

NO. 16

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

WEDNESDAY, FEBRUARY 12, 2025
(STATEWIDE SESSION)

Wednesday, February 12, 2025
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk Jr. as follows:

Our thought for today is from Psalm 150: “Praise for God’s surpassing greatness, Praise the Lord! Praise God in his sanctuary; praise him in his mighty firmament. Praise him according to his surpassing praise. Praise him with trumpet sound; praise him with tambourine and dance; praise him with strings and pipe! Praise him with clanging, let everything that breaths praise the Lord. Praise the Lord!”

Let us pray. For His might of caring for us. Bless our Representatives and Staff as they carry out the work assigned. Bless and keep our defenders of freedom and first responders. Bless and keep our World, Nation, President, State, Governor Speaker, Staff, and all who serve in these Halls of Government. Bless and protect our women and men of our Armed Forces. Remember those with hidden wounds. Lord, in Your mercy, hear our prayers. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER *PRO TEMPORE*.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

MOTION ADOPTED

Rep. BANNISTER moved that when the House adjourns, it adjourn in memory of Paul Goldsmith, which was agreed to.

In Memory of Mr. Paul Stephens Goldsmith

I would like to take a moment to recognize the passing of Paul Stephens Goldsmith, who passed away on January 31, 2025, at the age of 91. Paul's life was a testament to dedication, hard work, and service to others.

A native of Greenville, Paul's early years instilled in him a strong work ethic, beginning as a paperboy. He went on to serve with distinction in the U.S. Air Force, demonstrating resilience and dedication. In his

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professional career, Paul led his family business, WM. Goldsmith Inc., while also contributing significantly to the University of South Carolina, where he served as trustee and chairman, and was an active member of the USC Development Foundation Board. Alongside his wife, Nancy, Paul supported scholarships for both academic and athletic programs at USC. In recognition of his exemplary service, he received the Algernon Sydney Sullivan Award.

Paul's commitment extended to his community, where he served on the YMCA Board and made meaningful contributions to First Baptist Greenville in various leadership capacities. He was a devoted husband, father, and grandfather.

Paul's legacy of service, generosity, and leadership will continue to inspire those who were fortunate enough to know him. Let us now observe a moment of silence in remembrance of his extraordinary life.

Rep. Bruce Bannister

SILENT PRAYER

The House stood in silent prayer for Joy Shannon Pryor.

STATEMENT BY REP. KING

Rep. KING made a statement relative to the contributions and legacy of Henrietta Lacks.

Henrietta Lack

A Black History Month Tribute

Today, I want to address a critical issue that intertwines the realms of history, ethics, and humanity. There are individuals who seek to erase Black history, who resist diversity, and who echo sentiments against inclusion. To these individuals, I offer a profound reminder: the very medicines and treatments that sustain your health are deeply indebted to the contributions of a Black woman, Henrietta Lacks.

Henrietta Lacks' cells, taken without her consent in 1951, have been pivotal in countless medical breakthroughs. Her HeLa cells have been used in the development of the polio vaccine, cancer treatments, and various other medical advancements that save lives every day. Without her invaluable contribution, many of the life-saving treatments we take for granted today would not exist.

If you benefit from modern medicine, you owe a debt of gratitude to Henrietta Lacks. Her legacy is a testament to the immeasurable impact that Black individuals have had on our society, often without receiving the recognition they deserve. To attempt to erase or diminish Black

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history is not only an injustice but also a denial of the very foundations upon which modern medicine stands.

If you harbor disdain for Black people, consider the irony in benefiting from the contributions of a Black woman every time you receive medical treatment. It is a stark reminder that diversity and inclusion are not just moral imperatives; they are the bedrock of progress and innovation. We must honor and acknowledge the contributions of all individuals, regardless of their race or background. To do otherwise is to live in contradiction, benefiting from the very diversity you seek to undermine. Let us move forward with a commitment to inclusivity, recognizing that our collective strength lies in our shared humanity.

To each of us who have had a health challenge, I implore us to say thank you to Henrietta who fits the Diversity Equity bill and not the DEI definition.

Rep. John Richard C. King

STATEMENT BY REP. GRANT

Rep. GRANT made a statement relative to the contributions of Dr. Andrew Hugine Jr.

Dr. Andrew Hugine Jr.

A Black History Month Tribute

This morning, we are highlighting esteemed educator, mentor and visionary, Dr. Andrew Hugine Jr. Born on June 21, 1949, in Green Pond, South Carolina, Dr. Hugine was educated in the Colleton County School District. Upon his graduation, Dr. Hugine attended South Carolina State University where he earned both his bachelor's and master's degrees in mathematics. It was on the campus of South Carolina State that he would meet his bride, Mrs. Abbigail Hamilton Hugine who happens to be a member of Alpha Kappa Alpha Sorority, Incorporated as her sorors are with us today. It was at SC State that Dr. Hugine would be initiated into The Omega Psi Phi Fraternity, Incorporated through the Xi Psi Chapter in the Spring of 1968 and would also serve as the campus advisor to our chapter.

Upon graduating South Carolina State, Dr. Hugine would begin his instructional career as a mathematics teacher at Beaufort High School. This would lead him to pursue and earn a PhD in Higher Education and Institutional Research from Michigan State University.

Dr. Hugine would soon return to the groves and classic halls of SC State and serve in various capacities with this institution. In 2003, Dr.

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Andrew Hugine Jr. was named the 9th President of the University serving in this capacity to 2008.

In 2009, Dr. Hugine would become the 11th President of Alabama A&M University. There he would expand the school to become the largest HBCU in the state of Alabama boosting enrollment to over 10,000 students. Dr. Hugine retired from his educational career in 2021 and has spent his much-deserved retirement time traveling the world with his family and enjoy precious moments with his grandchildren.

Rep. Hamilton R. Grant

CONFIRMATION OF APPOINTMENT

The following was received:

State of South Carolina
Office of the Governor

Columbia, S.C., February 10, 2025

Mr. Speaker:

I am hereby transmitting my appointment of J. Camden West, Esquire to serve as Berkeley County Master-in-Equity. In accordance with sections 2-19-110 and 14-11-20 of the South Carolina Code of Laws, the Judicial Merit Selection Commission has found Mr. West qualified and the Berkeley County Legislative Delegation has submitted his name as a candidate for appointment. Pursuant to the aforementioned statutory provisions, this appointment is made with the advice and consent of the General Assembly and is therefore submitted for your consideration.

LOCAL APPOINTMENT

Berkeley County Master-in-Equity

Term Commencing: November 7, 2020

Term Expiring: November 7, 2026

Type: Initial Appointment

Vice: Hon. Dale Van Slambrook (resigned/elevated)

J. Camden West, Esquire

208 McCants Drive

Moncks Corner, South Carolina 29461

Yours very truly,

Henry McMaster

Governor

[HJ]

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The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

Bailey	Bannister	Bauer
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Chapman
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz
Herbkersman	Hewitt	Hixon
Holman	Hosey	Huff
J. E. Johnson	Jones	Jordan
Kilmartin	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCrary
McGinnis	Mitchell	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rivers	Robbins
Sanders	Schuessler	Sessions
Spann-Wilder	Stavrinakis	Teeple
Terribile	Vaughan	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

Total--92

Those who voted in the negative are:

Total--0

[HJ]

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The appointment was confirmed and a message was ordered sent to the Senate accordingly.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote to confirm J. Camden West to the Berkeley County Master-in-Equity. If I had been present, I would have voted to confirm the appointment.

Rep. M.M. Smith

REPORTS OF STANDING COMMITTEES

Rep. HIXON, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3813 -- Rep. Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-11-430, RELATING TO BEAR HUNTING, SO AS TO REMOVE REFERENCES TO A REGISTERED PARTY DOG HUNT IN GAME ZONE 1.

Ordered for consideration tomorrow.

Rep. HIXON, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3814 -- Rep. Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SURFACE WATER STUDY COMMITTEE MAY STUDY THE CURRENT STATE OF GROUNDWATER IN THIS STATE AND TO POSTPONE THE DUE DATE OF THE COMMITTEE'S REPORT.

Ordered for consideration tomorrow.

Rep. PEDALINO, from the Clarendon Delegation, submitted a favorable report on:

S. 282 -- Senator Zell: A BILL TO PROVIDE THAT THE MEMBERS OF THE CLARENDON COUNTY AERONAUTICS COMMISSION SHALL BE APPOINTED BY THE GOVERNOR UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

Ordered for consideration tomorrow.

[HJ]

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Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3430 -- Reps. B. Newton, Murphy, Caskey, Mitchell, Pope, W. Newton, Bannister, Sessions, Jordan, Robbins, Collins, Martin, Lawson, Wickensimer, Landing, Long, Hiott, Forrest, Sanders, Teeple, Oremus, Hartz, Guest, Pedalino, M. M. Smith, Schuessler, Chapman, Gatch, McGinnis, Neese, Hardee, Ligon, Taylor, Willis, Vaughan, Brittain, Erickson, Bradley, Rankin, Hager, Whitmire, Gilliam, Crawford, Hewitt, Yow and Hixon: 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.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report on:

H. 3798 -- Reps. Murphy, G. M. Smith, Brewer, T. Moore, Guest, Hager, Yow, Mitchell, W. Newton, Lawson, Stavrinakis, Govan, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 25-1-180 SO AS TO PROVIDE CERTAIN CRITERIA FOR MILITARY CHAPLAINS, AND TO PROVIDE THAT MILITARY CHAPLAINS HAVE THE PRIVILEGE TO REFUSE TO DISCLOSE CERTAIN CONFIDENTIAL COMMUNICATIONS.

Ordered for consideration tomorrow.

Rep. W. NEWTON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3472 -- Reps. McCabe, W. Newton, Pedalino, Hixon, Gibson, Gagnon, Calhoon, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 62-3-1201, RELATING TO COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT, SO AS TO INCREASE THE LIMIT OF

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AN ESTATE TO FIFTY THOUSAND DOLLARS; BY AMENDING SECTION 62-3-1203, RELATING TO SMALL ESTATES AND SUMMARY ADMINISTRATIVE PROCEDURE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS; AND BY AMENDING SECTION 62-3-1204, RELATING TO SMALL ESTATES AND CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE, SO AS TO INCREASE THE LIMIT OF AN ESTATE TO FIFTY THOUSAND DOLLARS.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3222 -- Reps. Bailey and Chapman: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-9-145, RELATING TO LITTER CONTROL OFFICERS, SO AS TO REVISE THE MEANS FOR DETERMINING THE LIMIT ON THE NUMBER OF LITTER CONTROL OFFICERS THAT A COUNTY MAY APPOINT AND COMMISSION, AND TO CORRECT AN INCORRECT REFERENCE.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3254 -- Reps. W. Newton, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-32, RELATING TO SPECIAL EXAMINATIONS AND RELATED CRITERIA REQUIRED OF APPLICANTS FOR PERMANENT MEDICAL LICENSURE BY THE BOARD OF MEDICAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY WAIVE CERTAIN EXAMINATION REQUIREMENTS FOR APPLICANTS FOUND TO POSSESS THE GENERAL MEDICAL KNOWLEDGE REQUIRED TO COMPETENTLY PRACTICE MEDICINE.

Ordered for consideration tomorrow.

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Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3510 -- Reps. Gilliam, Davis, M. M. Smith, Vaughan, Chapman, Kirby, Landing and Bustos: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-40, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY OF THE SOUTH CAROLINA DEPARTMENT OF VETERANS' AFFAIRS SHALL APPOINT ONE COUNTY VETERANS' AFFAIRS OFFICER FOR EACH COUNTY IN THE STATE AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL APPROPRIATE THE NECESSARY FUNDS FOR TWO FULL-TIME EMPLOYEES IN EACH COUNTY VETERANS' AFFAIRS OFFICE.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3563 -- Reps. Davis, B. J. Cox, Spann-Wilder, McCravy, Taylor, Chapman and Kirby: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-50, RELATING TO COUNTY VETERANS' AFFAIRS OFFICERS, SO AS TO PROVIDE THAT THE SECRETARY SHALL EVALUATE EACH COUNTY VETERANS' AFFAIRS OFFICE NO LESS THAN ONCE PER YEAR.

Ordered for consideration tomorrow.

Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3564 -- Reps. Davis, B. J. Cox and Taylor: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 25-11-100, RELATING TO SOUTH CAROLINA MILITARY BASE TASK FORCE, SO AS TO RENAME THE TASK FORCE THE SOUTH CAROLINA MILITARY AFFAIRS ADVISORY COUNCIL, TO ADD AIKEN AS A MILITARY COUNTY, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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Rep. DAVIS, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3022 -- Reps. M. M. Smith, Guest, Kirby and W. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 43-21-130, RELATING TO THE LONG-TERM CARE COUNCIL, SO AS TO CORRECT REFERENCES TO CERTAIN AGENCIES WITH MEMBERSHIP ON THE COUNCIL; BY AMENDING SECTION 43-21-140, RELATING TO THE PURPOSE AND DUTIES OF COUNCIL, SO AS TO PROVIDE FOR THE SHARING OF DATA WITH MEMBER AGENCIES; AND FOR OTHER PURPOSES.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3959 -- Reps. Garvin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR THE LIFE AND ACHIEVEMENTS OF PROMINENT AFRICAN AMERICAN EDUCATOR M. LANELLE KOHN OF COLUMBIA.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 3960 -- Reps. Bowers, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE PICKENS COUNTY CAREER & TECHNOLOGY CENTER AS ONE OF THE LEADING CAREER AND TECHNICAL EDUCATION CENTERS IN THE SOUTHEAST, AND FOR BEING RANKED NUMBER ONE IN SOUTH CAROLINA FOR WORK-BASED LEARNING EXPERIENCES.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3961 -- Reps. Holman, Robbins, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Huff,

[HJ]

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J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE TOWN OF RIDGEVILLE AT THE CELEBRATION OF ITS ONE HUNDRED FIFTIETH ANNIVERSARY AND TO HONOR THE TOWN FOR ITS RICH HISTORY AND GROWTH.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3962 -- Reps. Howard, Bernstein, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CELEBRATE THE CARDINAL NEWMAN SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2025 SOUTH

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CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 4A
STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3963 -- Reps. Terribile, Martin, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE FORT MILL HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2025 SOUTH CAROLINA CLASS AAAAA STATE CHAMPIONSHIP TITLE, THEIR THIRD STRAIGHT TITLE WIN.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3964 -- Reps. Clyburn, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford,

[HJ]

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Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE MS. RHUEBELL HEATLEY JONES OF ST. MATTHEWS ON THE OCCASION OF HER 100TH BIRTHDAY AND COMMEMORATE HER SPECIAL DAY WITH HEARTFELT APPRECIATION FOR HER LIFE, HER LEGACY, AND HER ENDURING IMPACT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3965 -- Reps. Govan, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A HOUSE

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RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MAE BLACKWELL GLOVER OF ORANGEBURG, TO CELEBRATE HER LIFE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3972 -- Reps. Hosey, Govan and Clyburn: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 389 IN ORANGEBURG COUNTY FROM THE TOWN OF NEESES TO THE ORANGEBURG/AIKEN COUNTY LINE "BENJAMIN F. CORBETT MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

INTRODUCTION OF BILLS

The following Bills were introduced, read the first time, and referred to appropriate committees:

H. 3966 -- Reps. Davis and Sessions: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 38-61-90 SO AS TO ESTABLISH THAT A DIRECT PRIMARY CARE AGREEMENT IS NOT A CONTRACT OF INSURANCE AND TO DEFINE TERMS.

