

NO. 12

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

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**THURSDAY, JANUARY 30, 2025**  
**Thursday, January 30, 2025**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Exodus 13:20

While the desert stretched before the people: "By day the Lord went ahead of them in a pillar of cloud to guide them and by night in a pillar of fire . . ."

Let us pray: O most loving God, in deep humility do we offer You our heartfelt thanksgiving for leading us even today in the ways You would have us go. For it is Your Word as we find it in scripture itself that suffices; we need not see actual columns of cloud nor fire today. But we do ask, Lord, that You grant to each of these leaders -- to all of us -- the gift of understanding how we are to follow Your way, doing so in complete confidence and faith. After all, only in such a manner can the members of this Body honor You as they make decisions and take actions which are not only pleasing to You, but which we pray will ultimately lead to sound, beneficial results for all South Carolinians. And of course, Lord, we hold in our prayers everyone touched by last night's air disaster near Washington, D.C. All this we pray in Your loving name, dear Lord. Amen.

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

#### **Call of the Senate**

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Fernandez	Gambrell	Garrett
Goldfinch	Graham	Grooms
Hembree	Jackson	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Reichenbach	Rice

**THURSDAY, JANUARY 30, 2025**

Sabb	Stubbs	Sutton
Turner	Verdin	Walker
Williams	Young	Zell

A quorum being present, the Senate resumed.

**Doctor of the Day**

Senator TEDDER introduced Dr. Steven Vranian of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator RICE, at 11:08 A.M., Senator BLACKMON was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator TEDDER, at 3:34 P.M., Senator OTT was granted a leave of absence until 4:00 P.M.

**Leave of Absence**

On motion of Senator JOHNSON, at 4:22 P.M., Senator KIMBRELL was granted a leave of absence until 4:32 P.M.

**CO-SPONSORS ADDED**

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

S. 110 Sen. Corbin  
S. 236 Sen. Zell  
S. 267 Sen. Young

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 294 -- Senators Jackson, Cromer, Adams, Allen, Blackmon, Campsen, Cash, Chaplin, Climer, Corbin, Davis, Devine, Elliott, Fernandez, Gambrell, Garrett, Goldfinch, Graham, Grooms, Hembree, Hutto, Johnson, Kennedy, Kimbrell, Leber, Martin, Matthews, Nutt, Ott, Rankin, Reichenbach, Rice, Sabb, Stubbs, Sutton, Tedder, Verdin, Walker, Williams, Young and Zell: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND FORMER SENATOR ROBERT FORD FOR DECADES OF SERVICE TO THE CITIZENS OF CHARLESTON COUNTY AND THE STATE OF SOUTH CAROLINA.

**THURSDAY, JANUARY 30, 2025**

lc-0243wab-gm25.docx

The Senate Resolution was adopted.

S. 295 -- Senator Jackson: A SENATE RESOLUTION TO CONGRATULATE THE MEETING PLACE CHURCH OF GREATER COLUMBIA ON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO COMMEND THE CHURCH FOR A QUARTER-CENTURY OF SERVICE TO GOD AND THE COMMUNITY.

lc-0262wab-rm25.docx

The Senate Resolution was adopted.

S. 296 -- Senator Devine: A SENATE RESOLUTION TO RECOGNIZE AND HONOR YVONDA BEAN, CHIEF EXECUTIVE OFFICER OF COLUMBIA HOUSING, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS AS SHE LEAVES TO BECOME THE CHIEF EXECUTIVE OFFICER OF THE INDIANAPOLIS HOUSING AUTHORITY.

lc-0154hdb-gm25.docx

The Senate Resolution was adopted.

S. 297 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 9-1-1085 AND 9-11-225, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, RESPECTIVELY, SO AS TO PROVIDE THAT EMPLOYERS, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR; BY AMENDING SECTIONS 9-1-10 AND 9-11-10, BOTH RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM DEFINITIONS AND TO THE POLICE OFFICERS RETIREMENT SYSTEM DEFINITIONS, RESPECTIVELY, SO AS TO PROVIDE WHAT IS NOT EARNABLE COMPENSATION AND TO PROVIDE THAT CERTAIN CONTRIBUTIONS PAID BY EMPLOYERS ARE ACCUMULATED CONTRIBUTIONS OR AGGREGATE CONTRIBUTIONS; BY AMENDING SECTION 9-11-260, RELATING TO DEPOSIT OF ASSETS IN THE SYSTEM, SO AS TO PROVIDE FOR CERTAIN AMOUNTS PAID BY EMPLOYERS IN LIEU OF EMPLOYEE CONTRIBUTIONS; AND BY AMENDING

**THURSDAY, JANUARY 30, 2025**

SECTIONS 9-1-1020, 9-1-1160, AND 9-11-210, ALL RELATING TO CONTRIBUTIONS OF MEMBERS, SO AS TO PROVIDE THAT EMPLOYERS MAY PICK UP CERTAIN CONTRIBUTIONS IN THE AMOUNT DESIGNATED AS EMPLOYEE CONTRIBUTIONS IN CERTAIN CIRCUMSTANCES.

lc-0211sa25.docx

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

S. 298 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 4-10-330, RELATING TO CONTENTS OF BALLOT QUESTIONS AND THE USE OF CAPITAL PROJECT SALES TAX PROCEEDS, SO AS TO ADD WORKFORCE HOUSING AS A PERMISSIBLE TYPE OF PROJECT.

sf-0009aa25.docx

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

S. 299 -- Senators Gambrell and Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-17-410, RELATING TO EMERGENCY ADMISSION TO A PUBLIC OR PRIVATE HOSPITAL, MENTAL HEALTH CLINIC, OR MENTAL HEALTH FACILITY OF A PERSON LIKELY TO CAUSE SERIOUS HARM TO HIMSELF OR OTHERS, SO AS TO EXTEND THE TIME THE REQUIRED CERTIFICATE IS VALID IF SAFE TRANSPORT IS UNAVAILABLE DUE TO A NATURAL DISASTER OR SOME OTHER LIFE-THREATENING CONDITION; AND BY AMENDING SECTION 44-17-440, RELATING TO THE CUSTODY AND TRANSPORT OF A PERSON REQUIRING IMMEDIATE CARE, SO AS TO EXTEND THE TIME THE REQUIRED CERTIFICATE IS VALID IF SAFE TRANSPORT IS UNAVAILABLE DUE TO A NATURAL DISASTER OR SOME OTHER LIFE-THREATENING CONDITION, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH A FRIEND OR RELATIVE MAY TRANSPORT A MENTALLY ILL PATIENT, AND TO PROVIDE FOR CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES.

sr-0201km25.docx

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

S. 300 -- Senator Tedder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 2 TO

**THURSDAY, JANUARY 30, 2025**

CHAPTER 31, TITLE 23 SO AS TO REQUIRE NATIONAL INSTANT CRIMINAL BACKGROUND CHECKS BEFORE ANY SALE, EXCHANGE, OR TRANSFER OF FIREARMS IN THIS STATE AND TO PROVIDE PROCEDURES FOR THE BACKGROUND CHECKS; TO REQUIRE NATIONAL INSTANT CRIMINAL BACKGROUND CHECKS AT GUN SHOWS AND TO PROVIDE PROCEDURES FOR THE BACKGROUND CHECKS; AND TO EXEMPT RECORDS KEPT FROM DISCLOSURE AS PUBLIC RECORDS UNDER THE FREEDOM OF INFORMATION ACT AND TO PROVIDE A PENALTY FOR VIOLATIONS OF THE ARTICLE.

lc-0158cm25.docx

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

S. 301 -- Senators Bennett, Fernandez, Leber and Tedder: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CHARLES LEE "CHUCK" BRYANT OF DORCHESTER COUNTY FOR HIS DEDICATED SERVICE TO HIS COMMUNITY AND TO THE STATE OF SOUTH CAROLINA.

lc-0141dg-gm25.docx

The Senate Resolution was adopted.

