

NO. 17

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, FEBRUARY 6, 2024
(STATEWIDE SESSION)

Tuesday, February 6, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Isaiah 66:1: “The worship God demands; Heaven is my throne and the earth is my footstool; what is the house that you would build for me, and what is my resting place?”

Let us pray. Almighty and merciful God, You have provided a place for us to dwell. All we have You have given to us. The hope is that we live in His light and give that light to these women and men as they go about the business of this day. Grant us O Lord strength to do the work for the people of South Carolina. Bestow Your blessings and safety on our defenders of freedom and first responders. Look in favor upon our World, Nation, President, State, Governor, Speaker, Staff, and all who labor in these Halls of Government. Grant Your blessings upon our military and their families as they give of their time and life for the sake of our country. Lord, in Your mercy, hear our prayers. Amen.

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

After corrections to the Journal of the proceedings of Friday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. LIGON moved that when the House adjourns, it adjourn in memory of Thomas "Tom" Brice Hall, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Bernice Friendly.

STATEMENT BY REP. WILLIAMS

Rep. WILLIAMS made a statement relative to Wilhelmina P. Johnson's contributions to South Carolina.

TUESDAY, FEBRUARY 6, 2024

REGULATION RECEIVED

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

Document No. 5266

Agency: South Carolina Workers' Compensation Commission

Statutory Authority: 1976 Code Section 42-3-30

Payment of Compensation

Received by Speaker of the House of Representatives

February 1, 2024

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 4, 2025

REPORT OF STANDING COMMITTEE

Rep. MURPHY, from the Dorchester Delegation, submitted a favorable report on:

H. 4876 -- Reps. Jefferson, Cobb-Hunter, Robbins, Gatch, Murphy and Brewer: A BILL TO CHANGE THE CANDIDATE FILING METHOD FOR THE BOARD OF TRUSTEES OF DORCHESTER COUNTY SCHOOL DISTRICT 4 FROM THE PETITION METHOD TO THE FILING OF A STATEMENT OF INTENTION OF CANDIDACY WITH THE DORCHESTER COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 5033 -- Reps. Hosey, Clyburn, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan,

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Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO HONOR THE JEFFERSON DAVIS ACADEMY FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2023 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION 8-MAN STATE CHAMPIONSHIP TITLE AND TO SALUTE THEM ON A FABULOUS SEASON.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5034 -- Reps. J. L. Johnson, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO EXTEND DEEPEST APPRECIATION OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO OPTUS BANK FOR EXEMPLARY SERVICE, LEADERSHIP, AND CONTRIBUTIONS TO THE WELL-BEING OF OUR COMMUNITY.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5035 -- Reps. McGinnis and Schuessler: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ALISE SVIHLA, ASSOCIATE ATHLETIC DIRECTOR AT COASTAL CAROLINA UNIVERSITY, THANK HER FOR HER INVALUABLE CONTRIBUTIONS TO STUDENT ATHLETES, AND WISH HER STRENGTH AND HEALTH AS SHE BATTLES CANCER.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 5037 -- Reps. Landing, Bustos, Hartnett, Leber, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Calhoun, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Lawson, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE OCEANSIDE COLLEGIATE ACADEMY FOOTBALL TEAM AND COACHES ON THEIR IMPRESSIVE WIN OF THE 2023 CLASS 2A STATE CHAMPIONSHIP AND TO SALUTE THE PLAYERS FOR AN UNFORGETTABLE SEASON.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 5038 -- Reps. Landing, Bustos, Hartnett, Leber, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Lawson, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A HOUSE RESOLUTION TO SALUTE THE OCEANSIDE COLLEGIATE ACADEMY GIRLS TENNIS TEAM, COACHES, AND SCHOOL OFFICIALS FOR A REMARKABLE SEASON AND TO CONGRATULATE THEM ON WINNING THE 2023 CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5036 -- Reps. Cobb-Hunter, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber,

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Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pedalino, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO DECLARE APRIL 28, 2024, AS "WORKERS' MEMORIAL DAY" IN SOUTH CAROLINA AS TRIBUTE TO THE WORKING MEN AND WOMEN WHO HAVE LOST THEIR LIVES BECAUSE OF WORKPLACE INJURIES AND ILLNESSES.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1012 -- Senator Corbin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR COACH DAVID SMITH OF GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL FOR BEING NAMED 2023 CROSS COUNTRY COACH OF THE YEAR FOR BOTH THE SOUTH CAROLINA TRACK AND CROSS COUNTRY COACHES ASSOCIATION AND THE UNITED STATES TRACK AND FIELD CROSS COUNTRY COACHES ASSOCIATION.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 1013 -- Senator Corbin: A CONCURRENT RESOLUTION TO CONGRATULATE THE GREER MIDDLE COLLEGE CHARTER HIGH SCHOOL BOYS CROSS COUNTRY AND TRACK AND FIELD TEAMS FOR WINNING THEIR RESPECTIVE CLASS AA BOYS STATE CHAMPIONSHIP TITLES.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

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INTRODUCTION OF BILLS

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

H. 5039 -- Reps. T. A. Morgan, A. M. Morgan, Kilmartin, White, S. Jones, Cromer, Beach, Harris, May, Trantham and J. L. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-19-90, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION AND ITS MEMBERSHIP AND FUNCTIONS, SO AS TO REQUIRE ATTORNEY-LEGISLATORS TO RECUSE THEMSELVES FROM VOTING OR PARTICIPATING IN ANY MANNER IN THE ELECTION PROCESS OF JUDGES AND JUSTICES.

Referred to Committee on Judiciary

H. 5040 -- Reps. T. A. Morgan, White, S. Jones, Cromer, Beach, Magnuson, May, Trantham, McCabe and Harris: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-530, RELATING TO THE CORPORATE INCOME TAX, SO AS TO LOWER THE CORPORATE INCOME TAX RATE FROM FIVE PERCENT TO FOUR AND ONE HALF PERCENT.

Referred to Committee on Ways and Means

H. 5041 -- Reps. Haddon, Hiott, Forrest, Burns, Guffey, Sessions, Chapman, B. L. Cox, Ligon, Chumley and Trantham: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-11-370 SO AS TO PERMIT THE TAKING OF DEER COMMITTING DEPREDATION WITHOUT A DEPREDATION PERMIT IF CERTAIN CONDITIONS ARE MET.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 5042 -- Reps. B. L. Cox, J. L. Johnson, Murphy, Sessions, Cobb-Hunter, Kirby, Brewer, Garvin, Henegan, M. M. Smith, Jefferson, Rivers, McDaniel, Davis, Haddon, King, Gilliard, Stavrinakis, Bauer, West, Wetmore, T. Moore, Thigpen, Chapman, Schuessler, Pope, Guffey, Dillard, W. Jones, Pendarvis, G. M. Smith, Weeks, Wheeler, Williams and S. Jones: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 10-1-185 SO AS TO ESTABLISH ON THE GROUNDS OF THE STATE HOUSE A ROBERT SMALLS MONUMENT, CREATE A COMMISSION TO

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DETERMINE THE DESIGN AND LOCATION OF THE MONUMENT, PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND SUNSET THE COMMISSION AT A DATE CERTAIN.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 5043 -- Reps. Ott, Kirby, Hewitt, Taylor, M. M. Smith, Felder, Neese, Bernstein, Cobb-Hunter, Bauer and Hixon: 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.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 5044 -- Reps. T. A. Morgan, White, S. Jones, Pace, Cromer, Beach, Magnuson, May, Trantham, McCabe and Harris: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12-6-511 SO AS TO REDUCE ALL THE INCOME TAX RATES ON INDIVIDUALS, ESTATES, AND TRUSTS BY ONE PERCENT EACH YEAR UNTIL THE RATE ACROSS ALL BRACKETS EQUALS ZERO PERCENT; BY REPEALING SECTION 12-6-510 RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS; BY REPEALING SECTION 12-6-515 RELATING TO INCOME TAX BRACKETS; BY REPEALING SECTION 12-6-520 RELATING TO ANNUAL ADJUSTMENTS TO INCOME TAX BRACKETS; AND BY REPEALING SECTION 12-6-545 RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME.