Referred to Committee on Labor, Commerce and Industry

H. 3967 -- Reps. Haddon, Ligon, Brewer, Bannister, Forrest, Herbkersman and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 48-23-185 SO AS TO DEFINE "BIOMASS" AND OTHER RELEVANT TERMS; TO REQUIRE THAT ENERGY PRODUCED FROM CERTAIN SOURCES BE CONSIDERED CARBON NEUTRAL AND FROM

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OTHER SOURCES CARBON NEGATIVE; AND FOR OTHER PURPOSES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3968 -- Reps. Landing, Taylor, Teeple, Hartnett, Bustos, M. M. Smith, J. L. Johnson, Hager, McCravy, McGinnis, Wickensimer, Luck, Hixon, Gilliam, Wooten, Sessions, Robbins, Dillard, Jones and Vaughan: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 29 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE FOR DEFINITIONS AND TO REQUIRE THE SC EMERGENCY MANAGEMENT DIVISION TO ADD DETAILED PLANS REGARDING HARDENING ALL CRITICAL INFRASTRUCTURE AGAINST ELECTROMAGNETIC PULSES OR GEOMAGNETIC DISTURBANCES, TO REQUIRE ELECTRICAL UTILITY DISTRIBUTORS IN THIS STATE TO OFFER PROGRAMS TO RESIDENTIAL CUSTOMERS WHO CHOOSE TO RECEIVE ELECTROMAGNETIC PULSE/GEOMAGNETIC DISTURBANCE PROTECTION FROM THE UTILITY AND PROVIDE FOR PAYMENT PLANS THROUGH THE CUSTOMERS' MONTHLY BILLS, AND TO PROVIDE FOR GRANTS; AND TO ESTABLISH THAT THE GENERAL ASSEMBLY SHALL MAKE CERTAIN APPROPRIATIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3969 -- Reps. Rutherford, Ballentine, Bauer, Bernstein, Garvin, Grant, Hart, Howard, J. L. Johnson, McDaniel, Reese and Rose: A BILL TO PROVIDE FOR THE OPERATION OF PERSONAL DELIVERY DEVICES IN RICHLAND COUNTY.

Referred to Richland Delegation

H. 3970 -- Reps. Jones, King, J. L. Johnson, Cobb-Hunter, Rivers, Gilliard, Howard, Clyburn, Hosey, Spann-Wilder, Dillard, Bauer and Reese: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "UNIVERSITY HOUSING DEVELOPMENT AND INCENTIVE ACT" BY ADDING SECTION 59-103-163 SO AS TO ENCOURAGE THE CONSTRUCTION OF AFFORDABLE HOUSING FOR PUBLIC UNIVERSITIES IN SOUTH CAROLINA BY PROVIDING FINANCIAL INCENTIVES AND ESTABLISHING A TRANSPARENT APPROVAL PROCESS.

Referred to Committee on Ways and Means

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H. 3971 -- Reps. Ligon, Haddon, Martin and Terribile: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 17 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT ANY ESTABLISHMENT THAT HOLDS A RETAIL LICENSE TO DO BUSINESS IN THIS STATE MUST ACCEPT CASH PAYMENTS FOR TRANSACTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3973 -- Rep. Bannister: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES' DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD.

Referred to Greenville Delegation

H. 3974 -- Reps. Calhoon, Bernstein and Erickson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 5 TO CHAPTER 10, TITLE 59 SO AS TO AUTHORIZE EVALUATORS TO EVALUATE PUBLIC SCHOOL STUDENTS FOR HEALTH, BEHAVIORAL HEALTH, OR THERAPEUTIC NEEDS, TO AUTHORIZE PRIVATE PROVIDERS TO PROVIDE RELATED SERVICES AT SCHOOLS DURING THE SCHOOL DAY, TO SPECIFY THESE EVALUATIONS AND SERVICES ONLY MAY OCCUR UPON REQUEST OF THE PARENT OR GUARDIAN OF THE STUDENT, TO PROVIDE SCHOOL DISTRICTS MAY NOT PROHIBIT SUCH EVALUATIONS OR SERVICES IN SCHOOLS DURING THE SCHOOL DAY, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL ADOPT A RELATED MODEL POLICY, TO PROVIDE REQUIREMENTS FOR THE MODEL POLICY, TO PROVIDE SCHOOL DISTRICTS SHALL ADOPT RELATED POLICIES, AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Education and Public Works

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**S. 332--INTRODUCED, AMENDED AND ADOPTED, AND
RETURNED TO SENATE WITH AMENDMENT**

The following was introduced:

S. 332 -- Senators Alexander and Young: A CONCURRENT RESOLUTION TO WELCOME THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JAMES A. LACOURSIERE, AND TO INVITE HIM TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON WEDNESDAY, MARCH 5, 2025.

Rep. W. NEWTON proposed the following Amendment No. 1 to S. 332 (LC-332.AHB0002H), which was adopted:

Amend the concurrent resolution, as and if amended, by striking all after the whereas clauses to read:

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the South Carolina General Assembly, by this resolution, welcome the National Commander of the American Legion, the Honorable James A. LaCoursiere, and invite him to address the General Assembly in Joint Session in the Hall of the South Carolina House of Representatives at 12:00 p.m. on Wednesday, March 5, 2025.

Be it further resolved that the members of the South Carolina General Assembly welcome the Chief Justice of the South Carolina Supreme Court, the Honorable John W. Kittredge, and invite him to address the General Assembly in Joint Session on the State of the Judiciary in the Hall of the House of Representatives following the address of the National Commander of the American Legion on Wednesday, March 5, 2025.

Be it further resolved that a copy of this resolution be forwarded to the Honorable James A. LaCoursiere and the Honorable John W. Kittredge.

Re-number sections to conform.

Amend title to conform.

Rep. W. NEWTON explained the amendment.

The amendment was then adopted.

The Concurrent Resolution, as amended, was adopted and ordered returned to the Senate with amendment.

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ROLL CALL

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hart	Hartnett
Hartz	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hixon
Holman	Hosey	Howard
Huff	J. E. Johnson	J. L. Johnson
Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teepie
Terribile	Vaughan	Weeks
Wetmore	White	Whitmire

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Wickensimer
Wooten

Williams
Yow

Willis

Total Present--113

STATEMENT OF ATTENDANCE

Rep. CRAWFORD signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Tuesday, February 11.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. CHUMLEY a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. MCCABE a leave of absence for the day due to family medical reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. BEACH a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. HARDEE a leave of absence for the day due to family medical reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. B. J. COX a leave of absence for the day due to business reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. HAYES a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. CASKEY a leave of absence for the day due to the birth of his child.

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LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. MONTGOMERY a temporary leave of absence.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. WILLIS a temporary leave of absence.

DOCTOR OF THE DAY

Announcement was made that Dr. Marilyn Malia of Columbia was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. BURNS presented to the House the Blue Ridge High School JROTC "Flying Tigers" 20023 Unit National Champions.

SPECIAL PRESENTATION

Rep. LANDING presented to the House the Lucy Beckham High School "Bengals" 5-A Division 2 Boys Volleyball State Champions.

SPECIAL PRESENTATION

Rep. HIOTT presented to the House the Pickens High School "Lady Blue Flames" 4-A Girls Volleyball State Champions.

CO-SPONSORS ADDED AND REMOVED

In accordance with House Rule 5.2 below:

“5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.”

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CO-SPONSOR(S) ADDED

Bill Number: H. 3007
Date: ADD:
02/12/25 YOW and LIGON

CO-SPONSOR(S) ADDED

Bill Number: H. 3008
Date: ADD:
02/12/25 YOW and LIGON

CO-SPONSOR(S) ADDED

Bill Number: H. 3020
Date: ADD:
02/12/25 KING and WEEKS

CO-SPONSOR(S) ADDED

Bill Number: H. 3028
Date: ADD:
02/12/25 WETMORE

CO-SPONSOR(S) ADDED

Bill Number: H. 3031
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3033
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3034
Date: ADD:
02/12/25 MOSS, LAWSON, KIRBY, LIGON, BAILEY,
FORREST, GILLIAM, WILLIS, ERICKSON,
SCHUESSLER, VAUGHAN, BRADLEY, HAGER,
WHITMIRE, ROBBINS, T. MOORE, BREWER and
GUFFEY

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CO-SPONSOR(S) ADDED

Bill Number: H. 3039
Date: ADD:
02/12/25 KIRBY, ALEXANDER, REESE, WILLIAMS,
CLYBURN, HOSEY, RIVERS, HENDERSON-
MYERS, J. L. JOHNSON, MCDANIEL, KING and
J. MOORE

CO-SPONSOR(S) ADDED

Bill Number: H. 3044
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3085
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3095
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3116
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3119
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3124
Date: ADD:
02/12/25 EDGERTON

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CO-SPONSOR(S) ADDED

Bill Number: H. 3125
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3157
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3171
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3174
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3176
Date: ADD:
02/12/25 BOWERS

CO-SPONSOR(S) ADDED

Bill Number: H. 3182
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3195
Date: ADD:
02/12/25 LIGON, WEEKS, OREMUS, HARTZ, WILLIAMS
and LUCK

WEDNESDAY, FEBRUARY 12, 2025

CO-SPONSOR(S) ADDED

Bill Number: H. 3196
Date: ADD:
02/12/25 LAWSON, YOW, EDGERTON, CROMER, REESE,
GILLIARD, ALEXANDER, RIVERS, OREMUS,
HART and ANDERSON

CO-SPONSOR(S) ADDED

Bill Number: H. 3200
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3215
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3216
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3220
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3245
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3247
Date: ADD:
02/12/25 HIXON, YOW, MITCHELL and LIGON

WEDNESDAY, FEBRUARY 12, 2025

CO-SPONSOR(S) ADDED

Bill Number: H. 3253
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3260
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3281
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3283
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3299
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3304
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3308
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3309
Date: ADD:
02/12/25 ANDERSON, WEEKS, WILLIS, GOVAN and
WILLIAMS

WEDNESDAY, FEBRUARY 12, 2025

CO-SPONSOR(S) ADDED

Bill Number: H. 3310
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3311
Date: ADD:
02/12/25 EDGERTON

CO-SPONSOR(S) ADDED

Bill Number: H. 3432
Date: ADD:
02/12/25 YOW and T. MOORE

CO-SPONSOR(S) ADDED

Bill Number: H. 3472
Date: ADD:
02/12/25 MITCHELL and YOW

CO-SPONSOR(S) ADDED

Bill Number: H. 3502
Date: ADD:
02/12/25 HIXON and KING

CO-SPONSOR(S) ADDED

Bill Number: H. 3511
Date: ADD:
02/12/25 GARVIN, GRANT, BERNSTEIN, BAUER, KING,
HENDERSON-MYERS, CLYBURN, LUCK,
WILLIAMS, HOSEY and SPANN-WILDER

CO-SPONSOR(S) ADDED

Bill Number: H. 3523
Date: ADD:
02/12/25 YOW, WEEKS, ERICKSON, BRADLEY, HAGER
and WHITMIRE

WEDNESDAY, FEBRUARY 12, 2025

CO-SPONSOR(S) ADDED

Bill Number: H. 3529
Date: ADD:
02/12/25 WEEKS

CO-SPONSOR(S) ADDED

Bill Number: H. 3535
Date: ADD:
02/12/25 CALHOON

CO-SPONSOR(S) ADDED

Bill Number: H. 3537
Date: ADD:
02/12/25 FRANK

CO-SPONSOR(S) ADDED

Bill Number: H. 3558
Date: ADD:
02/12/25 YOW and OREMUS

CO-SPONSOR(S) ADDED

Bill Number: H. 3570
Date: ADD:
02/12/25 CALHOON

CO-SPONSOR(S) ADDED

Bill Number: H. 3591
Date: ADD:
02/12/25 CALHOON

CO-SPONSOR(S) ADDED

Bill Number: H. 3748
Date: ADD:
02/12/25 ROBBINS

CO-SPONSOR(S) ADDED

Bill Number: H. 3752
Date: ADD:
02/12/25 POPE and MITCHELL

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CO-SPONSOR(S) ADDED

Bill Number: H. 3848
Date: ADD:
02/12/25 GUFFEY

CO-SPONSOR(S) ADDED

Bill Number: H. 3852
Date: ADD:
02/12/25 POPE

CO-SPONSOR(S) ADDED

Bill Number: H. 3926
Date: ADD:
02/12/25 POPE

CO-SPONSOR(S) ADDED

Bill Number: H. 3968
Date: ADD:
02/12/25 GILLIAM, WOOTEN, SESSIONS, ROBBINS,
DILLARD, JONES and VAUGHAN

CO-SPONSOR(S) REMOVED

Bill Number: H. 3652
Date: REMOVE:
02/12/25 W. NEWTON

H. 3570--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3570 -- Reps. Bannister, Spann-Wilder, W. Newton, Mitchell, Bowers and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 8-13-100, RELATING TO DEFINITIONS, SO AS TO AMEND "PUBLIC MEMBER" TO INCLUDE A PERSON NOMINATED AND APPOINTED TO A NONCOMPENSATED PART-TIME POSITION ON A BOARD, COMMISSION, OR COUNCIL; BY ADDING SECTION 8-13-1100 SO AS TO OUTLINE RESPONSIBILITIES FOR DISCLOSING ECONOMIC INTERESTS; BY AMENDING SECTION 8-13-1110, RELATING TO STATEMENTS OF ECONOMIC INTERESTS, SO AS TO ADDRESS AGENCY REQUIREMENTS FOR FILING

[HJ]

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DISCLOSURE FORMS; BY AMENDING SECTION 8-13-1170, SO AS TO PROVIDE THAT A PUBLIC MEMBER WHO FILES THE INITIAL STATEMENT OF ECONOMIC INTERESTS WITHIN TEN DAYS AFTER NOTICE FROM THE STATE ETHICS COMMISSION SHALL NOT BE IN VIOLATION OF CHAPTER 13, TITLE 8; AND BY AMENDING SECTION 8-13-1356, RELATING TO FILING DEADLINES FOR ECONOMIC INTERESTS STATEMENTS, SO AS TO PROVIDE WHEN CERTAIN CANDIDATES FOR ELECTIVE OFFICE MUST FILE A STATEMENT OF ECONOMIC INTERESTS.

Reps. JORDAN and WETMORE proposed the following Amendment No. 1 3570 (LC-3570.HA0001H), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 8-13-1110(A) and inserting:

(A) No public official, regardless of compensation, and no public member or public employee as designated in subsection (B) may take the oath of office or enter upon his official responsibilities unless he has filed a statement of economic interests in accordance with the provisions of this chapter with the appropriate supervisory office. ~~Persons~~Such a person nominated to a noncompensated part-time position on a state board, commission, or council shall file a confidential statement, made public only upon their appointment. If a public official, public member, or public employee referred to in this section has no economic interests to disclose, he shall nevertheless file a statement of inactivity to that effect with the appropriate supervisory office. All disclosure statements are matters of public record open to inspection upon request.

