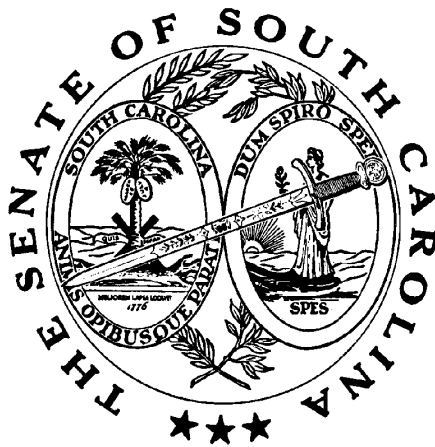


NO. 61

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, APRIL 23, 2024

Tuesday, April 23, 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:

Job 9:25

As he debates with his three friends, Job makes this observation: “ ‘My days are swifter than a runner; they fly away without a glimpse of joy.’ ”

Join me, good friends, as we pray: O most Holy God, the burden upon these Senators and their staff aides is so very great at this time. Indeed, as Job reminds us, time itself is slipping away. The end of this Body’s regular session is drawing close. So it is, Lord, that we pray today that You will grant these leaders the stamina -- and the wisdom -- they need to win their own race against time, to wrap things up in ways that will genuinely benefit South Carolina’s future, and, as always, that they will each be faithful to his or her role as a caring servant of the people of our State. In addition, dear God, be with all others who also labor to bring about peace and hopefulness here at home and around the world. So we humbly pray in Your loving name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Harpootlian
Hembree	Hutto	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

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Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointment

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

Dietician, Community or Public Health:

Katherine L. Bernard, 307 Magnolia Tree Road, Lexington, SC 29073-6731 *VICE* Rebecca Wrenn

Referred to the Committee on Medical Affairs.

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5249

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-11-2200 and 50-11-2210

SUBJECT: Additional Regulations Applicable to Specific Properties

Received by President of the Senate January 9, 2024

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration May 8, 2024

Withdrawn and Resubmitted April 18, 2024

Document No. 5265

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-7-110 through 44-7-394

SUBJECT: Minimum Standards for Licensing Hospitals and Institutional General Infirmaries

Received by President of the Senate March 14, 2024

Referred to Medical Affairs Committee

Legislative Review Expiration March 18, 2025

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Withdrawn and Resubmitted April 19, 2024

Doctor of the Day

Senator MARTIN introduced Dr. Tonya Tang of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 12:08 P.M., Senator ALLEN was granted a leave of absence until 2:00 P.M.

Leave of Absence

On motion of Senator HEMBREE, at 4:58 P.M., Senator BENNETT was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SABB, at 4:58 P.M., Senator K. JOHNSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator MATTHEWS, at 4:58 P.M., Senator GUSTAFSON was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator CAMPSER, at 5:04 P.M., Senator GROOMS was granted a leave of absence for the balance of the day.

RECALLED

S. 1128 -- Senator Turner: A SENATE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE GRESSETTE BUILDING FOR ITS YOUTH IN GOVERNMENT PROGRAM ON THURSDAY, NOVEMBER 7 AND FRIDAY, NOVEMBER 8 AND MONDAY, NOVEMBER 18, 2024. HOWEVER, THE CHAMBER MAY NOT BE USED IF THE SENATE IS IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE.

Senator TURNER asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Operations and Management.

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The Senate Resolution was recalled from the Committee on Operations and Management and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1276 -- Senators McElveen, Shealy and Young: A JOINT RESOLUTION TO SUSPEND THE PROVISIONS OF ACT 58 OF 2023, RELATING TO THE BOARD OF TRUSTEES FOR THE VETERANS' TRUST FUND OF SOUTH CAROLINA, UNTIL JUNE 1, 2026.

Senator McELVEEN asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Family and Veterans' Services.

The Joint Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1277 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE STEPHEN H. SMITH 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-0685km-vc24.docx

The Senate Resolution was adopted.

S. 1278 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE DAVID ELLIOTT SIMS UPON THE OCCASION OF HIS RETIREMENT AS THE PRINCIPAL OF RIVERBANK ELEMENTARY SCHOOL, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0692km-hw24.docx

The Senate Resolution was adopted.

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S. 1279 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE CHILDREN'S TRUST OF SOUTH CAROLINA UPON THE OCCASION OF ITS FORTIETH ANNIVERSARY AND COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

sr-0656km-vc24.docx

The Senate Resolution was adopted.

S. 1280 -- Senators Jackson and Devine: A CONCURRENT RESOLUTION TO HONOR DR. GARY B. BELL OF RICHLAND COUNTY ON THE OCCASION OF HIS RETIREMENT, TO EXTEND DEEP APPRECIATION FOR HIS MORE THAN FORTY YEARS OF DISTINGUISHED SERVICE AS A PHYSICIAN TO THE PEOPLE OF SOUTH CAROLINA AND BEYOND, AND TO OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

lc-0445hdb-rm24.docx

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

S. 1281 -- Senator Bennett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-440, RELATING TO PENALTIES FOR DRIVING WITHOUT A LICENSE, SO AS TO INCREASE THE PENALTIES FOR DRIVING WITHOUT A LICENSE AND MAKE CONFORMING CHANGES.

sr-0140jg24.docx

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

S. 1282 -- Senator Verdin: A SENATE RESOLUTION TO RESOLVE FOR THE CONTINUED EXAMINATION AND IMPLEMENTATION OF BEST PRACTICES TOWARD RECOVERY FROM THE OPIOID CRISIS THROUGH STRENGTHENING THE PATIENT AND HEALTH CARE PROVIDER RELATIONSHIP AND MAKING NEW POTENTIAL TREATMENTS AVAILABLE UPON FDA APPROVAL TO SOUTH CAROLINIANS.