H. 3792 -- Rep. Pedalino: A BILL TO AMEND ACT 106 OF 2021, RELATING TO THE CONSOLIDATION OF SCHOOL DISTRICTS IN CLARENDON COUNTY INTO THE CLARENDON COUNTY SCHOOL DISTRICT, SO AS TO CHANGE THE METHOD OF DETERMINING THE RESULTS OF ELECTIONS FOR MEMBERS OF THE BOARD OF TRUSTEES, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY SUBMIT ITS PROPOSED BUDGET TO THE CLARENDON COUNTY COUNCIL FOR APPROVAL.

lc-0129hdb25.docx

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

H. 3839 -- Reps. Erickson, 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, Forrest, Frank,

**THURSDAY, JANUARY 30, 2025**

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 CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2025 DISTRICT TEACHERS OF THE YEAR UPON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN, AND TO WISH THEM CONTINUED SUCCESS IN THE FUTURE.

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

**INVITATIONS ACCEPTED**

The PRESIDENT ordered the following invitations placed on the Calendar:

**Tuesday, February 4, 2025 – 5:00 p.m. - 6:30 p.m.**

Members and Staff, Reception, City Art, 1224 Lincoln Street, hosted by the **SOUTH CAROLINA REALTORS**

**Tuesday, February 4, 2025 – 5:00 p.m. - 7:00 p.m.**

Members only, Reception, Capital Center, 1201 Main Street, hosted by the **SOUTH CAROLINA ECONOMIC DEVELOPERS' ASSOCIATION**

**Tuesday, February 4, 2025 – 5:30 p.m. - 7:30 p.m.**

Members only, Reception, The Palmetto Club, hosted by the **SC OPTOMETRIC PHYSICIANS' ASSOCIATION**

**Tuesday, February 4, 2025 – 6:00 p.m. - 8:00 p.m.**

**THURSDAY, JANUARY 30, 2025**

Members only, Reception, Parker Poe, 1221 Main Street, hosted by the **METRO CHAMBER COALITION**

**Wednesday, February 5, 2025 – 8:00 a.m. - 10:00 a.m.**

Members only, Breakfast, 112 Blatt Building, hosted by **MENTAL HEALTH HEROES / AIKEN BARNWELL RECOVERY FOUNDATION / NAMI SOUTH CAROLINA / MENTAL HEALTH AMERICA SC**

**Wednesday, February 5, 2025 – 11:30 a.m. - 2:00 p.m.**

Members and Staff, Luncheon, 112 Blatt Building, hosted by the **UNITED WAY ASSOCIATION OF SOUTH CAROLINA**

**Wednesday, February 5, 2025 – 5:00 p.m. - 7:00 p.m.**

Members and Staff, Reception, The Palmetto Club, hosted by the **CAROLINA RECYCLING ASSOCIATION 2**

**Wednesday, February 5, 2025 – 5:30 p.m. - 7:00 p.m.**

Members and Staff, Reception, The Palmetto Club, hosted by the **SC HUMAN SERVICES PROVIDERS ASSOCIATION**

**Thursday, February 6, 2025 – 8:00 a.m. - 10:00 a.m.**

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA COALITION FOR ACCESS TO HEALTHCARE**

**Tuesday, February 11, 2025 – 5:30 p.m. - 7:30 p.m.**

Members and Staff, Reception, USC Pastides Alumni Center, 900 Senate Street, hosted by the **UNIVERSITY OF SOUTH CAROLINA / USC ALUMNI ASSOCIATION**

**Wednesday, February 12, 2025 – 8:00 a.m. - 10:00 a.m.**

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SC ASSOCIATION OF MUNICIPAL POWER SYSTEMS / PIEDMONT MUNICIPAL POWER AGENCY**

**Wednesday, February 12, 2025 – 11:30 a.m. - 2:00 p.m.**

Members only, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA BAPTIST CONVENTION**

**Wednesday, February 12, 2025 – 6:00 p.m. - 8:00 p.m.**



**THURSDAY, JANUARY 30, 2025**

Members and Staff, Reception, SC National Guard Armory, Bluff Road, hosted by the **SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES**

**Thursday, February 13, 2025 – 8:00 a.m. - 10:00 a.m.**

Members only, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA ARTS ALLIANCE**

**Thursday, February 13, 2025 – 11:30 a.m. - 2:00 p.m.**

Members and Staff, Luncheon, State House Grounds, hosted by **THE ELECTRIC COOPERATIVES OF SOUTH CAROLINA**

**Tuesday, February 18, 2025 – 5:00 p.m. - 7:00 p.m.**

Members only, Reception, Halls Chophouse, hosted by the **NATIONAL ASSOCIATION OF INSURANCE & FINANCIAL ADVISORS**

**Tuesday, February 18, 2025 – 6:00 p.m. - 8:00 p.m.**

Members and Staff, Reception, Columbia Metropolitan Convention Center, hosted by the **LEXINGTON COUNTY DEVELOPMENT CORPORATION "LEXINGTON COUNTY NIGHT"**

**Tuesday, February 18, 2025 – 6:00 p.m. - 8:00 p.m.**

Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA CRAFT DISTILLERS' GUILD**

**Wednesday, February 19, 2025 – 8:00 a.m. - 10:00 a.m.**

Members and Staff, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA HUMAN SERVICES PROVIDERS ASSOCIATION**

**Wednesday, February 19, 2025 – 11:30 a.m. - 2:00 p.m.**

Members only, Lunch, 112 Blatt Building, hosted by the **INDEPENDENT BANKS OF SOUTH CAROLINA (IBSC)**

**Wednesday, February 19, 2025 – 5:00 p.m. - 7:00 p.m.**

Members and Staff, Reception, The Palmetto Club, hosted by the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**

**Wednesday, February 19, 2025 – 5:30 p.m. - 7:00 p.m.**

**THURSDAY, JANUARY 30, 2025**

Members and Staff, Reception, The Palmetto Club, hosted by the  
**HISTORIC MITCHELVILLE FREEDOM PARK**

