECTION

S. 841 -- Senators Alexander and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROSECUTORS PERSONAL PRIVACY PROTECTION ACT" BY ADDING ARTICLE 9 TO CHAPTER 2, TITLE 30 SO AS TO DEFINE NECESSARY TERMS, AND TO PROVIDE CURRENT AND FORMER PROSECUTORS HAVE THE OPTION OF MAKING PERSONAL CONTACT INFORMATION HELD BY STATE OR LOCAL GOVERNMENTS CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE, TO PROVIDE LIMITED EXCEPTIONS, AND TO PROVIDE RELATED PROCEDURES FOR EXERCISING THIS OPTION, AMONG OTHER THINGS; AND TO PROVIDE THE SOUTH CAROLINA COMMISSION ON PROSECUTION COORDINATION SHALL CREATE A FORM FOR USE BY PROSECUTORS WHEN REQUESTING NONDISCLOSURE OF PERSONAL CONTACT INFORMATION, AND TO SPECIFY REQUIREMENTS FOR THE FORM.

Senator ALEXANDER objected to consideration of the Bill.

CARRIED OVER

S. 844 -- Senator Rankin: A JOINT RESOLUTION TO CREATE A REVIEW AND STUDY COMMITTEE, TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL CONDUCT A THOROUGH STUDY AND REVIEW OF SOUTH CAROLINA'S CIVIL JUSTICE AND INSURANCE LAWS REGARDING COVERAGE AVAILABILITY, PREMIUM RATES, AND DEDUCTIBLES; AND TO PROVIDE THAT THE REVIEW AND STUDY COMMITTEE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY AND THE GOVERNOR.

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

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CARRIED OVER

S. 849 -- Senators Verdin and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-53-230, RELATING TO SCHEDULE III CONTROLLED SUBSTANCES, SO AS TO ADD XYLAZINE AS A SCHEDULE III CONTROLLED SUBSTANCE, WITH EXCEPTIONS; AND BY ADDING SECTION 44-53-372 SO AS TO PROHIBIT THE PRODUCTION, MANUFACTURE, DISTRIBUTION, OR POSSESSION OF XYLAZINE, WITH EXCEPTIONS, AND TO ESTABLISH ASSOCIATED CRIMINAL PENALTIES.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-849.MB0006S):

Amend the bill, as and if amended, SECTION 1, by striking Section 44-53-230(c)(13) and inserting:

13. Xylazine.

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

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

Section 44-53-373. Nothing in this article applies to veterinarians in connection with the practice of their profession and the legitimate use of xylazine within the veterinary practice, including:

(A) the distribution or possession of xylazine by a licensed veterinarian for use in legitimate veterinary practice;

(B) the possession of xylazine pursuant to a valid prescription from a licensed veterinarian; or

(C) the possession of xylazine in an injectable form for use in a nonhuman species.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The question being the adoption of the amendment.

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

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CARRIED OVER

S. 866 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-48-30, RELATING TO DEFINITIONS, SO AS TO PROVIDE A REASONABLE EXPECTATION STANDARD FOR THE DETERMINATION OF WHETHER SOMEONE IS LIKELY TO ENGAGE IN ACTS OF SEXUAL VIOLENCE; AND BY AMENDING SECTION 44-48-20, RELATING TO LEGISLATIVE FINDINGS, SO AS TO CLARIFY THE METHOD OF DETERMINATION FOR THE LIKELIHOOD THAT A PERSON WILL ENGAGE IN FUTURE ACTS OF SEXUAL VIOLENCE.

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

CARRIED OVER

S. 890 -- Senators Tedder and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-23-440, RELATING TO DISCHARGING FIREARMS AT OR INTO DWELLINGS, STRUCTURES, ENCLOSURES, VEHICLES, OR EQUIPMENT, AND PENALTIES, SO AS TO PROVIDE IT IS UNLAWFUL TO KNOWINGLY DISCHARGE FIREARMS AT OR IN THE DIRECTION OF ONE OR MORE INDIVIDUALS, AND PROVIDE A PENALTY.

