

NO. 54

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 14, 2025

TUESDAY, APRIL 15, 2025

Tuesday, April 15, 2025
(Statewide Session)

Indicates Matter Stricken

Indicates New Matter

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

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

I Kings 19:3a and 4b

From I Kings we read that after hearing Jezebel's message: "Elijah was afraid, and ran for his life . . . I have had enough, Lord, he said."

Good friends, please bow with me as we pray: Truly, O God, we too, now and then experience moments of feeling overwhelmed, unsettled, unsure of what is ahead for us. And as the world was for Elijah, it sometimes is for us, too; the pressures of the day wear us down, while the world around us appears to spin out of control. So we once more turn to You, dear Lord, calling upon You to ease our frustrations as we all do our best to make our way through challenges great and small. To that end, O God, in particular do we urge You to bless each of these hard-working Senators and their staff members. Grant them new resolve as they faithfully tackle the many tasks which need to be completed here during this legislative term. All this we humbly 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	Blackmon	Cash
Climer	Corbin	Cromer
Davis	Devine	Elliott
Garrett	Goldfinch	Graham
Hembree	Hutto	Jackson
Johnson	Kennedy	Kimbrell
Leber	Martin	Massey
Nutt	Ott	Peeler

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Reichenbach	Rice	Sabb
Stubbs	Sutton	Turner
Verdin	Walker	Williams
Young	Zell	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

Statewide Appointments

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence June 30, 2025, and to expire June 30, 2031

5th Congressional District - Pharmacist:

Larry Meek, RPh., 1313 Yellowwood Court, Rock Hill, SC 29732
VICE Heather C. Harris

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina State Human Affairs Commission, with the term to commence June 30, 2023, and to expire June 30, 2026

1st Congressional District:

Mary M. Amonitti, 6 Queens Folly Road, Hilton Head Island, SC 29928-5189

Referred to the Committee on Judiciary.

Initial Appointment, State Commission for Minority Affairs, with the term to commence June 30, 2021, and to expire June 30, 2025

3rd Congressional District:

Kenneth S. Sloane, 420 Simpson Road, Apartment 30, Anderson, SC 29621 *VICE* Lamont A. Flowers

Referred to the Committee on Judiciary.

Reappointment, State Commission for Minority Affairs, with the term to commence June 30, 2025, and to expire June 30, 2029

3rd Congressional District:

Kenneth S. Sloane, 420 Simpson Road, Apartment 30, Anderson, SC 29621

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Referred to the Committee on Judiciary.

Reappointment, State Human Affairs Commission, with the term to commence June 30, 2025, and to expire June 30, 2028

6th Congressional District:

Sharon L. Sellers, 427 Santee Drive, Santee, SC 29142-9304

Referred to the Committee on Judiciary.

Local Appointments

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Melissa G. Burch, 454 South Main Street, Society Hill, SC 29593
VICE Cheveron T. Scott

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2025, and to expire July 1, 2031

William B. Cox, Jr., 136 Hunt Trace, Camden, SC 29020

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alexandro Hartsell, 8 Baltusrol Court, Columbia, SC 29223 *VICE*
Donald J. Simons

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Matthew Davis, 2013 Glenwood Hills Drive, Spartanburg, SC 29307
VICE Hon. Edward Gene Addington

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5366

Agency: State Board of Education

Chapter: 43

Statutory Authority: 1976 Code Sections 59-40-40, 59-40-115 and 59-40-180

SUBJECT: Procedures and Standards for Review of Charter School Applications

Received by President of the Senate April 10, 2025

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Referred to Committee on Education

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5309

Agency: Department of Labor, Licensing and Regulation - State Board of Cosmetology

Chapter: 35

Statutory Authority: 1976 Code Sections 40-13-60 and 40-13-70

SUBJECT: State Board of Cosmetology

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

Document No. 5335

Agency: Department of Labor, Licensing and Regulation - South Carolina State Board of Funeral Service

Chapter: 57

Statutory Authority: 1976 Code Sections 40-1-70, 40-19-60 and 40-19-70

SUBJECT: South Carolina State Board of Funeral Service

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

Document No. 5348

Agency: Department of Labor, Licensing and Regulation

Chapter: 10

Statutory Authority: 1976 Code Sections 40-1-50 and 40-1-70

SUBJECT: Fee Schedules

Received by President of the Senate January 14, 2025

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration January 18, 2026

Withdrawn and Resubmitted April 14, 2025

Doctor of the Day

Senator REICHENBACH introduced Dr. Stephen Imbeau of Florence, S.C., Doctor of the Day.

Leave of Absence

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On motion of Senator TURNER, at 12:10 P.M., Senator GAMBRELL was granted a leave of absence for Tuesday, April 15, 2025, and Wednesday, April 16, 2025.

Leave of Absence

On motion of Senator MARTIN, at 12:10 P.M., Senator MATTHEWS was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator DEVINE, at 12:56 P.M., Senator TEDDER was granted a leave of absence for the balance of the day.

Expression of Personal Interest

Senator YOUNG rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 42 Sen. Ott
S. 54 Sen. Kennedy
S. 134 Sen. Kennedy
S. 146 Sen. Corbin
S. 153 Sen. Kennedy
S. 199 Sen. Cash
S. 239 Sen. Kennedy
S. 240 Sen. Kennedy
S. 241 Sen. Kennedy
S. 242 Sen. Kennedy
S. 243 Sen. Kennedy
S. 305 Sen. Kennedy

CO-SPONSORS REMOVED

The following co-sponsors were removed from the respective Bills:

S. 45 Sen. Stubbs
S. 531 Sen. Stubbs

Motion Adopted

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

RECALLED

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S. 441 -- Senator Devine: A SENATE RESOLUTION TO AUTHORIZE AMERICAN LEGION AUXILIARY PALMETTO GIRLS STATE TO USE THE CHAMBER OF THE SOUTH CAROLINA SENATE ON FRIDAY, JUNE 13, 2025.

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

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

RECALLED

S. 543 -- Senators Kimbrell and Verdin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE OF INTERSTATE 26 AND HIGHWAY 11 AT EXIT 5 IN SPARTANBURG COUNTY "JOHN W. PARRIS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 3333 -- Reps. Davis, B.J. Cox and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 31-12-30, RELATING TO REDEVELOPMENT OF FEDERAL MILITARY INSTALLATIONS DEFINITIONS, SO AS TO PROVIDE THAT A REDEVELOPMENT PROJECT INCLUDES CERTAIN AFFORDABLE HOUSING PROJECTS; AND BY AMENDING SECTION 31-12-210, RELATING TO ISSUANCE OF OBLIGATIONS FOR REDEVELOPMENT PROJECT BY MUNICIPALITY, SO AS TO PROVIDE WHEN CERTAIN OBLIGATIONS MUST BE ISSUED.

Senator DAVIS asked unanimous consent to make a motion to recall the Bill from the Committee on Labor, Commerce and Industry.

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The Bill was recalled from the Committee on Labor, Commerce and Industry and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND READ THE SECOND TIME

H. 4014 -- Rep. Bustos: A BILL TO ABOLISH THE CONSTITUENT DISTRICTS OF CHARLESTON COUNTY SCHOOL DISTRICT AND THEIR RESPECTIVE BOARDS OF TRUSTEES AND TO DELEGATE THE POWERS DEVOLVED UPON THE TRUSTEES OF THE CONSTITUENT DISTRICTS BY ACT 340 OF 1967, AS AMENDED, TO THE BOARD OF TRUSTEES OF CHARLESTON COUNTY SCHOOL DISTRICT.

Senator CAMPSEN moved to recall the Bill from the Charleston Delegation.

The Bill was recalled from the Charleston Delegation and ordered placed on the Calendar for consideration today.

Senator CAMPSEN asked unanimous consent to make a motion to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill. The question then was the second reading of the Bill.

On motion of Senator CAMPSEN, with unanimous consent, the Bill was read the second time, passed and ordered to a third reading.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 546 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CELIA S. PRICE FOR, AT THE AGE OF NINETY-FOUR, HAVING SERVED ON THE COLLETON COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS FOR TWENTY YEARS, MAKING HER THE OLDEST AND LONGEST-SERVING MEMBER OF THE BOARD.

sr-0290km-hw25.docx

The Senate Resolution was adopted.

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S. 547 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DEACON ISAIAH MCKENDLY COVERT.

sr-0316km-hw25.docx

The Senate Resolution was adopted.

S. 548 -- Senator Matthews: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF REVEREND JEANNINE R. SMALLS AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

sr-0300km-hw25.docx

The Senate Resolution was adopted.

S. 549 -- Senator Sabb: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE PRINCE HALL GRAND CHAPTER OF THE ORDER OF THE EASTERN STAR.

sr-0301km-vc25.docx

The Senate Resolution was adopted.

S. 550 -- Senator Allen: A SENATE RESOLUTION TO CONGRATULATE JAMES ALBERT DONALD OF ANDERSON COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS IN THE DAYS AHEAD.

lc-0227dg-jah25.docx

The Senate Resolution was adopted.

S. 551 -- Senator Allen: A CONCURRENT RESOLUTION TO CONGRATULATE ANNIE LOIS NEELY STEWART OF GREENVILLE COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

lc-0240dg-cc25.docx

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

S. 552 -- Senator Devine: A CONCURRENT RESOLUTION TO CONGRATULATE RIDGEWOOD MISSIONARY BAPTIST CHURCH ON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY AND TO CONGRATULATE AND HONOR REVEREND DARRIUS GRAVES AND THE CONGREGATION

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FOR THEIR YEARS OF DEDICATED SERVICE TO THE RIDGEWOOD COMMUNITY.

lc-0265cm-jah25.docx

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

S. 553 -- Senator Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CORPORAL LUCAS WATTS, CAPTAIN THOMAS CROMPTON, LIEUTENANT JUSTIN MURPHY, CORPORAL CHRIS JOHNSON, STAFF SERGEANT CHARLES MULWEE, AND FIRST SERGEANT DAVID CARR, ALL OF THE OCONEE COUNTY SHERIFF'S OFFICE, AND DEPUTY FIRST CLASS TYLER BISHOP OF THE PICKENS COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0139ph-jn25.docx

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

S. 554 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE CANDICE HERLONG POU OF THE SOUTH CAROLINA AUDIT COUNCIL UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR FORTY-FOUR YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

lc-0266cm-gt25.docx

The Senate Resolution was adopted.