**Wednesday, February 19, 2025 – 5:30 p.m. - 7:30 p.m.**

Members and Staff, Reception, Bourbon, 1214 Main Street, hosted by  
**THE BIG RED BARN**

**Thursday, February 20, 2025 – 8:00 a.m. - 10:00 a.m.**

Members and Staff, Breakfast, 112 Blatt Building, hosted by the  
**FORESTRY ASSOCIATION OF SOUTH CAROLINA**

**Tuesday, February 25, 2025 – 5:30 p.m. - 8:00 p.m.**

Members and Staff, Reception, 701 Whaley Street, hosted by the  
**SOUTH CAROLINA CONSERVATION COALITION "OYSTER ROAST"**

**Tuesday, February 25, 2025 – 5:30 p.m. - 8:00 p.m.**

Members, Staff, and Families, Reception, South Carolina State Museum,  
301 Gervais Street, hosted by the **SOUTH CAROLINA STATE MUSEUM**

**Tuesday, February 25, 2025 – 6:00 p.m. - 9:00 p.m.**

Members and Staff, Reception, Columbia Metropolitan Convention  
Center, hosted by the **MYRTLE BEACH CHAMBER OF COMMERCE "MYRTLE BEACH NIGHT"**

**Wednesday, February 26, 2025 – 8:00 a.m. - 10:00 a.m.**

Members and Staff, Breakfast, 112 Blatt Building, hosted by the  
**AMERICAN CANCER SOCIETY CANCER ACTION NETWORK**

**Wednesday, February 26, 2025 – 11:30 a.m. - 2:00 p.m.**

Members only, Luncheon, State House Grounds, hosted by the **SOUTH CAROLINA TECHNICAL COLLEGE SYSTEM**

**Wednesday, February 26, 2025 – 5:00 p.m. - 7:30 p.m.**

Members and Staff, Reception, Washington Place, 1208 Washington  
Street, hosted by the **ASSOCIATION OF ABC STORES OF SOUTH CAROLINA**

**THURSDAY, JANUARY 30, 2025**

**Wednesday, February 26, 2025 – 6:00 p.m. - 8:00 p.m.**

Members only, Reception, Columbia Museum of Art, 1515 Main Street, hosted by **TOGETHER SC**

**Thursday, February 27, 2025 – 8:00 a.m. - 10:00 a.m.**

Members only, Breakfast, 112 Blatt Building, hosted by the **SOUTH CAROLINA LAND TRUST NETWORK**

**Thursday, February 27, 2025 – 11:30 a.m. – 2:00 p.m.**

Members and Staff, Luncheon, 112 Blatt Building, hosted by the **SC STUDENT LOAN CORPORATION**

**Motion Adopted**

Senator MASSEY asked unanimous consent to proceed directly to Interrupted Debate.

There was no objection.

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

**AMENDED, READ THE SECOND TIME**

S. 62 -- Senators Hembree, Rice and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-8-110, RELATING TO DEFINITIONS, SO AS TO DEFINE NECESSARY TERMS; BY AMENDING SECTION 59-8-115, RELATING TO THE STANDARD APPLICATION PROCESS, SO AS TO PROVIDE REQUIREMENTS FOR STUDENTS AND SCHOOLS SEEKING TO PARTICIPATE IN THE PROGRAM; BY AMENDING SECTION 59-8-120, RELATING TO ADMINISTRATION OF THE FUND, SO AS TO PROVIDE FOR THE ADMINISTRATION OF THE K-12 EDUCATION LOTTERY SCHOLARSHIP; BY AMENDING SECTION 59-8-125, RELATING TO FUNDS TO CREATE, OVERSEE, AND ADMINISTER PROGRAM, SUSPENSION OF ACCOUNTS, UNUSED FUNDS, AND TERMINATION OF SCHOLARSHIPS, SO AS TO APPROPRIATE FUNDS FOR THE SCHOLARSHIP PROGRAM FROM THE SOUTH CAROLINA EDUCATION LOTTERY ACCOUNT; BY AMENDING SECTION 59-8-130, RELATING TO TERMINATION OF SCHOLARSHIP STUDENTS' PROGRAMS; AND NOTIFICATION, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-135, RELATING TO LIMITATIONS ON SCHOLARSHIPS, SO AS TO PROVIDE

**THURSDAY, JANUARY 30, 2025**

LIMITATIONS ON THE NUMBER OF SCHOLARSHIPS THAT MAY BE AWARDED; BY AMENDING SECTION 59-8-140, RELATING TO THE APPLICATION APPROVAL PROCESS FOR EDUCATION SERVICE PROVIDERS, SO AS TO PROVIDE THAT AN EDUCATION SERVICE PROVIDER MUST CERTIFY ANNUALLY TO THE DEPARTMENT THAT IT MEETS ALL PROGRAM REQUIREMENTS; BY AMENDING SECTION 59-8-145, RELATING TO PROCEDURES TO INFORM STUDENTS AND THEIR PARENTS OF ELIGIBILITY AND APPROVED EDUCATION SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-150, RELATING TO REQUIREMENTS FOR EDUCATION SERVICE PROVIDERS, DEPARTMENT, AND EDUCATION OVERSIGHT COMMITTEE, SO AS TO PROVIDE THAT THE SURETY BOND IS REQUIRED OF EDUCATION SERVICE PROVIDERS WHO EXCEED FIFTY THOUSAND DOLLARS IN QUALIFYING EXPENSES AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 59-8-160, RELATING TO THE K-12 EDUCATION LOTTERY SCHOLARSHIP REVIEW PANEL, SO AS TO PROVIDE FOR ITS COMPOSITION AND PURPOSES; BY AMENDING SECTION 59-8-165, RELATING TO STUDENT TRANSFER POLICY, SO AS TO CLARIFY STUDENT TRANSFER REQUIREMENTS; BY AMENDING SECTION 59-8-170, RELATING TO IMMEDIATE PARTICIPATION IN A SPORT BY A TRANSFER SCHOLARSHIP STUDENT, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-150-350, RELATING TO EDUCATION LOTTERY ACCOUNT MANAGEMENT, SO AS TO MAKE CONFORMING CHANGES.

The Senate proceeded to the consideration of the Bill.

**Amendment No. 21**

Senators CLIMER, KIMBRELL and CASH proposed the following amendment (SR-62.KM0016S), which was carried over:

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

SECTION X. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K 12 is entitled to a refundable tax credit against income taxes imposed pursuant

**THURSDAY, JANUARY 30, 2025**

to this chapter equal to the base student cost or the cost of tuition for a private school or parochial school, whichever is lower, for each child.

(B) In order to be a qualifying school, the school must:

- (1) provide an affidavit attesting that it is a K-12 school;
- (2) provide the school's address;
- (3) provide that it is able to enroll students;
- (4) provide that it will educate students according to the expectations of the student's family;
- (5) make an annual financial statement available to students' families; and

(6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(E) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

(F) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(G) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

**THURSDAY, JANUARY 30, 2025**

(H) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(I) The department may promulgate regulations necessary to implement the provisions of this section.