sr-0694km-hw24.docx

The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

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S. 1283 -- Senators Jackson and Williams: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BISHOP FREDERICK CALHOUN JAMES, THE NINETY-THIRD ELECTED AND CONSECRATED BISHOP OF THE AFRICAN METHODIST EPISCOPAL CHURCH, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

lc-0464vr-gm24.docx

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

H. 3248 -- Reps. Collins and Carter: A BILL TO AMEND ACT 609 OF 1984, AS AMENDED, RELATING TO REIMBURSEMENT FOR EXPENSES INCURRED IN PERFORMANCE OF OFFICIAL DUTIES OF SCHOOL BOARD TRUSTEES, SO AS TO ALLOW THE BOARD TO DETERMINE THE MONTHLY REIMBURSEMENT AMOUNT.

lc-0076ph23.docx

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

H. 5439 -- Reps. McCravy, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, MAY 2, 2024, AS A DAY OF PRAYER IN SOUTH CAROLINA, IN ACCORDANCE WITH THE OBSERVANCE OF

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THE NATIONAL DAY OF PRAYER, AND TO URGE OUR STATE'S CITIZENS TO JOIN TOGETHER IN THEIR HOMES, PLACES OF WORK, AND HOUSES OF WORSHIP TO PRAY FOR THE UNITY OF THE HEARTS OF ALL MANKIND AND TO CONTINUE IN PRAYER FOR OUR STATE AND OUR NATION.

lc-0419dg-rm24.docx

The Concurrent Resolution was introduced and referred to the Committee on Family and Veterans' Services.

INVITATIONS ACCEPTED

The PRESIDENT ordered the following invitations placed on the Calendar:

Wednesday, May 1, 2024 - 8:00 a.m. - 10:00 a.m.

Members, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA EMERGENCY MANAGEMENT ASSOCIATION**

Wednesday, May 1, 2024 - 5:00 p.m. - 8:30 p.m.

Members, Staff, and Families, Reception, Riverbanks Zoo and Gardens, 500 Wildlife Parkway, hosted by **RIVERBANKS ZOO AND GARDENS**

Thursday, May 2, 2024 - 8:00 a.m. - 10:00 a.m.

Members, Breakfast, 112 Blatt Building, hosted by the **TAIPEI ECONOMIC AND CULTURE OFFICE IN ATLANTA**

Wednesday, May 8, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by **SC INSURANCE ASSOCIATION**

Wednesday, May 8, 2024 - 11:30 a.m. - 2:00 p.m.

Members and Staff, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA FUTURE MAKERS AND THE SOUTH CAROLINA MANUFACTURERS ALLIANCE**

Thursday, May 9, 2024 - 8:00 a.m. - 10:00 a.m.

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **ASSOCIATION OF COSMETOLOGY SALON PROFESSIONALS**

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REPORTS OF STANDING COMMITTEES

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

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

H. 3988 -- Reps. Davis, M.M. Smith, B.J. Cox, Pedalino, Forrest, Wheeler, Kirby and Guffey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-43-30, RELATING TO DEFINITIONS IN THE PHARMACY PRACTICE ACT, SO AS TO PROVIDE ADDITIONAL ACTS THAT CONSTITUTE THE PRACTICE OF PHARMACY, TO PERMIT THE DELEGATION OF CERTAIN ACTS TO TRAINED PHARMACY TECHNICIANS AND PHARMACY INTERNS, AND TO DEFINE AN ADDITIONAL TERM; BY AMENDING SECTION 40-43-84, RELATING TO PHARMACY INTERNS AND EXTERNS, SO AS TO REMOVE CERTAIN DIRECT SUPERVISION REQUIREMENTS; BY AMENDING SECTION 40-43-190, RELATING TO PROTOCOL FOR PHARMACISTS TO ADMINISTER VACCINES WITHOUT PRACTITIONER ORDERS, SO AS TO INCLUDE THE DISPENSATION OF CERTAIN DRUGS AND DEVICES, TO LOWER THE VACCINATION RECIPIENT AGE TO TWELVE YEARS OF AGE, TO AUTHORIZE DIRECTLY SUPERVISED PHARMACY INTERNS TO ADMINISTER CERTAIN

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VACCINATIONS, AND TO PROVIDE WRITTEN PROTOCOL REQUIREMENTS, AMONG OTHER THINGS; BY AMENDING SECTION 40-43-200, RELATING TO THE JOINT PHARMACIST-ADMINISTERED VACCINES COMMITTEE, SO AS TO RENAME THE COMMITTEE AS THE “JOINT PHARMACIST ACCESS COMMITTEE” AND MAKE OTHER CONFORMING CHANGES; AND TO PROVIDE THE PHARMACIST ACCESS COMMITTEE MUST SUBMIT ITS INITIAL RECOMMENDATIONS TO THE BOARD OF PHARMACY NO LATER THAN FOUR MONTHS AFTER THE PASSAGE OF THIS ACT, AND PERIODICALLY THEREAFTER AS DETERMINED BY THE COMMITTEE.

Ordered for consideration tomorrow.

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

H. 4486 -- Reps. Burns, Long, Ott, Pope and Hiott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 44-55-655 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO CREATE A PILOT PROGRAM THAT ALLOWS CERTAIN SEPTIC TANK INSTALLERS TO CONDUCT SEPTIC TANK FIELD EVALUATION TESTS FOR THE DEPARTMENT.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., April 23, 2024

Mr. President and Senators:

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

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.

Very respectfully,

Speaker of the House

Received as information.

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Placed on Calendar for consideration tomorrow.

ACTING PRESIDENT PRESIDES

Senator TALLEY assumed the Chair.