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

READ THE SECOND TIME

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

Ayes 38; Nays 0

AYES

Adams

Alexander

Allen

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Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	

Total--38

NAYS

Total--0

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

OBJECTION

S. 1048 -- Senators M. Johnson, Young, Malloy, Setzler, Rankin, Talley, Hembree, Gustafson, Davis and Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-710 SO AS TO PROVIDE THE BASIS FOR LIABILITY FOR A PERSON OR ESTABLISHMENT WHO ILLEGALLY FURNISHES ALCOHOL TO AN INDIVIDUAL WHO INJURES A THIRD PARTY BASED UPON WHAT THE FURNISHER KNEW OR SHOULD HAVE KNOWN UNDER THE CIRUCUMSTANCES; TO SPECIFY WHEN THE RIGHT OF ACTION IS NOT AVAILABLE; AND TO PROVIDE THE EVIDENTIARY STANDARD FOR THE VISIBLE INTOXICATION.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 1088 -- Senators Young, Hutto and Massey: A BILL TO AMEND SECTION 2 OF ACT 205 OF 2016, AS AMENDED, RELATING TO THE EXEMPTION OF PRIVATE, FOR-PROFIT PIPELINE COMPANIES FROM CERTAIN RIGHTS, POWERS, AND

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PRIVILEGES OF TELEGRAPH AND TELEPHONE COMPANIES THAT OTHERWISE ARE EXTENDED TO PIPELINE COMPANIES, SO AS TO EXTEND THE SUNSET PROVISION TO JUNE 30, 2026.

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

READ THE SECOND TIME

S. 1112 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-7-2340, RELATING TO FINGERPRINT REVIEW, SO AS TO PROVIDE FOR FINGERPRINT-BASED BACKGROUND CHECKS FOR PERSONS APPLYING FOR LICENSURE AS A FOSTER PARENT, ADOPTIVE PARENT, LEGAL GUARDIAN, OR EMPLOYEE OR VOLUNTEER OF A CHILD PLACING AGENCY, RESIDENTIAL TREATMENT PROGRAM, OR CONTRACTED SERVICE PROVIDER WHO HAS DIRECT UNSUPERVISED CONTACT WITH CHILDREN; BY AMENDING SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS OF FEDERAL BUREAU OF INVESTIGATION FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT COSTS FOR FINGERPRINT-BASED BACKGROUND CHECKS MUST BE PAID BY THE INDIVIDUAL OR ENTITY REQUESTING THE BACKGROUND CHECKS; BY AMENDING SECTION 63-7-2350, RELATING TO RESTRICTIONS ON FOSTER CARE, ADOPTION, OR LEGAL GUARDIAN PLACEMENTS, SO AS TO PROVIDE THAT A CHILD MAY BE PLACED IN THE HOME OF A KIN OR FICTIVE KIN CAREGIVER WHO HAS BEEN CONVICTED OF OR PLED GUILTY TO A CRIMINAL OFFENSE IF MORE THAN FIVE YEARS HAVE PASSED SINCE THE CONVICTION AND THE OFFENSE WAS NOT A FELONY INVOLVING VIOLENCE OR ANY CRIME AGAINST A CHILD; BY AMENDING SECTION 63-13-50, RELATING TO FINGERPRINT EXEMPTIONS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-60, RELATING TO CRIMINAL HISTORY REVIEW FEE, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-190, RELATING TO FINGERPRINT REVIEWS OF DEPARTMENT OF SOCIAL SERVICES PERSONNEL, SO AS TO PROVIDE THAT VOLUNTEERS OR EMPLOYEES OF A CONTRACTOR OR SUBCONTRACTOR WHO CONTRACTS FOR DELIVERY OF PROTECTIVE SERVICES, FAMILY PRESERVATION SERVICES, FOSTER CARE SERVICES, FAMILY REUNIFICATION SERVICES, ADOPTION SERVICES AND OTHER RELATED SERVICES OR PROGRAMS OR A PERSON