Referred to Committee on Ways and Means

H. 5045 -- Reps. T. A. Morgan, White, Cromer, Magnuson, Harris, May, Trantham and McCabe: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 57-1-410, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE SECRETARY INSTEAD OF

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THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION; TO DEVOLVE THE DUTIES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION UPON THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION; BY AMENDING SECTION 1-30-10, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; BY AMENDING SECTION 1-30-105, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; BY AMENDING SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, AND TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; BY AMENDING SECTIONS 57-1-10, 57-1-40, 57-1-370, 57-1-430, 57-1-490, AND 57-3-20, ALL RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, AND ITS DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF TRANSPORTATION SUBMIT TO THE GENERAL ASSEMBLY AN ITEMIZED PROJECT LIST TO BE FUNDED FOR THE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY WOULD ENACT ITS ANNUAL GENERAL APPROPRIATIONS ACT; BY AMENDING SECTION 57-1-500, RELATING TO A DEPARTMENT OF TRANSPORTATION ETHICS WORKSHOP, SO AS TO DELETE THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS AS PARTICIPANTS IN THIS WORKSHOP; BY AMENDING SECTION 57-3-50, RELATING TO THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; BY AMENDING SECTION 57-1-90, RELATING TO MOTORCYCLES, SO AS TO MAKE A CONFORMING

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CHANGE; BY AMENDING SECTION 57-3-210, RELATING TO THE DEPARTMENT OF TRANSPORTATION CONTRACTING WITH PUBLIC TRANSIT SYSTEMS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-3-700, RELATING TO THE DEPARTMENT OF TRANSPORTATION SERVING AS AN AGENT FOR COUNTIES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-10, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-50, RELATING TO THE TRANSFER OF CERTAIN ROADS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-90, RELATING TO BELT LINES AND SPURS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-310, RELATING TO THE OWNERSHIP OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-340, RELATING TO THE DISPOSITION OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-5-1350, RELATING TO TURNPIKES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTIONS 57-13-10, 57-13-20, 57-13-40, AND 57-13-50, ALL RELATING TO BRIDGES, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTION 57-25-120, RELATING TO DEFINITIONS, SO AS TO MAKE A CONFORMING CHANGE; BY AMENDING SECTIONS 57-25-140, 57-25-150, 57-25-170, 57-25-200, AND 57-25-210, ALL RELATING TO SIGNS ALONG THE HIGHWAYS, SO AS TO MAKE A CONFORMING CHANGE; AND BY REPEALING SECTIONS 57-1-310, 57-1-320, 57-1-325, 57-1-330, 57-1-340, 57-1-350, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION.

Referred to Committee on Judiciary

H. 5046 -- Reps. Carter, Ott, Ligon, Hiott and Hixon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-90, RELATING TO "GROSS PROCEEDS OF SALES", SO AS TO PROVIDE THAT "GROSS PROCEEDS OF SALES" DOES NOT INCLUDE THE SALES PRICE OF PROPERTY RETURNED WHEN THE FULL SALES PRICE MINUS A RESTOCKING OR HANDLING FEE IS REFUNDED; AND BY AMENDING SECTION 12-36-130, RELATING TO

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"SALES PRICE", SO AS TO PROVIDE THAT "SALES PRICE" DOES NOT INCLUDE AN AMOUNT CHARGED FOR PROPERTY, WHICH IS RETURNED BY THE PURCHASER, AND THE FULL AMOUNT MINUS A RESTOCKING OR HANDLING FEE IS REFUNDED.

Referred to Committee on Ways and Means

S. 621 -- Senators Reichenbach, Stephens, Cromer, Kimbrell, M. Johnson, Fanning, Setzler, Bennett, Shealy, Rice, Williams, Allen, Garrett, Loftis, Sabb and Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 79 TO TITLE 39 SO AS TO CREATE THE "SOUTH CAROLINA-IRELAND TRADE COMMISSION", TO PROVIDE FOR THE MEMBERS OF THE TRADE COMMISSION, AND TO ESTABLISH THE DUTIES OF THE COMMISSION.

Referred to Committee on Ways and Means

S. 700 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 8 TO CHAPTER 5, TITLE 39 TO ESTABLISH THE "SOUTH CAROLINA EARNED WAGE ACCESS SERVICES ACT", SO AS TO PROVIDE FOR REQUIREMENTS FOR EARNED WAGE ACCESS SERVICES PROVIDERS, AND TO PROVIDE FOR CERTAIN EXEMPTIONS AND LIMITATIONS.

Referred to Committee on Labor, Commerce and Industry

S. 806 -- Senators Alexander, Malloy and Setzler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-1-180, RELATING TO ADJOURNMENT OF GENERAL ASSEMBLY AND CONDITIONS FOR EXTENDED SESSION, SO AS TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS AUTOMATICALLY EXTENDED IF THE HOUSE OF REPRESENTATIVES DOES NOT GIVE THIRD READING TO THE ANNUAL APPROPRIATIONS ACT ON OR BEFORE MARCH TENTH, SO AS TO PROVIDE THAT THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY CALL THEIR RESPECTIVE BODIES INTO SESSION AFTER THE SINE DIE ADJOURNMENT DATE TO FINISH ANY UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION, AND TO

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PROVIDE THE TIME PERIOD DURING WHICH THE SENATE AND THE HOUSE OF REPRESENTATIVES MAY BE CALLED BACK TO COMPLETE THE UNFINISHED BUSINESS RELATING TO THE GENERAL APPROPRIATIONS BILL OR CAPITAL RESERVE FUND RESOLUTION.

Referred to Committee on Ways and Means

ROLL CALL

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

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hart
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace

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Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thayer
Thigpen	Vaughan	Weeks
Wetmore	Wheeler	White
Whitmire	Williams	Willis
Wooten	Yow	

Total Present--119

LEAVE OF ABSENCE

The SPEAKER granted Rep. WEST a leave of absence for the day due to medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. HIXON a leave of absence for the day due to family medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. HENEGAN a leave of absence for the day due to family medical reasons.

LEAVE OF ABSENCE

The SPEAKER granted Rep. TRANTHAM a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER granted Rep. WILLIS a temporary leave of absence.

SPEAKER *PRO TEMPORE* IN CHAIR

DOCTOR OF THE DAY

Announcement was made that Dr. Mark Humphrey was the Doctor of the Day for the General Assembly.

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CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSORS ADDED

Bill Number: H. 3161
Date: ADD:
02/06/24 WHITE, MCCABE, OREMUS, FORREST,
MAGNUSON, HARRIS, BRITAIN and BUSTOS

CO-SPONSORS ADDED

Bill Number: H. 3430
Date: ADD:
02/06/24 GARVIN, GUFFEY, SESSIONS and WHEELER

CO-SPONSOR ADDED

Bill Number: H. 3618
Date: ADD:
02/06/24 CARTER

CO-SPONSORS ADDED

Bill Number: H. 3895
Date: ADD:
02/06/24 W. NEWTON, LOWE and JORDAN

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CO-SPONSOR ADDED

Bill Number: H. 4218
Date: ADD:
02/06/24 SANDIFER

CO-SPONSOR ADDED

Bill Number: H. 4292
Date: ADD:
02/06/24 GARVIN

CO-SPONSORS ADDED

Bill Number: H. 4436
Date: ADD:
02/06/24 BURNS and CHUMLEY

CO-SPONSORS ADDED

Bill Number: H. 4538
Date: ADD:
02/06/24 J. E. JOHNSON, BRITAIN, GUEST, GAGNON,
MCGINNIS, HARDEE, SCHUESSLER,
ATKINSON, HAYES, CRAWFORD, PACE,
T. MOORE and CHAPMAN

CO-SPONSOR ADDED

Bill Number: H. 4549
Date: ADD:
02/06/24 LAWSON

CO-SPONSORS ADDED

Bill Number: H. 4557
Date: ADD:
02/06/24 OREMUS, CROMER and FORREST

CO-SPONSORS ADDED

Bill Number: H. 4636
Date: ADD:
02/06/24 POPE, SESSIONS and DAVIS

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CO-SPONSORS ADDED

Bill Number: H. 4641
Date: ADD:
02/06/24 POPE and SESSIONS

CO-SPONSORS ADDED

Bill Number: H. 4642
Date: ADD:
02/06/24 POPE and SESSIONS

CO-SPONSORS ADDED

Bill Number: H. 4710
Date: ADD:
02/06/24 ERICKSON and BRADLEY

CO-SPONSOR ADDED

Bill Number: H. 4843
Date: ADD:
02/06/24 SANDIFER

CO-SPONSOR ADDED

Bill Number: H. 4866
Date: ADD:
02/06/24 LEBER

CO-SPONSOR ADDED

Bill Number: H. 4873
Date: ADD:
02/06/24 MAGNUSON

CO-SPONSORS ADDED

Bill Number: H. 4928
Date: ADD:
02/06/24 CASKEY and WILLIAMS

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CO-SPONSORS ADDED

Bill Number: H. 4954
Date: ADD:
02/06/24 HADDON, MITCHELL, BREWER, ROBBINS,
MCGINNIS, GAGNON, MCCRAVY, MOSS,
BRITAIN, CRAWFORD, GUEST, NUTT, O'NEAL
and GUFFEY

CO-SPONSORS ADDED

Bill Number: H. 4958
Date: ADD:
02/06/24 OTT, ROSE and CASKEY

CO-SPONSOR ADDED

Bill Number: H. 4971
Date: ADD:
02/06/24 BREWER

CO-SPONSORS ADDED

Bill Number: H. 4972
Date: ADD:
02/06/24 GUFFEY and TAYLOR

CO-SPONSORS ADDED

Bill Number: H. 4973
Date: ADD:
02/06/24 GUFFEY and TAYLOR

CO-SPONSOR ADDED

Bill Number: H. 5012
Date: ADD:
02/06/24 HYDE

CO-SPONSOR ADDED

Bill Number: H. 5013
Date: ADD:
02/06/24 LEBER

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CO-SPONSOR ADDED

Bill Number: H. 5022
Date: ADD:
02/06/24 FELDER

CO-SPONSORS ADDED

Bill Number: H. 5023
Date: ADD:
02/06/24 GUFFEY and O'NEAL

SPEAKER IN CHAIR

H. 3989--DEBATE ADJOURNED

The following Bill was taken up:

H. 3989 -- Reps. Ott, G.M. Smith, Cobb-Hunter, Ligon, Kirby, Haddon, Oremus, Brewer, Gagnon, Sandifer, Weeks, Williams, Henegan, Bauer, Forrest, Jefferson, Wheeler, Anderson and Calhoon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING ARTICLE 9 TO CHAPTER 33, TITLE 58 SO AS TO ESTABLISH THE "SOLAR, AGRICULTURAL, FARMLAND, AND ENVIRONMENTAL ACT"; TO PROVIDE FOR DEFINITIONS; TO ESTABLISH CERTIFICATE REQUIREMENTS FOR CONSTRUCTION OF PHOTOVOLTAIC ENERGY FACILITIES; TO ESTABLISH THE CERTIFICATE APPLICATION PROCESS; TO PROVIDE REQUIREMENTS FOR HEARINGS REGARDING THE CERTIFICATE APPLICATION; TO ESTABLISH THE PARTIES TO A CERTIFICATION PROCEEDING; TO REQUIRE A RECORD OF THE PROCEEDINGS AND TO PERMIT THE PUBLIC SERVICE COMMISSION TO CONSOLIDATE THE REPRESENTATION OF PARTIES WITH SIMILAR INTERESTS; TO ESTABLISH REQUIREMENTS FOR THE PUBLIC SERVICE COMMISSION'S DECISION REGARDING AN APPLICATION; TO REQUIRE THE PUBLIC SERVICE COMMISSION TO ISSUE AN ORDER WITHIN ONE HUNDRED EIGHTY DAYS FROM THE DATE THE APPLICATION IS FILED; TO PROVIDE FOR PAYMENT OF COSTS FOR THE OFFICE OF REGULATORY STAFF AND THE PUBLIC SERVICE COMMISSION FOR A FILED APPLICATION; AND TO CREATE THE AGRICULTURAL AND FARMLAND VIABILITY PROTECTION FUND.

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Rep. SANDIFER moved to adjourn debate on the Bill until Monday, February 19, which was agreed to.

S. 245--DEBATE ADJOURNED

The following Bill was taken up:

S. 245 -- Senators Kimbrell and Hembree: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-17-170 SO AS TO PROVIDE THAT A PERSON WITH CERTAIN CRIMINAL CONVICTIONS IS PROHIBITED FROM SERVING AS THE TREASURER OF A BOOSTER CLUB, TO PROVIDE THAT EACH BOOSTER CLUB WITHIN A SCHOOL DISTRICT SHALL ANNUALLY REGISTER WITH THE SCHOOL BOARD, TO PROVIDE THAT THE SCHOOL BOARD MUST RUN A CRIMINAL BACKGROUND CHECK TO DETERMINE IF THE TREASURER OF A BOOSTER CLUB IS PROHIBITED FROM SERVING IN THAT ROLE DUE TO A CRIMINAL CONVICTION, AND TO DEFINE NECESSARY TERMS.

Rep. BRADLEY moved to adjourn debate on the Bill, which was agreed to.

H. 4832--DEBATE ADJOURNED

The following Bill was taken up:

H. 4832 -- Reps. Hardee, Sandifer, Anderson, Ligon and Schuessler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PAID FAMILY LEAVE INSURANCE ACT" BY ADDING CHAPTER 103 TO TITLE 38 SO AS TO DEFINE TERMS, ESTABLISH FAMILY LEAVE BENEFITS, OUTLINE REQUIREMENTS OF FAMILY LEAVE INSURANCE POLICIES, AND TO PROVIDE EXCLUSIONS, AMONG OTHER THINGS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4832 (LC-4832.PH0003H):

Amend the bill, as and if amended, SECTION 2, by adding:

Section 38-103-90. The department shall provide an annual report to the legislature and the public beginning on January 1, 2025, and each year thereafter, with information regarding the utilization of family leave insurance as authorized in this section, including:

- (1) the number of insurers in the State who are currently offering

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family leave insurance;

(2) the total number of employers in the State who have purchased family leave insurance; and

(3) a breakdown of which employers in the State have purchased family leave insurance by industry and employer size.

Renumber sections to conform.

Amend title to conform.

Rep. HARDEE explained the amendment.

Rep. SANDIFER moved to adjourn debate on the Bill, which was agreed to.

H. 3992--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3992 -- Reps. Blackwell, McGinnis, Sandifer, Ligon, Cromer, Magnuson, White, Pace and Burns: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 41-31-60, RELATING TO DELINQUENT UNEMPLOYMENT COMPENSATION TAX RATES, SO AS TO PERMIT EMPLOYERS WITH INSTALLMENT PAYMENT AGREEMENTS APPROVED BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE TO PAY THE TAX AT A REDUCED RATE, AND TO PROVIDE FOR THE AUTOMATIC REVERSION OF THIS RATE UPON FAILURE TO TIMELY COMPLY WITH THE PAYMENT AGREEMENT.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3992 (LC-3992.WAB0002H), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 41-31-60(B) and inserting:

(B) No employer is permitted to pay his unemployment compensation tax at a reduced tax rate class for any quarter when a tax execution issued in accordance with Section 41-31-390 with respect to delinquent unemployment compensation tax for a previous quarter is unpaid and outstanding against the employer. If on the computation date upon which an employer's tax rate is computed as provided in Section 41-31-40 there is an outstanding tax execution, the tax class twenty rate must be assigned to the employer until the next computation date or until

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such time as all outstanding tax executions have been paid. An employer who has a department-approved installment payment agreement shall be permitted to pay its unemployment compensation tax at a reduced rate. However, any such employer's tax rate shall immediately revert to the tax class twenty rate if the employer fails to make any one of the succeeding deferred payments or fails to submit any succeeding wage report and payment in a timely manner as required by the department-approved installment payment agreement.

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

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

The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 117; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Ballentine	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
J. L. Johnson	S. Jones	W. Jones
Jordan	Kilmartin	King

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Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	Magnuson	May
McCabe	McCrary	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	A. M. Morgan	T. A. Morgan
Moss	Murphy	Neese
B. Newton	W. Newton	Nutt
O'Neal	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thayer	Thigpen	Vaughan
Weeks	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total--117

Those who voted in the negative are:

Total--0

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

H. 4869--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 4869 -- Reps. Sandifer, Hardee, Ligon and Jefferson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-3-150, RELATING TO THE AUTHORITY OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEES TO CONDUCT EXAMINATIONS, INVESTIGATIONS, AND HEARINGS, SO AS TO PROVIDE FOR THE CONFIDENTIALITY OF SUCH INVESTIGATIONS; BY AMENDING SECTION 38-9-200, RELATING TO CONDITIONS FOR ALLOWING REINSURANCE CREDITS, SO AS TO REVISE CERTAIN CONDITIONS; BY

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AMENDING SECTION 38-13-10, RELATING TO INSURER EXAMINATIONS, SO AS TO PROVIDE SUCH EXAMINATIONS ARE FINANCIAL EXAMINATIONS, TO APPLY THE PROVISIONS TO HEALTH MAINTENANCE ORGANIZATIONS AND OTHER LICENSEES OF THE DEPARTMENT, TO PROVIDE MARKET CONDUCT EXAMINATIONS, AND TO REMOVE OBSOLETE PROVISIONS, AMONG OTHER THINGS; BY AMENDING SECTION 38-13-70, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DIRECTOR OR HIS DESIGNEES MAY CONDUCT INVESTIGATIONS, TO PROVIDE FOR THE CONFIDENTIALITY OF INVESTIGATIONS, AND TO PROVIDE FINAL ORDERS DISCIPLINING LICENSEES ARE PUBLIC INFORMATION, AMONG OTHER THINGS; AND BY AMENDING SECTION 38-57-130, RELATING TO INSURANCE TRADE PRACTICES, SO AS TO PROVIDE REVISED EXEMPTIONS FROM PROVISIONS PROHIBITING MISREPRESENTATIONS, SPECIAL INDUCEMENTS, AND REBATES IN INSURANCE CONTRACTS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 4869 (LC-4869.WAB0002H), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 38-13-10(B) and inserting:

(B) The director or his examiners may conduct a market conduct examination whenever the director considers it appropriate based on the market analysis or practices of the insurer or HMO or other licensee as authorized by this title. The director or his designee has the discretion to conduct full scope or targeted, on-site market conduct examinations in accordance with the NAIC Market Regulation Handbook and other market analysis tools. The director is authorized to determine the frequency, depth and timing of market conduct examinations and may schedule and coordinate multiple examinations simultaneously or participate in multistate examinations.

Renumber sections to conform.

Amend title to conform.

Rep. HARDEE explained the amendment.

The amendment was then adopted.

Rep. HARDEE explained the Bill.