**THE SENATE PROCEEDED TO A CONSIDERATION OF
H. 5100, THE GENERAL APPROPRIATIONS BILL.**

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

H. 5100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2024, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill.

Senator PEELER spoke on the Bill.

Motion Adopted

Report of the Committee on Finance Adopted

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were admitted to the floor of the Senate Chamber while debate was in progress on H. 5100, the General Appropriations Bill.

There was no objection.

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Amendment No. 1

Senators PEELER, ALEXANDER, SETZLER and MALLOY proposed the following amendment (AM LINE ADJUSTMENTS), which was adopted (#1):

Amend the bill, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 100, line 10, by striking opposite:

	COLUMN 7	COLUMN 8
AGENCY LEASE PAYMENTS/	3,961,126	3,961,126/

Amend the bill further, as and if amended, Part IA, Section 102, ELECTION COMMISSION, page 246, by inserting after line 21,

	COLUMN 7	COLUMN 8
/CERTIFIED POLL CLERK PROGRAM	750,000	750,000/

Amend the bill further, as and if amended, Part IA, Section 39, COMMISSION FOR THE BLIND, page 109, line 25, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	335,782	108,224

and

INSERTING:	459,371	231,813/
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Amend the bill further, as and if amended, Part IA, Section 39, COMMISSION FOR THE BLIND, page 109, line 29, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	411,236	264,048

and

INSERTING:	587,647	440,459/
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Amend the bill further, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 103, line 18, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	30,096,118	27,391,859

and

INSERTING:	31,440,607	28,736,348/
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Amend the bill further, as and if amended, Part IA, Section 38, DEPARTMENT OF SOCIAL SERVICES, page 103, line 27, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	5,383,931	2,992,291

and

INSERTING:	5,539,442	3,147,802/
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Amend the bill further, as and if amended, Part IA, Section 93, DEPT OF ADMINISTRATION, page 231, line 4, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	607,250	607,250

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and

INSERTING: 2,357,250 2,357,250/

Amend the bill further, as and if amended, Part IA, Section 59, ATTORNEY GENERAL'S OFFICE, page 163, line 4, by:

COLUMN 7 COLUMN 8
/ STRIKING: 16,231,610 14,011,252

and

INSERTING: 16,481,610 14,261,252/

Amend the bill further, as and if amended, Part IA, Section 62, STATE LAW ENFORCEMENT DIVISION, page 170, by inserting after line 31,

COLUMN 7 COLUMN 8
/CWP PROGRAM 2,000,000 2,000,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 607, proviso 118.20, line 32, by striking /\$2,652,818/ and inserting /\$5,241,692/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 612, proviso 118.20, line 4, by striking: /(b) Bull Street Relocation \$5,407,276:/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 614, proviso 118.20, line 3, by striking /\$5,000,000/ and inserting /\$6,568,402/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 614, proviso 118.20, line 7, by striking /\$4,050,000/ and inserting /\$2,300,000/

Amend the bill further, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 609, proviso 118.20, after line 18, by inserting:

/() CWP Program \$3,000,000 /

Amend the bill further, as and if amended, Part IB, Section 62, STATE LAW ENFORCEMENT DIVISION, page 444, after line 13, by adding an appropriately numbered new proviso to read:

/ (SLED: CWP Program Carry Forward) The department shall carry forward any unexpended funds that were appropriated or authorized for the purpose of the statewide concealed weapon permit program into the current fiscal year to be expended for the same purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator ALEXANDER explained the amendment.

The amendment was adopted.

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PRESIDENT PRESIDES

At 1:11 P.M. the PRESIDENT assumed the Chair.

Amendment No. 6

Senators HEMBREE and SETZLER proposed the following amendment (SA\5100C011.JN.SA24.DOCX), which was carried over and subsequently adopted:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education, to facilitate efficient emergency responses in public schools by public safety agencies in this State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso, emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

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(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, "school mapping data" means information collected pursuant to this proviso in an electronic or a digital format and provided to assist first responders in responding to emergencies at school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

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

Amendment No. 17

Senator CROMER proposed the following amendment (SM NURSING INITIATIVE), which was adopted (#2):

Amend the bill, as and if amended, Part IB, Section 3, LOTTERY EXPENDITURE ACCOUNT, pages 343-344, proviso 3.6, lines 34-36 and 1-2, by striking / The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs. The second \$5 million shall be used to provide tuition reimbursement or scholarships for students enrolled in graduate-level nurse educator programs, Doctor of Nursing Practice, or Ph.D. programs. The scholarship recipients must agree to assume a faculty role in a state nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by September 15. /

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and inserting / The funds shall be allocated to each public college or university, including technical colleges, based on the number of students enrolled in nursing programs as defined by the Commission on Higher Education. The second \$5 million shall be used to provide tuition reimbursement or scholarships for students enrolled in regionally accredited, not-for-profit, South Carolina based, public and private institution's graduate-level Master of Science (MSN) programs, Doctor of Nursing Practice, Ph.D. or other like programs appropriate to prepare individuals for faculty roles. The recipient must agree to assume a faculty role in a public South Carolina nursing program after graduation for a minimum of two years for each year they receive the scholarship. Annually by February 1, /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

Amendment No. 18

Senator HUTTO proposed the following amendment (SA\5100C015.JN.SA24.DOCX), which was adopted (#3):

Amend the bill, as and if amended, Part IB, Section 11, COMMISSION ON HIGHER EDUCATION, page 354, after line 26, by adding an appropriately numbered new proviso to read:

/ (CHE: Athletic Conference Affiliations) No funds appropriated herein to colleges and universities, or tuition or fees shall be spent for legal expenses, exit fees, entry fees, or other expenses associated either directly or indirectly with athletic conference affiliations. _/

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. P2-8

Senator DEVINE proposed the following amendment (5100 PERFECTING 8.DOCX), with was ruled out of order:

Amend the amendment containing file path S-FINANC\AMEND\AM COUNTY LIBRARIES.DOCX, as and if amended, Part

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IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting:

/ Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of sixteen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator DEVINE explained the amendment.