Renumber sections to conform.

Amend title to conform.

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

**Amendment No. 22**

Senator OTT proposed the following amendment (SMIN-62.MW0010S), which was tabled:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is ~~not~~ subject to any prohibition by the South Carolina High School League on a transfer student from participating in ~~a sport~~ an interscholastic sport immediately upon transfer.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

The amendment was laid on the table.

**Amendment No. 25**

Senator HEMBREE proposed the following amendment (SEDU-62.DB0007S), which was adopted:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer

**THURSDAY, JANUARY 30, 2025**

student from participating in ~~a sport~~an interscholastic sport immediately upon transfer. After the initial transfer, any subsequent transfer by a scholarship student to another public school shall be subject to the South Carolina High School League eligibility rules.

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

**Amendment No. 26**

Senator DEVINE proposed the following amendment (SMIN-62.MW0002S), which was withdrawn:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider ~~that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department~~must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements and that it has not raised the cost of attendance for a K-12 scholarship student enrolled during the previous school year by an amount greater than any increase in the ratio of the Consumer Price Index as calculated annually by the Revenue and Fiscal Affairs Office pursuant to Sections 15-32-220(F) and 15-32-530(D). An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

On motion of Senator DEVINE, with unanimous consent, Amendment No. 26 was withdrawn.

**Amendment No. 29**

Senator HEMBREE proposed the following amendment (SEDU-62.DB0008S), which was withdrawn:

Amend the bill, as and if amended, SECTION 12, by striking Section 59-8-170 and inserting:

**THURSDAY, JANUARY 30, 2025**

Section 59-8-170. A scholarship student transferring from one public school to another public school pursuant to this program is not subject to any prohibition by the South Carolina High School League on a transfer student from participating in ~~a sport~~ an interscholastic sport immediately upon transfer. After the initial transfer, any subsequent transfer by a scholarship student to another public school shall be subject to the South Carolina High School League eligibility rules. This section shall sunset four years after enactment.

Re-number sections to conform.

Amend title to conform.

On motion of Senator HEMBREE, with unanimous consent, Amendment No. 29 was withdrawn.

**Amendment No. 30**

Senator OTT proposed the following amendment (SMIN-62.MW0004S), which was withdrawn:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(I), (J), and (K) and inserting:

~~(J)~~(I) The State Board of Education ~~shall~~ may promulgate regulations for the administration of the program as may be applicable.

~~(K) The department may contract with qualified organizations to administer the program application process or specific functions, maintenance, and monitoring of the program application process as required above.~~

~~(K)~~(J) Students must be considered enrolled in the program until the parent notifies the department of a decision to terminate participation or the department determines that the student is no longer eligible.

Amend the bill further, SECTION 3, by striking Section 59-8-120(H) and (I) and inserting:

~~(H) The department may contract with qualified organizations to administer the program.~~

~~(I)~~(H) The trust-K-12 education lottery scholarship fund does not constitute a debt of the State or any political subdivision thereof, including school districts. The ~~trust~~ fund must be held and applies solely toward carrying out the purposes of this chapter.

Amend the bill further, SECTION 4, by striking Section 59-8-125(B), (C), (D), (E), (F), (G), (H), and (I) and inserting:

(B) ~~The General Assembly shall appropriate funds to the department for initial costs to create the program. Thereafter, the~~ The department shall deduct an amount from the ESTE-K-12 education lottery



THURSDAY, JANUARY 30, 2025

scholarship fund to cover the costs of overseeing the accounts and administering the program up to a limit of the lesser of two percent or two million eight hundred fifty thousand dollars. Annually, on or before December thirty-first, the department shall notify the respective chairmen of the Senate Finance Committee and House of Representatives Ways and Means Committee regarding the amount deducted for administrative costs and an itemization of the costs incurred to administer the program for the previous ~~school~~ fiscal year.

~~(C) The department may contract with qualified vendors to manage accounts and shall establish reasonable fees for private financial management firms participating in the program based upon market rates.~~

~~—(D) The department may contract with qualified organizations to administer the program or specific functions of the program.~~

~~(E)~~ (C) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school ~~district~~, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school ~~district~~ is considered to have returned to a public school for the purpose of determining the end of the term. Any money remaining in the student's account reverts back to the K-12 education lottery scholarship fund.

~~(F)~~ (D) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must reverts to the ~~ESTFK~~-12 education lottery scholarship fund.

~~(G)~~ (E) Unused funds must be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program.

~~(H)~~ (F) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ~~ESTFK~~-12 education lottery scholarship fund.

~~(I)~~ (G) Only one account may be established for a scholarship student.

Amend the bill further, SECTION 8, by striking Section 59-8-145(E) and (F) and inserting:

~~—(E) The department may conduct or contract for the auditing of accounts, and shall, at a minimum, conduct random audits of education service providers and scholarship accounts on an annual basis.~~

~~(F)~~ (E) The department may refer cases of substantial misuse of funds to law enforcement agencies for investigation.

**THURSDAY, JANUARY 30, 2025**

Amend the bill further, SECTION 8, by striking Section 59-8-145(G) and inserting:

~~(H)~~~~(G)~~ (F) The department shall maintain a record of the number of applications received annually for the program, the number of students accepted into the program each fiscal year, and the number of students not accepted into the program each fiscal year with a corresponding explanation as to why the student was not accepted into the program. The department shall compile this information and provide a report on the previous fiscal year to the General Assembly by December thirty-first of each year.

Amend the bill further, SECTION 9, by striking Section 59-8-150(G) and inserting:

(G) A person paid by, contracted with, employed by, or having a financial interest in an education service provider shall not be allowed to serve on the board of ~~an organization contracting for services with the department as defined in Section 59-8-115(J), serve on the board of a vendor or private management firm contracted to manage accounts as defined in Section 59-8-125(C), on the board of~~ any other provider of contracted-for services under Section 59-8-110(12) ~~or under Section 59-8-120(H)~~, or on the ESTFK-12 education lottery scholarship Review Panel~~review panel~~. Any education service provider violating this subsection shall be barred from participating in the program for two years and shall return any funds received under the program to the ESTFK-12 education lottery scholarship fund.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

Senator HEMBREE spoke on the amendment.

Senator SABB spoke on the amendment.

At 12:09 P.M., Senator SABB ask unanimous consent that the Senate recessed from business not to exceed 5 minutes.

Senator HEMBREE objected.

On motion of Senator OTT, with unanimous consent, Amendment No. 30 was withdrawn.