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Guest	Guffey
Haddon	Hager	Hardee
Hartnett	Hayes	Henderson-Myers
Hewitt	Hiott	Hosey
Howard	Hyde	Jefferson
J. E. Johnson	J. L. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Rivers	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thayer	Thigpen	Vaughan

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Weeks	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total--114

Those who voted in the negative are:

Total--0

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

H. 3278--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3278 -- Reps. West, Ligon and Sandifer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 40-60-30, 40-60-31, AND 40-60-33, ALL RELATING TO REAL ESTATE APPRAISER LICENSURE REQUIREMENTS, SO AS TO MODIFY EXEMPTIONS, REVISE AND PROVIDE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS; AND TO REVISE REQUIREMENTS AND QUALIFICATIONS FOR LICENSED MASS APPRAISERS; BY AMENDING SECTION 40-60-34, RELATING TO REQUIREMENTS RELATING TO APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE REQUIREMENTS; BY AMENDING SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE REPORTING REQUIREMENTS UPON LICENSEES; BY ADDING SECTION 40-60-36 SO AS TO IMPOSE REPORTING REQUIREMENTS UPON PROVIDERS; BY AMENDING SECTION 40-60-37, RELATING TO RECIPROCAL APPLICATIONS FROM APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; BY AMENDING SECTION 40-60-40, RELATING TO REQUIRED APPRAISER CONTACT INFORMATION, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; BY AMENDING SECTION 40-60-320, RELATING TO DEFINITIONS, SO AS TO REVISE THE DEFINITION OF APPRAISAL PANEL; BY AMENDING SECTION 40-60-330, RELATING TO REGISTRATION

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REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; BY AMENDING SECTION 40-60-360, RELATING TO PROMULGATION OF REGULATIONS, SO AS TO SPECIFY REQUIRED REGULATIONS; BY AMENDING SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND BY AMENDING SECTION 40-60-450, RELATING TO COMPENSATION, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3278 (LC-3278.PH0011H), which was adopted:

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

SECTION X. Section 40-60-10(B) of the S.C. Code is amended to read:

(B) The South Carolina Real Estate Appraisers Board consists of eight members who must be residents of this State and appointed by the Governor with the advice and consent of the Senate and with consideration given to appropriate geographic representation and to areas of appraisal expertise as follows:

(1) One member must be a public member who may not be connected in any way with the practice of real estate appraisal, real estate brokerage, or mortgage lending. The member from the general public may be nominated by an individual, group, or association and must be appointed by the Governor in accordance with Section 40-1-45.

(2) One member must be a licensed real estate broker ~~who is not a real estate appraiser.~~

(3) One member must be actively engaged in mortgage lending, representing supervised financial institutions, who is not a real estate licensee or a real estate appraiser and who also must not be connected in any way with the brokerage of real estate, the appraisal of real estate, or the review of real estate appraisals.

(4) Four members must be licensed or certified appraisers, actively engaged in real estate appraisal for at least three years, ~~at least two~~ one of whom must be a certified general appraiser ~~appraisers~~ and ~~at least one~~ of whom must be a certified residential appraiser. In appointing real estate appraisers to the board, the Governor, while not automatically

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excluding other appraisers, shall give preference to real estate appraisers whose primary source of income is derived from appraising real estate and not real estate brokerage.

(5) One member must represent an appraisal management company registered with the board.

SECTION X. Section 40-60-20 of the S.C. Code is amended to read:

Section 40-60-20. As used in this chapter unless the context requires otherwise:

(1) "Analysis" means a study of real estate or real property other than one estimating value.

(2) "Appraisal", as a noun, means the act or process of developing an opinion of value; as an adjective, "appraisal" means of or pertaining to appraising and related functions including, but not limited to, appraisal practice and appraisal services.

(3) "Appraisal assignment" or "valuation assignment" means an engagement for which an appraiser is employed or retained to act, or would be perceived by third parties or the public as acting, as a disinterested third party in rendering an unbiased analysis, opinion, or conclusion that estimates the value of real estate.

(4) "Appraisal Foundation" means the Appraisal Foundation established on November 30, 1987, as a not-for-profit corporation under the laws of Illinois, containing the Appraisal Standards Board (ASB), Appraiser Qualifications Board (AQB), a board of trustees, and other advisory bodies.

(5) "Appraisal report" means any communication, written or oral, of an appraisal or appraisal review. The testimony of an individual dealing with the analyses, conclusions, or opinions concerning identified real estate or real property ~~may be~~ considered to be an oral appraisal report.

(6) "Appraisal subcommittee" means the designees of the heads of the federal financial institutions regulatory agencies established by the Federal Financial Institutions Examination Council Act of 1978 (12 U.S.C. Section 3301, et seq.), as amended, as well as the Secretary of the Department of Housing and Urban Development, or ~~his~~ the secretary's designee, under the Department of Housing and Urban Development Reform Act of 1989 (12 U.S.C. Section 1708~~(e)~~(g)).

(7) "Appraiser" means a person who holds a ~~permit, license,~~ or certification issued by the board ~~that allows the person to appraise real property~~ to perform valuation services competently and in a manner that is independent, impartial, and objective, and in accordance with all applicable laws.

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(8) “Apprentice appraiser” means an individual ~~authorized by permit~~ who holds a credential issued by the board to assist a state-certified appraiser in the performance of an appraisal if the apprentice is actively ~~and personally~~ supervised by the certified appraiser.

(9) “Board” means the South Carolina Real Estate Appraisers Board established pursuant to the provisions of this chapter.

(10) “Complex residential property appraisal” means one in which the property to be appraised, the form of ownership, or market conditions are atypical.

(11) “Federally related transaction” means any real estate-related financial transaction which a federal financial institution regulatory agency engages in, contracts for, or regulates and which requires the services of an appraiser.

~~(12) “Market analysis” means a study of real estate market conditions for a specific type of property.~~

~~(13)~~(12) “Mass appraisal” means the process of valuing a universe of properties as of a given date using standard methodology, employing common data, and allowing for statistical testing.

~~(14)~~(13) “Mass appraiser” means any appraiser who is employed in the office of a tax assessor to appraise real property for ad valorem tax purposes and who is licensed or certified as a mass appraiser.

~~(15)~~(14) “Noncomplex residential property appraisal” means one in which the property to be appraised, the form of ownership, and market conditions are those which are typically found in the subject market.

~~(16)~~(15) “Person” means an individual, corporation, partnership, or association, foreign and domestic.

(16) “Price” means the amount asked, offered, or paid for a property.

(17) “Real estate” means an identified parcel or tract of land including improvements, if any.

(18) “Real estate appraisal activity” means the act or process of performing an appraisal and preparing an appraisal report.

(19) “Real property” means the interests, benefits, and rights inherent in the ownership of real estate.

(20) “Residential appraisal” is an appraisal of a vacant or improved parcel of land that is devoted to or available for use as a one to four family abode including, but not limited to, a single family home, apartment, or rooming house.

(21) “Standards of professional appraisal practice” or “USPAP” means the National Uniform Standards of Professional Appraisal Practice as adopted by the Appraisal Standards Board of the Appraisal

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Foundation and adopted by the board.

(22) “State-certified general appraiser” means an appraiser authorized to engage in the appraisal of all types of real property.

(23) “State-certified general mass appraiser” means an appraiser authorized to engage in all types of real estate mass appraisal activity for ad valorem purposes.

(24) “State-certified residential appraiser” means an appraiser authorized to engage in the appraisal of one to four residential units without regard to transaction value or complexity and nonresidential appraisals with a transaction value less than ~~two hundred fiftyfive~~ hundred thousand dollars.

(25) “State-certified residential mass appraiser” means an appraiser authorized to engage in the mass appraisal of one to four residential units without regard to value or complexity and nonresidential appraisals with a transaction value less than ~~two hundred fiftyfive~~ hundred thousand dollars.

(26) “State-licensed appraiser” means an appraiser authorized to engage in the appraisal of noncomplex one to four residential units having a transaction value less than one million dollars and complex one to four residential units and nonresidential appraisals having a transaction value less than ~~two hundred fiftyfive~~ hundred thousand dollars.

(27) “State-licensed mass appraiser” means an appraiser authorized to engage in the mass appraisal of noncomplex one to four residential units having a transaction value less than one million dollars and complex one to four residential units and nonresidential appraisals having a transaction value less than ~~two hundred fiftyfive~~ hundred thousand dollars.

(28) “Timberland” means forestland that is producing or is capable of producing timber as a crop.

(29) “Valuation Services” means ~~an estimate of~~ the value of real estate or real property based on assignment instructions of the client in accordance with federal law or regulations.

(30) “Value” means the monetary relationship between properties and those who buy, sell, or use those properties, expressed as an opinion of the worth of the property at a given time.

SECTION X. Section 40-60-30 of the S.C. Code is amended to read:

Section 40-60-30. It is unlawful for an individual to assume or use a title, designation, or abbreviation likely to create the impression that the person is a real estate appraiser or to engage in real estate appraisal activity or advertise as an appraiser without a valid license issued by the

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department. However, nothing in this chapter may be construed to apply to:

(1) A real estate licensee licensed in accordance with Chapter 57, Title 40 who performs ~~a market analysis or gives an opinion as to the price~~valuation services of real estate for a client or customer on the condition that the ~~market analysis or opinion~~valuation service is not referred to as an appraisal. ~~Before~~In performing a ~~market analysis~~valuation service, which federal law or regulation does not require a license or certified appraiser, the real estate licensee must disclose to the requesting party: “This ~~market analysis~~valuation service may not be used for the purposes of obtaining financing in a federally related transaction”.