Point of Order

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

Senator HUTTO spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 8

Senators KIMBRELL, GARRETT and RICE proposed the following amendment (AM COUNTY LIBRARIES), which was carried over and subsequently adopted:

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting a sentence at the end to read:

/ Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

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

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The PRESIDENT overruled the Point of Order.

On motion of Senator DEVINE, the amendment was carried over.

Amendment No. 5

Senator SETZLER proposed the following amendment (AM PRT DELETIONS), which was adopted (#4):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 419, proviso 49.19, lines 28-30, by striking the proviso in its entirety.

Amend the bill further, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 419, proviso 49.20, lines 31-33, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 23

Senator CAMPSSEN proposed the following amendment (SA\5100C017.JN.SA24.DOCX), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

/ (CMRC: Sustainable Aviation Fuel Production) From the funds appropriated to the Department of Commerce, the department shall partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:

(1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;

(2) identification of the sources of raw materials for biofuel within South Carolina;

(3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;

(4) the range for production costs;

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(5) identification of the current processes currently available to produce biofuel;

(6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;

(7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;

(8) identification of price points for both the producer and end user defined by current and future markets;

(9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;

(10) identification of air transport industry initiatives for use and demand for biofuel;

(11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;

(12) identification of any barriers to entry, such as policy or regulatory constraints;

(13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and

(14) identification of downside risks. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

On motion of Senator CASH, the amendment was carried over.

Amendment No. 13

Senator VERDIN proposed the following amendment (AM LAKE CONESTEE DAM), which was adopted (#5):

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 427, proviso 55.13, lines 17-20, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator VERDIN explained the amendment.

The amendment was adopted.

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Amendment No. 11

Senator HARPOOTLIAN proposed the following amendment (5100R008.JG.RAH.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ 55. (DES: Environmental Pollution Complaint) The Department shall use funds appropriated in this act to provide reports to County legislative delegations regarding all environmental complaints received from individuals or organizations relating to environmental pollution within the County or pertaining to activities within the County. The Department must provide a report to a County Legislative Delegation within twenty-four hours of receiving a complaint. The report must identify the location and legislative district that is the subject of the complaint, must include a summary of the complaint, and must include the Department's response or planned response to the complaint. For purpose of this provision, "complaint" means: (1) a complaint, inquiry, or notice regarding actual or potential environmental pollution; (2) a complaint, inquiry, or notice regarding an actual or potential violation of an environmental permit; (3) a complaint, inquiry, or notice regarding offensive or obnoxious odors; (4) any investigation related to illegal pollution or permit violations, regardless of how the investigation was initiated; or (5) any other action or activity that may lead to enforcement actions. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HARPOOTLIAN explained the amendment.

On motion of Senator HARPOOTLIAN, the amendment was carried over.

Amendment No. 14

Senator GOLDFINCH proposed the following amendment (SM BEACHES), which was adopted (#6):

Amend the bill, as and if amended, Part IB, Section 55, DEPARTMENT OF ENVIRONMENTAL SERVICES, page 429, after line 7, by adding an appropriately numbered new proviso to read:

/ (DES: Beaches) Of the funds appropriated to the Department of Environmental Services, "Beaches" means those lands subject to periodic inundation by tidal and wave action so that no non littoral

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vegetation is established; or such other definition that is established by statute. A determination by the agency that an area is considered "Beach" pursuant to this provision is subject to immediate appellate review by the Administrative Law Court. Appellant shall issue notice of appeal within 30 days, which shall stay any enforcement action during the pendency of the action. If the administrative law judge issues an order reversing the decision of the agency, as it relates to the agency's determination of "Beaches," then the Administrative Law Judge shall issue attorney's fees and costs to the appellant. The agency may be solely responsible for the attorney's fees and costs; and any third party litigants relying on such claims may be responsible for a portion of those fees at the discretion of the Administrative Law Judge. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GOLDFINCH explained the amendment.

The amendment was adopted.

Amendment No. 21

Senator MICHAEL JOHNSON proposed the following amendment (SM WORKERS' COMPENSATION COMMISSION), which was adopted (#7):

Amend the bill, as and if amended, Part IB, Section 74, WORKERS' COMPENSATION COMMISSION, page 461, after line 9, by adding an appropriately numbered new proviso to read:

/ (WCC: Workers' Compensation Hearings) Every county shall provide a space to conduct hearings for the Workers' Compensation Commission upon request of the Chairman of the Workers' Compensation Commission. This space shall be in a secure existing facility and include all utilities. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

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Amendment No. 10

Senators SETZLER, CAMPSER, HEMBREE, RANKIN, MALLOY and MATTHEWS proposed the following amendment (AM INSURANCE MARKETS), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 78, DEPARTMENT OF INSURANCE, page 461, after line 33, by adding an appropriately numbered new proviso to read:

/ (INS: Coastal Insurance Markets) From the funds appropriated in this act, the Department of Insurance shall conduct a study on the status and market conditions of the South Carolina coastal property insurance market. The study shall include the number of property insurance companies participating in the coastal insurance market, coastal insurance premium pricing, coastal insurance market outlook for the future, possible strategies to stabilize our State's coastal insurance market, efforts the department may utilize to recruit additional insurance providers, and any other information deemed pertinent to the issue including suggested statutory changes. The study shall be submitted to the Senate Finance Committee, the Senate Banking and Insurance Committee, the House Ways and Means Committee, the House Labor, Commerce and Industry Committee, and the Governor by October 1, 2024. The department is further directed to immediately initiate statutorily allowed efforts to recruit additional insurance providers in the coastal property insurance market. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 3