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WHO HAS DIRECT UNSUPERVISED CONTACT WITH A CHILD IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES SHALL UNDERGO A STATE FINGERPRINT-BASED BACKGROUND CHECK; BY AMENDING SECTION 63-13-420, RELATING TO LICENSURE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-430, RELATING TO LICENSE RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-620, RELATING TO STATEMENT OF APPROVAL REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-630, RELATING TO APPROVAL RENEWAL, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-820, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-830, RELATING TO STATEMENT OF REGISTRATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 63-13-1010, RELATING TO REGISTRATION REQUIRED FOR CHURCH AND RELIGIOUS CENTERS, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 63-11-70, RELATING TO BACKGROUND CHECKS AND PARDONS, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to a consideration of the Bill.

Senator SHEALY explained the Bill.

The question being the second reading of the Bill.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Gambrell
Garrett	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McLeod	Peeler	Rankin

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Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Talley	Tedder	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

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

CARRIED OVER

S. 1126 -- Senators Kimbrell, Peeler, Rice, M. Johnson, Adams, Climer, Garrett, Cash, Young, Alexander, Reichenbach, Shealy, Grooms, Cromer, Turner, Loftis, Fanning, Gustafson, Goldfinch, Massey, Campsen, Bennett and Martin: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 4, ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO VOTER QUALIFICATIONS, SO AS TO CLARIFY THAT ONLY A CITIZEN OF THE UNITED STATES AND OF THIS STATE OF THE AGE OF EIGHTEEN AND UPWARDS WHO IS PROPERLY REGISTERED IS ENTITLED TO VOTE AS PROVIDED BY LAW.

On motion of Senator JACKSON, the Resolution was carried over.

COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME

S. 1150 -- Senators Climer, Verdin, Kimbrell, M. Johnson and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 46-57-65 SO AS TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO LABEL ANY CULTIVATED FOOD PRODUCT AS BEEF, POULTRY, FISH, OR ANY OTHER MEAT THAT THE CULTIVATED FOOD PRODUCT MAY RESEMBLE FOR THE PURPOSES OF MANUFACTURING, SELLING, OR HOLDING OR OFFERING FOR SALE IN THIS STATE.

The Senate proceeded to a consideration of the Bill.

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The Committee on Agriculture and Natural Resources proposed the following amendment (SR-1150.KM0004S), which was adopted:

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

SECTION 1. Section 47-17-510 of the S.C. Code is amended to read:

Section 47-17-510. (A) A person who advertises, offers for sale, or sells all or part of a carcass shall not engage in any misleading or deceptive practices, labeling, or misrepresenting a product as “meat” or “clean meat” that is cell cultured meat/protein, or is not derived from harvested production livestock, poultry, fish, or crustaceans. For the purposes of this section, “cell-cultivated food product” means any food product developed in a laboratory or facility and grown from a sample of living animal cells including, but not limited to, livestock, poultry, fish, or crustaceans.

(B) It shall be unlawful for any person to label any cell-cultivated food product as beef, poultry, fish, crustacean, or any other animal protein that the cell-cultivated food product may resemble for the purposes of manufacturing, selling, or holding or offering for sale in this State.

(C) Any person who manufactures, sells, or holds or offers for sale any cell-cultivated food product in this State must place a notice on the cell-cultivated food’s packaging that indicates that the cell-cultivated food product is not beef, poultry, fish, crustacean, or any other animal protein that the cell-cultivated food product may resemble. The notice on the packaging shall be at a minimum twenty percent of the front of the packaging and must be prominently printed in a font size no smaller than sixteen. Further, the notice shall state: “This product contains protein that was developed in a lab and grown from a biopsy of animal cells. The protein in this product is not naturally grown beef, poultry, fish, crustacean, or any other animal protein.”

(D) Each package that violates a provision of this section shall be a separate and distinct offense.

(E) The Department of Agriculture may promulgate regulations as necessary to implement this section.

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

Renumber sections to conform.

Amend title to conform.