(2) A forester registered pursuant to Chapter 27, Title 48 who ~~appraises or values~~performs valuation services on standing or growing timber or timberland located in this State and issues ~~an appraisal or a valuation service~~on the timber or timberland, as permitted by Chapter 27, Title 48 and Regulation 53-13. When ~~an appraisal or a valuation service~~ is to be used in a federally related transaction, the registered forester must be licensed or certified under this chapter if required by federal law or regulation.

(3) ~~An employee of~~A person employed by a lender in the performance of ~~appraisals or valuations~~valuation services with respect to which federal law or regulations does not require a licensed or certified appraiser. ~~This exception does not apply to third party contractors.~~

(4) A person, credentialed by this board in the performance of valuation services, with respect to which federal law or regulation does not require a licensed or certified appraiser.

Amend the bill further, SECTION 2, by striking Section 40-60-31(2)(a) and inserting:

(a) as an apprentice, state-licensed, or mass appraiser:

(i) a high school diploma; or

(ii) hold a certificate of equivalency;

Amend the bill further, SECTION 2, by striking Section 40-60-31(2)(b)(i), (ii), (iii), and (iv) and inserting:

(i) a high school diploma or certificate of equivalency; and

(ii) additional education as required by the Appraiser Qualifications Board of the Appraisal Foundation or as promulgated by the board through regulation;

Amend the bill further, SECTION 2, by deleting Section 40-60-31(2)(c).

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Amend the bill further, SECTION 2, by striking Section 40-60-31(3) and inserting:

(3) submit proof of completion of appraiser qualifying education as required by the Appraiser Qualifications Board and, if applicable, experience requirements as specified in this chapter or promulgated by the board through regulation;

Amend the bill further, SECTION 2, by striking Section 40-60-31(5) and (6) and inserting:

(5) submit to a state fingerprint-based criminal records check, to be conducted by the State Law Enforcement Division, a national criminal records check, supported by fingerprints, conducted by the FBI, and, if required by the Appraiser Qualifications Board, undergo a criminal background check in compliance with AQB requirements to be submitted by the applicant with his application; and

(6) pass an examination, if applicable. ~~Effective July 1, 2014, an~~ An applicant who does not become licensed or certified within two years after passing the examination must retake the examination.

Amend the bill further, SECTION 2, by deleting Section 40-60-31(7).

Amend the bill further, SECTION 3, by striking Section 40-60-33(1)(b) and (c) and inserting:

(b) furnish evidence that the applicant has successfully completed ~~within the past five years at least seventy five hours of courses approved~~ additional education as required by the Appraiser Qualifications Board or promulgated by the board in regulation; and

(c) ~~attend~~ successfully complete a trainee/supervisor ~~orientation~~ course conducted in compliance with ~~AQB~~ the Appraiser Qualifications Board requirements.

Amend the bill further, SECTION 3, by striking Section 40-60-33(2)(a) and (b) and inserting:

(a) furnish evidence that the applicant has successfully completed ~~within the past five years one hundred fifty additional hours of education as required for licensure by the board in approved appraisal courses~~ by the Appraiser Qualifications Board or promulgated by the board in regulation;

(b) ~~demonstrate two thousand hours of appraisal experience since January 1, 1992, but in not less than twenty four months~~ successfully complete experience as required by the Appraiser Qualifications Board or promulgated by the board in regulation. Experience may include, but is not limited to, fee and staff appraisal, ad valorem tax appraisal not to exceed ~~forty~~ fifty percent of the total hours claimed, review appraisal, appraisal analysis, highest and best use analysis, and feasibility

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analysis/study. Mass appraiser experience may be one hundred percent ad valorem tax appraisal. The verification for experience credit claimed by an applicant must be by affidavit on forms prescribed by the board; and

Amend the bill further, SECTION 3, by striking Section 40-60-33(3)(a) and (b) and inserting:

(a) furnish evidence that the applicant has successfully completed ~~within the past five years two hundred hours of~~additional education as required for residential certification by the board in approved appraisal courses by the Appraiser Qualifications Board or promulgated by the board in regulation;

(b) ~~demonstrate two thousand five hundred hours of appraisal experience since January 1, 1992, but in not less than twenty four months~~successfully complete experience as required by the Appraiser Qualifications Board or promulgated by the board in regulation. Experience may include, but is not limited to, fee and staff appraisal, ad valorem tax appraisal not to exceed ~~forty~~fifty percent of the total hours claimed, review appraisal, appraisal analysis, highest and best use analysis, and feasibility analysis/study. Mass appraiser experience may be one hundred percent ad valorem tax appraisal. The verification for experience credit claimed by an applicant must be by affidavit on forms prescribed by the board; and

Amend the bill further, SECTION 3, by striking Section 40-60-33(4) and inserting:

(4) To qualify as a state-certified general appraiser or certified general mass appraiser, an applicant shall:

(a) furnish evidence that the applicant has successfully completed ~~within the past five years three hundred hours of~~additional education required for general certification by the board in approved appraisal courses by the Appraiser Qualifications Board or promulgated by the board in regulation;

(b) ~~demonstrate three thousand hours of appraisal experience since January 1, 1992, but in not less than thirty months and of which at least fifty percent must be in nonresidential appraisal works~~successfully complete experience as required by the Appraiser Qualifications Board or promulgated by the board in regulation. Experience may include, but is not limited to, fee and staff appraisal, ad valorem tax appraisal not to exceed ~~forty~~fifty percent of the total hours claimed, review appraisal, appraisal analysis, highest and best use analysis, and feasibility analysis/study. Mass appraiser experience may be one hundred percent ad valorem tax appraisal. The verification for experience credit claimed

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by an applicant must be by affidavit on forms prescribed by the board;
and

(c) pass an examination approved by the board. The prerequisites to sit for the examination are completion of the educational requirements and appraisal experience.

Amend the bill further, SECTION 3, by deleting Section 40-60-33(5).

Amend the bill further, SECTION 4, by striking Section 40-60-34(A) and inserting:

Section 40-60-34. (A) The board shall prescribe the form of a ~~permit~~, license, and certificate containing an identification number that the appraiser shall use when signing appraisal reports. When an appraiser advertises or executes contracts or other instruments, the appraiser's name, appraiser classification, and number assigned by the board must be printed or typed adjacent to the appraiser's signature.

Amend the bill further, SECTION 4, by striking Section 40-60-34(D) and (E) and inserting:

(D) The supervisory appraiser supervising an apprentice ~~fee~~ appraiser shall:

(1) personally review appraisal reports prepared by the apprentice and sign and certify the report as being independently and impartially prepared in compliance with the National USPAP and applicable statutory requirements;

(2) provide a copy or access to final appraisal documents to any participating apprentice;

(3) directly supervise no more than three apprentice appraisers at any one given time, unless board approval is received to supervise more than three apprentices subject to required progress monitoring as approved by the board;

(4) be certified for a minimum of three years and not subject to any disciplinary action within the immediately preceding three years that affects the supervisory appraiser's legal eligibility to engage in appraisal practice; and

(5) ~~attend~~ successfully complete a trainee/supervisor ~~orientation course~~ conducted in compliance with ~~AQB~~ Appraiser Qualifications Board requirements.

(E) The supervisory appraiser supervising an apprentice appraiser performing mass appraisal work shall personally review and approve all work performed by the apprentice to ensure that the work is prepared in compliance with the National USPAP and applicable statutory requirements.

Amend the bill further, SECTION 4, by striking Section 40-60-34(G),

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(H), (I), (J), (K), and (L) and inserting:

(G) Licenses, and certifications, ~~and apprentice permits~~ issued by the board expire biennially on June thirtieth. As a condition of renewal, an appraiser shall provide evidence satisfactory to the board of having met the continuing education requirements established by this chapter. An apprentice appraiser may maintain ~~the permit~~ their license for five years before applying for an upgrade, provided continuing education requirements are satisfied biennially at renewal.

(H) ~~Permits, licenses, or~~ Licenses and certifications not renewed by date of expiration are no longer valid but may be reinstated within twelve months after expiration upon proper application, payment of renewal fee, a late penalty, as established in the fee schedule, and proof of having met continuing education requirements as prescribed.

(I) A ~~permit~~, license, or certification that has expired and has not been reinstated by the last day of the twelfth month following expiration must be canceled. Such a canceled permit, license, or certification may be considered for reinstatement as provided by the board in regulation.

(J) A license or certification may be placed on inactive status by informing the board in writing and must be renewed in the same manner as provided for active renewal. An expired or lapsed apprentice appraiser licensee can reapply for licensure if initial qualifying courses have been completed within five years of the application date.