Senator GROOMS proposed the following amendment (AM FORENSIC ACCOUNTING), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 484, proviso 93.19, lines 4 - 30, by striking the proviso in its entirety, and inserting:

/ (DOA: State Treasury Forensic Accounting Review Audit) Of the funds appropriated pursuant to the Nonrecurring Revenue proviso for Audit Contracting, the Department of Administration must engage an independent forensic accounting firm, experienced in forensic accounting, to conduct a forensic accounting review of all cash and

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investments held in the State Treasury. The scope of the review, as determined by the Department of Administration, must include, but not be limited to, all cash and investments held in the State Treasury and the reconciliation and balancing of all such cash and investments with any unreconciled fund managed by the relevant state agencies within the South Carolina Enterprise Information System (SCEIS) to the Statewide Accounting and Reporting System (STARS) and, to the extent possible as determined by the engaged accounting firm, to such external statements and records of financial institutions, investment firms, trustees, or any other third-party holding cash and investments on behalf of the State. In addition to the foregoing, the review must include findings and recommendations for any corrective entries and actions necessary, along with recommendations for procedures and controls to be implemented in the future. A final report from the accounting firm must be submitted by the Department of Administration to the Governor, President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee by December 31, 2024, and an interim report submitted by September 30, 2024. Provided, however, upon written notice on or before December 31, 2024, the Department of Administration may in its sole discretion elect to extend the completion date of the review if necessary. The Office of State Treasurer, the Office of Comptroller General, the Office of State Auditor, and all other agencies of the State, as may be designated by the Department of Administration, must provide their full cooperation, and make available any staff, books, records, statements, and other information, including information from all financial institutions, investment firms, trustees, or any other third-parties holding cash and investments on behalf of the State, at a time that may be required and in a form that may be prescribed by the Department of Administration in effecting the purposes of this provision. The Department of Administration shall report the failure of any agency to cooperate as required to the Governor, President of the Senate, Chairman of the Senate Finance Committee, Speaker of the House of Representatives, and Chairman of the House Ways and Means Committee. The accounting firm engaged pursuant to this provision is authorized to request relevant information directly from any institution, firm, trustee, or third-party holding cash and investments on behalf of the State. Additionally, the State Auditor must provide technical assistance and advice to the Department of Administration in the development of the scope of the review, managing the accounting firm, and assisting in the preparation, review, and presentation of the interim

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and final reports required and shall be prohibited from disclosing, unless authorized by the Department of Administration, any information related to work conducted until such time as the final report is submitted. All working material of the accounting firm and materials created or collected by the Department of Administration and/or the State Auditor and provided to the accounting firm for purposes of this engagement will be exempt from public record request and only the interim and final reports will be available as public record. Procurements by the Department of Administration are exempt from the purchasing procedures of the South Carolina Consolidated Procurement Code in Chapter 35, Title 11.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

Amendment No. 19

Senator HUTTO proposed the following amendment (SA\5100C014.JN.SA24.DOCX), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 93, DEPARTMENT OF ADMINISTRATION, page 484, after line 33, by adding an appropriately numbered new proviso to read:

/ (DOA: Allendale County) The funds remaining of the \$2,500,000 appropriated in Act 239 of 2022, Section 118.19(B)(72)(dd) to the Department of Administration for the Allendale County Law Enforcement Agency Consolidation and Upgrades must be redirected to the Allendale County Sheriff's Office and E-911 for Upgrades. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Amendment No. 22

Senators MARTIN, JACKSON and WILLIAMS proposed the following amendment (SM SCHOOL BOARDS), which was carried over:

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Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by inserting:

/ (PEBA: Lottery, Infrastructure Bank, School Board, and Magistrates Health Insurance)

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 8, by striking / and / and inserting / /

Amend the bill further, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 503, proviso 108.1, line 9, by inserting:

/ South Carolina Transportation Infrastructure Bank Board members, and local district boards of trustees /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

On motion of Senator MARTIN, the amendment was carried over.

Amendment No. 12

Senators MARTIN and CLIMER proposed the following amendment (5100R003.KMM.SRM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 508, after line 16, by adding an appropriately numbered new proviso to read:

/109. (DOR: Liquor Liability Insurance) Section 61-2-145 of the S.C. Code, relating to the requirement that a person licensed or permitted to sell alcoholic beverages for on-premises consumption whose premises remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one million dollars, is suspended./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN explained the amendment.

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Point of Order

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

Senator MARTIN spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

Senator CASH spoke on the amendment.

On motion of Senator CASH, the amendment was carried over.

Amendment No. 2

Senator PEELER proposed the following amendment (AM TUITION MITIGATION), which was adopted (#11):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 567, proviso 117.154, line 15, by striking: / greater than a 2 percent /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator PEELER explained the amendment.

The amendment was adopted.