**Amendment No. 31**

Senators OTT and HEMBREE proposed the following amendment (SMIN-62.MW0005S), which was adopted:

**THURSDAY, JANUARY 30, 2025**

Amend the bill, as and if amended, SECTION 4, by striking Section 59-8-125(E), (F), (G), and (H) and inserting:

(E) Payments made by the department must remain in force until a parent or scholarship student is proven to have participated in a prohibited activity specified in this chapter, a scholarship student returns to a public school in his resident public school ~~district~~, or a scholarship student graduates from high school or attains twenty-two years of age, whichever occurs first. A scholarship student who enrolls in his resident public school ~~district~~ is considered to have returned to a public school for the purpose of determining the end of the term. Any money remaining in the student's account reverts back to the ~~K-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

(F) The department may suspend or deactivate an account for substantial misuse or the scholarship student leaves the program for any reason, at which time any remaining funds must reverts to the ~~ESTF K-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

(G) Unused funds must ~~be rolled over to the following school year for a scholarship student who applies and continues to meet eligibility requirements to participate in the program~~ revert to the South Carolina Education Lottery Account.

(H) A scholarship terminates automatically if the student is no longer domiciled in this State, and any money remaining in the account reverts to the ~~ESTF K-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

Amend the bill further, SECTION 5, by striking Section 59-8-130 and inserting:

Section 59-8-130. If a scholarship student's program of academic instruction is terminated for any reason before the end of the semester or school year and the student does not resume instruction within thirty days, then the parent shall notify the department and remaining funds in the account revert to the ~~ESTF K-12 education lottery scholarship fund~~ South Carolina Education Lottery Account.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

**Recorded Vote**

**THURSDAY, JANUARY 30, 2025**

Senator ZELL desired to be recorded as voting against the adoption of the amendment.

**Amendment No. 32**

Senators OTT and DEVINE proposed the following amendment (SMIN-62.KR0001S), which was adopted:

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

SECTION X. Chapter 8, Title 59 of the S.C. Code is amended by adding:

Section 59-8-147. (A) The department shall prominently post, on the main page of the South Carolina Department of Education website, advertisement of and access to the application for the program. The department shall be responsible for facilitating access to the application and supporting applicants throughout the application process.

(B) In the event that an application is submitted and is substantially complete but found to contain errors including, but not limited to, errors of minor omission and misspelling, the submitting party must be notified and given two weeks to correct the errors before a final decision is made regarding the acceptance or denial of the application. If space in the program is limited, preference will be given to applicants whose applications are on hold due to error until the two weeks allotted for correction have passed.

Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

**Amendment No. 34**

Senator DEVINE proposed the following amendment (SMIN-62.MW0022S), which was tabled:

Amend the bill, as and if amended, SECTION 7, by striking Section 59-8-140(A)(3) and inserting:

(3) An education service provider ~~that participated in the program in the previous school year and desires to participate in the program in the current school year shall reapply to the department~~must certify annually to the department that it meets all program requirements. The education service provider reapplying shall certify to the department that it continues to meet all program requirements and that it has not raised

**THURSDAY, JANUARY 30, 2025**

the cost of attendance for a K-12 scholarship student enrolled during the previous school year by an amount greater than any increase to the average per pupil funding from state sources for the prior academic year as provided by the Office of Revenue and Fiscal Affairs. An education service provider required to administer academic testing shall provide to the department test score data from the previous school year. If individual student test score data is not submitted, then the department shall remove the education service provider from the program.

Renumber sections to conform.

Amend title to conform.

Senator DEVINE explained the amendment.

Senator BENNETT spoke on the amendment.

Senator BENNETT moved to lay the amendment on the table.

The amendment was laid on the table.

**Amendment No. 35**

Senator HEMBREE proposed the following amendment (SEDU-62.DB0009S), which was adopted:

Amend the bill, as and if amended, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce a~~an~~ intra-district's student transfer policy. The department shall create a model guidelines for an interdistrict policy, and within 120 days of creation of the model policy all school districts must enact an interdistrict policy consistent with the model policy, for each local board of trustees to use in developing and adopting an interdistrict enrollment policy. The policy shall be based on its evaluation of available data reflecting student, school, district and community needs. The policy must identify and describe the application requirements, timeline and communication plan and include policies adopted by the board regarding capacity standards, standards of approval and denial, priorities of acceptance for enrollment and transportation. In implementing the provisions of this section, a school district may but is not required to expand the capacity of a program or school for the purpose of accommodating increased demand for interdistrict transfer opportunities. The school districts shall post on their web page available capacity for interdistrict student transfers. All school districts must have an interdistrict policy in place within 120 days of creation of the model

**THURSDAY, JANUARY 30, 2025**

guidelines by the department. Any school district with an existing interdistrict policy must review their policy to insure compliance with this section within 60 days of enactment.

Renumber sections to conform.  
Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

**Amendment No. 36**

Senators JOHNSON and RANKIN proposed the following amendment (SEDU-62.DB0010S), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 59-8-115(B)(2) and inserting:

(2) ~~enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation~~ a priority window must be given first to current participants of this program, for the 2025-2026 School Year this means a participant of the Education Scholarship Trust Fund, who continue to reside in the State, followed by a second tiered priority window to siblings of current participants and a third and subsequent tiered priority window shall be open to new program participants that have a household income that does not exceed three hundred percent of the federal poverty guidelines and a fourth and subsequent tiered priority window shall be open to new program participants who attended a public school in the preceding academic year;

Renumber sections to conform.  
Amend title to conform.

Senator JOHNSON explained the amendment.

The amendment was adopted.

**Amendment No. 37A**

Senators CLIMER and KIMBRELL proposed the following amendment (SR-62.KM0021S), which was ruled out of order:

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

**THURSDAY, JANUARY 30, 2025**

SECTION 1. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K-12 is entitled to a tax credit against income taxes imposed pursuant to this chapter equal to:

(1) for taxable year 2025, two thousand dollars or the cost of tuition, whichever is less, for each child;

(2) for taxable year 2026, four thousand dollars or the cost of tuition, whichever is less, for each child;

(3) for taxable year 2027, six thousand dollars or the cost of tuition, whichever is less, for each child; and

(4) for taxable year 2027 and for each taxable year thereafter, eight thousand five hundred dollars or the cost of tuition, whichever is less, for each child. The tax credit is refundable beginning in tax year 2027.

(B) In order to be a qualifying school, the school must:

(1) provide an affidavit attesting that it is a K-12 school;

(2) provide the school's address;

(3) provide that it is able to enroll students;

(4) provide that it will educate students according to the expectations of the student's family;

(5) make an annual financial statement available to students' families; and

(6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) In order to claim the tax credit cost of tuition for each student, the taxpayer must provide proof of tuition payment in a form prescribed by the Department of Revenue.

(E) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(F) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

(G) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

**THURSDAY, JANUARY 30, 2025**

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(H) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

(I) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(J) For each student that leaves a public school to attend a qualifying private school, parochial school, or home school for grades K-12 who is a child of a taxpayer claiming the tax credit pursuant to this section, the department shall reduce:

(1) for school year 2025-2026 State Aid to Classrooms by two thousand dollars;

(2) for school year 2026-2027, State Aid to Classrooms by four thousand dollars;

(3) for school year 2027-2028, State Aid to Classrooms six thousand dollars; and

(4) for school year 2028-2029 and for all school years thereafter, State Aid to Classrooms by eight thousand five hundred dollars.