(K) ~~A fee~~ An appraiser must retain the work file for a period of at least five years after preparation or at least two years after the final disposition of any judicial proceeding in which the appraisers provided testimony related to the assignment, whichever period expires last. The work file must include the original or exact copy of each appraisal report prepared or signed by the appraiser and all supporting data assembled and formulated by the appraiser in preparing each appraisal report. The five-year period for retention of records is applicable to each engagement of the services of the appraiser and commences on the date of delivery of each appraisal report to the client. ~~The appraiser must retain the work file for a period of at least two years after final disposition of appeals of all judicial proceedings in which the appraiser provided testimony related to the assignment, whichever period expires last.~~

(L) An appraiser who has had a ~~permit~~, license, or certification revoked by the board may not be issued a new ~~permit~~, license, or certification within two years after the date of the revocation or at any time thereafter except upon an affirmative vote of a majority of the board.

Amend the bill further, SECTION 5, by striking Section 40-60-

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35(A)(1) and inserting:

(1) For renewal of an active ~~permit~~, license, or certification, an appraiser shall present evidence biennially of satisfactory completion by the applicant of twenty-eight hours of instruction in courses or seminars that have been approved by the board, of which seven hours must be the National USPAP update course current at the time of renewal. Licensees shall report completed continuing education as required by the board.

Amend the bill further, by striking SECTION 6 and inserting:

SECTION X. Section 40-60-36(H) of the S.C. Code is amended to read:

~~(H) Approved instructors shall attend biennial instructor development workshops sponsored by the board whenever possible or provide evidence of equivalent hours of continuing education that increases their knowledge of either the subject content in their area of expertise or their teaching techniques.~~ Providers must report completed continuing education of licensees within fourteen days of course completion as required by the board.

Amend the bill further, SECTION 7, by striking Section 40-60-37(A) and inserting:

(A) The board ~~may accept~~ must grant a reciprocal applications from ~~credential to an appraisers from other jurisdictions~~ appraiser credentialed in another jurisdiction if: ~~These applicants may be given waivers of education, examination, and experience requirements if the board considers the education and examination requirements of another jurisdiction to be substantially equivalent to the requirements of this chapter~~

(1) the appraiser holds a valid credential to value real property that is in good standing in at least one other jurisdiction; and

(2) the requirements to obtain a credential to value real property in the jurisdiction in which the appraiser is credentialed have been found by the appraisal subcommittee to conform to the qualification criteria of the Appraiser Qualifications Board.

Amend the bill further, by striking SECTIONS 8 through (11) and inserting appropriately numbered SECTIONS to read:

SECTION X. Section 40-60-40 of the S.C. Code is amended to read:

Section 40-60-40. (A) Each licensee and apprentice must maintain on file with the board a current ~~street~~ physical address at which they may be found.

(B) Each licensee and apprentice must notify the board in writing within fifteen days of any change in residential address, office address, ~~or office telephone number,~~ or email address.

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(C) Service of any notice upon a licensee who cannot be found at the last known address provided by the licensee may be made by leaving with the director, or designee, a copy of the notice and any accompanying documents along with proof of attempted service at the last known address. The board may set aside and reopen a proceeding upon satisfactory showing by the licensee of good cause as to why the licensee did not receive service of the notice.

SECTION X. Section 40-60-50(D) of the S.C. Code is amended to read:

(D) Application and license fees are payable to the department in advance and must accompany an ~~examination~~ application or a ~~license application~~ proper documentation. Fees are nonrefundable.

SECTION X. Section 40-60-70 of the S.C. Code is amended to read:

Section 40-60-70. Appraisers shall conduct themselves in accordance with a code of ethics as established in the Uniform Standards of Professional Appraisal Practice (USPAP) and adopted by the board.

SECTION X. Section 40-60-80 of the S.C. Code is amended to read:

Section 40-60-80. (A) The department shall investigate complaints and violations of this chapter as provided in this chapter and Section 40-1-80.

(B) If a complaint filed with the board involves an appraisal report that varies from a sales, lease, or exchange price, the board may decline to conduct an investigation.

(C) If a complaint filed with this board is received without a stated complainant, along with contact information and supporting documentation as to potential violations, the board may decline to conduct an investigation.

~~(D)~~ (D) The board is prohibited from conducting an investigation based solely on a dispute over the value of property for ad valorem tax purposes.

~~(E)~~ (E) A person aggrieved by a final action of the board may seek review of the decision in accordance with Section 40-1-160 and the South Carolina Administrative Procedures Act.

SECTION X. Section 40-60-110 of the S.C. Code is amended to read:

Section 40-60-110. In addition to the grounds provided in Section 40-1-110, the board may deny licensure to an applicant or may take disciplinary action against an appraiser who:

(1) fails to meet the minimum qualifications for a ~~permit~~, license, or certification established by or pursuant to this chapter;

(2) procures or attempts to procure a ~~permit~~, license, or certification by knowingly making a false statement, submitting false information, or

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making a material misrepresentation in an application filed with the board, or procures or attempts to procure a ~~permit~~, license, or certification through fraud or misrepresentation;

(3) performs an act in the practice of real estate appraising that constitutes dishonest, fraudulent, or improper conduct;

(4) engages in the business of real estate appraising under an assumed or fictitious name;

(5) pays a finder's fee or a referral fee in connection with an appraisal of real estate or real property in this State;

(6) makes a false or misleading statement in that portion of a written appraisal report that deals with professional qualifications or in any testimony concerning professional qualifications;

(7) violates the confidential nature of governmental records to which an appraiser gained access through employment or engagement as an appraiser by a governmental agency;

(8) violates any of the standards for the development or communication of real estate appraisals as ~~promulgated by the board in regulations set forth in this chapter~~ or regulations promulgated pursuant to this chapter;

(9) fails or refuses without good cause to exercise reasonable diligence in developing an appraisal, preparing an appraisal report, or communicating an appraisal;

(10) exhibits negligence or incompetence in developing an appraisal, in preparing an appraisal report, or in communicating an appraisal;

(11) accepts an independent appraisal assignment or valuation assignment when the employment itself or fee to be paid was contingent upon the appraiser's reporting a predetermined estimate, analysis, valuation, opinion, or conclusion or upon the award, recovery, or consequences resulting from the appraisal assignment;

(12) fails to retain records in accordance with this chapter or regulations promulgated pursuant to this chapter;

(13) fails upon reasonable request of an investigator of the board to make all records required to be maintained under this chapter available to the board for inspection and copying by the board or fails to appear upon reasonable request for an interview with an investigator of the board;

(14) demonstrates bad faith, dishonesty, untrustworthiness, or incompetency to act as an appraiser in a manner so as to endanger the interests of the public;

(15) performs or attempts to perform any real estate appraisal

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activity on property located in another state without first having complied with that state's laws regarding real estate appraisal activity;

(16) performs or attempts to perform, if licensed or certified as a mass appraiser, any appraisal other than those for ad valorem tax purposes and directly related to the assessor office employment duties of the mass appraiser, unless assisting and supervised by a nonmass-certified appraiser;

(17) has been convicted of or pleaded guilty or nolo contendere to a felony relating to the practice of appraisal, banking, mortgage lending, or the provision of financial services, or a crime involving moral turpitude or pleaded guilty or nolo contendere to any such offense ~~fraud or misrepresentation;~~

(18) fails to report to the department in writing by certified mail, within ten days, notice of conviction of a crime provided for in item (17);

(19) has had a license to practice a regulated profession or occupation in this State, another state or jurisdiction canceled, revoked, suspended, or otherwise disciplined;

(20) issues a check to the board that is returned for insufficient funds or closed account;

(21) fails to comply with or obey a final order of the board or has failed to comply with an order, subpoena, or directive of the board or department;

(22) violates any provision of this chapter or any regulation promulgated under this chapter;

(23) has knowingly performed an act that in any way assists an unlicensed person to practice;

(24) has failed to cooperate with an investigation or other proceeding of the board;

(25) has failed to appear before the board after receiving a formal notice to appear.

SECTION X. Section 40-60-220 of the S.C. Code is amended to read:

Section 40-60-220. A person who is ~~licensed~~ credentialed in this State as a licensed appraiser, licensed mass appraiser, ~~state-certified residential appraiser, state-certified residential mass appraiser, state-certified general appraiser, or state-certified general mass appraiser~~ on December 31, 2014, may continue licensure in that category without meeting the requirements of Section 40-60-31 and Section 40-60-33, so long as the person is otherwise authorized to hold the license.

SECTION X. Section 40-60-320 of the S.C. Code is amended to read:

Section 40-60-320. For the purposes of this article:

(1) "Appraisal management company" or "AMC" means a person

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~~that: an external third party, in connection with valuing properties, collateralizing mortgage loans, or incorporating mortgages into a securitization. The third party must be authorized either by a creditor of a consumer credit transaction secured by a consumer's principal dwelling or by an underwriter or by other principal in the secondary mortgage markets that oversees a network or panel of more than fifteen certified or licensed appraisers in a state or twenty five or more nationally within a given year in order to:~~

~~— (a) recruit, select, and retain appraisers;~~

~~— (b) contract with licensed and certified appraisers to perform appraisal assignments;~~

~~— (c) manage the process of having an appraisal performed, including providing administrative duties such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and underwriters, collecting fees from creditors and underwriters for services provided, and reimbursing appraisers for services performed; or~~

~~— (d) review and verify the work of appraisers.~~

(a) provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates;

(b) provides such services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations; and

(c) within a given twelve month period, oversees an appraiser panel or more than fifteen state-certified or state-licensed appraisers in a state or twenty-five or more state-certified or state-licensed appraisers in two or more states.