Amendment No. 15

Senators CAMPSSEN, CROMER, CORBIN and HARPOOTLIAN proposed the following amendment (SA\5100C002.JN.SA24.DOCX), with was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 24, by adding an appropriately numbered new proviso to read:

/ (GP: Data centers) No state entity may use funds to offer incentives to a data center, and no state entity may approve a tariff, rider, or rate proposal for a reduced electric rate, nor any other form of incentive that would result in a reduced electric rate to a data center. For purposes of this proviso, "data center" means any facility that primarily contains electronic equipment used to process, store, and transmit digital information which may be (a) a free-standing structure; or (b) a facility within a larger structure, that uses environmental control equipment to

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maintain the proper conditions for the operation of electronic equipment.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

Point of Order

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

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Amendment No. 29

Senator TEDDER proposed the following amendment (5100 DT HEMP INFUSED SOFT DRINKS.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 577, after line 25, by adding an appropriately numbered new proviso to read:

/ 117. (GP: Hemp-Infused Soft Drinks) No agency receiving state appropriations may promulgate or enforce state regulations or offer guidance for hemp-infused soft drinks that are more stringent than those promulgated or enforced by the federal Secretary of Health and Human Services without express permission from the General Assembly. "Hemp-infused soft drinks" are any nonalcoholic, flavored carbonated beverages, including, but not limited to, soda or soda water, fruit-flavored drinks, nonalcoholic still beverages, seltzer or club soda, containing hemp-derived ingredients. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TEDDER explained the amendment.

On motion of Senator BENNETT, the amendment was carried over.

Amendment No. 7

Senators HEMBREE and MALLOY proposed the following amendment (SA\5100C005.JN.SA24.DOCX), which was adopted (#12):

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Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 274, by striking proviso 1.3 (G), beginning on line 33, and inserting:

/ (G) To provide transparency, Revenue and Fiscal Affairs will document annually, through an online financial dashboard, the expenditure of all state, local, and federal funds by each district and by each charter school authorizer and other relevant data to include its fund balance and average fund balance for the reporting year. The districts shall report monthly, to the Department of Education, their monthly fund balance that will be used to calculate an average. To ensure that the public reporting meets the needs of educators, parents, citizens, and policymakers, the department, in conjunction with Revenue and Fiscal Affairs, will consult routinely with a group of educators, parents, citizens, and policymakers. District expenditures for the prior fiscal year must be published on the department's website for public disclosure by January 1./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 9

Senators TALLEY, SENN and TURNER proposed the following amendment (SA\5100C010.JN.SA24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, beginning on page 292, by striking proviso 1.49, beginning on line 16, and inserting:

/ 1.49. (SDE: Interscholastic Athletic Association Dues) (A) A public school district supported by state funds shall not use any funds or permit any school within the district to use any funds to join, affiliate with, pay dues or fees to, or in any way financially support any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) a range of sanctions that may be applied to a student, coach, team, or program and that takes into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity;

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(2)(a) guarantees that private or charter schools are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. A private or charter school may not be expelled from or have its membership unreasonably withheld by the association, body, or entity or restricted in its ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on its status as a private school or charter school. The association, body, or entity shall set reasonable standards for private or charter school admission. A private or charter school denied membership must be provided, in writing within five business days, the reason or reasons for rejection of its application for membership;

(b) guarantees that a South Carolina home school athletic team that is a member of a home school athletic association may not be denied access to preseason and regular season interscholastic athletics including, but not limited to, jamborees and invitational tournaments, based solely on its status as a home school athletic team; other rules or policies of the association, body, or entity would apply;

(3)(a) an appeals process in which appeals of the association, body, or entity are made to a disinterested third-body appellate panel which consists of seven members who serve four year terms, with one person appointed by the delegation of each congressional district;

(b) a member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel is filled in the manner of the original appointment;

(c) members of the appellate panel do not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Principals and superintendents are able to appeal a ruling of the association, body, or entity to the panel. The appellate panel also must provide the final ruling in any appeal brought against a decision of the association, body, or entity;

(d) an appeal stays the determination of a sanction made by the association, body, or entity, or staff member of such, pending the outcome of the appeal;

(4) a procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices;

(5) a uniform system applicable to all member schools establishing fines for the cancellation of a scheduled game regardless of

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if the game is in or out of region. At a minimum, the school canceling the scheduled game must be fined an amount equal to the cost incurred for officials, tickets, and concessions. If the game is rescheduled or cancelled for a documented health or safety reason the school shall not be fined; and

~~(5)~~(6) provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

(B) In the event an association, body, or entity fails to include one of the items listed in this proviso, public school districts and schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator TALLEY explained the amendment.

On motion of Senator TALLEY, the amendment was carried over.

Amendment No. 6

Senators HEMBREE and SETZLER proposed the following amendment (SA\5100C011.JN.SA24.DOCX), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: School Mapping Data Program) (A) From the funds appropriated to the Department of Education, to facilitate efficient emergency responses in public schools by public safety agencies in this State, the School Mapping Data Program is established as a statewide initiative within the State Department of Education. Subject to funding, the department shall contract with a vendor to provide school mapping data for each public school in the State. The data must be provided to each school district, local law enforcement agency, and public safety agency for use in response to emergencies. For purposes of this proviso,

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emergencies include, but are not limited to, any event in which a law enforcement officer, firefighter, rescue squad, emergency medical service provider, public safety telecommunicator, or any other emergency management provider may respond.

(B) School mapping data must:

(1) be compatible with software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school for which the data is provided without requiring such agencies to purchase additional software or requiring a fee to view or access the data;

(2) be compatible with security software platforms in use by the specific school for which the data is provided without requiring the local law enforcement agencies or school districts to purchase additional software or requiring a fee to view or access the data;

(3) be in a printable format and, if requested, be in a digital file format that may be integrated into interactive mobile platforms in use;

(4) be verified by the entity producing the data for accuracy by a walk-through of school buildings and grounds;

(5) be oriented true north;

(6) include accurate floor plans overlaid on current, verified aerial imagery of the campus, which must be updated by the department as it considers necessary;

(7) contain site-specific labeling that matches the structure of school buildings, including room labels, hallway names, and external door or stairwell numbers and locations of hazards, critical utility locations, key boxes, automated external defibrillators, and trauma kits;

(8) contain site-specific labeling that matches the school grounds, including parking areas, athletic fields, surrounding roads, and neighboring properties;

(9) be overlaid with gridded x and y coordinates; and

(10) be updated and accessible within software platforms used by local, county, state, and federal public safety agencies that provide emergency services to the specific school.