S. 555 -- Senator Massey: A SENATE RESOLUTION TO CONGRATULATE MARY ELIZABETH "MARIBETH" ROLLINGS WERTS UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MORE THAN FORTY YEARS OF DEDICATED SERVICE TO THE SOUTH CAROLINA LEGISLATIVE AUDIT COUNCIL, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

lc-0250vr-gm25.docx

The Senate Resolution was adopted.

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S. 556 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-3830 SO AS TO PROVIDE FOR A TAX CREDIT FOR RENEWABLE NATURAL GAS.

sr-0317km25.docx

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

S. 557 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE JUNE 2025 AS "SOUTH CAROLINA TRAILS MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE RESIDENTS TO TAKE ADVANTAGE OF THE ABUNDANCE OF TRAILS IN THIS STATE AND ENJOY THE HEALTH, LEARNING, AND SOCIAL BENEFITS THAT CAN BE DERIVED FROM THEIR USE.

sr-0319km-vc25.docx

The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

S. 558 -- Senator Sutton: A SENATE RESOLUTION TO CONGRATULATE THE SOUTH CAROLINA AQUARIUM UPON THE OCCASION OF ITS TWENTY-FIFTH ANNIVERSARY AND TO RECOGNIZE MAY 19, 2025, AS "SOUTH CAROLINA AQUARIUM DAY" IN SOUTH CAROLINA.

sr-0313km-vc25.docx

The Senate Resolution was adopted.

S. 559 -- Senator Kennedy: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE LEXINGTON UNITED METHODIST CHURCH ON THE OCCASION OF ITS HISTORIC 175TH ANNIVERSARY AND TO COMMEND THE CHURCH FOR ITS MANY YEARS OF SERVICE TO GOD AND THE COMMUNITY.

lc-0305sa-rm25.docx

The Senate Resolution was adopted.

S. 560 -- Senator Hutto: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE SIGNIFICANT ECONOMIC AND COMMUNITY CONTRIBUTIONS OF THE BMW MANUFACTURING PLANT LOCATED IN GREER, SOUTH CAROLINA, AND TO EXTEND A FORMAL INVITATION TO THE PRESIDENT OF THE UNITED STATES TO VISIT THE PLANT

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AND WITNESS FIRSTHAND ITS IMPACT ON THE PALMETTO STATE AND THE NATION.

lc-0160ph-jn25.docx

The Senate Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

Senator HUTTO spoke on the Resolution.

S. 561 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF RIVER ROAD (STATE ROAD S-40) FROM THE INTERSECTION OF PINE STREET (S-21-312) TO THE INTERSECTION OF SHIRLEY ROAD (S-21-1114) IN FLORENCE COUNTY "BILLY EADDY ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

sr-0279km-vc25.docx

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

S. 562 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2024 MEDAL OF VALOR AWARD.

lc-0211hdb-jn25.docx

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

S. 563 -- Senator Cromer: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT MICHAEL CLAYTOR OF THE NEWBERRY COUNTY SHERIFF'S OFFICE, ALONG WITH SLED AGENT KEITH THROWER, SLED AGENT COREY JAGER, SLED AGENT COLE POWELL, AND K9 AGENT COBA, AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0225dg-rm25.docx

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

S. 564 -- Senator Graham: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LEE COUNTY SHERIFF'S OFFICE

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CHIEF DEPUTY J. CHASE ISEMAN, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LANCE CORPORAL GENE MIKE NORRIS, AND SPECIAL AGENTS NEAL NELSON AND SPENCER PUMPHREY, BOTH WITH THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, AND TO CONGRATULATE THEM FOR BEING AWARDED THE 2024 SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0257cm-gm25.docx

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

S. 565 -- Senators Stubbs, Garrett, Reichenbach, Hembree, Adams, Leber, Kimbrell, Sutton, Rice, Nutt, Kennedy and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-120, RELATING TO THE AUTHORITY OF SCHOOLS TO EXCUSE STUDENTS TO ATTEND VETERAN'S DAY ACTIVITIES, SO AS TO REQUIRE SCHOOLS TO EXCUSE STUDENTS TO ATTEND SUCH ACTIVITIES.

lc-0399wab25.docx

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

S. 566 -- Senator Devine: A SENATE RESOLUTION TO DECLARE MAY 5, 2025, AS "MISSING AND MURDERED INDIGENOUS WOMEN RED DRESS DAY" IN SOUTH CAROLINA TO HONOR THOSE WHO HAVE BEEN LOST, THOSE WHO ARE STILL MISSING, AND THE FAMILIES AND COMMUNITIES WHO CONTINUE TO SEEK JUSTICE.

lc-0310sa-jn25.docx

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

H. 3127 -- Reps. Robbins, Wooten, Lawson, Pope, Chapman, Pedalino, W. Newton, Sanders, Duncan, Hixon, Taylor, Gagnon, Oremus, Hartz, Davis, M. M. Smith, Vaughan, Williams, Erickson, Bradley, Cromer and Gilreath: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO FAILURE TO STOP MOTOR VEHICLES WHEN SIGNALLED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE THAT WHERE CERTAIN AGGRAVATING CIRCUMSTANCES OCCUR THE OFFENDER IS GUILTY OF A FELONY, AND TO PROVIDE PENALTIES.

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lc-0083cm25.docx

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

H. 3276 -- Reps. Pope, Robbins, Chapman, W. Newton, Taylor, Forrest, McGinnis, Calhoon, Bernstein, Wooten, Hart, Erickson, Bradley, Ligon, Anderson, Schuessler, Hixon, M. M. Smith and Hartnett: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA HANDS-FREE AND DISTRACTED DRIVING ACT"; BY AMENDING SECTION 56-5-3890, RELATING TO UNLAWFUL USE OF A WIRELESS ELECTRONIC COMMUNICATION DEVICE WHILE OPERATING A MOTOR VEHICLE, SO AS TO PROVIDE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS MOBILE ELECTRONIC DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; AND BY AMENDING SECTION 56-1-720, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, SO AS TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT VIOLATION.

lc-0061cm25.docx

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

H. 3924 -- Reps. Wooten, W. Newton, Erickson, Neese, Hager, Bannister, Herbkersman, M. M. Smith, Pedalino, Mitchell, Bustos, Lawson, Guffey, Hiott, Taylor, Ballentine, Vaughan, White, Long, Ligon, Guest, Gilliam, Hartnett, Bailey, Landing, B. J. Cox, Hayes, Atkinson, Willis, Lowe, T. Moore, Davis, Hixon, Martin, Pope, Henderson-Myers and Robbins: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 56 TO TITLE 46 SO AS TO REGULATE THE SALE OF HEMP-DERIVED CONSUMABLES, AMONG OTHER THINGS.

lc-0058ph25.docx

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

H. 3930 -- Reps. B. J. Cox, G. M. Smith, T. Moore, Hiott, B. Newton, Neese, Sessions, Edgerton, Beach, B. L. Cox, Hardee, Montgomery, M. M. Smith, Holman, Willis, Lawson, Hager, McGinnis, Vaughan, Burns, Frank, Davis, White, Caskey, Wickensimer, Hartnett, Rankin,

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Magnuson, Guffey, Kilmartin, Haddon, Schuessler, Cromer, Gilreath, Long, Oremus, Hartz, Pope, Mitchell, Yow, Forrest, Hixon, Taylor, W. Newton, Teeple, Pedalino, Crawford and Guest: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SECOND AMENDMENT FINANCIAL PRIVACY ACT" BY ADDING ARTICLE 11 TO CHAPTER 31, TITLE 23 SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE UNDER CERTAIN CIRCUMSTANCES NO GOVERNMENT ENTITY SHALL KNOWINGLY KEEP A RECORD OF PRIVATELY OWNED FIREARMS OR THEIR OWNERS AND TO PROVIDE PENALTIES FOR VIOLATIONS.

lc-0135cm25.docx

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

H. 4187 -- Reps. Caskey, Ballentine, Calhoon, Forrest, Govan, Kilmartin, May, McCabe, Taylor, White and Wooten: A BILL TO EXTEND THE ONE PERCENT SALES TAX IMPOSED BY ACT 378 OF 2004, AS AMENDED, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

lc-0195dg25.docx

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

H. 4348 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO FIX ELEVEN O'CLOCK A.M. ON MAY 1, 2025, AS THE TIME TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SECOND CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026; TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE FOURTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026; AND TO ELECT A MEMBER TO THE PUBLIC SERVICE COMMISSION FOR THE SIXTH CONGRESSIONAL DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2026.

lc-0131ha-ha25.docx

On motion of Senator HUTTO, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

REPORTS OF STANDING COMMITTEES

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

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S. 54 -- Senators Martin, Rice, Kimbrell, Leber and Kennedy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "MEDICAL INFORMED CONSENT ACT"; BY ADDING SECTION 16-17-780 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, CORPORATION, HIGHER LEARNING INSTITUTION, OR THE STATE TO IMPLEMENT A VACCINE MANDATE AND TO PROVIDE PENALTIES; BY ADDING SECTION 41-1-55 SO AS TO PROHIBIT EMPLOYERS FROM TAKING ADVERSE ACTION AGAINST INDIVIDUALS WHO DECLINE TO RECEIVE A VACCINE AND TO PROVIDE PENALTIES; BY AMENDING SECTION 40-43-86, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES AND PRESCRIPTION DRUG ORDERS, SO AS TO PROVIDE CONDITIONS UNDER WHICH A PHARMACIST MAY REFUSE TO FILL A PRESCRIPTION; BY AMENDING SECTION 44-1-100, RELATING TO ASSISTANCE FROM PEACE AND HEALTH OFFICERS, SO AS TO REMOVE THE PROVISION THAT THE PUBLIC SAFETY AUTHORITY MAY REQUEST ASSISTANCE FROM THE STATE NATIONAL GUARD IN ENFORCING QUARANTINE MEASURES; BY AMENDING SECTION 44-4-130, RELATING TO PUBLIC HEALTH DEFINITIONS, SO AS TO PROVIDE DEFINITIONS OF "GENE THERAPY" AND "VACCINE" AND TO MAKE CONFORMING CHANGES; BY AMENDING SECTION 44-4-510, RELATING TO PHYSICAL EXAMINATIONS AND ISOLATION OR QUARANTINE OF PERSONS REFUSING EXAMINATION, SO AS TO PROVIDE THAT THE DEPARTMENT MAY ISOLATE A SYMPTOMATIC PERSON OR PERSON WHO HAS BEEN EXPOSED TO THE CONTAGIOUS DISEASE FOR WHICH A PUBLIC HEALTH EMERGENCY HAS BEEN DECLARED; BY AMENDING SECTION 44-4-520, RELATING TO VACCINATIONS AND TREATMENT, SO AS TO PROVIDE THAT THE DEPARTMENT MUST MONITOR THE SAFETY AND EFFICACY OF VACCINES, TESTS, AND TREATMENTS; BY AMENDING SECTION 44-4-530, RELATING TO ISOLATION AND QUARANTINE OF INDIVIDUALS OR GROUPS, AS WELL AS PENALTIES FOR NONCOMPLIANCE, SO AS TO PROVIDE A TIME LIMIT OF TWENTY-ONE DAYS FOR A QUARANTINED ASYMPTOMATIC PERSON; BY AMENDING SECTION 44-4-540, RELATING TO ISOLATION AND QUARANTINE PROCEDURES, SO AS TO CHANGE PROCEDURES; AND BY AMENDING SECTION 44-4-570, RELATING TO EMERGENCY POWERS

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REGARDING LICENSING OF HEALTH PERSONNEL, SO AS TO REMOVE THE REQUIREMENT THAT STATE HEALTH CARE PROVIDERS ASSIST IN THE PERFORMANCE OF VACCINATIONS AS A CONDITION OF LICENSURE.