Notwithstanding the foregoing, an AMC does not include a department or division of an entity that provides appraisal management services only to that entity.

(2) "Appraisal management services" means the process of receiving a request for the performance of real estate appraisal services from a client and, for a fee paid by the client, entering into an agreement with one or more certified or licensed appraisers, who are independent contractors, to perform the real estate appraisal services contained in the request one or more of the following:

(a) recruiting, selecting, and retaining appraisers;

(b) contracting with state-certified or state-licensed appraisers to perform appraisal assignments;

(c) managing the process of having an appraisal performed, including providing administrative duties such as receiving appraisal

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orders and appraisal reports, submitting completed appraisal reports to creditors and secondary market participants, collecting fees from creditors and secondary market participants for services provided, and paying appraisers for services performed; or

(d) reviewing and verifying the work of appraisers.

(3) “Appraiser panel” means a group of certified or licensed appraisers, who are independent contractors, selected by an appraisal management company to perform real estate appraisal services for the appraisal management company a network, list, or roster of licensed or certified appraisers approved by an AMC to perform appraisals as independent contractors for the AMC. Appraisers on an AMC’s “appraiser panel” under this section include both appraisers accepted by the AMC for consideration for future appraisal assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions and appraisers engaged by the AMC to perform one or more appraisals in covered transactions or for secondary mortgage market participants in connection with covered transactions. An appraiser is an independent contractor for purposes of this item if the appraiser is treated as an independent contractor by the AMC for purposes of federal income taxation.

(4) “Appraisal review” means the act, by a certified or licensed appraiser employed by an appraisal management company, of developing and communicating an opinion about the quality of work of another appraiser that was performed as part of an appraisal assignment. Appraisal review does not include:

(a) an examination by an unlicensed employee of an appraisal management company for an appraisal solely for grammatical errors, typographical errors, or other similar errors; or

(b) a quality control examination for completeness that does not make a valuation change.

(5) “Client” means a person or entity that contracts with, or otherwise enters into an agreement with, an appraisal management company for the purpose of real estate appraisal services.

(6) “Controlling person” means:

(a) an owner, officer, or director of a corporation, partnership, limited liability company, or other business entity that seeks to offer an appraisal management service in this State;

(b) an individual employed, appointed, or authorized by an appraisal management company authorized to enter a management agreement with certified or licensed appraisers, who are independent contractors, for the performance of real estate appraisal services; or

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(c) an individual who possesses, directly or indirectly, the power to direct or cause the direction of the management or policies of an appraisal management company.

(7) “Covered transaction” means any consumer credit transaction secured by a consumer’s principal dwelling, which does not have to be a federally related transaction.

~~(7)~~(8) “Independent contractor” means a person in a trade, business, or profession in which he offers his services to the general public, in which the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.

~~(8)~~(9) “Real estate appraisal services” means the practice of developing an opinion of the value of real property in conformance with the Uniform Standards of Professional Appraisal Practice (USPAP) published by the Appraisal Foundation.

~~(9)~~(10) “Payor” means a person or entity responsible for making payment for the appraisal.

SECTION X. Section 40-60-330 of the S.C. Code is amended to read:

Section 40-60-330. (A)(1) A person may not directly or indirectly engage or attempt to engage in business as an appraisal management company, or directly or indirectly engage or attempt to perform appraisal management services, or advertise or hold himself out as engaging in or conducting business as an appraisal management company without first obtaining a registration issued by the board under the provisions of this chapter.

(2) To register as an appraisal management company, an applicant shall submit to the board an application on a form or forms prescribed by the board.

~~— (3) In the event that a registration process is unavailable upon the effective date of this article, an appraisal management company already conducting business in this State may continue to conduct business pursuant to the article until one hundred twenty days after a registration process becomes available.~~

(B) The registration application required in subsection (A) must include:

- (1) the name of the entity seeking registration;
- (2) the business address of the entity seeking registration;
- (3) contact information of the entity seeking registration;
- (4) the name and contact information for the company's agent for service of process in this State if the entity seeking registration is not a corporation that is domiciled in this State;
- (5) contact information for an individual, corporation,

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partnership, or other business entity that owns ten percent or more of the appraisal management company;

(6) the name, address, and contact information of a controlling person;

(7) certification that the entity seeking registration has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company holds a certification or license in good standing in this State pursuant to the South Carolina Real Estate Appraisers Act;

(8) certification that the applicant has a system in place to review the work of all certified or licensed appraisers who are independent contractors and perform real estate appraisal services for the appraisal management company on a periodic basis to validate that the real estate appraisal services are being conducted pursuant to Uniform Standards of Professional Appraisals Practice;

(9) certification that the entity maintains a detailed record of each service request that it receives and the certified or licensed appraisers who are independent contractors and who perform the real estate appraisal services for the appraisal management company;

(10) an irrevocable consent to service of process;

~~(11) a detailed statement of current financial condition of the entity on a form approved by the board or a surety bond in an amount not to exceed fifty thousand dollars, whichever the registering appraisal management company selects~~ a surety bond in the amount of twenty-five thousand dollars on a surety bond form approved by the board, provided:

(a) the registration requirement provided in this item does not apply to an individual appraiser or an individual appraiser serving on an appraisal panel of an appraisal management company, and appraisal management companies are responsible for any cost of a surety bond as required by this item;

(b) surety bond claims may be filed by the claimant in accordance with the terms of the surety bond on a bond claim form approved by the board, provided claims are limited to actual damages and do not include attorney's fees or punitive damages incurred by the claimant; and

(c) all liability on a surety bond is applicable to the surety bond in effect as of the date of occurrence which gave rise to the liability;

~~(12) authorization for the board to conduct a criminal background check of all controlling persons and any individual who owns ten percent or more of the appraisal management company~~ a criminal history background check, pursuant to Section 40-60-31(5), for each controlling

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person and any individual who owns more than ten percent of the appraisal management company. All costs associated with obtaining a criminal history background check shall be the responsibility of the regulated individual or entity; and

(13) certification that the person has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion, as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, 15 U.S.C. Section 1639e.

(C) A change of an entity's name, address, organizational status, or federal identification number must be reported to the department within fifteen days. Failure to do so may result in registration cancellation and the requirement of the new entity to submit an initial application and meet all requirements for registration.

(D) The board shall review and approve or deny the registration of an appraisal management company.

~~—(E) The registration requirement provided in subsection (B)(11), whether a financial statement or a surety bond is selected, does not apply to individual appraisers or individual appraisers serving on an appraisal panel of an appraisal management company. Appraisal management companies shall be responsible for any cost of a surety bond as required by subsection (B)(11).~~

SECTION X. Section 40-60-340(5) of the S.C. Code is amended to read:

(5) ~~an~~ a federally regulated appraisal management company that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency, except owned and controlled by an insured depository institution as defined in 12 U.S.C. Section 1813 and regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation, except that each appraisal management company exempt from registration pursuant to this subsection shall comply with the requirements of Section 40-60-360(C).

SECTION X. Section 40-60-350 of the S.C. Code is amended to read:

Section 40-60-350. (A) An initial registration granted by the board pursuant to this article is valid for one year from the date of issuance ~~through expiration~~ unless renewed pursuant to subsection (B).

(B) To renew ~~biennially~~ annually, an entity actively registered under this article shall submit all information required by the board before June thirtieth, and the board shall review and renew or review and deny the renewal of the registration of an appraisal management company.

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(C) Failure to renew registration by the renewal date must result in the loss of authority to operate under this article. An AMC that fails to renew may be subject to penalties as provided for in this chapter.

(D) A request to reinstate registration within twelve months of expiration must be accompanied by a payment penalty ~~of one hundred dollars for each month of delinquency~~ as promulgated by the board in regulation.

(E) A registration expired for more than twelve months must be canceled but may be considered for reinstatement by the board upon proper application and payment of the original registration fee and any late fee. ~~The application must be reviewed by the board to determine reinstatement and any further required conditions of the reinstatement.~~

SECTION X. Section 40-60-360 of the S.C. Code is amended to read:

Section 40-60-360. (A) The board shall promulgate regulations to establish fees for registration, renewal, and reinstatement and additional fees as are reasonably necessary for the administration of this chapter and as required in subsection (B) and (C). The fees must be established in consideration of the costs of administering this chapter and the actual cost of the specific service to be provided or performed. The board periodically shall review and adjust the schedule of fees as needed to cover expenses.

(B) The board also shall collect the information and national registry fees established by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council pursuant to 12 U.S.C. Section 3338 and regulations adopted pursuant to it from each appraisal management company registered in this State or seeking to be registered in this State.

(C) The board shall collect the information and the national registry fees established by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council pursuant to 12 U.S.C. Section 3338 and regulations adopted pursuant to it from each appraisal management company exempt from registration pursuant to Section 40-60-340(5).

(D) All appraisal management company national registry fees collected must be transferred to the appraisal subcommittee.