Renumber sections to conform.

Amend title to conform.

Rep. JORDAN explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers

[HJ]

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Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hixon
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McGinnis	Mitchell
T. Moore	Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Rivers	Robbins	Rose
Rutherford	Schuessler	Sessions
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Terrible	Vaughan
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--102

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

[HJ]

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STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3570. If I had been present, I would have voted in favor of the Bill.

Rep. Annie E. McDaniel

H. 3558--DEBATE ADJOURNED

The following Bill was taken up:

H. 3558 -- Reps. Taylor, Pope, Hewitt, B. Newton, Mitchell, Yow and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 23 OF CHAPTER 1, TITLE 1, RELATING TO CALLS OR APPLICATIONS FOR CONSTITUTIONAL AMENDING CONVENTIONS MADE TO CONGRESS, SO AS TO RETITLE THE ARTICLE, AND TO ADD NEW SECTIONS TO DEFINE NECESSARY TERMS AND PROVIDE FOR THE QUALIFICATIONS, APPOINTMENT, OATH, AND DUTIES OF COMMISSIONERS APPOINTED TO REPRESENT THE STATE AT AN ARTICLE V CONVENTION, AMONG OTHER THINGS.

Rep. B. NEWTON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

H. 3529--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3529 -- Reps. W. Newton, Bannister, Caskey, Wooten, Spann-Wilder, Calhoon, Ballentine, Robbins, Mitchell and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 63-3-40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO INCREASE BY ONE THE NUMBER OF FAMILY COURT JUDGES IN THE NINTH, ELEVENTH, AND FOURTEENTH CIRCUITS.

Rep. JORDAN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bannister	Bauer
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Chapman
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Gilreath	Govan
Grant	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hixon
Holman	Hosey	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCrary	McDaniel
McGinnis	Mitchell	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Rivers
Robbins	Rutherford	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terribile
Vaughan	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--106

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Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

H. 3020--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3020 -- Reps. Rutherford, Mitchell, Pedalino, Taylor, Grant, Atkinson, King and Weeks: 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.

Rep. BERNSTEIN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Burns
Bustos	Calhoon	Chapman
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Gilreath	Govan
Grant	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hixon
Holman	Hosey	Huff
J. L. Johnson	Jones	Jordan

[HJ]

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King	Kirby	Landing
Lawson	Ligon	Long
Lowe	Luck	Magnuson
Martin	May	McCrary
McDaniel	McGinnis	Mitchell
T. Moore	Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

H. 3432--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3432 -- Reps. W. Newton, Mitchell, Yow and T. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-6-20, RELATING TO NONVESTED PROPERTY INTEREST OR POWER OF APPOINTMENT, SO AS TO INCREASE THE TIME AN INTEREST CAN VEST FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 27-6-40, RELATING TO REFORMATION OF PROPERTY DISPOSITIONS, SO AS TO INCREASE THE TIME LIMIT FROM NINETY YEARS TO THREE HUNDRED SIXTY YEARS; BY AMENDING SECTION 27-6-60, RELATING TO THE EFFECT OF TIMING OF CREATION OF PROPERTY INTEREST, SO AS TO UPDATE CERTAIN DATES; BY AMENDING SECTION 62-7-504,

[HJ]

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RELATING TO DISCRETIONARY TRUSTS, SO AS TO PROVIDE CERTAIN SITUATIONS IN WHICH A BENEFICIARY OF A TRUST MAY NOT BE CONSIDERED A SETTLOR; BY AMENDING SECTION 62-7-505, RELATING TO CREDITORS' CLAIMS AGAINST A SETTLOR, SO AS TO PROVIDE THAT CERTAIN AMOUNTS PAID TO TAXING AUTHORITIES MAY NOT BE CONSIDERED AN AMOUNT THAT MAY BE DISTRIBUTED FOR THE SETTLOR'S BENEFIT; AND BY ADDING SECTION 62-7-508 SO AS TO PROVIDE FOR CERTAIN GRANTOR TRUST REIMBURSEMENTS.

The Committee on Judiciary proposed the following Amendment No. 1 to 3432 (LC-3432.SA0001H), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3.

Amend the bill further, SECTION 4, by striking Section 62-7-504(g) and inserting:

(g) With respect to an irrevocable trust, whether created on, before, or after ~~June~~ January 1, 2025, a beneficiary of a trust may not be considered to be a settlor, to have made a voluntary or involuntary transfer of the beneficiary's interest in the trust, or to have the power to make a voluntary or involuntary transfer of the beneficiary's interest in the trust merely because the beneficiary, in any capacity, holds or exercises a testamentary power of appointment.

Amend the bill further, SECTION 5, by striking Section 62-7-505(a)(2) and inserting:

(2) With respect to an irrevocable trust, whether created on, before, or after ~~June~~ January 1, 2025:

(A) except as otherwise provided in this section, a creditor or assignee of the settlor may reach the maximum amount that can be distributed to or for the settlor's benefit. If a trust has more than one settlor, the amount the creditor or assignee of a particular settlor may reach may not exceed the settlor's interest in the portion of the trust attributable to that settlor's contribution; and

(B) notwithstanding subitem (A), the trustee's discretionary authority to pay directly to the taxing authorities or to reimburse the settlor for any tax on trust income or trust principal that is payable by the settlor under the law imposing the tax may not be considered to be an amount that can be distributed to or for the settlor's benefit.

Amend the bill further, SECTION 5, by striking Section 62-7-505(b)(3) and inserting:

(3) that portion of a trust, whether created on, before, or after ~~June~~

WEDNESDAY, FEBRUARY 12, 2025

January 1, 2025, that can be distributed to or for the settlor's benefit solely because the settlor's interest in the trust was created by the settlor's spouse or by any third party, whether through the exercise of a power of appointment or otherwise is considered to have been contributed to the trust by the person exercising the power of appointment or otherwise creating the interest and not by the settlor.

Amend the bill further, SECTION 6, by striking Section 62-7-508(B) and inserting:

(B) This section applies to all trusts that are governed by the laws of this State or that have a principal place of administration within this State, whether created on, before, or after ~~June~~ January 1, 2025, unless:

(1) the trust contains a provision prohibiting the trustee from reimbursing the grantor or paying taxes on behalf of the grantor;

(2) the trustee provides written notification that the trustee intends to irrevocably elect out of the application of this section at least ninety days before the effective date of such election which notice period may be waived by the persons to whom notice is required to the person treated as the owner of all or a portion of the trust under Section 671 of the Internal Revenue Code or any similar federal, state, or other tax law and to all persons who have the ability to remove and replace the trustee; or

(3) applying this section would prevent a contribution to the trust from qualifying for, or would reduce, a federal tax benefit, including a federal tax exclusion or deduction, which was originally claimed or could have been claimed for the contribution, including:

(a) an exclusion under Sections 2503(b) or 2503(c) of the Internal Revenue Code;

(b) a marital deduction under Sections 2056, 2056A, or 2523 of the Internal Revenue Code;

(c) a charitable deduction under Sections 170(a), 642(c), 2055(a), or 2522(a) of the Internal Revenue Code; or

(d) direct skip treatment under Section 2642(c) of the Internal Revenue Code.

Re-number sections to conform.

Amend title to conform.

Rep. BERNSTEIN explained the amendment.

The amendment was then adopted.

The question recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Bailey
Bamberg	Bannister	Bauer
Bernstein	Bowers	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Chapman
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Gilreath	Govan
Grant	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hixon
Holman	Hosey	Huff
J. E. Johnson	J. L. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Ligon	Long	Lowe
Magnuson	Martin	May
McCrary	McDaniel	McGinnis
Mitchell	T. Moore	Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Oremus
Pace	Pedalino	Pope
Rankin	Reese	Rivers
Robbins	Rose	Rutherford
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teepie
Terribile	Vaughan	Weeks
Wetmore	White	Whitmire

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Wickensimer
Wooten

Williams
Yow

Willis

Total--107

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

ABSTENTION FROM VOTING

February 11, 2025

The Honorable Murrell Smith, Jr.

506 Blatt Building

Columbia, SC 29201

Dear Speaker Smith,

I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3432 relating to nonvested property interest or power of appointment, which would increase the time an interest can vest from ninety years to three hundred sixty years; relating to reformation of property dispositions, so as to increase the time limit from ninety years to three hundred sixty years; relating to the effect of timing of creation of property interest, so as to update certain dates; relating to discretionary trusts so as to provide certain situations in which a beneficiary of a trust may not be considered a settlor; relating to creditors' claims against a settlor, so as to provide that certain amounts paid to taxing authorities may not be considered an amount that may be distributed for the settlors' benefit; and so as to provide for certain grantor trust reimbursements. I will not participate out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and an immediate family member may be affected. Please note this in the House Journal.

Sincerely,

Representative Jason Luck

House District Number 54

[HJ]

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H. 3502--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3502 -- Reps. Bannister, Rutherford, Caskey, Erickson, Weeks, Davis, Mitchell, Spann-Wilder, Pedalino, Hixon and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-10 AND 63-7-1620, RELATING TO PRINCIPLES OF THE CHILD WELFARE SYSTEM AND LEGAL REPRESENTATION OF THE DEPARTMENT OF SOCIAL SERVICES IN CHILD ABUSE AND NEGLECT PROCEEDINGS, RESPECTIVELY, SO AS TO CLARIFY THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT MUST ENSURE THAT CHILD WELFARE AND SAFETY ARE THE PREDOMINANT BASIS OF ANY RECOMMENDATIONS AND DECISIONS AND THAT LEGAL REPRESENTATIVES OF THE DEPARTMENT HAVE THE SOLE DISCRETION OVER DECISIONS PERTAINING TO CHILD WELFARE PROCEEDINGS.

Rep. BERNSTEIN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Forrest
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Gilreath	Govan
Grant	Guest	Haddon
Hager	Harris	Hartnett
Hartz	Henderson-Myers	Herbkersman
Hewitt	Hixon	Holman
Hosey	Huff	J. E. Johnson

[HJ]

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J. L. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler
Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Weeks	Wetmore	White
Whitmire	Wickensimer	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:
Williams

Total--1

So, the Bill was read the second time and ordered to third reading.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3502. If I had been present, I would have voted in favor of the Bill.

Rep. Brandon Guffey

H. 3523--DEBATE ADJOURNED

The following Bill was taken up:

H. 3523 -- Reps. J. E. Johnson, W. Newton, Robbins, Mitchell, Pedalino, Taylor, Long, Bailey, Calhoon, Yow, Weeks, Erickson, Bradley, Hager and Whitmire: A BILL TO AMEND THE SOUTH

[HJ]

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CAROLINA CODE OF LAWS BY AMENDING SECTION 16-13-135, RELATING TO THE OFFENSE OF RETAIL THEFT AND ASSOCIATED PENALTIES, SO AS TO REVISE NECESSARY DEFINITIONS, TO REVISE THE PREVIOUS OFFENSE OF RETAIL THEFT TO CREATE THE OFFENSES OF ORGANIZED RETAIL CRIME AND ORGANIZED RETAIL CRIME OF AN AGGRAVATED NATURE, AND TO PROVIDE A GRADUATED PENALTY STRUCTURE.

Rep. B. NEWTON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

H. 3309--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY 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 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

[HJ]

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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 RESEARCH AND ECONOMIC DEVELOPMENT 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 ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO 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, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; 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-

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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" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO 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 TO MAKE 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

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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 "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 AND ENERGY EFFICIENCY 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

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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; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

Reps. HERBKERSMAN, B. NEWTON, MCDANIEL, LAWSON, HIXON, HEWITT, TAYLOR, OREMUS, HARRIS, CROMER, B. L. COX, HOLMAN, M. M. SMITH, MARTIN, ROBBINS, GATCH, GILLIARD, ANDERSON, RIVERS, KING, BAMBERG, J. L. JOHNSON, HAGER, HENDERSON-MYERS, HOSEY, J. MOORE, WILLIAMS, GOVAN, GRANT, SPANN-WILDER, CRAWFORD, GUEST, T. MOORE, MCGINNIS, JONES, HUFF and WHITE requested debate on the Bill.

Rep. B. NEWTON moved that the House recede until 12:30 p.m., which was agreed to.

[HJ]

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THE HOUSE RESUMES

At 12:30 p.m. the House resumed, the SPEAKER in the Chair.

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

H. 3727--DEBATE ADJOURNED

The Senate Amendments to the following Bill were taken up for consideration:

H. 3727 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 9 OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2025.

Rep. W. NEWTON moved to adjourn debate upon the Senate Amendments until Thursday, February 13, which was agreed to.

H. 3007--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

H. 3007 -- Reps. G. M. Smith, W. Newton, Taylor, B. Newton, Pope, Pedalino, Hixon, Robbins, Mitchell, Yow and Ligon: A CONCURRENT RESOLUTION TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A CONVENTION OF THE STATES TO BE CALLED, RESTRICTED TO PROPOSING AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT THROUGH A BALANCED BUDGET AMENDMENT.

Rep. W. NEWTON moved to adjourn debate on the Concurrent Resolution until Thursday, February 13, which was agreed to.

[HJ]

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H. 3008--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

H. 3008 -- Reps. Forrest, G. M. Smith, W. Newton, Wooten, Pope, Pedalino, Taylor, Hixon, Davis, M. M. Smith, Teeple, Robbins, Mitchell, Yow and Ligon: A CONCURRENT RESOLUTION TO APPLY FOR A CONVENTION UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION IN ORDER TO PROPOSE A CONGRESSIONAL TERM LIMITS AMENDMENT.

Rep. W. NEWTON moved to adjourn debate on the Concurrent Resolution until Thursday, February 13, which was agreed to.

H. 3309--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3309 -- Reps. G. M. Smith, Gatch, Herbkersman, Pope, B. Newton, Wooten, Robbins, Mitchell, Chapman, W. Newton, Taylor, Forrest, Hewitt, Kirby, Schuessler, Yow, Long, M. M. Smith, Hardee, Montgomery, Atkinson, Hixon, Ligon, Anderson, Weeks, Willis, Govan and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA ENERGY SECURITY 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 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

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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 RESEARCH AND ECONOMIC DEVELOPMENT 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 ARTICLE 9 OF CHAPTER 7, TITLE 13, RELATING TO THE GOVERNOR'S NUCLEAR ADVISORY COUNCIL, SO AS TO 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, AND BY ADDING ARTICLE 1 TO CHAPTER 37 TO INCLUDE ALL OTHER SECTIONS OF CHAPTER 37; BY AMENDING SECTION 58-40-10, RELATING TO THE DEFINITION OF "CUSTOMER-GENERATOR," SO AS TO ESTABLISH CHARACTERISTICS FOR

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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" AND AMENDING THE DEFINITION OF "MAJOR UTILITY FACILITY"; BY AMENDING ARTICLE 3 OF CHAPTER 33, TITLE 58, RELATING TO CERTIFICATION OF MAJOR UTILITY FACILITIES, SO AS TO 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 TO MAKE 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

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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 "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 AND ENERGY EFFICIENCY 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

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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; BY ADDING SECTION 58-41-50 SO AS TO PROVIDE REQUIREMENTS AND CONSIDERATION FOR CO-LOCATED RESOURCES BETWEEN A UTILITY AND ITS CUSTOMER UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 58-4-15 SO AS TO ESTABLISH THE DIVISION OF CONSUMER ADVOCACY WITHIN THE OFFICE OF REGULATORY STAFF AND TO TRANSFER THE DUTIES OF THE DIVISION OF CONSUMER ADVOCACY IN THE DEPARTMENT OF CONSUMER AFFAIRS TO THE OFFICE OF REGULATORY STAFF; BY AMENDING SECTION 58-40-10, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "RENEWABLE ENERGY RESOURCE"; AND FOR OTHER PURPOSES.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1o H. 3309 (LC-3309.HA0036H), which was adopted:

Amend the bill, before the enacting words, by deleting the fourteenth paragraph from the bill.