Ordered for consideration tomorrow.

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

S. 146 -- Senators Nutt and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-81-40, RELATING TO RIGHTS OF RESIDENTS OF LONG-TERM CARE FACILITIES, SO AS TO PROVIDE THAT RESIDENTS MAY DESIGNATE ONE PERSON WHO IS PERMITTED TO VISIT THE RESIDENT IN THE EVENT THAT ACCESS TO THE FACILITY IS LIMITED OR PROHIBITED DUE TO A DECLARED STATE OF EMERGENCY ARISING FROM A DISASTER OR PUBLIC HEALTH EMERGENCY.

Ordered for consideration tomorrow.

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

S. 221 -- Senator Ott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "SOUTH CAROLINA KRATOM CONSUMER PROTECTION ACT" BY ADDING ARTICLE 20 TO CHAPTER 53, TITLE 44 SO AS TO PROVIDE FOR THE REGULATION OF THE SALE OF KRATOM PRODUCTS BY RETAILERS AND PROCESSORS AND TO CREATE PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE ARTICLE.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 526 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 48-39-280, RELATING TO BEACH PRESERVATION APPEALS POLICIES AND PROCEDURES, SO AS TO STAY ANY ENFORCEMENT ACTION DURING THE PENDENCY OF THE APPEAL AND TO PROVIDE THAT THE AGENCY WILL BE RESPONSIBLE FOR

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ATTORNEY'S FEES AND COSTS TO THE APPELLANT IF THE ADMINISTRATIVE LAW JUDGE REVERSES THE DECISION OF THE AGENCY.

Ordered for consideration tomorrow.

Senator YOUNG from the Committee on Family and Veterans' Services submitted a favorable report on:

H. 3563 -- Reps. Davis, B.J. Cox, Spann-Wilder, McCravy, Taylor, Chapman, Kirby, Cromer, Gilreath, Weeks, Williams, Holman and Govan: 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.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable with amendment report on:

H. 4211 -- Reps. Sanders, 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, 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, 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 ESSENTIAL VALUE AND IMPORTANCE OF SOUTH CAROLINA NATIVE PLANTS TO THE STATE'S ENVIRONMENT, LANDSCAPE, AGRICULTURE, HISTORY, AND ECONOMY, AND TO ENCOURAGE STATE AGENCIES, LOCAL GOVERNMENTS, AND PRIVATE LANDOWNERS TO USE NATIVE PLANTS FOR LANDSCAPING, EROSION CONTROL,

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AND VEGETATION MANAGEMENT WHENEVER POSSIBLE TO PROMOTE THE VIABILITY OF MIGRATORY AND NONMIGRATORY POLLINATORS AND TO HELP TO PRESERVE SOUTH CAROLINA'S UNIQUE FLORA AND FAUNA.

Ordered for consideration tomorrow.

Appointment Reported

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina Department of Environmental Services, with term coterminous with Governor

Director:

Myra Reece, 2600 Bull Street, Columbia, SC 29201-1708

Received as information.

Message from the House

Columbia, S.C., April 15, 2025

Mr. President and Senators:

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

S. 2 -- Senators Peeler, Alexander, Davis, Devine, Garrett, Jackson and Sutton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 12 TO TITLE 44 SO AS TO ESTABLISH THE DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES, TO PROVIDE FOR ITS POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THAT THE DEPARTMENT IS COMPRISED OF THE OFFICE OF INTELLECTUAL DISABILITIES, THE OFFICE OF MENTAL HEALTH, AND THE OFFICE OF SUBSTANCE ABUSE SERVICES.

(Abbreviated title)

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

Message from the House

TUESDAY, APRIL 15, 2025

Columbia, S.C., April 10, 2025

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

MASTER-IN-EQUITY

Reappointment, Kershaw County Master-in-Equity, with term to commence July 1, 2025, and to expire July 1, 2031:

The Honorable William B. Cox, Jr., 136 Hunt Trace, Camden, S.C.
29020

Very respectfully,
Speaker of the House

Received as information.

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

**READ THE THIRD TIME
THIRD READING RECONSIDERED**

S. 12 -- Senators Rankin and Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 58-31-205 SO AS TO AUTHORIZE THE PUBLIC SERVICE AUTHORITY TO JOINTLY OWN, AS TENANTS-IN-COMMON OR THROUGH A LIMITED LIABILITY COMPANY, WITH INVESTOR-OWNED UTILITIES, ELECTRICAL GENERATION AND TRANSMISSION FACILITIES.

Recorded Vote

Senator MASSEY desired to be recorded as voting against the third reading of the Bill.

Motion Adopted

Having voted on the prevailing side, Senator DAVIS moved to reconsider the vote whereby the Bill was read the third time.

The third reading of the Bill was reconsidered and the Bill was returned to the Calendar.

OBJECTION

S. 163 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 47 TO TITLE

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34 SO AS TO PROHIBIT A GOVERNING AUTHORITY FROM ACCEPTING OR REQUIRING PAYMENT USING CENTRAL BANK DIGITAL CURRENCY OR PARTICIPATING IN A TEST OF CENTRAL BANK DIGITAL CURRENCY; TO PERMIT INDIVIDUALS OR BUSINESSES USING DIGITAL CURRENCY FOR TRANSACTIONS; TO PROVIDE THAT DIGITAL ASSETS MAY NOT BE SINGLED OUT FOR DISPARATE TAX TREATMENT; TO PROVIDE THAT DIGITAL CURRENCY TRANSACTION MAY BE TAXED IF THE TAXATION IS THE SAME AS IF THE TRANSACTION USED UNITED STATES LEGAL TENDER; TO PROVIDE THAT DIGITAL CURRENCY OPERATIONS MAY NOT BE SUBJECT TO DISPARATE ZONING TREATMENT; TO PROVIDE THAT DIGITAL ASSET MINING BUSINESS OPERATIONS SHALL NOT PLACE ANY ADDITIONAL STRESS ON THE ELECTRICAL GRID FOR WHICH THEY ARE CONNECTED AND TO PROVIDE THAT DIGITAL MINING BUSINESSES MUST PROVIDE CERTAIN INFORMATION TO THE PUBLIC SERVICE COMMISSION UPON REQUEST; TO PROVIDE THAT THOSE ENGAGED IN DIGITAL MINING OPERATIONS DO NOT HAVE TO OBTAIN CERTAIN LICENSES AND THAT THOSE WHO PROVIDE CERTAIN SERVICES RELATED TO DIGITAL MINING OR STAKING ARE NOT OFFERING A SECURITY; TO PROVIDE THAT THE ATTORNEY GENERAL CAN PROSECUTE AN INDIVIDUAL WHO OR BUSINESS THAT FRAUDULENTLY CLAIM TO BE OFFERING DIGITAL ASSET MINING AS SERVICE OR STAKING AS A SERVICE; AND TO DEFINE NECESSARY TERMS.

Senator CORBIN objected to consideration of the Bill.

READ THE SECOND TIME

H. 3654 -- Reps. Calhoon, Bernstein and Spann-Wilder: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 63-7-1990 AND 63-11-550, BOTH RELATING TO CONFIDENTIALITY OF CHILD WELFARE RECORDS AND INFORMATION, SO AS TO AUTHORIZE DISCLOSURE OF CASE RECORDS TO COUNTY AND STATE GUARDIAN AD LITEM PROGRAM STAFF AND TO THE STATE CHILD ADVOCATE; AND BY AMENDING SECTIONS 63-11-700, 63-11-1340, AND 63-11-1360, RELATING TO CERTAIN DIVISIONS

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OF THE DEPARTMENT OF CHILDREN'S ADVOCACY, SO AS TO UPDATE REFERENCES TO THE DEPARTMENT AND THESE DIVISIONS.

The Senate proceeded to the consideration of the Bill.

Senator YOUNG explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

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

READ THE SECOND TIME

S. 463 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-21-125, RELATING TO RESTRICTIONS ON SWIMMING NEAR PUBLIC LANDINGS ON LAKES OR RESERVOIRS OWNED OR

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MAINTAINED BY AN INVESTOR-OWNED UTILITY, SO AS TO PROVIDE FOR RESTRICTIONS ON SWIMMING NEAR PUBLIC BOATING LANDINGS ON LAKES OR RESERVOIRS OWNED OR MAINTAINED BY THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY.

The Senate proceeded to the consideration of the Bill.

Senator CAMPSEN explained the Bill.

The question being the second reading of the Bill.

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

Motion Adopted

Senator CAMPSEN asked unanimous consent to make a motion to give the Bill a second reading, carry over all amendments and waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

AMENDED, READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

Senators OTT and WILLIAMS proposed the following amendment (SR-3813.CEM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 50-11-430(A)(1) and inserting:

(1) The open season for hunting and taking bear in Game Zone 1 for ~~still gun~~ ~~party dog~~ hunts is October 17 through October ~~23~~ ~~30~~; for ~~party dog~~ ~~still gun~~ hunts is October 24 through ~~October 30~~ ~~November 6~~. ~~A party dog hunt in Game Zone 1 may not exceed twenty five participants per party and shall register with the department by September first. Party participants, except those not required to have licenses shall submit their hunting license number in order to register.~~

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Renumber sections to conform.

Amend title to conform.