(C) Each school district must be required to pay an annual maintenance fee to update their school map to ensure the school floor plans and aerial imagery are accurate and up-to-date. This fee may not exceed six hundred fifty dollars for each school.

(D) School mapping data is not subject to disclosure under the Freedom of Information Act. For purposes of this proviso, "school mapping data" means information collected pursuant to this proviso in

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an electronic or a digital format and provided to assist first responders in responding to emergencies at school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Amendment No. 24

Senators CLIMER, YOUNG and KIMBRELL proposed the following amendment (DG\5100C004.CC.DG24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

/ (SDE: Interscholastic athletics) (A) No funds appropriated or authorized in this act that are distributed to a school district may be used to deny individual students who attend independent schools in this State the opportunity to try out for and, if selected, participate in an interscholastic athletic program offered at a public school in the district if the:

(1) student resides within the attendance zone boundaries of the public school;

(2) independent school that the student attends is not a member of the South Carolina High School League and the private school's enrollment for grades nine through twelve does not exceed two hundred students;

(3) independent school attended by the student does not offer the particular sport for the student's gender;

(4) particular sport in which the student seeks to participate is offered at the public school located in the attendance zone where the student resides;

(5) student notifies the superintendent of the public school district in writing of his intent to try out in the particular sport as a representative of the public school before the beginning date of the season for the sport in which he wishes to try out;

(6) student pays for all sport-specific fees charged by the public school for an individual student to participate in the particular sport; and

(7) student meets all public school district eligibility requirements with the exception of the:

(a) school district's school or class attendance requirements; and

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(b) class and enrollment requirements of the association administering the interscholastic sports.

(B) Additionally, a public school district may not expend funds to contract with a private entity that supervises interscholastic athletic programs if the private entity prohibits the participation of independent school students in interscholastic athletic programs supervised by the entity.

(C) Eligibility requirements for new students to participate in interscholastic athletics shall be no more restrictive in language or application than the rules or policies of the association, body, or entity that were in effect on January 1, 2020.

(D) A public school may expend funds on students specified in subsection (A) to participate in an interscholastic athletic program.

(E) The provisions of this proviso shall not be construed as imputing any public school academic, athletic, or extracurricular policies or procedures to any private school that a student attends if that student also participates in a public high school league sport pursuant to the terms of this act outside of the requirements related to maintaining a certain grade-point average and grade level for participating in and attending regularly scheduled practices of the sports team.

(F) For purposes of this proviso, 'independent school' means a school:

(1) established by an entity other than the State or a subdivision of the State;

(2) supported primarily by private or nonpublic funds; and

(3) operated by private individuals operating in their private capacity and not by people who are publicly elected or appointed to operate the school. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER explained the amendment.

On motion of Senator CLIMER, the amendment was carried over.

Amendment No. 25

Senators SETZLER and SHEALY proposed the following amendment (AM PALMETTO BOYS GIRLS STATE), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, after line 31, by adding an appropriately numbered new proviso to read:

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/ (SDE: Palmetto Boys/Girls State) Of the funds appropriated to the State Department of Education, or carried forward from the prior fiscal year, the department shall provide \$25,000 to Palmetto Boys State and \$25,000 to Palmetto Girls State. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SETZLER explained the amendment.

The amendment was adopted.

Amendment No. 8

Senators KIMBRELL, GARRETT and RICE proposed the following amendment (AM COUNTY LIBRARIES), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 27, STATE LIBRARY, page 361, proviso 27.1, line 6, by inserting a sentence at the end to read:

/ Prior to receiving any of these funds, county libraries must certify to the State Library that their county libraries do not offer any books or materials that appeal to the prurient interest of children under the age of seventeen in children's, youth, or teen book sections of libraries and are only made available with explicit parental consent. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL explained the amendment.

Point of Order

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

Senator KIMBRELL spoke on the Point of Order.

The PRESIDENT overruled the Point of Order.

The question then was the adoption of the amendment.

Senator DEVINE moved to lay the amendment on the table.

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

Ayes 9; Nays 32

AYES

Allen	Devine	Fanning
Harpootlian	Matthews	McLeod
Sabb	Stephens	Tedder

Total--9

NAYS

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

Total--32

The Senate refused to table the amendment.

Senator DEVINE spoke on the amendment.

The question then was the adoption of the amendment.

The amendment was adopted.

Remarks by Senator DEVINE

Thank you, Mr. PRESIDENT. Ladies and gentlemen of the Senate, I understand what this amendment says. I have small children myself. My youngest is seven years old and I do understand a parent having the ability to look at what their children have access to. But my problem is with a couple of things on this Bill or this amendment. Number one, this amendment is very vague. It talks about how a library must certify to the State Library. But as the Senator who is the proponent of this amendment

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says, there is no process for that. I'm not sure how many of you talk to your library director, but I have and while we've been here, I have been texting my library director asking how do children have access to certain books? We have a nationally recognized library system here in Richland County. People come from all over the country to look at the Richland County Library. They are doing everything right. But sometimes children have access, as the Senator mentioned -- parents drop their children off. You can't always decide what the children get into. If you have a system that you can "certify that you are not providing these materials" -- materials in the library. Who is to say someone puts a book down and a child picks another book up that is not in the children's section? Are we going to hold these libraries accountable and hold up their state money because of this process? If they certify that there is a process and then someone complains, are they going to be penalized saying well you certified to the process but a child still had access.