Amend the bill further, before the enacting words, by striking the sixteenth paragraph and inserting:

Whereas, by pursuing replacement resources as a joint project or projects, DESC and SCPSA could potentially achieve economies of scale to benefit ratepayers; ~~and can build larger, more fuel efficient,~~

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~~lower emitting units, and can reduce the capital cost per MW of these units by as much as 25% or more compared to building single, stand-alone units sized to meet their individual needs alone while at the same time reducing the environmental and land-use impact of the natural gas pipeline and transmission infrastructure required to support separate units; and~~

Amend the bill further, before the enacting words, by striking the seventeenth paragraph and inserting:

Whereas, the joint project can provide a unique opportunity to anchor the expansion of natural gas pipelines serving certain coastal counties of South Carolina where economic development is currently hampered by the lack of such supplies, thereby increasing jobs, prosperity and public welfare in those areas ~~and can do so with minimal environmental disruption;~~ and

Amend the bill further, before the enacting words, by deleting the nineteenth paragraph from the bill.

Amend the bill further, before the enacting words, by deleting the twentieth paragraph from the bill.

Amend the bill further, before the enacting words, by deleting the twenty first paragraph from the bill.

Amend the bill further, before the enacting words, by deleting the twenty second paragraph from the bill.

Amend the bill further, before the enacting words, by striking the twenty third paragraph and inserting:

Whereas, in light of the unique circumstances presented in the plans of Duke Energy Carolinas LLC and Duke Energy Progress LLC to secure ~~approximately 7,000 MW of~~ natural gas generation facilities for the benefit of their customers in South Carolina, the General Assembly encourages the utilities to undertake such activities as may be necessary to pursue and facilitate additional natural gas generation to serve its customers in this State; and

Amend the bill further, before the enacting words, by striking the twenty eight paragraph and inserting:

Whereas, the South Carolina General Assembly recognizes the strategic importance of ~~investigating~~investing in and pursuing fusion energy and advanced nuclear technologies such as small modular reactors and molten salt reactors at this time, understanding that proactive engagement in research and development positions the state to capitalize on future opportunities when SMRs become economically and technologically viable; and

Amend the bill further, before the enacting words, by deleting the

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twenty ninth paragraph from the bill.

Amend the bill further, before the enacting words, by striking the thirtieth paragraph and inserting:

Whereas, the South Carolina General Assembly recognizes establishing an Energy Policy Institute is a pivotal step towards ~~supporting the efforts of SC Nexus and for~~ guiding informed decision making for the state's energy future; and

Amend the bill further, before the enacting words, by striking the thirty first paragraph and inserting:

Whereas, understanding the complexity of energy issues, the establishment of an Energy Policy Institute is essential to equipping ~~the state~~policymakers with the necessary expertise and resources to make well-informed choices, fostering a comprehensive understanding of intricate energy matters; and

Amend the bill further, before the enacting words, by deleting the thirty second paragraph from the bill.

Amend the bill further, by deleting SECTION 2.

Amend the bill further, SECTION 3, by striking Section 58-3-140(B)(1) and (2) and inserting:

(B)(1) The commission, in conducting its analysis and making a decision in matters involving ~~electrical~~public utilities, must consider the economic impact to the State when fixing just and reasonable standards, classifications, regulations, practices, and measurements of service to be furnished, imposed, or observed, and followed by every electrical utility in this State.

(2) The General Assembly declares the rates, services, and operations of ~~electrical~~public utilities are a matter of public interest and the availability of an adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina is a matter of public policy. When exercising its powers under this section, the commission must balance the public interest in determining the rates, services, and operations of ~~electrical~~public utilities. It is the policy of this State for the commission, in matters involving ~~electrical~~public utilities, to:

(a) ensure South Carolina customers have access to an adequate, reliable, and economical supply of energy resources;

(b) sustain growth in industrial and economic development by ensuring an electric generation, transmission, and distribution system that can grow and modernize to meet the demands that a prosperous and developing economy places on it;

(c) provide fair regulation of ~~electrical~~public utilities in the

interest of the public in a manner that enables the utility, through sound management, to produce a fair and reasonable return for its shareholders that is necessary for the preservation of the financial health of the utility and for the ability to finance continued investment and maintenance of utility facilities ~~maintains the financial integrity of the electrical utility by assuring a sufficient and fair rate of return, supports economic development and industry retention, and provides just and reasonable rates to be established for entities providing electrical utility services to customers in this State~~ while promoting adequate, affordable, reliable, and economical utility service to all of the citizens and residents of this State;

(d) provide the State and the public with a well-regulated ~~electrical~~public utility environment;

(e) for electrical utilities, assure that resources necessary to meet future growth through the provision of adequate, reliable electrical utility service include use of the entire spectrum of demand-side options, including but not limited to, conservation, load management, and energy efficiency programs as additional sources of energy supply and energy demand reduction;

(f) provide just and reasonable rates and charges for ~~electrical~~public utility services without undue preferences or advantages, or unfair or destructive competitive practices and consistent with long-term management and conservation of ~~energy~~ resources; for electrical utilities, this includes ~~by~~ avoiding wasteful, uneconomic generation and uses of energy;

(g) assure that facilities necessary to meet future growth can be financed by the utilities operating in this State on terms which are reasonable and fair to both the customers and existing investors of such utilities, and to that end, to authorize fixing of rates in such a manner as to result in lower costs of new facilities and lower rates over the operating lives of such new facilities;

(h) recognize the important role of public utilities in economic development and industry retention and the necessity for utilities to maintain the ability to finance continued investment in, and operation and maintenance of, the electric system, rapid restoration of power after major storms and outages, rate designs, and infrastructure necessary to attract and retain businesses and jobs to South Carolina, the ability to obtain financing at attractive rates, and to ensure a viable workforce for providing ~~electricity~~utility services and to attract such utility workers at market-competitive wages;

(i) seek to encourage and promote harmony between public

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utilities, their users, and the environment;

(j) foster the continued service of ~~electrical~~public utilities on a well-planned and coordinated basis that is consistent with the level of energy needed for the protection of public health and safety and for the promotion of the general welfare, economic development, and industry retention;

(k) seek to adjust the rate of growth of regulated utility supply facilities serving the State to the policy requirements of statewide economic development and industry retention;

Amend the bill further, SECTION 3, by striking Section 58-3-140(E) and (F) and inserting:

~~(D)~~(E) The commission must promulgate regulations to require the direct testimony of witnesses appearing on behalf of utilities and of witnesses appearing on behalf of persons having formal intervenor status, such testimony to be reduced to writing and prefiled with the commission in advance of any hearing. In contested case proceedings, the applicant seeking relief from the commission shall have the right to prefile rebuttal testimony responsive to the direct prefiled testimony of other parties. The commission may allow supplemental testimony in cases where new matters arise after the filing of direct testimony, provided that parties shall have the right to respond to such supplemental testimony. The procedural schedule for each contested case proceeding shall include dates for completion of each phase of discovery, including discovery related to the application or other initial pleading as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, rebuttal testimony of the applicant, and surrebuttal testimony but only if allowed by the commission upon motion that there is material new information for which surrebuttal testimony is required. The commission must act on a motion to allow surrebuttal testimony within three business days. Except upon showing of exceptional circumstances or surprise, all discovery must be completed not less than ten days prior to the hearing. The party with the burden of proof must be permitted to open and close its case, including the presentation of responsive witness testimony.

(F) The commission may convene public hearings to allow ~~electrical~~public utility customers to address the commission as public witnesses without intervening in the proceedings and without subjecting themselves to discovery or pre-filing testimony. Public witnesses may address the commission on issues related to customer service, utility operations, reliability, economic hardship, affordability, environmental concerns, or other matters that affect them. The ~~electrical~~public utility

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and the Office of Regulatory Staff shall work to investigate and resolve individual service issues raised by public witnesses.

Amend the bill further, SECTION 6, by striking Section 58-4-150(A) and inserting:

(A) To further advance and expand upon Executive Order 2023-18 which established the PowerSC Energy Resources and Economic Development Interagency Working Group, the Office of Regulatory Staff, in consultation with a stakeholder group that includes representatives of consumer, environmental, manufacturing, forestry, and agricultural organizations, natural gas and electrical utilities, the South Carolina Public Service Authority, and other affected state agencies, shall prepare a comprehensive South Carolina energy assessment and action plan, hereinafter referred to as “the plan.” This plan must identify recommended actions over a ten-year period to ensure the availability of adequate, reliable, and economical supply of electric power and natural gas to the people and economy of South Carolina. For purposes of this section, natural gas and electrical utilities also includes any investor-owned electrical utility, a public utility as defined in Section 58-5-10, ~~the Public Service Authority~~, electric cooperatives, and any consolidated political subdivision that owns or operates in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity, but does not include an entity that furnishes electricity only to itself, its residents, or tenants when such current is not resold or used by others.

Amend the bill further, SECTION 7, by striking Section 58-38-20(C) and inserting:

Section 58-38-20. The General Assembly finds that:

(1) It is in the public interest of South Carolina to establish an Energy Policy Research and Economic Development Institute, also referred to as EPI, to ~~support the efforts of the Advanced Resilient Energy Nexus, also referred to as SC Nexus, and~~ research and propose solutions to address major challenges in the complex and evolving area of energy generation and storage.

(2) Research and documenting reliable data is essential for thoughtful consideration of the complex issues and concerns impacting energy generation and storage and the need for timely, substantive, and thorough advice from the EPI to the South Carolina General Assembly is critical to continue to position this State as a global leader.

~~—(3) Advancement through the EPI of the broad collaboration through the SC Nexus will assist the State as a global leader in advanced energy by developing, testing, and deploying exportable electricity~~

~~technologies. It will also allow the State to leverage the region's dynamic and growing manufacturing base, superior research capabilities, and demonstrated record of public-private collaboration to innovate and commercialize emerging energy storage materials and manufacturing techniques, including a demonstrative microgrid implementation that integrates renewable energy and storage into the state's electricity systems.~~

~~—(4) The topography of South Carolina, with its coastal plains and low country, confronts further complications. While the State possesses renewable energy resources like hydropower potential from its rivers and lakes and biomass from wood and landfill gas, the lack of sustainable energy production exacerbates the energy deficit. It is critical that South Carolina provide safe, reliable, and affordable energy.~~

~~—(5) The industrial sector in South Carolina accounts for approximately one-third of the state's total energy use and heavily depends on energy consumption. Continued economic development and industry retention depends upon safe, reliable, and affordable energy generation.~~

~~—(6) South Carolina will need to continue moving toward reliable power from emerging energy sources to ensure continued economic growth and secure energy for residential usage.~~

~~(7)(3) The EPI shall collaborate across South Carolina in coordination with SC Nexus, Savannah River National Laboratory, energy utility providers, private industry, and workforce development to deliver advice on policy creation aligned with the state's distinctive needs and opportunities. EPI shall support and collaborate with SC Nexus, a consortium of public and private entities, formed within the South Carolina Department of Commerce concerning power generation, transmission, and storage.~~

Amend the bill further, SECTION 7, by striking Section 58-38-40 and inserting:

~~Section 58-38-40. (A) Annual deliverables for the EPI shall align with the goals and priorities of critical state objectives and legislative needs of South Carolina as determined by the board.~~

~~(B)(A) The EPI shall prepare concise and informative documents that outline the key energy policy issues in South Carolina for members of the South Carolina General Assembly. These briefs shall offer evidence-based recommendations and their potential impacts to assist the legislature in decision making.~~

~~(C)(B) The EPI shall provide in-depth research on various aspects of energy policy relevant to South Carolina, at the direction of the board.~~

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~~—(D) The EPI shall provide stakeholder engagement reports, including identification and engagement with relevant stakeholders in the energy sector, including industry representatives, environmental groups, consumer advocates, and community organizations. The EPI shall compile reports on stakeholder perspectives, concerns, and suggestions to aid the legislature in understanding different viewpoints.~~

~~(E)(C) The EPI shall evaluate the economic implications of different energy policy options, including the potential costs and benefits to the state’s economy, job market, industry competitiveness, and underdeveloped communities. The EPI must use modeling techniques to estimate direct and indirect impacts on various sectors.~~

~~(F)(D) The EPI shall develop practical framework recommendations for implementing energy policies in South Carolina, considering regulatory mechanisms, enforcement mechanisms, and coordination between different government agencies. These frameworks must address potential challenges and propose strategies for successful implementation.~~

~~(G)(E) The EPI may host fellowships by which entities could offer the time and services of employees by which the EPI could leverage the knowledge, experience, and participation of such entities.~~

Amend the bill further, SECTION 8, by striking Section 58-33-195(A)(1), (B), and (C) and inserting:

~~(A)(1) The General Assembly finds:~~

~~—(a) The Public Service Commission, hereinafter referred to as “the commission,” issued Order No. 2023-860 approving Dominion Energy South Carolina, Inc.’s integrated resource plan, and Order No. 2024-171 approving the South Carolina Public Service Authority’s integrated resource plan. The commission determined these integrated resource plans represented the most reasonable and prudent means to meet each utility’s energy and capacity needs as of the time each integrated resource plan was reviewed.~~

~~—(b) Dominion Energy South Carolina, Inc.’s integrated resource plan identified a natural gas combined cycle unit as the optimum replacement unit for the Williams Station, which Dominion Energy South Carolina, Inc. intends to retire in 2030, assuming replacement capacity is available at that time. Dominion Energy South Carolina, Inc. proposed to locate this natural gas combined cycle unit facility at the site of its now retired Canadys coal plant, and Dominion Energy South Carolina, Inc. is pursuing a plan to build it jointly with the Public Service Authority under a Memorandum of Understanding, also referred to as the “Joint Resource.”~~

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~~—(c) The commission found that Dominion Energy South Carolina, Inc.’s Reference Build Plan replacing the Williams Station with the Joint Resource best meets the criterion of “consumer affordability and least cost” pursuant to Section 58-37-40(C)(2)(b).~~

~~—(d) The commission found that the Public Service Authority’s Preferred Portfolio, referred to as “Supplemental,” as the preferred plan to guide the Public Service Authority’s generation and transmission planning over the next three years, with updates as necessary, represented the most reasonable and prudent means of meeting the Public Service Authority’s energy and capacity needs.~~

~~—(e) The commission found the Supplemental is the most cost-effective and least ratepayer-risk resource portfolio to meet the Public Service Authority’s total capacity and energy requirements, while maintaining safe and reliable electric service.~~