Senator OTT explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

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

CARRIED OVER

S. 454 -- Senator Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-40-40, RELATING TO DEFINITIONS PERTAINING TO CHARTER

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SCHOOLS, SO AS TO CHANGE REFERENCES FROM "SPONSOR" TO "AUTHORIZER" AND TO PROVIDE OTHER DEFINITIONS; BY AMENDING SECTION 59-40-50, RELATING TO EXEMPTIONS, SO AS TO REQUIRE A CHARTER SCHOOL TO POST THEIR ANNUAL AUDIT ON THEIR WEBSITE AND TO NOTIFY AND PROVIDE A COPY OF ANY EDUCATION MANAGEMENT CONTRACTS TO THE AUTHORIZER; BY AMENDING SECTION 59-40-55, RELATING TO AUTHORIZER POWERS AND DUTIES AND THE RETENTION OF FUNDS, SO AS TO REQUIRE THE AUTHORIZER TO ADOPT AND IMPLEMENT POLICIES, PROCEDURES, AND PRACTICES THAT ENSURE GOOD GOVERNANCE AND ACCOUNTABILITY; BY AMENDING SECTION 59-40-60, RELATING TO CHARTER APPLICATIONS AND COMMITTEES, SO AS TO EXPAND THE CHARTER SCHOOL APPLICATION TO INCLUDE ANY PROPOSED CHARTER OR EDUCATION MANAGEMENT CONTRACTS CONTEMPLATED BY THE CHARTER SCHOOL; BY AMENDING SECTION 59-40-70, RELATING TO APPLICATION REQUIREMENTS AND PROCEDURES, SO AS TO SET A TIME FRAME TO HOLD A PUBLIC HEARING ON THE APPLICATION FOR A CHARTER SCHOOL; BY AMENDING SECTION 59-40-75, RELATING TO THE REMOVAL OF AN AUTHORIZER OR MEMBER OF A DISTRICT OR GOVERNING BOARD, SO AS TO REQUIRE THE GOVERNOR TO VACATE THE SEAT OF A MEMBER OF AN AUTHORIZER OR CHARTER SCHOOL GOVERNING BOARD WHO IS INDICTED FOR A CRIME; AND TO ALLOW THE GOVERNOR TO REMOVE A MEMBER FOR CHRONIC UNEXCUSED ABSENTEEISM, MEDICAL INCOMPETENCY, OR MEDICAL INCAPACITY; BY AMENDING SECTION 59-40-90, RELATING TO APPEALS TO THE ADMINISTRATIVE LAW COURT, SO AS TO ALLOW AN APPEAL FOR ANY FINAL DECISION MADE PURSUANT TO THIS CHAPTER BE MADE TO THE ADMINISTRATIVE LAW COURT; BY AMENDING SECTION 59-40-115, RELATING TO TERMINATION OF A CONTRACT WITH AN AUTHORIZER, SO AS TO ALLOW A CHARTER SCHOOL TO TERMINATE ITS CHARTER AND CONTRACT WITH AN AUTHORIZER UNDER CERTAIN CONDITIONS; BY AMENDING SECTION 59-40-150, RELATING TO THE DUTIES OF THE DEPARTMENT OF EDUCATION, SO AS TO ESTABLISH THE DUTIES OF THE DEPARTMENT OF EDUCATION TO SERVE AS THE STATE

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EDUCATION AGENCY FOR EACH AUTHORIZER AND ANNUALLY REVIEW THE POLICIES, PROCEDURES, AND PERFORMANCE OF EACH AUTHORIZER FOR COMPLIANCE; AND BY AMENDING SECTION 59-40-180, RELATING TO REGULATIONS AND GUIDELINES, SO AS TO CLARIFY THAT GUIDELINES WILL BE APPLICABLE TO NEW AUTHORIZERS AND CHARTER SCHOOLS.

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

OBJECTION

S. 416 -- Senators Hembree and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-63-210, RELATING TO GROUNDS FOR WHICH TRUSTEES MAY EXPEL, SUSPEND, OR TRANSFER PUPILS; PETITIONS FOR READMISSION; AND EXPULSION, SUSPENSION, OR TRANSFER, SO AS TO PROHIBIT EXPELLED STUDENTS FROM ENTERING SCHOOL OR SCHOOL GROUNDS INCLUDING ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING A SCHOOL BUS, TO FURTHER PROHIBIT SUSPENDED STUDENTS FROM ENTERING THE SCHOOL OR SCHOOL GROUNDS EXCEPT FOR ATTENDING DAY OR NIGHT SCHOOL FUNCTIONS OR RIDING THE SCHOOL BUS; BY AMENDING SECTION 59-63-235, RELATING TO THE EXPULSION OF A STUDENT DETERMINED TO HAVE BROUGHT A FIREARM TO SCHOOL, SO AS TO REQUIRE A STUDENT TO BE EXPELLED FOR NO LESS THAN ONE ACADEMIC YEAR FOR KNOWINGLY BRINGING A FIREARM TO A SCHOOL, TO ESTABLISH THE EXPULSION HEARING BE CONDUCTED BY THE DISTRICT BOARD OF TRUSTEES AND TO ALLOW AN EXPELLED STUDENT TO RECEIVE EDUCATIONAL SERVICES IN ALTERNATIVE SETTINGS TO INCLUDE VIRTUAL PROGRAMMING; AND BY AMENDING SECTION 59-63-250, RELATING TO THE TRANSFER OF PUPILS, SO AS TO CLARIFY THAT A BOARD MAY TRANSFER A PUPIL WITHIN THE SCHOOL DISTRICT AND REQUIRE NOTIFICATION AND INPUT FROM THE PRINCIPAL AT THE RECEIVING SCHOOL.

Senator TEDDER objected to consideration of the Bill.

POINT OF ORDER

H. 3196 -- Reps. Erickson, G.M. Smith, B. Newton, Wooten, Mitchell, Pope, Martin, Spann-Wilder, McCravy, Chumley, W. Newton, Gilliam,

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Collins, Vaughan, Caskey, Terrible, Kilmartin, Magnuson, Haddon, Wetmore, M.M. Smith, Schuessler, Stavrinakis, Sanders, Duncan, Teeple, Grant, Hartnett, Pedalino, Taylor, Hixon, Govan, Calhoon, 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 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

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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 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.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

CARRIED OVER

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE

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OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV,
SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

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

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

MADE ADJOURNED DEBATE

S. 534 -- Senators Grooms and Goldfinch: A CONCURRENT RESOLUTION REGARDING THE REMOVAL OF AN EXECUTIVE OFFICER ON THE ADDRESS OF TWO-THIRDS OF EACH HOUSE OF THE GENERAL ASSEMBLY PURSUANT TO ARTICLE XV, SECTION 3 OF THE SOUTH CAROLINA CONSTITUTION.

Motion Adopted

On motion of Senator MASSEY, S. 534 was placed in Adjourned Debate not to be considered before Monday, April 21, 2025.

Motion Adopted

On motion of Senator MASSEY, S. 534 was made the unfinished business of the Senate at the conclusion of the work of the Committee of the Whole on Monday, April 21, 2025.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, Senate staff designated by the PRESIDENT shall be allowed access to the floor of the Senate during the meeting of the Committee of the Whole; and further that, after the completion of the work of the Committee of the Whole, the presenters on behalf of the State Treasurer shall be admitted the Privilege of the Chamber, to that area behind the rail.

MOTION UNDER RULE 32B ADOPTED

Senator MASSEY, Chairman of the Committee on Rules, moved under the provisions of Rule 32B to call H. 3497 from the Contested Calendar.

MOTION ADOPTED

At 2:18 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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**THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS
AND RESOLUTIONS RETURNED FROM THE HOUSE.**

CARRIED OVER

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 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

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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.

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

THE SENATE PROCEEDED TO A CALL OF THE CONTESTED STATEWIDE CALENDAR.

AMENDED, READ THE SECOND TIME

H. 3497 -- Reps. W. Newton, Wooten, Pope, Chapman, Forrest, Kirby, Ligon, Bailey, M.M. Smith, B.L. Cox, Holman, Oremus, Sanders, Willis, Brewer, Hiott, Hixon, Caskey, Henderson-Myers, Wickensimer, Yow, Mitchell, Bamberg, Hart and Garvin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-90-20, RELATING TO INSURANCE LICENSURE, SO AS TO ALLOW AN INSURANCE COMPANY TO PROVIDE LIQUOR LIABILITY INSURANCE; BY AMENDING SECTION 61-2-60, RELATING TO THE PROMULGATION OF ALCOHOL REGULATIONS, SO AS TO AUTHORIZE REGULATIONS REGARDING ALCOHOL SERVER TRAINING POSITIONS; BY AMENDING SECTION 61-2-145, RELATING TO REQUIRED LIQUOR LIABILITY INSURANCE COVERAGE, SO AS TO ESTABLISH A LIQUOR LIABILITY MITIGATION PROGRAM; BY ADDING CHAPTER 3 TO TITLE 61 SO AS TO ESTABLISH AN ALCOHOL SERVER TRAINING PROGRAM; AND BY AMENDING SECTION 61-6-2220, RELATING TO ALCOHOL SALES, SO AS TO PROHIBIT A PERSON FROM KNOWINGLY SELLING ALCOHOL TO AN INTOXICATED PERSON.

The Senate proceeded to the consideration of the Bill.

Senator MASSEY proposed the following amendment (SR-3497.KM0001S), which was adopted:

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

SECTION 1. Section 15-38-15 of the S.C. Code is amended to read:

Section 15-38-15. (A) In an action to recover damages in tort: ~~resulting from personal injury, wrongful death, or damage to property or to recover damages for economic loss or for noneconomic loss such as mental distress, loss of enjoyment, pain, suffering, loss of reputation, or loss of companionship resulting from tortious conduct, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of: (i) the fault of all the defendants; and (ii) the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.~~

(1) The trier of fact shall determine the percentage of fault of the plaintiff, of the defendant or defendants, and of any nonparty whose tortious act or omission was proven to be a proximate cause of the plaintiff's alleged damages. For purposes of apportioning fault on the verdict form, a "nonparty" means an individual or entity who has previously settled a claim arising out of the same tortious act or omission with the plaintiff, or if more than one plaintiff, who has previously settled with any plaintiff in the same civil action.

(2) A settling party shall be placed on the verdict form if there is any evidence sufficient to survive a South Carolina Rules of Civil Procedure Rule 50 Directed Verdict Motion that the settling party was proximate cause, in whole or in part, of the plaintiff's damages.