(K) The department may promulgate regulations necessary to implement the provisions of this section.

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the



**THURSDAY, JANUARY 30, 2025**

constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

Senator KIMBRELL spoke on the amendment.

**Point of Order**

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

Senator HEMBREE spoke on the Point of Order.

Senator DAVIS spoke on the Point of Order.

Senator KIMBRELL spoke on the Point of Order.

Senator DAVIS further spoke on the Point of Order.

The President sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 38**

Senator TEDDER proposed the following amendment (LC-62.WAB0005S), which was ruled out of order:

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

SECTION X. Section 59-149-10 of the S.C. Code is amended by adding:

(F) (1) Beginning with school year 2025-2026, the annual amount of a LIFE Scholarship for eligible resident students attending a four-year public or independent institution as defined in this chapter is increased to the cost of tuition for thirty credit hours a year or its equivalent plus a six hundred dollar a yearbook allowance. Tuition for this purpose means the amount charged for registering for credit hours of instruction and shall not include other fees, charges, or costs of textbooks, except for the

**THURSDAY, JANUARY 30, 2025**

referenced six hundred dollar book allowance, and may not exceed six thousand dollars for each student for each year, plus the book allowance.

(2) In addition, and notwithstanding the provisions of subsection (D) above, beginning with school year 2025-2026, eligible resident students attending two-year independent institutions may not receive an annual LIFE scholarship of more than the maximum cost of tuition at two-year regional public institutions for thirty credit hours a year or its equivalent. An eligible student attending a two-year public or independent institution or technical college shall receive the six hundred dollar book allowance in addition to his cost of tuition.

SECTION X. Section 59-150-370(A) of the S.C. Code is amended to read:

(A) SC HOPE Scholarships are hereby established and are provided by the State. These scholarships are authorized in an amount of up to ~~two~~three thousand five hundred dollars, plus a ~~three~~six hundred dollar book allowance to cover the cost of attendance, as defined by the Commission on Higher Education by regulation, during the first year of attendance only, to an eligible student attending a four-year public or independent institution as defined in subsection (B) who does not also qualify for a LIFE Scholarship or a Palmetto Fellows Scholarship.

Re-number sections to conform.

Amend title to conform.

Senator TEDDER explained the amendment.

**Point of Order**

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

Senator MASSEY spoke on the Point of Order.

Senator TEDDER spoke on the Point of Order.

The President sustained the Point of Order.

The amendment was ruled out of order.

**Amendment No. 39**

Senator SABB proposed the following amendment (SR-62.CEM0039S), which was tabled:

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

**THURSDAY, JANUARY 30, 2025**

SECTION X. The department's authority to enter into contracts with vendors for administration of this program shall expire three years after its effective date, unless extended or reenacted by the General Assembly by law.

Renumber sections to conform.  
Amend title to conform.

Senator SABB explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 31; Nays 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Reichenbach	Rice	Stubbs
Turner	Verdin	Young
Zell		

**Total--31**

**NAYS**

Allen	Devine	Graham
Jackson	Martin	Matthews
Ott	Rankin	Sabb
Sutton	Tedder	Walker
Williams		

**Total--13**

The amendment was laid on the table.

**Amendment No. 6**

**THURSDAY, JANUARY 30, 2025**

Senator JOHNSON proposed the following amendment (SR-62.CEM0001S), which was withdrawn:

Amend the bill, as and if amended, SECTION 11, by striking Section 59-8-165 and inserting:

Section 59-8-165. The provisions of the chapter do not restrict a school district's ability to enact or enforce ~~a~~an intra-district's student transfer policy. The department shall create a model interdistrict policy, and within 120 days of creation of the model policy all school districts who have not previously adopted an interdistrict policy must enact an interdistrict policy consistent with the model policy. Any district that does not adopt the model policy shall submit its current policy for approval by the State Board of Education.

Re-number sections to conform.

Amend title to conform.

On motion of Senator JOHNSON, with unanimous consent, Amendment No. 6 was withdrawn.

**Amendment No. 20**

Senator MASSEY proposed the following amendment (SR-62.CEM0029S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTIONS 11 and 12.

Re-number sections to conform.

Amend title to conform.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 20 was withdrawn.

**Amendment No. 33**

Senator MASSEY proposed the following amendment (SR-62.CEM0035S), which was withdrawn:

Amend the bill, as and if amended, by deleting SECTION 11.

Re-number sections to conform.

Amend title to conform.

On motion of Senator MASSEY, with unanimous consent, Amendment No. 33 was withdrawn.

**Amendment No. 21**

Senators CLIMER, KIMBRELL, CASH and LEBER proposed the following amendment (SR-62.KM0016S), which was withdrawn:

**THURSDAY, JANUARY 30, 2025**

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

SECTION X. Chapter 6, Title 12 of the S.C. Code is amended by adding:

Section 12-6-3830. (A) A taxpayer whose child attends a qualifying private school, parochial school, or home school for grades K 12 is entitled to a refundable tax credit against income taxes imposed pursuant to this chapter equal to the base student cost or the cost of tuition for a private school or parochial school, whichever is lower, for each child.

(B) In order to be a qualifying school, the school must:

- (1) provide an affidavit attesting that it is a K-12 school;
- (2) provide the school's address;
- (3) provide that it is able to enroll students;
- (4) provide that it will educate students according to the expectations of the student's family;

(5) make an annual financial statement available to students' families; and

(6) have an Employer Identification Number (EIN), or, for purposes of a home school, the school must be registered as required by the State.

(C) A taxpayer who claims an income tax credit pursuant to this section may not claim the exceptional needs tax credit pursuant to Section 12-6-3790 in the same income tax year.

(D) A taxpayer is not eligible for the credit described in this section if his child attended a public school for more than forty-four days in the current income tax year.

(E) A taxpayer who fraudulently claims the credit described in this section is guilty of tax fraud and must be prosecuted as provided by law.

(F) A parent may assert a violation of this section as a claim or defense in a judicial or administrative proceeding and obtain compensatory damages, injunctive relief, declaratory relief, attorney's fees, court costs, and any other appropriate relief.

(1) A parent is required to bring a claim for a violation of this section no later than three years after the day the cause of action accrues.

(2) An award of noneconomic damages may not exceed one hundred thousand dollars for each claimant unless the jury or court determines that the defendant was grossly negligent, wilful, wanton, or reckless, and such conduct was the proximate cause of the claimant's noneconomic damages, or if the defendant has engaged in fraud or misrepresentation related to the claim, or if the defendant altered or destroyed medical records with the purpose of avoiding a claim or liability to the claimant.

**THURSDAY, JANUARY 30, 2025**

(3) The provisions of this section do not limit the amount of compensation for economic damages suffered by a claimant.