Senator KIMBRELL explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

OBJECTION

S. 1175 -- Senator Malloy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-3-800 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA DRAM SHOP ACT; BY ADDING SECTION 15-3-810 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY AN INTOXICATED PERSON HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO

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THE INTOXICATED PERSON AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM; AND BY ADDING SECTION 15-3-820 SO AS TO PROVIDE THAT AN INDIVIDUAL WHO SUFFERS DEATH, BODILY INJURY, OR PROPERTY DAMAGE BY A PERSON UNDER THE LAWFUL DRINKING AGE HAS A CAUSE OF ACTION FOR DAMAGES AGAINST THE HOLDER OF A PERMIT TO SELL BEER, WINE, OR LIQUOR IF THE PERMIT HOLDER KNOWINGLY SOLD, FURNISHED, OR SERVED ALCOHOL TO THE PERSON UNDER THE LAWFUL DRINKING AGE AND THE SALE, FURNISHMENT, OR SERVICE WAS THE PROXIMATE CAUSE OF THE INJURY GIVING RISE TO THE CLAIM.

Senator MASSEY objected to consideration of the Bill.

CARRIED OVER

S. 1215 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO INDIVIDUAL ANTLERLESS DEER TAGS, ANTLERLESS DEER LIMITS FOR PRIVATE LANDS IN GAME ZONES 1-4, AND YOUTH DEER HUNTING DAY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5260, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1216 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

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Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1217 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULES AND REGULATIONS GOVERNING THE ISSUANCE OF DEER DEPREDATION PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5250, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSEN explained the Resolution.

On motion of Senator CAMPSEN, the Resolution was carried over.

CARRIED OVER

S. 1218 -- Family and Veterans' Services Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF SOCIAL SERVICES, RELATING TO FAMILY DAY CARE HOMES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5229, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to a consideration of the Resolution.

Senator YOUNG explained the Resolution.

On motion of Senator YOUNG, the Resolution was carried over.

OBJECTION

H. 4029 -- Reps. Dillard, Hyde, Bailey, Brittain, Weeks and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-1-103, RELATING TO DESIGNATION OF REPRESENTATION IN MAGISTRATES COURT, SO AS TO INCLUDE HOUSING AUTHORITIES.

Senator ALEXANDER objected to consideration of the Bill.

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OBJECTION

H. 4552 -- Reps. Pendarvis, Clyburn, Henegan, M.M. Smith, B.L. Cox, Robbins, Brewer, King, Wheeler, Henderson-Myers, Erickson, Stavrinakis, Weeks, Davis, Rivers and Gilliard: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS.

Senator ALEXANDER objected to consideration of the Bill.

READ THE SECOND TIME

H. 4909 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REMOVE ONE PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

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Verdin

Williams

Young

Total--42

NAYS

Total--0

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

OBJECTION

H. 4928 -- Reps. Davis, B.J. Cox, Hart, Jefferson, J. Moore, Caskey and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-21-10, RELATING TO THE ESTABLISHMENT OF VETERANS' TRUST FUND, SO AS TO PROVIDE FOR FUNDRAISING; AND BY AMENDING SECTION 25-21-30, RELATING TO THE DUTIES AND FUNCTIONS OF THE VETERANS' TRUST FUND BOARD OF TRUSTEES, SO AS TO PROVIDE FOR THE ABILITY TO FUNDRAISE.

Senator ALEXANDER objected to consideration of the Bill.

READ THE SECOND TIME

H. 4937 -- Reps. Collins, Hiott and Carter: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-450, RELATING TO DESIGNATION OF VOTING PRECINCTS IN PICKENS COUNTY, SO AS TO AUTHORIZE THE PICKENS COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS, WITH APPROVAL FROM A MAJORITY OF THE PICKENS COUNTY LEGISLATIVE DELEGATION, TO LOCATE A POLLING PLACE WITHIN FIVE MILES OF A PRECINCT'S BOUNDARIES IF NO SUITABLE LOCATION EXISTS WITHIN THE PRECINCT.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

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

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

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

MOTION ADOPTED

At 2:06 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.