(3) If the percentage of fault of the plaintiff is greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the trier of fact shall return a verdict for the defendant and no further deliberation is required.

(4) If the plaintiff's percentage of fault is not greater than fifty percent of the total fault involved in the tortious act or omission that caused the plaintiff's damages, then the trier of fact shall determine the total amount of damages that the plaintiff would be entitled to recover if comparative fault were disregarded.

(5) Upon the completion of subitem (4), the court shall enter judgment for the plaintiff against each defendant in an amount equal to the total amount of damages awarded in subitem (4) multiplied by the

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percentage of fault assigned to each respective defendant in subitem (1) using the following criteria:

(a) each defendant is severally liable for his share of the total amount of the plaintiff's noneconomic damages, as defined in Section 15-32-210, and any punitive or exemplary damages; and

(b) if the percentage of fault of any one defendant is greater than fifty percent of the total fault involved in the act or omission that cause the plaintiff's damages, then the defendant is jointly and severally liable to the total amount of plaintiff's economic damages.

(6) If the percentage of fault of any defendant that is charged under Section 56-5-2930, 56-5-2933, or 56-5-2945 is greater than fifty percent of the total fault in the tortious act or omission that caused the plaintiff's damages, then the total amount of damages for which the licensee is liable shall not be more than fifty percent of the plaintiff's total damages. Licensee shall have the same meaning as in Section 15-3-710(A)(2).

(7) For purposes of this section, the terms economic damages and noneconomic damages have the same meaning as defined in Section 15-32-210.

(B) Apportionment of percentages of fault among defendants is to be determined as specified in subsection (C).

(C)-(B) The jury, or the court if there is no jury, shall: Within one hundred eighty days of commencement of an action, or by leave of court for good cause shown, a defendant may move to add to the verdict form any person or entity, not otherwise excluded by subsection (C) or (F), who may be, or may have been, liable to the plaintiff if the defendant has a reasonable basis to believe that the person's or entity's act or omission was a proximate cause of the plaintiff's alleged damages, which must be set forth in its motion. If the defendant will assert the person or entity committed an act of professional negligence, the provisions of Section 15-36-100 apply, and the affidavit required pursuant to Section 15-36-100(B) must be filed with the motion.

(1) Any party may make any motion at the appropriate time including, but not limited to, a motion pursuant to Rules 12, 50, and 56 of the South Carolina Rules of Civil Procedure to dismiss or otherwise remove the added person or entity from the verdict form. The court shall apply the same standard to the dismissal or removal of an added person or entity, as it would to any party.

(2) In order for the trier of fact to allocate any or all fault to an added person or entity, the defendant bears the burden of proof that the added person's or entity's conduct was a proximate cause of the plaintiff's

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damages unless the plaintiff's pleading is amended to assert a direct claim against the added person or entity pursuant to subitem (3).

(3) The plaintiff may, within sixty days of the court granting a motion pursuant to this section, amend the plaintiff's pleading to assert any claim against the added person or entity arising out of the occurrence that is the subject matter of the pending litigation. This provision applies notwithstanding any statute of limitations as long as the plaintiff would have satisfied the applicable statute of limitations against the added person or entity if the plaintiff had named the added person or entity as a defendant when the suit was commenced.

(a) A person or entity added as a party pursuant to this subitem shall be identified as a defendant in the caption of the action.

(b) An amended pleading pursuant to this provision must comply with Rule 4 of the South Carolina Rules of Civil Procedure and be served on the added party within sixty days of filing the amended pleading.

(c) A party added pursuant to this provision has the same rights to defend or plead as a defendant under the South Carolina Rules of Civil Procedure.

(1) specify the amount of damages;

(2) determine the percentage of fault, if any, of plaintiff and the amount of recoverable damages under applicable rules concerning "comparative negligence"; and

(3) upon a motion by at least one defendant, where there is a verdict under items (1) and (2) above for damages against two or more defendants for the same indivisible injury, death, or damage to property, specify in a separate verdict under the procedures described at subitem (b) below the percentage of liability that proximately caused the indivisible injury, death, damage to property, or economic loss from tortious conduct, as determined by item (1) above, that is attributable to each defendant whose actions are a proximate cause of the indivisible injury, death, or damage to property. In determining the percentage attributable to each defendant, any fault of the plaintiff, as determined by item (2) above, will be included so that the total of the percentages of fault attributed to the plaintiff and to the defendants must be one hundred percent. In calculating the percentage of fault attributable to each defendant, inclusion of any percentage of fault of the plaintiff (as determined in item (2) above) shall not reduce the amount of plaintiff's recoverable damages (as determined under item (2) above).

(a) For this purpose, the court may determine that two or more persons are to be treated as a single party. Such treatment must be used where two or more defendants acted in concert or where, by reason of

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~~agency, employment, or other legal relationship, a defendant is vicariously responsible for the conduct of another defendant.~~

~~(b) After the initial verdict awarding damages is entered and before the special verdict on percentages of liability is rendered, the parties shall be allowed oral argument, with the length of such argument subject to the discretion of the trial judge, on the determination of the percentage attributable to each defendant. However, no additional evidence shall be allowed.~~

~~(D) A defendant shall retain the right to assert that another potential tortfeasor, whether or not a party, contributed to the alleged injury or damages and/or may be liable for any or all of the damages alleged by any other party.~~

~~(E) Notwithstanding the application of this section, setoff from any settlement received from any potential tortfeasor prior to the verdict shall be applied in proportion to each defendant's percentage of liability as determined pursuant to subsection (C).~~

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

(C) The following are excluded from being added to the verdict form pursuant to subsection (B):

(1) a person or entity not subject to civil liability or payment of damages in a civil action due to worker's compensation statutes or U.S. Bankruptcy Code;

(2) a person or entity where the plaintiff's damages arise in whole or in part from assault, battery, sexual assault, sexual abuse, sexual misconduct, financial fraud, or theft;

(3) a person whose fault is imputed to the defendant or whose fault is based upon the fault of the nonparty for which a defendant is vicariously liable; or

(4) a person involved in a case where the causes of action involve strict liability.

(D) A defendant shall not be entitled to a setoff for monies paid by a nonparty added to the verdict form pursuant to subsection (A) or a person or entity added to the verdict form pursuant to subsection (B). A defendant can elect the setoff from the added nonparty or added person or entity in lieu of placing that nonparty, person, or entity on the verdict form.

(E) Nothing in this section shall be construed as eliminating the empty chair defense, which is the defendant's right to assert that another

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potential tortfeasor, whether or not a party, contributed to the alleged injury or damages or may be liable for any or all of the damages alleged by the plaintiff.

(F)(1) The following are excluded from being added to the verdict form pursuant to subsection (B) and from the modified joint and several liability contained in subitem (A)(5) This section does not apply:

(1)(a) to an action commenced by the State, a state agency, a municipality, a county, a local government, a regional public authority, a special purpose district, a public utility, or any other governmental entity or political subdivision including, but not limited to, claims seeking recovery of public funds, remediation costs, or other damages arising from acts or omissions of third parties that result in harm to public health, safety, infrastructure, or the environment;

(b) to a defendant whose conduct is determined to be intentional, including an act or omission that is intentional; or

(c) where two or more defendants or nonparties knowingly pursue a common plan or design to commit a tortious act or actively take part in it. This subitem does not apply to any cause of action arising out Section 15-3-710.

(2) In an action to recover damages arising under any of the exempted items in this subsection, if indivisible damages are determined to be proximately caused by more than one defendant, joint and several liability does not apply to any defendant whose conduct is determined to be less than fifty percent of the total fault for the indivisible damages as compared with the total of the fault of all the defendants; and the fault (comparative negligence), if any, of plaintiff. A defendant whose conduct is determined to be less than fifty percent of the total fault shall only be liable for that percentage of the indivisible damages determined by the jury or trier of fact.

(G) The provisions of this section do not apply to causes of action involving PFAS or asbestos commenced prior to the effective date of this act. In such cases, liability shall be determined in accordance with other applicable statutory law and common law governing such torts.

SECTION 2. Section 15-38-20 of the S.C. Code is amended to read:

Section 15-38-20. (A) Except as otherwise provided in this chapter, where two or more persons become jointly or severally liable in tort for the same injury to person or property or for the same wrongful death, there is a right of contribution among them even though judgment has not been recovered against all or any of them.

(B) The right of contribution exists only in favor of a tortfeasor who has paid more than his pro rata share of the common liability, and his

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total recovery is limited to the amount paid by him in excess of his pro rata share. No tortfeasor is compelled to make contribution beyond his own pro rata share of the entire liability.

(C) There is no right of contribution in favor of any tortfeasor who has intentionally caused or contributed to the injury or wrongful death.

(D) A tortfeasor who enters into a settlement with a claimant is not entitled to recover contribution from another tortfeasor whose liability for the injury or wrongful death is not extinguished by the settlement nor in respect to any amount paid in a settlement which is in excess of what was reasonable.

(E) A liability insurer, who by payment has discharged in full or in part the liability of a tortfeasor and has thereby discharged in full its obligation as insurer, is subrogated to the tortfeasor's right of contribution to the extent of the amount it has paid in excess of the tortfeasor's pro rata share of the common liability. This provision does not limit or impair any right of subrogation arising from any other relationship.

(F) This chapter does not impair any right of indemnity under existing law. Where one tortfeasor is entitled to indemnity from another, the right of the indemnity obligee is for indemnity and not contribution, and the indemnity obligor is not entitled to contribution from the obligee for any portion of his indemnity obligation.

(G) This chapter does not apply to breaches of trust or of other fiduciary obligation.

(H) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

SECTION 3. Section 15-38-30 of the S.C. Code is amended to read:

Section 15-38-30. In determining the pro rata shares of tortfeasors in the entire liability (1) their relative degrees of fault shall not be considered; (2) if equity requires, the collective liability of some as a group shall constitute a single share; and (3) principles of equity applicable to contribution generally shall apply. This section applies only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

SECTION 4. Section 15-38-40 of the S.C. Code is amended to read:

Section 15-38-40. (A) Whether or not judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may be enforced by separate action.

(B) Where a judgment has been entered in an action against two or more tortfeasors for the same injury or wrongful death, contribution may

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be enforced in that action by judgment in favor of one against other judgment defendants by motion upon notice to all parties to the action. Provided, however, contribution may not be enforced in the action until the issue of liability and resulting damages against the defendant or defendants named in the action is determined. Once the issue of liability has been resolved, subject to Section 15-38-20(B), a defendant has the right to seek contribution against any judgment defendant and other persons who were not made parties to the action.