In addition to that, here in Richland County, and I know that other counties may be different, but children have access -- their library card is their school I.D., so they can go online and have access to books, or they can order them and the books come in. Who is to say -- a Senator asked me earlier when we were talking about this -- what if a seventeen year old comes in and brings a thirteen year old? How are we going to hold a library accountable for those things? I have lots of folks who are babysitters and they go in and they take children to the library. They are not the parent. If the parent is not there, can a babysitter certify to check out a book? If that's not the case, then what if the parent has to send their child in with another parent that might be the noncustodial parent -- there is just too much ambiguity in this.

The other problem I have is when we talk about children under the age of seventeen -- well as many probably have very talented children, my children are all very talented. My daughter, when she was in high school, was taking college credit courses. She graduated high school as did I at the age of seventeen. So are you saying I have an advanced child doing an essay -- asked to do an essay on a book you believe has prurient interest but educational qualities -- that I can't have access to do my report for a college course. So there is just so much in this amendment. If this is something this Body wants to do, you need to do it through a Bill. Putting it in a proviso and holding up money to a government agency -- another government agency, nonprofit like a library, public library, especially world-renowned public libraries like Richland County, I have a problem with it. And so I'm just asking you all, if this is something you want to do, can do it through the regular process? I'm

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asking that we not pass this Bill to hold up any of these funds to our libraries -- that are well-deserved, that need these funds to continue to do excellent programming within our communities as they do -- just because there is a process of certifying that someone may not like or may not believe is amenable. So, I'm asking we not pass this Bill and let's do this through another way if you so desire.

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

Amendment No. 28

Senators SHEALY, GOLDFINCH, GAMBRELL, CAMPSSEN, McELVEEN, GARRETT, HUTTO and MATTHEWS proposed the following amendment (SM ADVERTISING FUNDS), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 49, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 420, after line 5, by adding an appropriately numbered new proviso to read:
/ (PRT: Advertising Funds) In the current fiscal year, the Department of Parks, Recreation, and Tourism is directed to utilize a portion of advertising funds appropriated in this Act in Section II. A. Advertising to promote inland lakes for tourism and fishing, hunting opportunities throughout the state, and public and non-profit owned and administered trail systems in all areas of the state. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

On motion of Senator CAMPSSEN, with unanimous consent, Amendment No. 23 was withdrawn.

Amendment No. 23A

Senator CAMPSSEN proposed the following amendment (SA\5100C018.JN.SA24.DOCX), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

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/ (CMRC: Sustainable Aviation Fuel Production) In Fiscal Year 2024-2025, from the funds appropriated to the Department of Commerce, up to \$250,000 shall be expended to partner with a public research institution located in this State to conduct a study to determine the viability of sustainable aviation fuel production (SAF) in South Carolina. The study must include, but is not limited to:

(1) identification of the leading pathways for supplying SAF at scale and what infrastructure does South Carolina need to put in place to ensure a supply of SAF to both commercial and military facilities;

(2) identification of the sources of raw materials for biofuel within South Carolina;

(3) the economic potential for South Carolina to capture some of the production market for SAF, including the potential to create new jobs;

(4) the range for production costs;

(5) identification of the current processes currently available to produce biofuel;

(6) identification of any state led or federal initiatives and how they may apply to the implementation of a similar, scalable program in South Carolina;

(7) identification of the lifecycle cost of inputs (feedstock, fossil fuel, energy costs of production) for the production of biofuel;

(8) identification of price points for both the producer and end user defined by current and future markets;

(9) identification of the current production capacity and any useable facilities that may be re-purposed or scaled to meet potential demand for biofuel;

(10) identification of air transport industry initiatives for use and demand for biofuel;

(11) identification of what risk reduction measures or financial support mechanisms that are available from the federal government;

(12) identification of any barriers to entry, such as policy or regulatory constraints;

(13) identification of the capability of the fuel handling companies for storage of biofuel and the capacity in the existing transport systems; and

(14) identification of downside risks. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

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The amendment was adopted.

Amendment No. 36

Senator CAMPSSEN proposed the following amendment (SA\5100C019.JN.SA24.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 423, after line 25, by adding an appropriately numbered new proviso to read:

/ (CMRC: Data centers) No funds appropriated to the Department of Commerce shall be used to offer incentives to locate a data center in this State. For purposes of this proviso, "data center" means any facility that primarily contains electronic equipment used to process, store, and transmit digital information which may be (a) a free-standing structure; or (b) a facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN explained the amendment.

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

Motion Adopted

On motion of Senator PEELER, with unanimous consent, H. 5100, the General Appropriations Bill, was read a second time, carrying over all amendments to third reading with all members reserving their rights as to Points of Order.

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

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

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

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SECOND READING BILL

H. 5395 -- Reps. B. Newton, Mitchell, Yow and Neese: A BILL TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO CLARIFY PER DIEM PROVISIONS APPLICABLE TO MEMBERS OF THE BOARD OF DIRECTORS AND TO DELETE THE REQUIREMENT THAT ALL UNENCUMBERED REVENUES FROM THE SYSTEM BE PAID OVER TO THE MUNICIPALITIES SERVED BY THE AUTHORITY AND TO PROVIDE THAT THESE FUNDS MUST BE USED INSTEAD TO EXPAND THE SYSTEM OR TO REDUCE CUSTOMER RATES.

On motion of Senator M. JOHNSON.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator HUTTO, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Miles Loadholt of Barnwell, S.C. Miles earned his juris doctor degree from the University of South Carolina School of Law and practiced law in Barnwell. He worked in numerous capacities for the University of South Carolina over the years and was a member of the Board of Trustees beginning in 1996. Miles was a member of First Baptist Church in Barnwell, the Rotary Club, Sigma Nu Alumni Association and the Ellenton Agricultural Club. He enjoyed boating and spending time with his family. Miles was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 5:38 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

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