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

S. 994 -- Senators Alexander, Hutto, Verdin, Grooms, Kimbrell, Gambrell, Shealy, Hembree, McElveen, Davis, Young, Loftis, K. Johnson, McLeod, Martin, Senn, Garrett, Fanning, Cromer, Devine, Williams and Setzler: 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.

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

Amendment No. 3

Senator TEDDER proposed the following amendment (SMIN-994.MW0007S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65(A), by adding an item to read:

(3) "Advertise" means the publication or dissemination of an advertisement.

(4) "Advertisement" includes any written or verbal statement, illustration, or depiction which is calculated to induce sales of ENDS products, including any written, printed, graphic, or other material, billboard sign, or other outdoor display, public transit card, other periodical literature, publication, in a radio or television broadcast, or in any other media.

(5) "Marketing" means any act or process of promoting or selling of ENDS products, including but not limited to, sponsorship of sporting events, point-of-sale advertising, and promotion of products specifically designed to appeal to certain demographics.

(6) "Minor" means an individual under the age of eighteen years of age.

(7) "Packaging" means any receptacle that contains a ENDS product.

Amend the bill further, SECTION 1, by striking Section 44-95-65(N) and inserting:

(N) If a retailer, wholesaler, or distributor violates subsections (M), (T) or (U), the retailer, wholesaler, or distributor is subject to a civil penalty of:

(1) not more than five hundred dollars for a first violation;

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(2) at least seven hundred fifty dollars but not more than one thousand dollars for a second violation within a thirty-six-month period;

(3) at least one thousand dollars but not more than one thousand five hundred dollars for a third violation within a thirty-six-month period; or

(4) at least one thousand five hundred dollars but not more than three thousand dollars for a fourth or any subsequent violation within a thirty-six-month period.

Amend the bill further, SECTION 1, by striking Section 44-95-65(T) and inserting:

(T) No manufacturer, distributor, or retailer of ENDS products may sell, offer for sale, advertise, or otherwise distribute ENDS products that:

(1) uses, in the labeling of the product, its packaging, its advertisement, or in its marketing materials,

(a) the terms "candy", "candies", or variants in spelling;

(b) the terms "bubble gum", "cotton candy", "gummy bear", "lollipop," or other variants of these words;

(c) the terms "cake", "cupcake", "pie", or any other variation of these words;

(d) the terms "ice cream," "sherbert", "popsicle", "bomb pop", or any other variation of these words.

(2) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, images of or references to cartoons, cartoon characters, superheroes, television shows, video games and movies, or other similar characters or references, that have been commonly used to market products to minors;

(3) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of food brands or products that have been commonly marketed to minors;

(4) uses, in the labeling or design of the product, or its packaging, or its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of school supplies.

(U) A manufacturer, distributor, or retailer of ENDS products shall not advertise or market any ENDS except in the following manner:

(1) any advertisement placed in or on broadcast or cable television, radio, print, and digital communications, or any event marketing or sponsorships, shall only be made where at least 85 percent of the intended audience is reasonably expected to be eighteen years of age or

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older, as determined by reliable, up-to-date audience composition demographic data or event organizer restrictions;

(2) advertisements may not be materially false or untrue and any statement contained therein must be consistent with the ENDS product's labeling;

(3) advertisements may not contain any health or therapeutic claims; and

(4) advertisements on billboard signs must not be within 1,000 feet of a primary or secondary school, playground, or youth center.

(V) The Attorney General may promulgate regulations for the implementation and enforcement of this section.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

Senator GAMBRELL spoke on the amendment.

On motion of Senator GAMBRELL, with unanimous consent, the amendment was carried over.

Motion Adopted

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

Amendment No. 4

Senator TEDDER proposed the following amendment (SMIN-994.MW0008S), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65, by adding a subsection to read:

(U) Funds collected pursuant to civil penalties in subitem (N) shall be distributed to an ENDS Compliance Fund.

(V) Notwithstanding another provision of law, the ENDS Compliance Fund must be distributed annually in equal amounts as follows:

(1) to an entity that conducts ENDS related health or cancer research as recommended by the Department of Behavioral Health;

(2) to the Smoking Prevention and Cessation Trust Fund created pursuant to Section 11-11-250(A).