(C) If there is a judgment for the injury or wrongful death against the tortfeasor seeking contribution, any separate action by him to enforce contribution must be commenced within one year after the judgment has become final by lapse of time for appeal or after appellate review.

(D) If there is no judgment for the injury or wrongful death against the tortfeasor seeking contribution, his right of contribution is barred unless he has either (1) discharged by payment the common liability within the statute of limitations period applicable to claimant's right of action against him and has commenced his action for contribution within one year after payment, or (2) agreed while action is pending against him to discharge the common liability and has within one year after the agreement paid the liability and commenced his action for contribution.

(E) The recovery of a judgment for an injury or wrongful death against one tortfeasor does not of itself discharge the other tortfeasors from liability for the injury or wrongful death unless the judgment is satisfied. The satisfaction of the judgment does not impair any right of contribution.

(F) The judgment of the court in determining the liability of the several defendants to the claimant for an injury or wrongful death shall be binding as among such defendants in determining their right to contribution.

(G) The provisions in this section apply only to causes of action where the nonparty tortfeasor was not added to the verdict form pursuant to Section 15-38-15(A)(1), (C), or (F).

SECTION 5.A. Chapter 3, Title 15 of the S.C. Code is amended by adding:

Section 15-3-710. (A) As used in this section:

(1) "Alcohol" means beer, wine, alcoholic liquors, or alcoholic beverages as defined in Section 61-6-20; alcoholic liquor by the drink or alcoholic beverage by the drink as defined in Section 61-6-20; or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

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(2) "Licensee" means any person or entity licensed to sell alcohol by the State of South Carolina or any agency or department thereof. The term "licensee" includes any owner, partner, manager, agent, employee, or other person or entity engaged in a single business enterprise with another licensee or permittee or one for whose conduct a licensee or permittee may be vicariously liable.

(3) "Visibly intoxicated" means an individual who displayed visible signs and symptoms of intoxication that would have been obvious to a trained alcohol server under the circumstances.

(4) "Trained alcohol server" means an alcohol server who has completed the training required by Chapter 3 of Title 61.

(B) Except as provided in this section, a licensee is not liable in a civil action arising out of the sale, service, or furnishing of alcohol.

(C) A person other than the intoxicated individual, who has suffered bodily injury, death, or property damage caused by the acts or omissions of the intoxicated individual possesses a civil cause of action against a licensee if the person shows, by the preponderance of the evidence that the licensee knowingly sold, served, or directly furnished alcohol to an individual who was visibly intoxicated, and the sale, service, or direct furnishing of alcohol to the intoxicated individual was a proximate cause of the person's bodily injury, death, or property damage.

(D) A person who was nineteen years of age or older at the time of the sale, service, or direct furnishing of alcohol by a licensee does not possess a civil cause of action against a licensee for the sale, service, or furnishing of alcohol if:

(1) at the time the person suffered bodily injury or death, the person was riding as a passenger in a motor vehicle operated by an intoxicated individual and had knowledge of the operator's intoxication; or

(2) at the time the person suffered property damage, the person had placed the damaged property in the possession, custody, or control of the intoxicated individual with knowledge of either:

- (a) the individual's intoxication;
- (b) the individual's addiction to intoxication; or

(c) the individual's habit of becoming intoxicated and the individual's propensity to operate a motor vehicle while intoxicated.

(E) A person who was under the age of nineteen years at the time of the sale, service, or direct furnishing of alcohol by a licensee possesses a civil cause of action against the licensee if that person shows by the preponderance of the evidence that:

(1) the licensee knowingly sold, served, or directly furnished alcohol to the person under the age of nineteen; and

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(2) the licensee's sale, service, or direct furnishing of alcohol to the person under the age of nineteen was a proximate cause of the person's bodily injury, death, or property damage.

(F) A licensee who affirmatively proves a forensic digital identification system approved by the South Carolina Law Enforcement Division was used to confirm the validity of the person's identification has not knowingly sold, served, or furnished alcohol to that person for the purposes of subsection (E).

(G) Upon the death of any party, the action or right of action authorized by this section will survive to or against the party's personal representative.

(H) A licensee is not chargeable with knowledge of acts by which a person becomes intoxicated at other locations.

(J) If an attorney initiates or maintains a civil action against a licensee under this section when a reasonable attorney in the same circumstances would not conclude that under the facts, the civil action against the licensee was justifiably initiated or maintained under this section, then the court shall award that licensee reasonable attorney's fees of not less than five thousand dollars and costs to be paid by that person to that licensee upon a motion made within ten days following the conclusion of a trial and after a verdict has been rendered, or a case has been dismissed by summary judgment, direct verdict, or judgment notwithstanding the verdict.

(K) The provisions of this section are the exclusive manner for bringing a dram shop cause of action.

B. Section 61-4-580(B) of the S.C. Code is amended to read:

(B) In addition to civil liability as provided by law, including as provided in Section 15-3-710, a violation of any provision of this section is a ground for the revocation or suspension of the holder's permit. A permittee or licensee who violates any provision of this section:

(1) for a first offense, shall be fined two thousand five hundred dollars by the department;

(2) for a second offense within two years of the first offense, shall have its alcohol license or permit suspended for up to fourteen days as determined by the department; and

(3) for a third offense within three years of the first offense, shall have its alcohol license or permit revoked.

SECTION 6.A. Title 61 of the S.C. Code is amended by adding:

CHAPTER 3
Alcohol Server Training

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Section 61-3-100. For the purposes of this chapter, the following definitions apply:

(1) "Alcohol" means beer, wine, alcoholic liquors, or any other type of alcoholic beverage that contains any amount of alcohol and is used as a beverage for human consumption.

(2) "Alcohol server" means an individual who sells alcohol for on-premises consumption at permitted or licensed premises and may include a permittee, licensee, manager, or other employee of a permittee or licensee. "Alcohol server" does not include an individual employed or volunteering on a temporary basis for a one-time special event, such as a banquet, or at an event that has a temporary permit to sell beer, wine, or alcoholic liquors by the drink and does not include an individual transferring alcohol from one location to another as a distributor, wholesaler, or as otherwise lawfully authorized to transfer alcohol from one location to another by this title; and does not include an individual who cannot lawfully serve or deliver alcohol pursuant to Sections 61-4-90(D) and 61-6-2200.

(3) "Alcohol server certificate" means an authorization issued by the department for an individual to be employed or engaged as an alcohol server for on-premises consumption.

(4) "DAODAS" means the South Carolina Department of Alcohol and Other Drug Abuse Services.

(5) "Department" means the South Carolina Department of Revenue.

(6) "Division" means the South Carolina Law Enforcement Division.

(7) "Employee" means a person who is employed for at least ten hours a week by a permittee or a licensee.

(8) "Licensee" means a person issued a license by the department pursuant to Title 61 to sell, serve, transfer, or dispense alcoholic liquors or alcoholic liquor by the drink for on-premises consumption.

(9) "Manager" means an individual permittee, an individual licensee, and any person employed by a permittee or licensee who manages, directs, or controls the sale, service, transfer, or dispensing of alcoholic beverages for on-premises consumption at the permitted or licensed premises.

(10) "Permittee" means a person issued a permit by the department pursuant to Title 61 to sell, serve, transfer, or dispense beer, wine, ale, porter, or other malted beverages for on-premises consumption.

(11) "Program" means an alcohol server training and education course and examination approved by the department with input from DAODAS and the division that is administered by authorized providers.

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(12) "Provider" means an individual, partnership, corporation, or other legal entity authorized by the department that offers and administers a program.

Section 61-3-110. (A) An alcohol server or manager must complete alcohol server training and obtain an alcohol server certificate pursuant to the provisions of this chapter. If an alcohol server or manager does not have a current alcohol server certificate at the time of employment in that capacity, then the licensee or permittee must provide alcohol server training within thirty calendar days of employment. An alcohol server shall not be mentally or physically impaired or intoxicated by alcohol, drugs, or controlled substances while serving alcohol on behalf of the licensee.

(B) A permittee or licensee shall maintain at all times on its permitted or licensed premises physical or electronic copies of the alcohol server certificates for its managers and alcohol servers for the duration of employment. Copies of the alcohol server certificate must be made available, upon request, to the department, the division, or the agents and employees of each. For the purposes of enforcement of the provisions of this chapter:

(1) a permittee or licensee must also make available to the department or the division, when requested, the date a manager or alcohol server began employment in the capacity; and

(2) a permittee or licensee shall be excused for the failure to produce the alcohol server certificate if that failure is due to a provider's failure to report the successful completion of training and testing or the department's failure to issue a certificate to an applicant who has met the requirements of Section 61-3-130.

Section 61-3-120. (A)(1) The department shall approve alcohol server training programs offered by providers that are based on best evidence practice standards. The department may collaborate with DAODAS and the division to determine appropriate providers for the purposes of this chapter. The department shall approve or deny a program within sixty days of application by a provider. A provider may appeal a denial pursuant to Section 61-2-260 and the South Carolina Administrative Procedures Act.

(2) A provider may charge a licensee, permittee, or individual seeking training for the purpose of employment as an alcohol server or manager a fee not to exceed fifty dollars per participant.

(B) The curricula of each program must include the following subjects:

(1) state laws and regulations pertaining to:

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- (a) the sale and service of alcoholic beverages;
- (b) the permitting and licensing of sellers of alcoholic beverages;
- (c) impaired driving or driving under the influence of alcohol or drugs;
- (d) liquor liability issues;
- (e) the carrying of concealed weapons by authorized permit holders into businesses selling and serving alcoholic beverages; and
- (f) life consequences, such as the loss of education scholarships, to minors relating to the unlawful use, transfer, or sale of alcoholic beverages;

(2) the effect that alcohol has on the body and human behavior including, but not limited to, its effect on an individual's ability to operate a motor vehicle when intoxicated;

(3) information on blood alcohol concentration and factors that change or alter blood alcohol concentration;

(4) the effect that alcohol has on an individual when taken in combination with commonly used prescription or nonprescription drugs or with illegal drugs;

(5) information on recognizing the signs of intoxication and methods for preventing intoxication;

(6) methods of recognizing problem drinkers and techniques for intervening with and refusing to serve problem drinkers;

(7) methods of identifying and refusing to serve or sell alcoholic beverages to individuals under twenty-one years of age and intoxicated individuals;

(8) methods for properly and effectively checking the identification of an individual, for identifying illegal identification, and for handling situations involving individuals who have provided illegal identification;

(9) South Carolina law enforcement information including, but not limited to, the most recently published official statistics on drunk driving accidents, injuries, and deaths in South Carolina; and

(10) other topics related to alcohol server education and training designated by the department, in collaboration with DAODAS and the division, to be included.