(G) The Attorney General may bring an action to enforce compliance with this section. Nothing in this section may be construed to deny, impair, or otherwise affect any right or authority of the Attorney General, the State, or any agency, officer, or employee of the State to institute or intervene in any proceeding.

(H) The Treasurer shall prescribe the form and manner to be an approved private school or parochial school and issue eligibility certificates. The parent shall provide the eligibility certificate to the department. By October first of each year, the Treasurer shall publish on its website a list of all qualifying private schools and parochial schools to include their names, addresses, telephone numbers, and, if available, website addresses and applicable audits.

(I) The department may promulgate regulations necessary to implement the provisions of this section.

Renumber sections to conform.

Amend title to conform.

Senator DAVIS spoke on the amendment.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 21 was withdrawn.

**Amendment No. 40**

Senators CLIMER, KIMBRELL, and LEBER proposed the following amendment (SR-62.CEM0036S), which was ruled out of order:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2), (3) and (4) and inserting:

(2) “Eligible student” means a student who is a resident of this State.  
~~“Education Scholarship Trust Fund”, “ESTF”, or “fund” means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.~~

(3) ~~“Eligible school” means a South Carolina public school or an independent school that chooses to participate in the program. “Eligible school” does not include a charter school.~~

~~(4) “Eligible student” means a student who:~~

~~(a) is a resident of this State;~~

~~(b)(i) attended a public school in this State during the previous school year;~~

THURSDAY, JANUARY 30, 2025

~~— (ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or~~

~~— (iii) received a scholarship pursuant to this chapter for the previous school year; and~~

~~— (c)(i) in school year 2024-2025, has a household income that does not exceed two hundred percent of the federal poverty guidelines;~~

~~— (ii) in School Year 2025-2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and~~

~~— (iii) in School Year 2026-2027 and all subsequent years, has a household income that does not exceed four hundred percent of the federal poverty guidelines.— (c) Notwithstanding any other provision of this chapter, a student attending his resident school may be an eligible student if he meets all other eligibility criteria and the Department of Education has certified the district in which the resident school is located can not adequately provide for an essential service to the student.~~

~~— “Eligible student” does not include students participating in the Educational Credit for Exceptional Needs Children's Fund program, as provided in Section 12-6-3790.~~

Amend the bill further, SECTION 2, by striking Section 59-8-115(A) and inserting:

(A) The department shall create a standard application process and establish the timeline for parents to establish the eligibility of their student for the Education Scholarship Trust Fund program~~K-12 Education Lottery Scholarship program~~. The application window established shall last at least forty five days, opening no earlier than January fifteenth and closing no later than March fifteenth each calendar year. The department shall continue to accept applications for the lottery scholarship program on a rolling basis, until capacity is met and then shall maintain a waitlist to maximize program participation.

Amend the bill further, SECTION 2, by striking Section 59-8-115(B)(2) and inserting:

(2) enroll and issue award letters within thirty days of the deadline for receipt of completed applications and all required documentation a priority window must be given first to current participants of this program, for the 2025-2026 School Year this means a participant of the Education Scholarship Trust Fund, who continue to reside in the State, followed by a second tiered priority window to siblings of current participants and a third and subsequent tiered priority window shall be open to new program participants that have a household income that does not exceed three hundred percent of the federal poverty guidelines;

**THURSDAY, JANUARY 30, 2025**

Amend the bill further, by deleting SECTION 6.  
Re-number sections to conform.  
Amend title to conform.

Senator CLIMER explained the amendment.

**Point of Order**

Senator HEMBREE raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was an amendment to the third degree.

Senator HEMBREE spoke on the Point of Order.

The President sustained the Point of Order.

The amendment was ruled out of order.

Senator CLIMER spoke on the Bill.  
Senator KIMBRELL spoke on the Bill.

**Amendment No. 41**

Senator GRAHAM proposed the following amendment (SMIN-62.KR0005S), which was tabled:

Amend the bill, as and if amended, SECTION 2, Section 59-8-115, by adding a subsection to read:

(L) The department shall not accept any new first-year applicants for scholarship until January 15, 2027.

Re-number sections to conform.  
Amend title to conform.

Senator GRAHAM explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 32; Nays 10**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez



**THURSDAY, JANUARY 30, 2025**

Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Martin	Massey	Nutt
Peeler	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

**Total--32**

**NAYS**

Allen	Devine	Graham
Jackson	Matthews	Sabb
Sutton	Tedder	Walker
Williams		

**Total--10**

The amendment was laid on the table.

**Amendment No. 42**

Senators CLIMER, KIMBRELL, and LEBER proposed the following amendment (SR-62.CEM0040S), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-8-110(2) and (3) and inserting:

~~(2) "Eligible student" means a resident of this State. "Education Scholarship Trust Fund", "ESTF", or "fund" means the individual account that is administered by the department to which funds are allocated to the parent of an eligible student to pay for qualifying expenses.~~

~~(3) "Eligible school" means a South Carolina public school or an independent school that chooses to participate in the program. "Eligible school" does not include a charter school.~~

~~(4) "Eligible student" means a student who:~~

~~— (a) is a resident of this State;~~

~~— (b)(i) attended a public school in this State during the previous school year;~~

~~— (ii) had not yet attained the age of five on or before September first of the previous school year but who has attained the age of five on or before September of the current school year; or~~

~~— (iii) received a scholarship pursuant to this chapter for the previous school year; and~~

**THURSDAY, JANUARY 30, 2025**

~~— (c)(i) in school year 2024–2025, has a household income that does not exceed two hundred percent of the federal poverty guidelines;~~  
~~— (ii) in School Year 2025–2026, has a household income that does not exceed three hundred percent of the federal poverty guidelines; and~~  
~~— (iii) in School Year 2026–2027 and all subsequent years, has a household income that does not exceed four hundred percent of the federal poverty guidelines.; and~~

Amend the bill further, by deleting SECTION 6.  
Re-number sections to conform.  
Amend title to conform.

Senator CLIMER explained the amendment.

Senator HEMBREE moved to lay the amendment on the table.

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

**Ayes 26; Nays 18**

**AYES**

Adams	Alexander	Bennett
Campsen	Chaplin	Cromer
Davis	Fernandez	Gambrell
Graham	Grooms	Hembree
Jackson	Johnson	Massey
Ott	Peeler	Rankin
Rice	Sabb	Stubbs
Sutton	Turner	Williams
Young	Zell	

**Total--26**

**NAYS**

Allen	Cash	Climer
Corbin	Devine	Elliott
Garrett	Goldfinch	Kennedy
Kimbrell	Leber	Martin
Matthews	Nutt	Reichenbach
Tedder	Verdin	Walker

**Total--18**

**THURSDAY, JANUARY 30, 2025**

The amendment was laid on the table.

The question then being second reading of the Bill.