Renumber sections to conform.

Amend title to conform.

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On motion of Senator TEDDER, with unanimous consent, the amendment was carried over.

Amendment No. 5

Senator TEDDER proposed the following amendment (SMIN-994.MW0011S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 44-95-65(A), by adding an item to read:

(3) "Advertise" means the publication or dissemination of an advertisement.

(4) "Advertisement" includes any written or verbal statement, illustration, or depiction which is calculated to induce sales of ENDS products, including any written, printed, graphic, or other material, billboard sign, or other outdoor display, public transit card, other periodical literature, publication, in a radio or television broadcast, or in any other media.

(5) "Marketing" means any act or process of promoting or selling of ENDS products including, but not limited to, sponsorship of sporting events, and promotion of products specifically designed to appeal to certain demographics.

(6) "Minor" means an individual under the age of eighteen years of age.

(7) "Packaging" means any receptacle that contains a ENDS product.

Amend the bill further, SECTION 1, by striking Section 44-95-65(N) and inserting:

(N) If a retailer, wholesaler, or distributor violates subsections (M), (T) or (U), the retailer, wholesaler, or distributor is subject to a civil penalty of:

(1) not more than five hundred dollars for a first violation;

(2) at least seven hundred fifty dollars but not more than one thousand dollars for a second violation within a thirty-six-month period;

(3) at least one thousand dollars but not more than one thousand five hundred dollars for a third violation within a thirty-six-month period; or

(4) at least one thousand five hundred dollars but not more than three thousand dollars for a fourth or any subsequent violation within a thirty-six-month period.

Amend the bill further, SECTION 1, by striking Section 44-95-65(T) and inserting:

(S) Each retailer, wholesaler, and distributor may be subject to unannounced compliance checks for purposes of enforcing this section. Unannounced follow-up compliance checks of all noncompliant

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retailers, wholesalers, and distributors are required within thirty days after any violation of this section. The Attorney General shall make the results of all compliance checks available to the public on request.

(T) No manufacturer, distributor, or retailer of ENDS products may sell, offer for sale, advertise, or otherwise distribute ENDS products that:

(1) uses, in the labeling of the product, its packaging, its advertisement, or in its marketing materials:

(a) the terms “candy”, “candies”, or variants in spelling;

(b) the terms “bubble gum”, “cotton candy”, “gummy bear”, “lollipop”, or other variants of these words;

(c) the terms “cake”, “cupcake”, “pie”, or any other variation of these words;

(d) the terms “ice cream,” “sherbert”, “popsicle”, “bomb pop”, or any other variation of these words.

(2) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, images of or references to cartoons, cartoon characters, superheroes, television shows, video games and movies, or other similar characters or references, that have been commonly used to market products to minors;

(3) uses, in the labeling or design of the product, its packaging, its advertisement, or in its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of food brands or products that have been commonly marketed to minors;

(4) uses, in the labeling or design of the product, or its packaging, or its marketing materials, trade dress, trademarks, or other related imagery that imitate or replicate trade dress, trademarks, or other imagery of school supplies.

(U) A manufacturer, distributor, or retailer of ENDS products shall not advertise or market any ENDS except in the following manner:

(1) any advertisement placed in or on broadcast or cable television, radio, print, and digital communications, shall only be made where at least eighty-five percent of the intended audience is reasonably expected to be eighteen years of age or older, as determined by reliable, up-to-date audience composition demographic data or event organizer restrictions;

(2) advertisements may not be materially false or untrue and any statement contained therein must be consistent with the ENDS product’s labeling;

(3) advertisements may not contain any health or therapeutic claims; and

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(4) advertisements on billboard signs must not be within 1,000 feet of a primary or secondary school, playground, or youth center.

(V) The Attorney General may promulgate regulations for the implementation and enforcement of this section.

Renumber sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

The amendment was adopted.

Motion Adopted

On motion of Senator TEDDER, with unanimous consent, Amendment No. 3 and Amendment No. 4 were withdrawn.