(C) The department shall approve only online designed training programs that meet each of the following criteria:

- (1) a program must cover the content specified in subsection (B);
- (2) the content in a program must clearly identify and focus on the knowledge, skills, and abilities needed to responsibly serve alcoholic beverages and must be developed using best practices in instructional

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design and exam development to ensure that the program is fair and legally defensible;

(3) a program shall be offered online;

(4) online training must be at least four hours, be available in English and Spanish, and include a test;

(5) online or computer based training programs must use linear navigation that requires the completion of a module before the course proceeds to the next module, with no content omitted, be interactive, have audio for content, and include a test;

(6) training and testing must be conducted online. All tests must be monitored by an online proctor. A passing grade for a test, as provided by the program, is required; and

(7) training certificates are issued by the provider only after training is complete and a test has been passed successfully.

(D) Within ten business days after a training is completed, each provider must give to the department a report of all individuals who have successfully completed the training and testing. The provider must also maintain these records for at least five years following the end of the training program for purposes of verifying certification validity by the department or the division.

(E) The department, in collaboration with DAODAS and the division, may suspend or revoke the authorization of a provider that the department determines has violated the provisions of this chapter. If a provider's authorization is suspended or revoked, then that provider must cease operations in this State immediately and refund any money paid to it by individuals enrolled in that provider's program at the time of the suspension or revocation.

Section 61-3-130. (A)(1) The department must issue an alcohol server certificate to each applicant who completes an approved program or a recertification program and who provides other information as may be required by the department in an application form that is available on the department's website. An individual must apply for an alcohol server certificate within six months of completing a program. The department, if circumstances warrant the issuance of a temporary alcohol server certificate, may issue a temporary alcohol server certificate that is valid for a period of no more than thirty calendar days.

(2) The department, in collaboration with DAODAS and the division, may issue an alcohol server certificate to an individual from outside of the State who applies for an alcohol server certificate if the individual has an alcohol server certificate from a nationally recognized or comparable, state recognized alcohol server certification program that

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the department, DAODAS, and the division find meets or exceeds the programs offered in this State.

(B) Alcohol server certificates shall not be issued to graduates of programs that are not approved by the department.

(C) An alcohol server certificate is the property of the individual to whom it is issued and is transferrable among employers. An individual must reimburse a licensee or permittee that paid for the cost of alcohol server training if the individual leaves the employment of the licensee or permittee within six months of its issuance.

(D) Alcohol server certificates are valid for a period of three years from the date that the alcohol server certificate was issued. After the three-year period, a new or recertified alcohol server certificate must be obtained pursuant to the provisions of this chapter.

(E) Upon expiration of an alcohol server certificate, the individual to whom the alcohol server certificate was issued may obtain recertification in accordance with regulations promulgated by the department.

(F) The department shall not charge a fee to issue and renew alcohol server certificates to qualifying applicants.

(G) An applicant must be deemed to be a qualifying applicant for the purpose of alcohol server certificate issuance and renewal if they have successfully completed all training and testing requirements as found in Section 61-3-120.

Section 61-3-140. The division and the department are responsible for enforcement of the provisions of this chapter. The department is responsible for bringing administrative actions for violations of the provisions of this chapter or related regulations, and those actions shall proceed according to the provisions of Section 61-2-260 and the South Carolina Administrative Procedures Act.

B. Section 61-2-60 of the S.C. Code is amended by adding:

(9) regulations governing the development, implementation, education, and enforcement of responsible alcohol server training provisions.

C. Section 61-6-2220 of the S.C. Code is amended to read:

Section 61-6-2220. A person or establishment licensed to sell alcoholic liquors or liquor by the drink pursuant to this article may not knowingly sell these beverages to persons in an intoxicated condition; these sales are considered violations of the provisions thereof and subject to the penalties contained herein.

D. This SECTION takes effect nine months after the effective date of this act.

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SECTION 7. Chapter 73, Title 38 of the S.C. Code is amended by adding:

Section 38-73-550. (A) Due to the mandatory requirement for commercial casualty coverage contained in Section 61-2-145, the availability of affordable commercial casualty coverage, including liquor liability coverage, is found to be essential to South Carolina's hospitality industry and by South Carolina citizens.

(B) By January thirty-first of each year, the director must prepare and submit a report to the President of the Senate, the Speaker of the House of Representatives, the Chairman of the Senate Banking and Insurance Committee, the Chairman of the House Labor, Commerce and Industry Committee, the Chairman of the Senate Judiciary Committee, and the Chairman of the House Judiciary Committee regarding the status of commercial general liability and liquor liability markets, including the insurance industry's participation and profitability in the commercial general liability and the liquor liability sub-line of that market. The report shall be posted in an electronic format on the department's website within five days of its submission. The report shall include, but not be limited to, the following:

(1) the number of policies written in South Carolina that provide coverage by insurers for liquor liability in South Carolina, whether as a stand-alone product or as another commercial liability insurance product;

(2) the volume of earned premiums associated with the coverage provided by the insurers for liquor liability in South Carolina and written in South Carolina;

(3) the number of claims closed with payments and the volume of those payments associated with liquor liability coverage written in South Carolina;

(4) the number of claims open and the volume of actual reserves on those claims associated with liquor liability coverage written in South Carolina;

(5) the volume of reserves for incurred but not reported claims associated with liquor liability coverage;

(6) the sum of subrogation and salvage associated with liquor liability coverage written in South Carolina;

(7) the volume of combined losses as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

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(8) the amount of profit as a percentage of premiums associated with liquor liability coverage written in South Carolina and the methodology of its determination;

(9) the number of insurers participating in commercial general liability market and the liquor liability sub-line of that market;

(10) the director's conclusions as to the availability of commercial general liability and liquor liability coverage and the trends in changes in the rates for that coverage; and

(11) the director's recommendations to continue to improve the availability of insurance coverage as mandated in Section 61-2-145 and the rates associated with that coverage.

SECTION 8.A. Section 61-2-145 of the S.C. Code is amended to read:

Section 61-2-145. (A) In addition to all other requirements, a person licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, except for a 501(c)(3) nonprofit corporation is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least one millionfive hundred thousand dollars during the period of the biennial permit or license. A 501(c)(3) nonprofit corporation licensed or permitted to sell alcoholic beverages for on-premises consumption, which remains open after five o'clock p.m. to sell alcoholic beverages for on-premises consumption, is required to maintain a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement for a total coverage of at least three hundred thousand dollars during the period of the biennial permit or license. Failure to maintain this coverage constitutes grounds for suspension or revocation of the permit or license.

(B) The department shall add this requirement to all applications and renewals for biennial permits or licenses to sell alcoholic beverages for on-premises consumption, in which the permittees and licensees remain open and sell alcoholic beverages for on-premises consumption after five o'clock p.m. Each applicant or person renewing its license or permit, to whom this requirement applies, shall provide the department with documentation of a liquor liability insurance policy or a general liability insurance policy with a liquor liability endorsement in the required amounts.

(C) Each insurer writing liquor liability insurance policies or general liability insurance policies with a liquor liability endorsement to a person licensed or permitted to sell alcoholic beverages for on-premises

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consumption, in which the person so licensed or permitted remains open to sell alcoholic beverages for on-premises consumption after five o'clock p.m., must notify the department in a manner prescribed by department regulation of the lapse or termination of the liquor liability insurance policy or the general liability insurance policy with a liquor liability endorsement.

(D) For the purposes of this section, the term "alcoholic beverages" means beer, wine, alcoholic liquors, and alcoholic liquor by the drink as defined in Chapter 4, Title 61, and Chapter 6, Title 61.

(E) Permittees and licensees selling alcoholic beverages at any time between the hours of 12:00 a.m. and 4:00 a.m. shall use a forensic digital identification system that validates the identification of any person attempting to enter the premises as a patron.

B. This SECTION takes effect on July 1, 2026, and applies to all policies issued on and after that date.

SECTION 9. Section 15-7-30(A)(9) of the S.C. Code is amended to read:

(9) "Nonresident individual" means a person who is not domiciled in this State, John Doe, or an unknown defendant, as provided in Section 38-37-180.

SECTION 10. Section 56-5-6540(C) of the S.C. Code is amended to read:

(C) A violation of this article is not negligence per se or contributory negligence, and is not admissible as evidence in a civil action if the violation is a proximate cause of the claimed damages.

SECTION 11. Section 38-77-150(A) of the S.C. Code is amended to read:

(A) No automobile insurance policy or contract may be issued or delivered unless it contains a provision by endorsement or otherwise, herein referred to as the uninsured motorist provision, undertaking to pay the insured all sums which he is legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which may be no less than the requirements of Section 38-77-140. The uninsured motorist provision is not required to include coverage for punitive or exemplary damages. The uninsured motorist provision also must provide for no less than twenty five fifty thousand dollars coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of the loss or damage. The director or his designee may prescribe the form to be used in providing uninsured motorist coverage and when prescribed and promulgated no other form may be used.

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SECTION 12. Section 38-77-160 of the S.C. Code is amended to read:

Section 38-77-160. Automobile insurance carriers shall offer, at the option of the insured, uninsured motorist coverage up to the limits of the insured's liability coverage in addition to the mandatory coverage prescribed by Section 38-77-150. In the offer of uninsured motorist coverage, the automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. Such carriers shall also offer, at the option of the insured, underinsured motorist coverage up to the limits of the insured liability coverage to provide coverage in the event that compensatory damages are sustained in excess of the liability limits carried by an at-fault insured or underinsured motorist or in excess of any damages cap or limitation imposed by statute. The underinsured motorist coverage is not required to include coverage for punitive or exemplary damages. However, in the mandatory offer of underinsured motorists coverage, automobile insurance carriers shall offer the insured the option to include coverage for punitive or exemplary damages. If, however, an insured or named insured is protected by uninsured or underinsured motorist coverage in excess of the basic limits, the policy shall provide that the insured or named insured is protected only to the extent of the coverage he has on the vehicle involved in the accident. If none of the insured's or named insured's vehicles is involved in the accident, coverage is available only to the extent of coverage on any one of the vehicles with the excess or underinsured coverage. Benefits paid pursuant to this section are not subject to subrogation and assignment.