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

**Ayes 32; Nays 12**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Chaplin
Climer	Corbin	Cromer
Davis	Elliott	Fernandez
Gambrell	Garrett	Goldfinch
Grooms	Hembree	Johnson
Kennedy	Kimbrell	Leber
Massey	Nutt	Peeler
Rankin	Reichenbach	Rice
Stubbs	Turner	Verdin
Young	Zell	

**Total--32**

**NAYS**

Allen	Devine	Graham
Jackson	Martin	Matthews
Ott	Sabb	Sutton
Tedder	Walker	Williams

**Total--12**

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

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

**THIRD READING BILL**

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

**THURSDAY, JANUARY 30, 2025**

UPON THE RECOMMENDATION OF THE CLARENDON COUNTY LEGISLATIVE DELEGATION.

On motion of Senator ZELL.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 253 -- Senators Peeler, Grooms, Alexander and Turner: 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.

The Senate proceeded to the consideration of the Resolution.

The Committee on Finance proposed the following amendment (SF-253.AA0008S), which was adopted:

Amend the joint resolution, before the enacting words, by striking the fifth paragraph and inserting:

Whereas, the report makes a clear recommendation, among others, that an independent third party ~~such as an independent compliance consultant~~ be hired to assess and oversee compliance with all recommendations in this report; and

Amend the joint resolution further, before the enacting words, by striking the sixth paragraph and inserting:

Whereas, as of the most recent deadline for submission of agenda items for review by the Joint Bond Review Committee, no plan of implementation as required by Proviso 117.186 of the general appropriations act for Fiscal Year 2024-2025 for support of the audit has been received from the Office of the State Treasurer. Now, therefore,

Amend the bill further, by striking all after the enacting words and inserting:

SECTION 1. The General Assembly hereby redirects the funding appropriated to the Office of the State Treasurer for Audit Support pursuant to Proviso 117.186 of the general appropriations act for Fiscal Year 2024-2025 to the Department of Administration to be utilized to hire an independent compliance consultant to assess and oversee compliance with all recommendations in the AlixPartners forensic

**THURSDAY, JANUARY 30, 2025**

accounting report and other relevant studies conducted in Fiscal Years 2023-2024 and 2024-2025. Procurements by the Department of Administration made pursuant to this section are exempt from the purchasing procedures of the South Carolina Procurement Code in Chapter 35, Title 11.

SECTION 2. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor ~~are directed to identify~~ shall work in concert to effectuate the implementation of recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025 that do not require statutory change; ~~and begin implementation of those recommendations immediately in coordination and with oversight of the Department of Administration.~~ The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall begin implementation of these recommendations immediately in coordination and with oversight of ~~The~~ the Department of Administration. The Department of Administration has the authority to request support from any agency of the State for the implementation of recommendations and all reasonable requests shall be granted. ~~Further, the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a monthly written report on the status of implementation to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee beginning no later than February 15, 2025 and until such time as the Department of Administration determines the monthly report is no longer necessary.~~

SECTION 3. The Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a monthly written report on the status of implementation of the recommendations made to their individual agencies to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor beginning no later than March 31, 2025. The independent compliance monitor shall provide review and comment on the monthly reports to the Department of Administration no later than thirty days following receipt. The Department of Administration shall convene a monthly public meeting of the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor to provide the input of the

**THURSDAY, JANUARY 30, 2025**

independent compliance monitor. monthly written report on the status of implementation of the recommendations made to their individual agencies to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor beginning no later than March 31, 2025. The independent compliance monitor shall provide review and comment on the monthly reports to the Department of Administration no later than thirty days following receipt. The Department of Administration shall convene a monthly public meeting of the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor to provide the input of the independent compliance monitor.

SECTION 4. Upon completion of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this Joint Resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary. of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this Joint Resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary. of implementation of all recommendations not requiring statutory change and not later than one year after the effective date of this Joint Resolution, the independent compliance monitor shall provide a comprehensive report that includes the status of the implementation of all recommendations to the Joint Bond Review Committee for review and comment. The Joint Bond Review Committee is authorized to extend the monthly reporting requirements in this section as it may deem necessary.

SECTION 5. No later than ninety days after the effective date of this Joint Resolution, the Office of the State Treasurer, the Office of the Comptroller General, and the Office of the State Auditor shall provide a detailed timeline for implementation of all recommendations made in the AlixPartners forensic accounting report and other relevant studies conducted during Fiscal Years 2023-2024 and 2024-2025, including

**THURSDAY, JANUARY 30, 2025**

those recommendations requiring statutory change to the Governor, the President of the Senate, the Chairman of the Senate Finance Committee, the Speaker of the House of Representatives, and the Chairman of the House Ways and Means Committee, the Department of Administration, and to the independent compliance monitor. Such a timeline notwithstanding, it is the intent of the General Assembly that the recommendations referenced in this section that do not require statutory change be fully implemented no later than one year after the effective date of this Joint Resolution.

SECTION 6. This joint resolution takes effect upon approval by the Governor.

Re-number sections to conform.

Amend title to conform.

Senator GROOMS explained the amendment.

The amendment was adopted.

The question being the second reading of the Resolution.

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

**Ayes 43; Nays 0**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cash
Chaplin	Climer	Corbin
Cromer	Davis	Devine
Elliott	Fernandez	Gambrell
Garrett	Goldfinch	Graham
Grooms	Hembree	Jackson
Johnson	Kennedy	Leber
Martin	Massey	Matthews
Nutt	Ott	Peeler
Rankin	Reichenbach	Rice
Sabb	Stubbs	Sutton
Tedder	Turner	Verdin
Walker	Williams	Young
Zell		

**Total--43**

**THURSDAY, JANUARY 30, 2025**

**NAYS**

**Total--0**

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

**Motion Adopted**

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

**ADJOURNMENT**

At 4:54 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

\* \* \*



**THURSDAY, JANUARY 30, 2025**

**SENATE JOURNAL INDEX**

Amendment No. 6.....	27	Amendment No. 39.....	26
Amendment No. 20.....	27	Amendment No. 40.....	29
Amendment No. 21.....	<b>11, 28</b>	S. 62.....	<b>10</b>
Amendment No. 22.....	<b>13</b>	S. 253.....	<b>35</b>
Amendment No. 25.....	<b>13</b>	S. 282.....	<b>35</b>
Amendment No. 26.....	<b>14</b>	S. 294.....	<b>2</b>
Amendment No. 29.....	<b>15</b>	S. 295.....	<b>3</b>
Amendment No. 30.....	<b>15</b>	S. 296.....	<b>3</b>
Amendment No. 31.....	<b>18</b>	S. 297.....	<b>3</b>
Amendment No. 32.....	<b>19</b>	S. 298.....	<b>4</b>
Amendment No. 33.....	<b>27</b>	S. 299.....	<b>4</b>
Amendment No. 34.....	<b>19</b>	S. 300.....	<b>5</b>
Amendment No. 35.....	<b>20</b>	S. 301.....	<b>5</b>
Amendment No. 36.....	<b>21</b>		
Amendment No. 37a.....	<b>22</b>	H. 3792.....	<b>5</b>
Amendment No. 38.....	<b>24</b>	H. 3839.....	<b>6</b>