~~—(f) The commission determined the Public Service Authority sufficiently considered alternatives to the natural gas combined cycle unit.~~

~~—(g) The commission found that the Supplemental allows the Public Service Authority to meet the electric power needs of its retail and wholesale customers reliably and affordably, reduces its carbon footprint, and adds flexibility and innovation to support a growing state economy.~~

~~—(2) The General Assembly encourages Dominion Energy South Carolina, Inc. and the Public Service Authority to jointly complete evaluations related to construction of a joint resource or joint resources to address energy needs and advance the economy and general welfare of the State, the Joint Resource and to use such information as may be necessary from such evaluations to make a filing as soon as practicable with the commission to obtain a certificate pursuant to Article 3 of this chapter. The General Assembly instructs all governmental agencies to provide accelerated consideration of any action required to permit or authorize construction and operation of the facilities subject to this section in preference to all other pending nonemergency applications or requests. The General Assembly finds adding natural gas generation capacity at the retired Canadys coal site would advance the economy and general welfare of the State based on current conditions and information as of the effective date of this Act. However, this subsection does not exempt the entities from complying with the requirements of the Utility Facility Siting and Environmental Protection Act, including the requirement to seek commission approval for a certificate of environmental compatibility and public convenience and necessity nor~~

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~~does this subsection limit the commission's independent decision-making authority. The entities are further encouraged to use existing rights of way to the greatest extent practicable. If the entities pursue permitting and construction of a joint resource or joint resources, the entities are further encouraged to use existing rights of way to the greatest extent practicable.~~

(B) The General Assembly hereby encourages Duke Energy Carolinas, LLC to complete evaluations for expanding energy storage, including hydro pumped storage, and energy generation opportunities in South Carolina.~~constructing a second powerhouse using the existing reservoir at Bad Creek Pumped Hydro Station in Oconee County, South Carolina, which will approximately double the size and peak hourly capacity of the facility, and to use such information as may be necessary from such evaluations to make a filing as soon as practicable with the commission to obtain a certificate pursuant to Article 3 of this chapter. The General Assembly further encourages Duke Energy Carolinas, LLC to complete evaluations as to what may be necessary to interconnect such an expansion of Bad Creek Pumped Hydro Station to the electric grid or otherwise deliver electric power from Duke Energy Carolinas, LLC to its customers, and to include such information as may be necessary from such evaluations in a filing to the commission pursuant to Section 58-33-110 or as otherwise required by law. The General Assembly instructs all governmental agencies to provide accelerated consideration of any action required to permit or otherwise authorize construction and operation of the facilities subject to this subsection in preference of all other pending nonemergency applications or requests.~~

(C) The General Assembly hereby encourages Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to complete evaluations for constructing hydrogen capable natural gas generation or otherwise to place into service such natural gas generation within the utilities' balancing areas serving South Carolina. ~~and to use such information from the evaluations as may be necessary to make a filing as soon as practicable with the commission to obtain a certification pursuant to Article 3 of this chapter or as otherwise required by law. The General Assembly further encourages Duke Energy Carolinas, LLC and Duke Energy Progress, LLC to determine what facilities may be necessary to interconnect such natural gas generation to the electric grid or otherwise deliver electric power from the utilities to its customers, and to include such information in any filing to the commission pursuant to Section 58-33-110 or as otherwise required by law. The General Assembly instructs all governmental agencies to provide accelerated consideration~~

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~~of any action required to permit or otherwise authorize construction or operation of the facilities subject to this subsection in preference of all other pending nonemergency applications or requests.~~

Amend the bill further, SECTION 10, by striking Section 13-7-820(5) and inserting:

(5) to engage stakeholders and develop a strategic plan to advance the development of [nuclear generation, including advanced nuclear generation](#) ~~including such as~~ [small modular reactors, molten salt reactors, and spent nuclear fuel recycling facilities and fusion energy](#) to serve customers in this State in the most economical manner at the earliest reasonable time possible.

Amend the bill further, by deleting SECTION 11.

Amend the bill further, SECTION 12, by striking Section 58-33-196 and inserting:

Section 58-33-196. Electrical utilities and the Public Service Authority are encouraged to explore the potential for deploying [fusion energy and](#) advanced nuclear facilities including, but not limited to, small modular nuclear facilities at suitable sites. Suitable sites may include sites of current nuclear facilities, sites where nuclear facilities have been proposed but not constructed, and other brownfield sites, such as coal-generation sites. Any utility pursuing deployment of such nuclear facilities must provide annual progress reports to the commission and the Public Utilities Review Committee; this report may be in writing or in the form of testimony in an appropriate proceeding. ~~The~~^A utility [whose rates are regulated by the commission](#) must provide estimates of the cost of the studies including, but not limited to, planning, licensing, and project development to the commission. If the commission finds such estimated costs are reasonable, prudent, and in the public interest, such costs may be recoverable through rates as they are incurred. Nothing in this section relieves an electrical utility of the burden of filing for a certificate under this article and obtaining appropriate approvals from the commission before commencing construction.

Amend the bill further, SECTION 13, by striking Section 58-37-70(B)(1) and inserting:

(1) "Electrical utility" has the same meaning as provided in Section 58-27-10(7) ~~and includes the South Carolina Public Service Authority.~~

Amend the bill further, SECTION 13, by striking Section 58-37-70(F)(3) and inserting:

(3) In the event the commission finds cost estimates [provided by an electric utility](#) pursuant to item (2) are reasonable and prudent, the

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costs may be recoverable through rates, even if an application for a certificate of environmental compatibility and public convenience and necessity have not been filed. However, these costs shall not include a rate of return.

Amend the bill further, SECTION 14.A., by striking Section 58-37-120 and inserting:

Section 58-37-120. (A) Any agency presented with an application for a permit for an energy infrastructure project shall issue a decision on the application no later than six months after the date the application is received by the agency. If the agency fails to take final action within six months of receipt of the application, the application shall be deemed approved, and the agency shall promptly issue documentation that the applicant may reasonably request establishing that the agency has granted the relief requested.

(B) A permit applicant for an energy infrastructure project shall not submit an application for the project prior to conducting a preapplication meeting with the agency to establish milestones within the six-month review period.

(C) The applicant and agency may mutually agree in writing to extend the six-month review period. Such agreement shall be in writing and state a specific date on when the extension will end. The agency shall not stop, stay, or otherwise alter the review period without such written agreement with the applicant.

(D) Upon receipt of an application, the agency shall promptly review it for sufficiency and shall provide the applicant with a list of all technical and administrative deficiencies within thirty days of receipt, or if a public comment period is required, fifteen days from the end of the comment period. The identification of by the agency of deficiencies in the application shall not toll the six-month period for agency determination.

Amend the bill further, SECTION 14.A., by striking Section 58-37-130 and inserting:

Section 58-37-130. The applicant or any person whose private rights are affected by an agency decision or action on an application for a permit for any energy infrastructure project may appeal that decision or action to the South Carolina Supreme Court. The Supreme Court shall hear these appeals as a direct appeal in accordance with the South Carolina Appellate Court Rules. The Court shall provide for an expedited briefing and hearing of the appeal, in preference to all other nonemergency matters on its docket, and decide such appeals on an expedited basis. Any agency decision or action that is subject to a

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contested case review before the Administrative Law Court, pursuant to Section 1-23-600 et. seq., shall be appealable under this section upon issuance of an appealable order by the Administrative Law Court.

Amend the bill further, SECTION 20.A., by striking Section 58-33-20(10) and inserting:

(10) The term “like facility” with reference to generation facilities and without limitation, includes a facility or facilities that are proposed to provide capacity on a site currently or previously used for siting electric generation that replaces the capacity of a facility or facilities that are being retired, downrated, mothballed, or dedicated to standby or emergency service at the same site, limited to facilities no more than 300 megawatts, so long as those new facilities will provide an amount of effective load-carrying capacity that in whole or in part will serve to replace the capacity to be lost as a result of retirement, and includes associated transmission facilities needed to deliver power from that facility to customers. A “like facility” with reference to transmission facilities, and without limitation, includes any facility that represents the rebuilding, reconductoring, paralleling, increasing voltage, adding circuits or otherwise reconfiguring of an existing transmission line or other transmission facilities including, without limitation, projects to increase the capacity of such facilities, provided such facilities are: (a) located materially within a utility right of way or corridor; ~~(b) located materially within a new right of way or corridor;~~ or ~~(c)~~(b) substantially located on the property of a customer, prospective customer, or the State.

Amend the bill further, SECTION 21, by striking Section 58-33-110(1) and inserting:

(1) No person shall commence to construct a major utility facility without first having obtained a certificate issued with respect to such facility by the ~~Commission~~commission. The replacement of an existing facility with a like facility, as determined by the ~~Commission~~commission, shall not constitute construction of a major utility facility. Upon application for a determination by the commission that a proposed utility facility constitutes a like facility replacement, the commission must issue a written order approving or denying the application within sixty days of filing. ~~If the commission fails to issue a written order within sixty days of the application’s filing, the application shall be deemed as approved.~~ Any facility, with respect to which a certificate is required, shall be constructed, operated and maintained in conformity with the certificate and any terms, conditions and modifications contained therein. A certificate may only be issued pursuant to this chapter; provided, however, any authorization relating

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to a major utility facility granted under other laws administered by the ~~Commission~~commission shall constitute a certificate if the requirements of this chapter have been complied with in the proceeding leading to the granting of such authorization.

Amend the bill further, SECTION 21, by striking Section 58-33-110(7) and inserting:

(7) The ~~Commission~~commission shall have authority, where justified by public convenience and necessity, to grant permission to a person who has made application for a certificate under Section 58-33-120 to proceed with initial clearing, excavation, dredging and construction; ~~provided, however, No permission from the commission shall be required to proceed with initial clearing, excavation, dredging, and initial construction of any facility which constitutes a component of the preferred generation plan in an integrated resource plan or update approved by the commission pursuant to Chapter 37 of this title, or any like facility; provided that in engaging in such clearing, excavation, dredging or construction, the person shall proceed at his own risk, and such permission shall not in any way indicate approval by the Commission~~commission of the proposed site or facility.

Amend the bill further, SECTION 22, by striking Section 58-37-40(C)(1) and inserting:

(C)(1) The commission shall have a proceeding to review each electrical utility subject to subsection (A)(1) and the Public Service Authority's integrated resource plan. As part of the integrated resource plan filing, the commission shall allow intervention by interested parties. The procedural schedule shall include dates for completion of each phase of discovery, including discovery related to the integrated resource plan as filed, direct testimony of the applicant, direct testimony of the Office of Regulatory Staff and other parties and intervenors, and rebuttal testimony of the applicant. Except upon showing exceptional circumstances, all discovery shall be served in time to allow its completion, but not less than ten days prior to the hearing. The commission shall establish a procedural schedule to permit reasonable discovery after an integrated resource plan is filed in order to assist parties in obtaining evidence concerning the integrated resource plan, including the reasonableness and prudence of the plan and alternatives to the plan raised by intervening parties. No later than three hundred days after an electrical utility or the Public Service Authority files an integrated resource plan, the commission shall issue a final order approving, modifying, or denying the plan filed by the electrical utility or the Public Service Authority.

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Amend the bill further, SECTION 23, by striking Section 58-3-260(A)(4) and inserting:

(4) “Allowable ex parte communication briefing” means any communication that is conducted pursuant to the procedure outlined in subsection ~~(E)~~(D)(6) of this section.

Amend the bill further, SECTION 23, by deleting Section 58-3-260(A)(6) from the bill.

Amend the bill further, SECTION 23, by striking Section 58-3-260(B)(2) and inserting:

(2) “Issue” does not include:

(a) general information concerning the operations, administration, planning, projects, customer service, storms or storm response, accidents, outages, or investments of an entity regulated by the commission that is not confidential and proprietary and is available to the public; or

(b) any confidential information that affects energy security, such as physical or cybersecurity matters, provided that such information is also provided to the Executive Director of the Office of Regulatory Staff.

Any communication pursuant to subitems (a) or (b) provided to the commission must also be provided in writing and must be posted on the commission’s website with any confidential information redacted.

~~(2)(C)~~ Commissioners must limit their consideration of matters before them to the record presented by the parties and may not rely on material not presented in the record by the parties.

Amend the bill further, SECTION 23, by striking Section 58-3-260(C), (D), (E), (F), (G), (H), and (J) and inserting:

~~(E)~~(D) The following communications are exempt from the prohibitions of subsection (B) of this section:

(1) a communication concerning compliance with procedural requirements if the procedural matter is not an area of controversy in a proceeding;

(2) statements made by a commission employee who is or may reasonably be expected to be involved in formulating a decision, rule, or order in a proceeding, where the statements are limited to providing publicly available information about pending proceedings;

(3) inquiries relating solely to the status of a proceeding, unless the inquiry: (a) states or implies a view as to the merits or outcome of the proceeding; (b) states or implies a preference for a particular party or which states why timing is important to a particular party; (c) indicates a view as to the date by which a proceeding should be resolved; or (d) is

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otherwise intended to address the merits or outcome or to influence the timing of a proceeding;

(4) a communication made by or to commission employees that concerns judicial review of a matter that has been decided by the commission and is no longer within the commission's jurisdiction; however, if the matter is remanded to the commission for further action, the provisions of this section shall apply during the period of the remand;

(5) where circumstances require, ex parte communications for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized provided:

(a) the commissioner, hearing officer, or commission employee reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication; and

(b) the commissioner, hearing officer, or commission employee makes provision promptly to notify all other parties of the substance of the ex parte communication and, where possible, allows an opportunity to respond;

(6)(a) subject to the provisions of Chapter 4~~2~~ of Title 30, communications, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding for the purposes of an allowable ex parte communication briefing if:

~~———— (i) the Executive Director of the Office of Regulatory Staff or his designee attends the briefing and files a written certification, within seventy two hours of the briefing, attaching copies of all statements and all other matters filed by all persons pursuant to subsubitems (ii), (iii), and (iv) of this subsection, with the chief clerk of the commission that such briefing was conducted in compliance with the provisions of this section and that each party, person, commissioner, or commission employee present has complied with the reporting and certification requirements of subsubitems (ii), (iii), and (iv); and within twenty four hours of the submission by the executive director, the commission posts on its web site the written certification, statements, and other matters filed by the executive director;~~

~~———— (ii) each party, person, commissioner, and commission employee present files a written, certified statement with the Executive Director of the Office of Regulatory Staff within forty eight hours of the briefing accurately summarizing the discussions in full and attaching copies of any written materials utilized, referenced, or distributed;~~

~~———— (iii) each party, person, commissioner, and commission employee present, within forty eight hours of the briefing, files a~~

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~~certification with the Executive Director of the Office of Regulatory Staff that~~

~~(i) in the course of such briefing, no commissioner or commission employee shall make any~~ ~~no~~ commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding ~~was requested by any person or party nor shall any person request any commitment, predetermination, or prediction~~ ~~was to be given~~ by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue;

~~(ii) the Executive Director of the Office of Regulatory Staff or his designee must attend the briefing and certify that the commissioners and commission employees complied with the provisions in subitem (i);~~