The question then was third reading of the Bill.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

**COMMITTEE AMENDMENT TABLED
DEBATE INTERRUPTED**

S. 533 -- Senators Alexander, Peeler, Cromer, Davis, Bennett, Grooms, Hembree, Verdin, Massey, Climer, Martin, Shealy, Turner, Kimbrell, Gambrell, Rice, Loftis, Reichenbach, Cash, Gustafson, Campsen, Corbin, Williams and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50, ALL RELATING TO THE SOUTH CAROLINA CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT AND TO MAKE CONFORMING CHANGES.

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-533.SW0009S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 15-38-15(F) and inserting:

(F) This section does not apply to a defendant whose conduct is determined to be wilful, wanton, reckless, grossly negligent, or intentional or conduct involving the use, sale, or possession of alcohol or the illegal or illicit use, sale, or possession of drugs.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY spoke on the committee amendment.

Senator MASSEY spoke on the committee amendment.

Senator RANKIN spoke on the committee amendment.

Senator MALLOY spoke on the committee amendment.

Point of Quorum

At 5:21 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

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Senator MALLOY resumed speaking on the committee amendment.

Senator DEVINE spoke on the committee amendment.

Point of Quorum

At 5:33 P.M., Senator MALLOY made the point that a quorum was not present.

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	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Tedder
Turner	Williams	Young

A quorum being present, the Senate resumed.

Senator DEVINE resumed speaking on the committee amendment.

Senator MASSEY moved to lay the amendment on the table.

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

Ayes 21; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Gustafson	Hembree	Kimbrell

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Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Williams

Total--21

NAYS

Allen	Davis	Devine
Garrett	Goldfinch	Harpootlian
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Senn	Setzler
Tedder	Young	

Total--20

The amendment was laid on the table.

Having voted on the prevailing side, Senator GUSTAFSON moved to reconsider the vote whereby the committee amendment was laid on the table.

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

Ayes 19; Nays 22

AYES

Allen	Davis	Devine
Garrett	Goldfinch	Gustafson
Harpootlian	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Malloy
Matthews	McElveen	McLeod
Rankin	Sabb	Senn
Tedder		

Total--19

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell

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Grooms	Hembree	Kimbrell
Loftis	Massey	Peeler
Reichenbach	Rice	Shealy
Turner	Verdin	Williams
Young		

Total--22

Having failed to receive the necessary vote, the motion failed.

The committee amendment was laid on the table.

Debate was interrupted by adjournment.

EXECUTIVE SESSION

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following name was reported to the Senate in open session:

**STATEWIDE APPOINTMENT
Confirmation**

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

Initial Appointment, Secretary of Department of Transportation, with term coterminous with Governor

Justin P. Powell, 508 Carole Lane, Lexington, SC 29072 *VICE* Christy A. Hall

On motion of Senator GROOMS, the question was confirmation of Justin P. Powell.

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

Ayes 45; Nays 0

AYES

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

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

Total--45

NAYS

Total--0

The appointment of Justin P. Powell was confirmed.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GUSTAFSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Charles Burke Baxley of Lugoff, S.C. Charles practiced law for forty-five years. He served on the Kershaw County Vocational Education Foundation, Indian Waters Council - Boy Scouts of America, Lugoff Optimist Club, Kershaw County Bar Association, Kershaw County Forest Landowners Association and Kershaw County Historical Society to mention a few. Charles received the Order of the Palmetto and Silver Beaver award from the Boy Scouts of America. He founded and served on the Kershaw County Education Foundation and Kershaw County School Board. Charles enjoyed woodworking, history, travel and aviation. After retiring in 2021, Charles was appointed to serve as chairman of the South Carolina Sestercentennial Commission. Charles was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator RICE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Matthew Hare of Easley, S.C. Matthew was a 2019 graduate of Easley High School. In 2022, Matthew began his law enforcement journey and upon graduation from the Criminal Justice Academy, became an esteemed officer with the Easley Police Department. He enjoyed spending time with family, playing video games with friends and watching Clemson football. Matthew was a loving son and brother who will be dearly missed.

ADJOURNMENT

At 6:11 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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