No action may be brought under the underinsured motorist provision unless copies of the pleadings in the action establishing liability are served in the manner provided by law upon the insurer writing the underinsured motorist provision. The insurer has the right to appear and defend in the name of the underinsured motorist in any action which may affect its liability and has thirty days after service of process on it in which to appear. The evidence of service upon the insurer may not be made a part of the record. In the event the automobile insurance insurer for the putative at-fault insured chooses to settle in part the claims against its insured by payment of its applicable liability limits on behalf of its insured, the underinsured motorist insurer may assume control of the defense of action for its own benefit. No underinsured motorist policy may contain a clause requiring the insurer's consent to settlement with the at-fault party.

SECTION 13. Section 15-78-30(g) of the S.C. Code is amended to read:

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(g) "Occurrence" means an unfolding sequence of events which proximately flow from a single act of negligence, including continuous or repeated exposure to substantially the same harmful conditions. For purposes of this section, multiple acts of negligence occurring without a break in the causal chain that result in substantially the same damages shall be considered one occurrence.

SECTION 14. Section 15-78-120 of the S.C. Code is amended to read:

Section 15-78-120. (a)(A) For any action or claim for damages brought under the provisions of this chapter, the liability shall not exceed the following limits:

(1) Except as provided in Section 15-78-120(a)(3), no person shall recover in any action or claim brought hereunder a sum exceeding three~~five~~ hundred thousand dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(2) Except as provided in Section 15-78-120(a)(4), the total sum recovered hereunder arising out of a single occurrence shall not exceed six hundred thousand~~one million~~ dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(3) No person may recover in any action or claim brought hereunder against any governmental entity and caused by the tort of any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, a sum exceeding one million two hundred thousand~~two million~~ dollars because of loss arising from a single occurrence regardless of the number of agencies or political subdivisions involved.

(4) The total sum recovered hereunder arising out of a single occurrence of liability of any governmental entity for any tort caused by any licensed physician or dentist, employed by a governmental entity and acting within the scope of his profession, may not exceed one million two hundred thousand~~two million~~ dollars regardless of the number of agencies or political subdivisions or claims or actions involved.

(5) The provisions of Section 15-78-120(a)(3) and (a)(4) shall in no way limit or modify the liability of a licensed physician or dentist, acting within the scope of his profession, with respect to any action or claim brought hereunder which involved services for which the physician or dentist was paid, should have been paid, or expected to be paid at the time of the rendering of the services from any source other than the salary appropriated by the governmental entity or fees received from any practice plan authorized by the employer whether or not the practice plan is incorporated and registered with the Secretary of State.

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(b)(B) No award for damages under this chapter shall include punitive or exemplary damages or interest prior to judgment.

(e)(C) In any claim, action, or proceeding to enforce a provision of this chapter, the signature of an attorney or party constitutes a certificate by him that he has read the pleading, motion, or other paper; that to the best of his knowledge, information, and belief formed after reasonable inquiry it is well-grounded in fact and is warranted by existing law or a good faith argument for the extension, modification, or reversal of existing law, and that it is not interposed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation. If a pleading, motion, or other paper is not signed, it shall be stricken unless it is signed promptly after the omission is called to the attention of the pleader or movant. If a pleading, motion, or other paper is signed in violation of this rule, the court, upon motion or upon its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee.

SECTION 15. Section 15-32-220(E) of the S.C. Code is amended to read:

(E)(1) The limitations for noneconomic damages rendered against any ~~health care~~ ~~healthcare~~ provider or ~~health care~~ ~~healthcare~~ institution do not apply if 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.~~

(a) acted in a wilful, wanton, or reckless manner;

(b) has pled guilty to or been convicted of a felony arising out of the same act or course of conduct complained of by the plaintiff and that the act or course of conduct is a proximate cause of the plaintiff's damages; or

(c) acted or failed to act while under the influence of alcohol or drugs to the degree that his judgment was materially and appreciably impaired.

(2) If the limitations for noneconomic damages are found to be inapplicable pursuant to the jury or court finding that the defendant's conduct fell within one of the exceptions herein, then the maximum limit of civil liability for the defendant, regardless of the number of claims or

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causes of action, shall not exceed ten times the current limitation on noneconomic damages, as adjusted pursuant to subsection (F).

SECTION 16.A. Section 15-3-640 of the S.C. Code is amended to read:

Section 15-3-640. No actions to recover damages based upon or arising out of the defective or unsafe condition of an improvement to real property may be brought more than eight-ten years after substantial completion of the improvement. For purposes of this section, an action based upon or arising out of the defective or unsafe condition of an improvement to real property includes:

(1) an action to recover damages for breach of a contract to construct or repair an improvement to real property;

(2) an action to recover damages for the negligent construction or repair of an improvement to real property;

(3) an action to recover damages for personal injury, death, or damage to property;

(4) an action to recover damages for economic or monetary loss;

(5) an action in contract or in tort or otherwise;

(6) an action for contribution or indemnification for damages sustained on account of an action described in this section;

(7) an action against a surety or guarantor of a defendant described in this section;

(8) an action brought against any current or prior owner of the real property or improvement, or against any other person having a current or prior interest in the real property or improvement;

(9) an action against owners or manufacturers of components, or against any person furnishing materials, or against any person who develops real property, or who performs or furnishes the design, plans, specifications, surveying, planning, supervision, testing, or observation of construction, or construction of an improvement to real property, or a repair to an improvement to real property.

This section describes an outside limitation of eight-ten years after the substantial completion of the improvement, within which normal statutes of limitations continue to run.

A building permit for the construction of an improvement to real property must contain in bold type notice to the owner or possessor of the property of his rights under this section to contract for a guarantee of the structure being free from defective or unsafe conditions beyond eight ten years after substantial completion of the improvement. The Department of Consumer Affairs shall publish in conspicuous places the right of an owner or possessor to contract for extended liability under

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this section. Nothing in this section prohibits a person from entering into a contractual agreement prior to the substantial completion of the improvement which extends any guarantee of a structure or component being free from defective or unsafe conditions beyond ~~eight~~~~ten~~ years after substantial completion of the improvement or component.

For any improvement to real property, a certificate of occupancy issued by a county or municipality, in the case of new construction or completion of a final inspection by the responsible building official in the case of improvements to existing improvements, shall constitute proof of substantial completion of the improvement under the provisions of Section 15-3-630, unless the contractor and owner, by written agreement, establish a different date of substantial completion.

B. This SECTION takes effect one year after the effective date of this act.

SECTION 17. Section 15-3-670 of the S.C. Code is repealed.

SECTION 18. Chapter 6, Title 61 of the S.C. Code is amended by adding:

Section 61-6-2225. A person or establishment licensed to sell liquor by the drink pursuant to this article may not sell these beverages to an individual to be consumed by that individual in an amount in excess of what a trained alcohol server would believe to be reasonable, based on the immediately available inferences, information, and the totality of the circumstances, that occurred while the individual was on the licensee's premises.

SECTION 19.A. Section 38-77-140 of the S.C. Code is amended to read:

Section 38-77-140. (A) An automobile insurance policy may not be issued or delivered in this State to the owner of a motor vehicle or may not be issued or delivered by an insurer licensed in this State upon a motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the persons defined as insured against loss from the liability imposed by law for damages arising out of the ownership, maintenance, or use of these motor vehicles within the United States or Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows:

(1) ~~twenty five~~~~fifty~~ thousand dollars because of bodily injury to one person in any one accident and, subject to the limit for one person;

(2) ~~fifty one~~~~one hundred~~ thousand dollars because of bodily injury to two or more persons in any one accident; and

(3) ~~twenty five~~~~fifty~~ thousand dollars because of injury to or destruction of property of others in any one accident.

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(B) Nothing in this article prevents an insurer from issuing, selling, or delivering a policy providing liability coverage in excess of these requirements.

B. This SECTION takes effect two years after the effective date of this act.

SECTION 20. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 21. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 22. Except as otherwise provided in this act, this act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 35; Nays 5; Abstain 1

AYES

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

Total--35

NAYS

Devine	Graham	Hutto
Sabb	Walker	

Total--5

ABSTAIN

Allen

Total--1

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

CARRIED OVER

S. 183 -- Senators Adams, Fernandez, Alexander, Garrett, Leber, Kimbrell, Matthews and Walker: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-3-80 SO AS TO CREATE THE OFFENSE OF DRUG-INDUCED HOMICIDE AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 16-1-10, RELATING TO THE EXEMPTION FROM THE CATEGORIZATION OF FELONIES AND MISDEMEANORS, SO AS TO INCLUDE DRUG-INDUCED HOMICIDE.

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

READ THE THIRD TIME

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SENT TO THE HOUSE

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 32 -- Senators Grooms, Leber, Rice, Reichenbach, Climer, Garrett, Jackson and Zell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE "PREGNANCY RESOURCE ACT"; BY ADDING SECTION 12-6-3383 SO AS TO PROVIDE FOR A TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS MADE TO A PREGNANCY RESOURCE CENTER OR CRISIS PREGNANCY CENTER AND TO PROVIDE GUIDELINES FOR THE CREDIT.

On motion of Senator MASSEY.

Recorded Vote

Senator DEVINE desired to be recorded as voting against the third reading of the Bill.

LOCAL APPOINTMENTS

Confirmations

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Darlington County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Melissa G. Burch, 454 South Main Street, Society Hill, SC 29593
VICE Cheveron T. Scott

Reappointment, Kershaw County Master-in-Equity, with the term to commence July 1, 2025, and to expire July 1, 2031

William B. Cox, Jr., 136 Hunt Trace, Camden, SC 29020

Initial Appointment, Richland County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Alexandro D. Hartsell, 8 Baltusrol Court, Columbia, SC 29223 *VICE* Donald J. Simons

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2023, and to expire April 30, 2027

Spartanburg County:

Matthew B. Davis, 2013 Glenwood Hills Drive, Spartanburg, SC 29307 *VICE* Hon. Edward Gene Addington

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harry Earl Stancil of Seneca, S.C. Harry was a retired Army National Guard Veteran. He worked at Wigington Auto Parts and previously worked as store manager of the Seneca NAPA. He was a member of Charles McGee Byrd American Legion Post 120, Seneca Masonic Lodge 185 and Moose Lodge. Harry was a former deacon at Snow Creek Baptist Church and was a member of Trinity Baptist Church since 1977. Harry enjoyed cooking, eating, feeding and watching birds and working in his yard. He was a kind, caring, selfless man who touched the lives of everyone he knew. Harry was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:37 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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