~~(iv)~~(iii) each commissioner or commission employee present at the allowable ex parte communication briefing grants to every other party or person requesting an allowable ex parte communication briefing on the same or similar matter that is or can reasonably be expected to become an issue in a proceeding, similar access and a reasonable opportunity to communicate, directly or indirectly, regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding under the provisions of subsection ~~(E)~~(D)(6) of this section and files a written, certified statement with the Executive Director of the Office of Regulatory Staff within forty-eight hours of the briefing stating that the commissioner or commission employee will comply with this provision;

~~(v)~~(iv) the commission ~~posts~~ ~~must post~~ on its web site, at least five business days prior to the proposed briefing, a notice of each request for an allowable ex parte communication briefing that includes the date and time of the proposed briefing, the name of the person or party who requested the briefing, the name of each commissioner and commission employee whom the person or party has requested to brief, and the subject matter to be discussed at the briefing;

~~(v) the commission must post on its web site within three business days after the briefing, all nonconfidential materials and documents provided to the commission as part of the ex parte briefing and a statement signed by the chief clerk of the commission that the provisions of this subsection have been followed, including the justification for actions taken to preserve the confidentiality of any~~

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confidential information provided to the commission;

(vi) the person or party initially seeking the briefing ~~requests~~must request the briefing with sufficient notice, as required in subsubitem ~~(v)(iv)~~, to allow the initial briefing to be held at least twenty business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and the initial briefing must be held at least twenty business days prior to the hearing in the proceeding; and

(vii) any person or party desiring to have a briefing on the same or similar matter as provided for in subsubitem (vi) shall be entitled to request~~requests~~ a briefing so long as the request is made with sufficient time for notice, as required in subsubitem ~~(v)(iv)~~, to allow the briefing to be held at least ten business days prior to the hearing in the proceeding at which the matter that is the subject of the briefing is or can reasonably be expected to become an issue, and any such briefing must be held at least ten business days prior to the hearing in the proceeding;

~~— (b) any person or party may object to the attendance of the Executive Director of the Office of Regulatory Staff at an allowable ex parte communication briefing on the grounds of bias or a conflict of interest on the part of the executive director. Any such objection must be made in writing and must be filed with the executive director no later than twenty four hours prior to the scheduled briefing. If the objecting person or party and the executive director agree upon a neutral person, that person shall serve in the executive director's stead and shall comply with the reporting and certification requirements of the executive director contained in subsubitem (i) and the executive director shall comply with the requirements contained in subsubitems (ii) and (iii). The costs of such person's services shall be charged to the party requesting the briefing and may be an allowable cost of the proceedings. If the objecting person or party and the executive director cannot agree upon a neutral person, the objecting person or party shall petition the Administrative Law Court for the appointment of a neutral person to serve in the executive director's stead, and the petition shall be given priority over all other matters within the jurisdiction of the Administrative Law Court. In the petition, the objecting party shall set forth the specific grounds supporting the objecting person's or party's allegation of bias or conflict on the part of the executive director and shall generally describe the matters to be discussed at the briefing. It shall not be sufficient grounds that the executive director is or is likely to be a party to a proceeding. The executive director shall be given an opportunity to respond. Part of the executive director's response shall~~

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include recommendations as to the experience required of the person to act in his stead. Upon a showing of actual bias or conflict of interest, the administrative law judge shall designate a person to act in the executive director's stead and that person shall comply with the reporting and certification requirements of the executive director contained in subsubitem (i) and the executive director shall comply with the requirements contained in subsubitems (ii) and (iii). Such person must have the expertise to act in the executive director's stead. The decision of the administrative law judge shall be considered interlocutory and not immediately appealable and may be appealed with the final order of the commission. The costs of such person's services shall be charged to the party requesting the briefing and may be an allowable cost of the proceedings;

~~(c)~~ should the Executive Director of the Office of Regulatory Staff desire to conduct an allowable ex parte communication briefing, the chief clerk of the commission shall appoint a neutral person who shall serve in the executive director's stead and that person shall comply with the reporting and certification requirements of the Executive Director of the Office of Regulatory Staff contained in subsubitem (i). The Executive Director of the Office of Regulatory Staff shall comply with the requirements contained in subsubitems (ii) and (iii);

~~(d)~~(b) nothing in subsection ~~(c)~~(D)(6) of this section requires any commissioner or commission employee to grant a request for an allowable ex parte communication briefing, except as provided in subsection ~~(c)~~(D)(6)(a)~~(iv)~~(iii) of this section;

(7) a communication of supplemental legal citation if the party files copies of such documents, without comment or argument, with the chief clerk of the commission and simultaneously provides copies to all parties of record;

(8) subject to the provisions of Chapter 4~~2~~ of Title 30, communications between and among commissioners regarding matters pending before the commission; provided, further, that any commissioner, hearing officer, or commission employee may receive aid from commission employees if the commission employees providing aid do not:

(a) receive ex parte communications of a type that the commissioner, hearing officer, or commission employee would be prohibited from receiving; or

(b) furnish, augment, diminish, or modify the evidence in the record.

~~(D)~~(E) If before serving in a proceeding, a commissioner, hearing

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officer, or commission employee receives an ex parte communication of a type that may not properly be received while serving, the commissioner, hearing officer, or commission employee must disclose the communication in the following manner: a commissioner, hearing officer, or a commission employee who receives an ex parte communication in violation of this section must promptly after receipt of the communication or, in the case of a communication prior to a filing, as soon as it is known to relate to a filing, place on the record of the matter all written and electronic communications received, all written and electronic responses to the communications, and a memorandum stating the substance of all oral communications received, all responses made, and the identity of each person from whom the commissioner, hearing officer, or commission employee, as appropriate, received an ex parte communication and must advise all parties that these matters have been placed on the record. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut the contents of the communication must request and shall be granted the opportunity to rebut the contents. Parties affected by a violation may agree to a resolution of any claim regarding such violation, including the waiver of a hearing and the waiver of the obligation to report violations under subsection ~~(F)~~(J) of this section.

~~(F)~~(F) Any person who makes an inadvertent ex parte communication must, as soon as it is known to relate to an issue in a proceeding, disclose the communication by placing on the record of the matter the communication made, if written or electronic, or a memorandum stating the substance of an inadvertent oral communication, and the identity of each person to whom the inadvertent ex parte communication was made or given. Within ten days after receipt of notice of the ex parte communication, any party who desires to rebut the contents of the communication must request and shall be granted the opportunity to rebut the contents. If no party rebuts the inadvertence of the ex parte communication within ten days after notice of the ex parte communication, the ex parte communication shall be presumed inadvertent. Parties affected by a violation may agree to a resolution of any claim regarding such violation, and the provisions of subsection ~~(F)~~(K) of this section shall not apply.

~~(F)~~(G) If necessary to eliminate the effect of an ex parte communication received in violation of this section, a commissioner, hearing officer, or commission employee who receives the communication may be disqualified by the commission, and the portions of the record pertaining to the communication may be sealed by

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protective order.

~~(G)~~(H) Nothing in this section alters or amends Section 1-23-320(i).

~~(H)~~(I) Nothing in this section prevents a commissioner, hearing officer, or commission employee from:

____ (1) attending educational seminars sponsored by state, regional, or national organizations and seminars not affiliated with any utility regulated by the commission; however, the provisions of this section shall apply to any communications that take place outside any formal sessions of any seminars or group presentations; or

____ (2) conducting a site visit of a utility or Public Service Authority facility under construction or attending educational tours of utility or Public Service Authority plants or other facilities provided:

____ (a) the Executive Director of the Office of Regulatory Staff or his designee also attends the site visit or educational tour;

____ (b) a summary of the discussion is produced and posted on the commission's website, along with copies of any written materials utilized, referenced, or distributed; and

____ (c) each party, person, commission, and commission employee who participated in the site visit or educational tour, within forty-eight hours of the site visit or educational tour, files a certification with the Executive Director of the Office of Regulatory Staff that no commitment, predetermination, or prediction of any commissioner's action as to any ultimate or penultimate issue or any commission employee's opinion or recommendation as to any ultimate or penultimate issue in any proceeding was requested by any person or party, nor any commitment, predetermination, or prediction was given by any commissioner or commission employee as to any commission action or commission employee opinion or recommendation on any ultimate or penultimate issue.

~~(I)~~(J) Subject to any privilege under Rule 501 of the South Carolina Rules of Evidence, any commissioner, hearing officer, commission employee, party, or any other person must report any wilful violation of this section on the part of a commissioner, hearing officer, or commission employee to the review committee.

~~(J)~~(K) Any commissioner, hearing officer, commission employee, or person who wilfully violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred fifty dollars or imprisoned for not more than six months. If a commissioner wilfully communicates with any party or person or if any person or party wilfully communicates with a commissioner regarding any fact, law, or other matter that is or can reasonably be expected to

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become an issue in a proceeding less than ten business days prior to the scheduled hearing on the merits, during the hearing or after the hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the commissioner shall be removed from office. If a hearing officer or commission employee wilfully communicates with any party or person or any party or person wilfully communicates with a hearing officer or commission employee regarding any fact, law, or other matter that is or can reasonably be expected to become an issue in a proceeding less than ten days prior to the scheduled hearing on the merits, during the hearing or after the hearing but prior to the issuance of a final order, including an order on rehearing, in a proceeding where such facts, law, or other matter is or can reasonably be expected to become an issue, the hearing officer or commission employee shall be terminated from employment by the commission. For purposes of this section: (1) “wilful” means an act done voluntarily and intentionally with the specific intent to do something the law forbids, or with specific intent to fail to do something the law requires to be done, that is to say with bad purpose either to disobey or disregard the law, and (2) a violation of the provisions of this section must be proved by clear and convincing evidence before a commissioner, hearing officer, or commission employee can be removed from office or terminated from employment.

Amend the bill further, by deleting SECTION 25.

Amend the bill further, SECTION 26, by striking Section 58-33-310 and inserting:

Section 58-33-310. (A)(1) If a party wishes to file for a petition for rehearing or reconsideration from all or any portion of an order or decision of the commission, that petition must be filed within fifteen days from the commission issuing the order or decision. A response to the petition for rehearing or reconsideration must be filed within fifteen days from the filed date of the petition for rehearing or reconsideration. Failure to file for rehearing or reconsideration as required in this section constitutes a waiver of the party to further pursue the matter.

(2) The commission must issue its final order within thirty days from the date the response to the petition for rehearing or reconsideration is filed.

(B) Any party may appeal, in accordance with Section 1-23-380, from all or any portion of any final order or decision of the commission, including conditions of the certificate required by a state agency under Section 58-33-160 as provided by Section 58-27-2310. ~~Any appeals~~

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may be called up for trial out of their order by either party.

(C) Any final order on the merits issued pursuant to this chapter shall be immediately appealable to the Supreme Court of South Carolina, without petition for rehearing or reconsideration. The Supreme Court shall provide for expedited briefing and hearing of the appeal in preference to all other nonemergency matters. The commission must not be a party to an appeal.

Amend the bill further, SECTION 26, by striking Section 58-33-320 and inserting:

Section 58-33-320. Except as expressly set forth in Section 58-33-310, no court of this State shall have jurisdiction to hear or determine any issue, case, or controversy concerning any matter which was or could have been determined in a proceeding before the commission under this chapter or to stop or delay the construction, operation, or maintenance of a major utility facility, except to enforce compliance with this chapter or the provisions of a certificate issued hereunder, and any such action shall be brought only by the Office of Regulatory Staff. Provided, however, ~~that subject to Section 58-33-175,~~ nothing herein contained shall be construed to abrogate or suspend the right of any individual or corporation not a party to maintain any action which he might otherwise have been entitled.

Amend the bill further, by deleting SECTION 33.

Amend the bill further, SECTION 34.A., by striking Section 58-3-70 and inserting:

Section 58-3-70. ~~The chairman and members of the commission shall receive annual salaries payable in the same manner as the salaries of other state officers are paid. The commission members shall receive a salary in an amount equal to ninety-seven and one-half percent of the salary fixed for Associate Justices of the Supreme Court.~~ ninety percent of the salary fixed for the circuit court judges. Each commissioner must devote full time to his duties as a commissioner and must not engage in any other employment, business, profession, or vocation during the normal business hours of the commission.

Amend the bill further, by striking SECTION 34.B and inserting:

B. This section is effective beginning with the fiscal year immediately following the next Public Service Commission election ~~for the reconstituted three-member commission.~~

Amend the bill further, by striking SECTIONS 36 and 37 and inserting:

SECTION 37. (A) To foster economic development and future jobs in this State resulting from the supply chains associated with the same

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while supporting the significant and growing energy and capacity needs of the State, enhance grid resiliency, and maintain reliability, the General Assembly finds that the State of South Carolina should take steps necessary to encourage the development of a diverse mix of long-lead, clean generation resources that may include nuclear and advanced nuclear~~small modular reactors~~, biomass as defined in Section 12-63-20(B)(2) of the S.C. Code, hydrogen-capable resources, fusion energy, and ~~the Carolina Long Bay Project~~other technologies, and should preserve the option of efficiency development of such long-lead resources with timely actions to establish or maintain eligibility for or capture available tax or other financial incentives or address operational needs.

(B) For an electrical utility to capture available tax or other financial or operational incentives for South Carolina ratepayers in a timely manner, the commission may find that actions by an electrical utility in pursuit of the directives in Section 58-37-35(A) are in the public interest, provided that the commission determines that such proposed actions are in the public interest and reasonably balance economic development and industry retention benefits, capacity expansion benefits, resource adequacy and diversification, ~~emissions reduction levels~~, and potential risks, costs, and benefits to ratepayers and otherwise comply with all other legal requirements applicable to the electrical utility's proposed action. For the South Carolina Public Service Authority, the Office of Regulatory Staff and the Public Service Authority's board of directors shall apply the same principles described in this subsection in evaluating and approving actions proposed by the management of the Public Service Authority to achieve the objectives of this section.

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

SECTION X.A. The General Assembly hereby finds and declares that:

(1) the economic and financial well-being of South Carolina and its citizens depends upon continued economic development and industry retention and opportunities for job attraction and retention; and

(2) the cost of electricity and the availability of clean energy sources for electricity are important factors in the decision for a commercial and industrial entity to locate, expand, or maintain their existing establishments in South Carolina; and

(3) competitive electric rates, terms, and conditions, and the ability to utilize clean energy sources for electric power generation are necessary to attract prospective commercial or industrial entities to

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invest in South Carolina and to encourage and incent robust economic development growth and industry retention in this State; and

(4) electrical utilities are critical economic development and industry retention partners for South Carolina by offering affordable power that has helped to attract jobs and associated development.

B. Title 58 of the S.C. Code is amended by adding:

Section 58-43-10. Unless otherwise specified, for purposes of this chapter:

(1) "Commission" means the Public Service Commission.

(2) "Contract" has the same meaning as the term is used in Section 58-27-980.

(3) "Electrical utility" has the same meaning as provided in Section 58-27-10(7).

(4) "Marginal cost" means the electrical utility's marginal cost for producing energy.

(5) "Qualifying customer" means either:

(a) an existing commercial or industrial customer with a combined firm and interruptible contract demand greater than 20 megawatts that agrees to a new or extended electric service contract with a term of five years or more; or

(b) a commercial or industrial customer that agrees to locate its operations in South Carolina or expands its existing establishment, and such location or expansion results in the minimum of:

(i) 500 kilowatts at one point of delivery;

(ii) fifty new employees; and

(iii) capital investment for \$400,000 following the electrical utility's approval for service.

(6) "Rate proposal" means a written document that identifies the rates, terms, and conditions for electric service offered by an electrical utility to a prospective customer.

(7) "Renewable energy facility" means a solar array or other facility constructed by or on behalf of a qualifying customer for the exclusive purpose of supplementing electrical power generation from a renewable energy source for its economic development location, expansion, or retention.

(8) "Transformational customer" means a commercial or industrial customer that agrees to locate its operations in South Carolina or expand its existing establishment, and such location or expansion results in the addition of a minimum of:

(a) 50 megawatts at one point of delivery;

(b) 500 new employees;

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(c) capital investment of \$100,000,000 following the electrical utility's approval for service; and

(d) who is designated by the South Carolina Department of Commerce as a business which will bring substantial benefit to the economy of South Carolina and its citizens, such that it is in the public interest to have such transformational customer located in this State.

Section 58-43-20. (A) When considering whether the rates, terms, and conditions negotiated with economic development prospects are just and reasonable, the commission shall give full weight and consideration to the economic development benefits to the electrical utility's customers that result from prospective commercial or industrial entities locating or expanding their activities in South Carolina.

(B) Notwithstanding any other provision of law, an electrical utility may provide the South Carolina Department of Commerce or a prospective qualifying customer or transformational customer with a rate proposal containing terms and conditions to incentivize the prospective customer to make capital investments and employ additional workforce in the electrical utility's service territory. The rate proposal initially provided by an electrical utility may differ from the final contract, rate, terms, and conditions with the qualifying customer or transformational customer.

(C) An electrical utility may offer special rates, terms, and conditions to a qualifying customer or transformational customer, including rates that are lower than the rates that the customer otherwise would be charged. The agreement with the customer must be for a term not exceeding ten years and the electrical utility may offer the customer interruptible and real-time pricing options and riders for other clean energy attributes which may support the qualifying customer's or transformational customer's needs. However, rates for qualifying customers may not be lower than the electrical utility's marginal cost of providing service to the customer and rates for transformational customers may not be lower than twenty-five percent less than the electrical utility's marginal cost of providing service to the customer.

(D) Rates, terms, and conditions negotiated with qualifying and transformational customers shall be deemed just and reasonable if:

- (1) for qualifying customers, the terms of this section are met;
- (2) for transformational customers, the commission determines

that:

- (a) the economic development rate offered significantly impacts the customer's decision to locate or expand in South Carolina;
- (b) the financial value realized by the electrical utility's system

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from the transformational customer being on the electrical utility's system for ten years is greater than or equal to the financial value of the rate incentive given to the transformational customer;

(c) measures have been taken to avoid or reduce cross-customer class-subsidization; and

(d) the consequences of offering the economic development rate are beneficial to the system as a whole considering all customer classes.

The commission must either approve or deny an application pursuant to this section within sixty days.

(E) Nothing in this chapter shall otherwise restrict the commission's authority to regulate rates and charges or review contracts entered into pursuant to this section or to otherwise supervise the operations of electrical utilities.

(F) The construction of a proposed renewable energy facility by or on behalf of a qualifying customer to support electric power generation at its location must comply with federal, state, and local laws and ordinances.

(G) Consistent with federal, state, and local laws and ordinances, the electrical utility may expedite interconnection of a proposed renewable energy facility to be constructed by a qualifying or transformational customer to support electrical power generation at its location where high-quality and reliable electric service are not adversely impacted.

(H) In the event a qualifying customer or transformational customer leaves this State or terminates its operations in this State during the ten-year contract period, such customer must reimburse the electrical utility and its customers the difference between standard rates and the rates paid during the term of the agreement between the electrical utility and its customers.

(I) An electrical utility shall not be required to adjust its cost of service in a rate proceeding as a result of a rate, agreement, or infrastructure provided pursuant to this section in any matter that would impute revenue at a level higher than received by the electrical utility from a qualifying customer or transformational customer or would otherwise reduce the electrical utility's revenue as a result of entering into contracts with qualifying customers or transformational customers pursuant to this section.

(J) If an electrical utility offers special rates, terms, and conditions to a qualifying customer or a transformational customer, any electrical utility in South Carolina may also offer all directly competing existing

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customers in its service territory in this State with similar special rates, terms, and conditions at the time the agreement is entered into with the qualifying customer or transformational customer to the extent the directly competing existing customer is able to substantiate its status as a directly competing existing customer. For purposes of this section, customers are “directly competing” if they make the same end-product, or offer the same service, for the same general group of customers. Customers that only produce component parts of the same end product are not directly competing customers.

SECTION X. Chapter 37, Title 58 of the S.C. Code is amended by adding:

Section 58-37-135. Any appeal of an order concerning a permit for an energy infrastructure project which appeal is not finally resolved on the effective date of this statute shall be immediately transferred to the South Carolina Supreme Court which shall have the exclusive jurisdiction of all proceedings related to that appeal.

SECTION X. Section 58-3-530 of the S.C. Code is amended by adding:

(16) to conduct an annual evaluation of the performance of the Division of Consumer Advocacy within the Department of Consumer Affairs related to the division’s representation of consumers in utility matters, which must be submitted to the General Assembly. A proposed draft of the evaluation must be submitted to the Division of Consumer Advocacy prior to submission to the General Assembly, and the Division of Consumer Advocacy must be given an opportunity to be heard before the review committee prior to the completion of the evaluation and its submission to the General Assembly.

SECTION X. Chapter 13, Title 8 of the S.C. Code is amended by adding:

Section 8-13-65. Beginning with Fiscal Year 2025-2026, the salary for the commission’s chief clerk must be based on recommendations by the Agency Head Salary Commission to the General Assembly as provided in Sections 8-11-160 and 8-11-165.

Re-number sections to conform.

Amend title to conform.

Rep. GATCH explained the amendment.

Rep. GATCH spoke in favor of the amendment.

The amendment was then adopted.

[HJ]

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Rep. MAGNUSON proposed the following Amendment No. 2H. 3309 (LC-3309.DG0002H), which was tabled:

Amend the bill, as and if amended, SECTION 21, by striking Section 58-3-260(C) and inserting:

(C) Commissioners must limit their consideration of matters before them to the record presented by the parties and may not rely on material not presented in the record by the parties, other than testimony and materials from previous proceedings of the commission.

Renumber sections to conform.

Amend title to conform.

Rep. MAGNUSON explained the amendment.

Rep. MAGNUSON moved to table the amendment, which was agreed to.

Rep. MCDANIEL spoke in favor of the Bill.

Rep. COBB-HUNTER spoke in favor of the Bill.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 11

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bernstein	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Chapman	Clyburn
Cobb-Hunter	Collins	B. L. Cox
Crawford	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Govan	Grant
Guest	Guffey	Haddon
Hager	Hartnett	Hartz
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman

[HJ]

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Hosey	J. E. Johnson	J. L. Johnson
Jones	Jordan	King
Kirby	Landing	Lawson
Ligon	Long	Lowe
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	T. Moore	Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Oremus
Pedalino	Pope	Rankin
Rivers	Robbins	Rutherford
Sanders	Schuessler	G. M. Smith
M. M. Smith	Taylor	Teeple
Terribile	Vaughan	Weeks
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--94

Those who voted in the negative are:

Bauer	Cromer	Frank
Gilreath	Harris	Huff
J. Moore	Reese	Rose
Spann-Wilder	Wetmore	

Total--11

So, the Bill, as amended, was read the second time and ordered to third reading.

ABSTENTION FROM VOTING

February 12, 2025
The Honorable House Murrell Smith, Jr.
506 Blatt Building
Columbia, SC 29201

Dear Speaker Smith,
I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3309 relating to the "South Carolina Energy Security Act" out of an abundance of caution. I will

[HJ]

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abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,
Representative Heath Sessions
House District Number 46

ABSTENTION FROM VOTING

February 12, 2025
The Honorable House Murrell Smith, Jr.
506 Blatt Building
Columbia, SC 29201

Dear Speaker Smith,
I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3309 relating to the “South Carolina Energy Security Act” out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,
Representative Jordan Pace
House District Number 117

ABSTENTION FROM VOTING

February 12, 2025
The Honorable House Murrell Smith, Jr.
506 Blatt Building
Columbia, SC 29201

Dear Speaker Smith,
I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3309 relating to the “South Carolina Energy Security Act” out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

WEDNESDAY, FEBRUARY 12, 2025

Sincerely,
Jason Luck
House District Number 54

ABSTENTION FROM VOTING

February 12, 2025
The Honorable House Murrell Smith, Jr.
506 Blatt Building
Columbia, SC 29201

Dear Speaker Smith,
I am notifying you in accordance with S.C. Code Ann. Section 8-13-700 that I will not participate in the vote on H. 3309 relating to the “South Carolina Energy Security Act” out of an abundance of caution. I will abstain from this vote because of a potential conflict of interest as an economic interest of myself and the business with which I am associated may be affected. Please note this in the House Journal.

Sincerely,
Representative Phillip Bowers
House District Number 3

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on H. 3309. If I had been present, I would have voted in favor of the Bill.

Rep. Jay Kilmartin

RECURRENCE TO THE MORNING HOUR

Rep. FORREST moved that the House recur to the morning hour, which was agreed to.

H. 3292--DEBATE ADJOURNED

The following Bill was taken up:

H. 3292 -- Reps. Hixon, Pedalino, W. Newton, Forrest, B. L. Cox, Erickson, Taylor, Hartz and Atkinson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-2-105, RELATING TO GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS, SO AS TO PROVIDE CERTAIN MUNICIPALITIES AND COUNTIES MAY ENACT ORDINANCES

[HJ]

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TO ALLOW GOLF CARTS TO OPERATE IN DESIGNATED AREAS WITHIN THEIR JURISDICTIONS AT NIGHT.

Rep. HIXON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

H. 3862--DEBATE ADJOURNED

The following Bill was taken up:

H. 3862 -- Reps. Erickson, G. M. Smith, Gilliam, Mitchell and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-50, RELATING TO CHARTER SCHOOL ADMISSIONS PREFERENCES, SO AS TO REVISE CRITERIA FOR ADMISSIONS PREFERENCES, AND TO ADD PROVISIONS CONCERNING STUDENTS WITH MULTIPLE ENROLLMENT PREFERENCES.

Rep. ERICKSON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

H. 3196--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3196 -- Reps. Erickson, G. M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam, Collins, Vaughan, Caskey, Terribile, Kilmartin, Magnuson, Haddon, Wetmore, M. M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoun, Ligon, Lawson, Yow, Edgerton, Cromer, Reese, Gilliard, Alexander, Rivers, Oremus, Hartz and Anderson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "EDUCATOR ASSISTANCE ACT" BY ADDING SECTION 59-25-112 SO AS TO PROVIDE PROFESSIONAL CERTIFICATES ISSUED BY THE STATE BOARD OF EDUCATION ARE PERMANENT UNLESS REVOKED OR SUSPENDED AND ARE NOT SUBJECT TO RENEWAL, TO PROVIDE NO TEACHER MAY BE REQUIRED TO RENEW A PROFESSIONAL CERTIFICATE ISSUED BY THE BOARD, AND TO PROVIDE A TEACHER WITH A PROFESSIONAL CERTIFICATE SHALL CONTINUE TO COMPLETE ONGOING PROFESSIONAL LEARNING AND DEVELOPMENT; BY ADDING SECTION 59-101-145 SO AS TO

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AUTHORIZE THE USE OF DATA BEING COLLECTED UNDER CURRENT PROCEDURES TO REPORT ON CERTAIN POSTSECONDARY MATTERS CONCERNING GRADUATES OF SOUTH CAROLINA PUBLIC SCHOOLS, AND TO REQUIRE THE STREAMLINING OF DATA COLLECTION TIMELINES AND PROCESSES; BY AMENDING SECTION 59-25-47, RELATING TO POLICIES AUTHORIZING PAYMENTS FOR UNUSED TEACHER LEAVE, SO AS TO REQUIRE ADDITIONAL POLICIES THAT ALLOW TEACHERS TO DONATE SUCH UNUSED LEAVE TO A LEAVE BANK FOR OTHER EMPLOYEES, AND TO PROVIDE REQUIREMENTS FOR THE POLICIES; BY AMENDING SECTION 59-25-410, RELATING TO ANNUAL NOTIFICATION OF SCHOOL TEACHER EMPLOYMENT AND ASSIGNMENTS, SO AS TO PROVIDE THE NOTIFICATION MUST INCLUDE CERTAIN SALARY INFORMATION REQUIREMENTS IN THE REQUIRED NOTICE, TO PROVIDE NOTICE OF TENTATIVE TEACHER ASSIGNMENTS MUST BE PROVIDED NO LATER THAN FOURTEEN CALENDAR DAYS BEFORE THE START OF THE SCHOOL YEAR, AND TO PROHIBIT LIMITATIONS ON TEACHER REASSIGNMENTS; BY AMENDING SECTION 59-25-420, RELATING TO NOTICES CONCERNING ANNUAL TEACHER EMPLOYMENT CONTRACTS, SO AS TO PROVIDE CONTRACT ACCEPTANCES SUBMITTED BEFORE THE STATUTORY NOTIFICATION DEADLINE MAY BE WITHDRAWN BY SUBMISSION OF WRITTEN NOTICE TO THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER PUBLICATION OF THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE UPCOMING SCHOOL YEAR, AND TO PROVIDE SCHOOL DISTRICTS MAY NOT REPORT SUCH WITHDRAWALS AS A BREACH OF CONTRACT; BY AMENDING SECTION 59-1-425, RELATING TO REQUIRED DAYS FOR COLLEGIAL PROFESSIONAL DEVELOPMENT IN THE ANNUAL SCHOOL CALENDAR, SO AS TO INCREASE THE NUMBER OF DAYS TO FOUR, TO PROVIDE DISTRICTS MUST VERIFY COMPLETING OF THE REQUIRED COLLEGIAL PROFESSIONAL DEVELOPMENT IN A CERTAIN MANNER, TO PROVIDE TEACHERS AND INSTRUCTIONAL ASSISTANTS MUST BE PROVIDED SELF-DIRECTED FREE TIME TO EVALUATE STUDENT ACADEMIC DATA, INSTRUCTIONAL PLANNING, AND CLASSROOM PREPARATION, AND TO REMOVE A TWO-DAY MAXIMUM LIMITATION ON USE OF THESE COLLEGIAL

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PROFESSIONAL DEVELOPMENT DAYS FOR PREPARATION AND OPENING OF SCHOOLS; BY AMENDING SECTION 59-25-530, RELATING TO UNPROFESSIONAL CONDUCT AND BREACH OF CONTRACT BY TEACHERS, SO AS TO RECHARACTERIZE CERTAIN ACTIONS AS BEING BREACH OF CONTRACT INSTEAD OF UNPROFESSIONAL CONDUCT, TO REVISE THE PENALTIES AND CONSEQUENCES FOR SUCH BREACHES OF CONTRACT, AMONG OTHER THINGS; BY REPEALING SECTION 59-101-130 RELATING TO HIGH SCHOOLS REPORTING TO THE SUPERINTENDENT OF EDUCATION; INSTITUTIONS OF HIGHER LEARNING REPORTING TO HIGH SCHOOLS; AND BY REPEALING SECTION 59-101-140 RELATING TO TABULATION OF REPORTS.

The Committee on Education and Public Works proposed the following Amendment No. 1H. 3196 (LC-3196.WAB0001H), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 2.

Amend the bill further, SECTION 4, by striking Section 59-25-47(A) and inserting:

(A) A local school district board of trustees or, in the case of a charter school, the governing body of a charter school, is authorized to adopt a policy consistent with the school district or, in the case of a charter school, the school budget, providing that all certified and noncertified public school teachers identified in the Professional Certified Staff listing, certified special school classroom teachers, certified ~~media specialists~~school librarians, certified ~~guidance~~school counselors, and career specialists who are employed by a school district or a charter school who earn, but do not use sick and annual leave in excess of ninety days, may be eligible to receive payment at the end of each fiscal year for these earned days in excess of ninety days for each excess day at a district's or charter school's established rate of substitute pay for their individual job classification, or another amount, subject to approval by the local school board, or, in the case of a charter school, the governing body of the charter school. This provision applies only to sick leave and annual leave in excess of ninety days that is accrued after July 1, 2018.

Amend the bill further, SECTION 5, by striking Section 59-25-410(C) and inserting:

~~(B)(C) On or before August fifteenth~~No later than fourteen calendar days ~~prior to~~ before students are scheduled to return to school at the start

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of the school year, the superintendent, principal, where applicable, or supervisor shall notify the teacher of his tentative assignment for the ensuing school year. Once assigned to a school, the teacher shall not be reassigned to work at another location in the district unless the superintendent can demonstrate the need for reassignment ~~due to extreme and unavoidable circumstances.~~ Such reassignment must be approved by a majority vote of the board of trustees, and the teacher must be afforded written notice at least five school days in advance of the reassignment.

Amend the bill further, by deleting SECTION 6.

Amend the bill further, SECTION 8, by striking Section 59-25-530 and inserting:

Section 59-25-530. Any ~~teacher~~educator who fails to comply with the provisions of his contract without the written consent of the school board ~~shall be deemed guilty of unprofessional conductor as provided in Section 59-25-420 is considered to be in breach of contract.~~ A breach of contract resulting from the execution of an employment contract with another board within the State without the consent of the board first employing the ~~teacher~~educator makes void any subsequent contract with any other school district in South Carolina ~~for the same employment period.~~ Upon the formal complaint of the school board, substantiated by conclusive evidence, the State board ~~shall~~may suspend or revoke the ~~teacher's~~educator's certificate, ~~for a period not to exceed one calendar year.~~ State education agencies in other states with reciprocal certification agreements shall be notified of the revocation of the certificate. The State Board shall not hear a complaint from a school board pursuant to this section unless it is received within ~~thirty~~sixty days of the breach of contract. The period for educator certificate suspension due to breach of contract must begin on the date such contract is breached with the district and run for a period of time deemed appropriate by the State Board of Education, not to exceed six months from the date of breach. During this suspension period, the educator may not be signed to an employment contract by any public school board in South Carolina. The department shall provide notification of the suspension to other state educator licensing authorities.

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

SECTION X. Section 59-26-40(J) of the S.C. Code is amended to read:

(J) After successfully completing an induction contract period, not to exceed three years, and an annual contract period, a teacher shall

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become eligible for employment at the continuing contract level. This contract status is transferable to any district in this State. A continuing contract teacher shall have full procedural rights that currently exist under law relating to employment and dismissal. A teacher employed under a continuing contract must be evaluated on a continuous basis and complete annual collegial professional development as required under Section 59-1-425(A). At the discretion of the local district and based on an individual teacher's needs and past performance, the evaluation may be formal or informal. Formal evaluations must be conducted with a process developed or adopted by the local district in accordance with State Board of Education regulations. The formal process also must include an individualized professional growth plan established by the school or district. Professional growth plans must be supportive of district strategic plans and school renewal plans. Informal evaluations which should be conducted for accomplished teachers who have consistently performed at levels required by state standards, must be conducted with a goals-based process in accordance with State Board of Education regulations. The professional development goals must be established by the teacher in consultation with a building administrator and must be supportive of district strategic plans and school renewal plans. The employing district must award credits toward renewal of a professional teaching certificate for a teacher employed at the continuing contract level who successfully completes the annual professional development activities required under this section and Section 59-1-425(A), consistent with State Board of Education regulations for the renewal of a professional certificate.

SECTION X. Section 59-26-45 of the S.C. Code is amended to read:

Section 59-26-45. (A) A retired educator certificate is a ~~renewable~~lifetime certificate established in regulation by the State Board of Education that allows a retired South Carolina educator to be eligible to maintain certification for the purpose of ~~substituting~~returning to employment with a school district on a temporary or full-time basis. A person is initially eligible for a South Carolina retired educator certificate if he:

- (1) held a valid South Carolina renewable, professional educator certificate at the time of retirement;
- (2) is either a:
 - (i) retired member of the South Carolina Retirement System;or
 - (ii) current or former participant in the State Optional Retirement Program who would have met the eligibility requirements for

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retirement under the South Carolina Retirement System had he participated in that system rather than the State Optional Retirement Program;

(3) does not hold another valid South Carolina educator certificate and has never held a valid South Carolina educator certificate that has been ~~suspended, revoked, or voluntarily surrendered~~; and

(4) meets all other qualifications to serve as a ~~substitute~~certified educator as specified in state statute, regulation, and guidelines.

(B) An individual meeting the eligibility requirements and desirous of a retired educator certificate, ~~including a renewal certificate~~, must submit the request in the manner specified in regulation and guidelines.

(1) A retired educator certificate approved and issued is valid for five years from the date of each issuance.

(2) ~~A certificate may be renewed and, if approved, is valid for five years from the date of each issuance. Once issued, a retired educator certificate may be maintained upon written request from a retired educator in good standing to the department at the end of a five-year period.~~

(3) Department guidelines shall include the timeline, forms, and a process for submitting a request to maintain a retired educator certificate and approving or denying certificate or renewal requests. ~~(4) Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.~~

~~— (4) Renewal of a retired educator certificate does not require completion of professional learning or renewal credit.~~

(C) Any new ~~or renewed~~ certificate is invalidated upon issuance of any other South Carolina educator certificate.

(D) An educator who works under the retired certificate must work under the agreement and rate of pay established for this purpose by the hiring district. Section 59-25-150 shall apply to any retired educator certificate.

(E) A retired educator certificate is not subject to requirements for professional certificate renewal established by regulations of the State Board of Education.

~~(E)~~(F) Nothing in this section exempts an educator from taking part in professional development that is required by a local school district.

~~(F)~~(G) The State Board of Education shall develop regulations for, and the department shall establish guidelines and procedures for, the implementation of this section.

Renumber sections to conform.

Amend title to conform.

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Rep. ERICKSON explained the amendment.
The amendment was then adopted.

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Rose
Rutherford	Sanders	Schuessler

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Sessions	G. M. Smith	M. M. Smith
Spann-Wilder	Stavrinakis	Taylor
Teeple	Terrible	Vaughan
Weeks	Wetmore	White
Whitmire	Wickensimer	Williams
Willis	Wooten	Yow

Total--111

Those who voted in the negative are:

Total--0

So, the Bill, as amended, was read the second time and ordered to third reading.

H. 3195--DEBATE ADJOURNED

The following Bill was taken up:

H. 3195 -- Reps. Haddon, Pope, Pedalino, Chumley, Taylor, Erickson, Bradley, Hixon, Ligon, Weeks, Oremus, Hartz, Williams and Luck: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-10-10, RELATING TO STANDARDS FOR PHYSICAL ACTIVITY AND PHYSICAL EDUCATION IN KINDERGARTEN THROUGH EIGHTH GRADE, SO AS TO REQUIRE CERTAIN MANDATORY MINIMUM PERIODS FOR PHYSICAL EDUCATION AND OUTDOOR RECESS IN FOUR-YEAR-OLD KINDERGARTEN THROUGH EIGHTH GRADE EACH YEAR IN ADDITION TO OTHER CURRICULUM REQUIREMENTS, AND TO PROVIDE RECESS PERIODS MUST BE HELD INDOORS DURING TIMES OF INCLEMENT WEATHER; BY AMENDING SECTION 59-10-30, RELATING TO PHYSICAL EDUCATION ACTIVITY DIRECTORS AND VOLUNTEERS, SO AS TO MAKE CONFORMING CHANGES; AND TO REDESIGNATE ARTICLE 1 OF CHAPTER 10, TITLE 59 AS "PHYSICAL EDUCATION AND ACTIVITY."

Rep. ERICKSON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

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H. 3247--DEBATE ADJOURNED

The following Bill was taken up:

H. 3247 -- Reps. Haddon, Pope, Spann-Wilder, Garvin, Pedalino, Chumley, Bowers, Hixon, Yow, Mitchell and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-462 SO AS TO EXCUSE ABSENCES FOR PUBLIC SCHOOL STUDENTS WHEN PARTICIPATING IN CERTAIN WORK-BASED LEARNING EXPERIENCES INCLUDING ORGANIZED COMPETITIONS OR EXHIBITIONS OF FUTURE FARMERS OF AMERICA (FFA) ORGANIZATIONS OR 4-H PROGRAMS, AND TO PROVIDE STUDENTS AND THEIR PARENTS ARE RESPONSIBLE FOR OBTAINING AND COMPLETING ASSIGNMENTS MISSED DURING SUCH EXCUSED ABSENCES.

Rep. ERICKSON moved to adjourn debate on the Bill until Thursday, February 13, which was agreed to.

S. 253--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 253 -- Senators Peeler, Grooms, Alexander, Turner and Young: A JOINT RESOLUTION TO PROVIDE AUTHORIZATION FOR THE DEPARTMENT OF ADMINISTRATION TO EXPEND CERTAIN FUNDS TO ENGAGE AN INDEPENDENT COMPLIANCE CONSULTANT FOR REVIEW OF COMPLIANCE OF THE OFFICE OF THE STATE TREASURER, THE OFFICE OF THE COMPTROLLER GENERAL, AND THE OFFICE OF THE STATE AUDITOR WITH RECOMMENDATIONS IN THE ALIXPARTNERS FORENSIC ACCOUNTING REPORT AND OTHER RELEVANT RECOMMENDATIONS.

Rep. MURPHY explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister

[HJ]

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Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Forrest	Frank	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Gilreath
Govan	Grant	Guest
Guffey	Haddon	Hager
Harris	Hartnett	Hartz
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon
Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinnakis
Taylor	Teeple	Terrible
Vaughan	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

[HJ]

93

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So, the Joint Resolution was read the second time and ordered to third reading.

H. 3932--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3932 -- Rep. Pedalino: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-190, RELATING TO DESIGNATION OF VOTING PRECINCTS IN CLARENDON COUNTY, SO AS TO SPLIT AN EXISTING PRECINCT AND REDESIGNATE THE MAP NUMBER ON WHICH THE OFFICIAL PRECINCT MAP IS FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

Rep. PEDALINO explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Chapman
Clyburn	Cobb-Hunter	Collins
B. L. Cox	Crawford	Cromer
Davis	Dillard	Duncan
Edgerton	Erickson	Frank
Gagnon	Garvin	Gatch
Gibson	Gilliam	Gilliard
Gilreath	Govan	Grant
Guest	Guffey	Haddon
Hager	Harris	Hartnett
Hartz	Henderson-Myers	Hewitt
Hiott	Hixon	Holman
Hosey	Huff	J. E. Johnson
J. L. Johnson	Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Ligon

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Long	Lowe	Luck
Magnuson	Martin	May
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Oremus	Pace	Pedalino
Pope	Rankin	Reese
Rivers	Robbins	Sanders
Schuessler	Sessions	G. M. Smith
M. M. Smith	Spann-Wilder	Stavrinakis
Taylor	Teeple	Terrible
Vaughan	Weeks	Wetmore
White	Whitmire	Wickensimer
Williams	Willis	Wooten
Yow		

Total--106

Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

H. 3933--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3933 -- Reps. Mitchell and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-36-1330, RELATING TO APPOINTMENT OR ELECTION OF BOARD MEMBERS, SO AS TO ESTABLISH A SEVEN-MEMBER BOARD AND TO CHANGE THE APPOINTMENT PROCEDURE.

Rep. MITCHELL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Bernstein	Bowers
Bradley	Brewer	Brittain
Burns	Bustos	Calhoon
Chapman	Clyburn	Cobb-Hunter
Collins	B. L. Cox	Crawford
Cromer	Davis	Dillard
Duncan	Edgerton	Erickson
Frank	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Gilreath	Govan
Grant	Guest	Guffey
Haddon	Hager	Harris
Hartnett	Hartz	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hixon	Holman	Hosey
Huff	J. L. Johnson	Jones
Jordan	Kilmartin	King
Kirby	Landing	Lawson
Ligon	Long	Lowe
Luck	Magnuson	Martin
May	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Oremus	Pace
Pedalino	Pope	Rankin
Reese	Rivers	Robbins
Sanders	Schuessler	Sessions
G. M. Smith	M. M. Smith	Spann-Wilder
Stavrinakis	Taylor	Teeple
Terribile	Vaughan	Weeks
Wetmore	White	Whitmire
Wickensimer	Williams	Willis
Wooten	Yow	

Total--107

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Those who voted in the negative are:

Total--0

So, the Bill was read the second time and ordered to third reading.

Rep. WICKENSIMER moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3906 -- Reps. Hardee, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF MARVIN DAVID LONG JR. OF LORIS AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

H. 3902 -- Reps. Hardee, Atkinson, Alexander, Anderson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath,

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Govan, Grant, Guest, Guffey, Haddon, Hager, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE MEMBERS AND COACHES OF THE LORIS HIGH SCHOOL FOOTBALL TEAM AND TO CONGRATULATE THEM ON A REMARKABLE 2024 SEASON.

H. 3942 -- Reprs. Govan, Bamberg, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bauer, Beach, Bernstein, Bowers, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Duncan, Edgerton, Erickson, Forrest, Frank, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Gilreath, Grant, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hartz, Hayes, Henderson-Myers, Herbkersman, Hewitt, Hiott, Hixon, Holman, Hosey, Howard, Huff, J. E. Johnson, J. L. Johnson, Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Ligon, Long, Lowe, Luck, Magnuson, Martin, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, Montgomery, J. Moore, T. Moore, Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Oremus, Pace, Pedalino, Pope, Rankin, Reese, Rivers, Robbins, Rose, Rutherford, Sanders, Schuessler, Sessions, G. M. Smith, M. M. Smith, Spann-Wilder, Stavrinakis, Taylor, Teeple, Terribile, Vaughan, Weeks, Wetmore, White, Whitmire, Wickensimer, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF BETTY ANN WILLIAMS HENDERSON OF ORANGEBURG COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

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ADJOURNMENT

At 2:07 p.m. the House, in accordance with the motion of Rep. BANNISTER, adjourned in memory of Paul Goldsmith, to meet at 10:00 a.m. tomorrow.

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