(E) The board shall adopt regulations regarding the determination of the size of the appraiser panel of an appraisal management company in accordance with the rules of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council pursuant to 12 U.S.C. Section 3338.

(F) Notwithstanding another provision of this chapter, pursuant to 12 U.S.C. Section 3338 and regulations pursuant to it, the board must

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transmit to the appraisal subcommittee, on a timely basis, reports of supervisory activities involving appraisal management companies or other third-party providers of appraisals and appraisal management services, including investigations initiated and action taken.

SECTION X. Section 40-60-370 of the S.C. Code is amended to read:

Section 40-60-370. (A) An appraisal management company ~~applying for registration in this State may not~~ shall not be registered in this State or included on the national registry if:

(1) ~~be owned~~ it is owned, in whole or in part, directly or indirectly, by a person who has had an appraiser certificate or license refused, denied, canceled, surrendered in lieu of revocation, or revoked in this State or in another state ~~unless the certificate or license was subsequently granted or reinstated;~~ or for a substantive cause, as determined by the appropriate state appraiser certifying the licensing agency;

(2) ~~be more than ten percent owned by any person who is owns~~ more than ten percent of the appraisal management company if the board determines ~~he does not~~ he does not have good moral character, which for purposes of this section requires that the person has not been convicted of or entered a plea of nolo contendere to a felony relating to the practice of appraisal, banking, mortgage lending, or the provision of financial services, or a crime involving fraud, or misrepresentation, ~~or moral turpitude;~~ or

(3) any controlling person or person who owns more than ten percent of the appraisal management company fails to submit to a criminal history background check as required by Section 40-60-31(5).this chapter or regulations promulgated pursuant to it.

~~—(B) For purposes of this section, each owner of more than ten percent of an appraisal management company shall submit to a criminal background check.~~

SECTION X. Section 40-60-400 of the S.C. Code is amended to read:

Section 40-60-400. An employee, or independent contractor of, the appraisal management company must be an appraiser certified or licensed in this State to perform a Uniform Standards of Professional Appraisals Practice ~~Standard~~ Standards 3 and 4 appraisal review of property located in this State.

Renumber sections to conform.

Amend title to conform.

Rep. LIGON explained the amendment.

The amendment was then adopted.

[HJ]

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The question recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 115; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Hewitt
Hiott	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Thigpen

[HJ]

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Vaughan	Weeks	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--115

Those who voted in the negative are:

Total--0

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

H. 4376--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4376 -- Reps. B. J. Cox, M. M. Smith, Caskey, T. Moore, Wooten, J. L. Johnson, Davis, Sessions, Guffey, Ligon, O'Neal, Pope, Hart and J. Moore: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 25-12-10, 25-12-30, AND 25-12-50, ALL RELATING TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN, SO AS TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ALSO APPLY TO THE DISPOSAL OF UNCLAIMED HUMAN REMAINS OF A DECEASED VETERAN AND TO PROVIDE THAT THE PROVISIONS OF CHAPTER 12, TITLE 25 ARE MANDATORY UNDER CERTAIN CIRCUMSTANCES; AND BY AMENDING SECTION 17-5-590, RELATING TO THE DISPOSITION OF REMAINS OF UNIDENTIFIED DEAD BODIES, SO AS TO REQUIRE CORONERS TO RELEASE CERTAIN HUMAN REMAINS THAT HAVE BEEN DETERMINED TO BE THOSE OF AN UNCLAIMED DECEASED VETERAN TO A FUNERAL HOME, FUNERAL ESTABLISHMENT, OR MORTUARY FOR DISPOSITION PURSUANT TO CHAPTER 12, TITLE 25.

Rep. B. J. COX explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 116; Nays 0

[HJ]

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Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Hayes
Henderson-Myers	Herbkersman	Hewitt
Hiott	Hosey	Howard
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Rivers	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thayer
Thigpen	Vaughan	Weeks
Wetmore	Wheeler	White

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Whitmire	Williams	Willis
Wooten	Yow	

Total--116

Those who voted in the negative are:

Total--0

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

H. 4928--ORDERED TO THIRD READING

The following Bill was taken up:

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

Rep. B. J. COX explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Clyburn
Cobb-Hunter	Collins	Connell
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard
Elliott	Erickson	Felder
Gagnon	Garvin	Gatch

[HJ]

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Gibson	Gilliam	Gilliard
Guest	Guffey	Haddon
Hager	Hardee	Harris
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	S. Jones
W. Jones	Jordan	Kilmartin
King	Kirby	Landing
Lawson	Leber	Ligon
Long	Lowe	Magnuson
May	McCabe	McCrary
McDaniel	McGinnis	Mitchell
J. Moore	T. Moore	A. M. Morgan
T. A. Morgan	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	O'Neal	Oremus
Ott	Pace	Pedalino
Pendarvis	Pope	Robbins
Rose	Rutherford	Sandifer
Schuessler	Sessions	G. M. Smith
M. M. Smith	Stavrinakis	Taylor
Thayer	Thigpen	Vaughan
Weeks	Wetmore	Wheeler
White	Whitmire	Williams
Willis	Wooten	Yow

Total--114

Those who voted in the negative are:

Total--0

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

H. 5008--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5008 -- Rep. W. Newton: A BILL TO ADOPT REVISED CODE VOLUME 17A OF THE SOUTH CAROLINA CODE OF LAWS, TO THE EXTENT OF ITS CONTENTS, AS THE ONLY GENERAL

[HJ]

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PERMANENT STATUTORY LAW OF THE STATE AS OF
JANUARY 1, 2024.

Rep. W. NEWTON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 115; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bamberg
Bannister	Bauer	Beach
Bernstein	Blackwell	Bradley
Brewer	Brittain	Burns
Bustos	Calhoon	Carter
Caskey	Chapman	Chumley
Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Gagnon
Garvin	Gatch	Gibson
Gilliam	Gilliard	Guest
Guffey	Haddon	Hager
Hardee	Harris	Hartnett
Hayes	Henderson-Myers	Herbkersman
Hewitt	Hiott	Hosey
Hyde	Jefferson	J. E. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Robbins	Rose	Rutherford

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Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Thigpen
Vaughan	Weeks	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Wooten
Yow		

Total--115

Those who voted in the negative are:

Total--0

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

H. 5015--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5015 -- Rep. Bannister: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 2-7-68, RELATING TO FORMAT OF THE GENERAL APPROPRIATIONS BILL, SO AS TO PROVIDE NEW PROVISOS TO BE UNDERLINED INSTEAD OF ITALICIZED.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bamberg	Bannister
Bauer	Beach	Bernstein
Blackwell	Bradley	Brewer
Brittain	Burns	Bustos
Calhoon	Carter	Caskey
Chapman	Chumley	Clyburn
Cobb-Hunter	Collins	Connell
B. J. Cox	B. L. Cox	Crawford
Cromer	Davis	Dillard

[HJ]

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Elliott	Erickson	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Harris	Hartnett	Henderson-Myers
Herbkersman	Hewitt	Hiott
Hosey	Howard	Hyde
Jefferson	J. E. Johnson	J. L. Johnson
S. Jones	W. Jones	Jordan
Kilmartin	King	Kirby
Landing	Lawson	Leber
Ligon	Long	Lowe
Magnuson	May	McCabe
McCravy	McDaniel	McGinnis
Mitchell	J. Moore	T. Moore
A. M. Morgan	T. A. Morgan	Moss
Murphy	Neese	B. Newton
W. Newton	Nutt	O'Neal
Oremus	Ott	Pace
Pedalino	Pendarvis	Pope
Robbins	Rose	Rutherford
Sandifer	Schuessler	Sessions
G. M. Smith	M. M. Smith	Stavrinakis
Taylor	Thayer	Thigpen
Vaughan	Weeks	Wetmore
Wheeler	White	Whitmire
Williams	Willis	Yow

Total--114

Those who voted in the negative are:

Total--0

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

TUESDAY, FEBRUARY 6, 2024

R. 102, H. 4300--GOVERNOR'S VETOES CONTINUED

The Vetoes on the following Act was taken up:

(R. 102, H. 4300) -- Ways and Means Committee: AN ACT TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES. - ratified title

Rep. BANNISTER moved to continue the Vetoes, which was agreed to.

H. 3951--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

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

H. 3951 -- Reps. Haddon, G. M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoon, Pope, Davis and M. M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "WORKING AGRICULTURAL LANDS PRESERVATION ACT" BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO DEFINE TERMS, ESTABLISH A COMMITTEE, AND OUTLINE PROGRAM CRITERIA, AMONG OTHER THINGS.

Rep. HADDON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 7

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Ballentine	Bannister
Bauer	Bernstein	Blackwell
Bradley	Brewer	Brittain
Burns	Calhoon	Carter
Caskey	Chapman	Chumley

[HJ]

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Clyburn	Cobb-Hunter	Collins
Connell	B. J. Cox	B. L. Cox
Crawford	Cromer	Davis
Dillard	Elliott	Felder
Forrest	Gagnon	Garvin
Gatch	Gibson	Gilliam
Gilliard	Guest	Guffey
Haddon	Hager	Hardee
Hartnett	Hayes	Henderson-Myers
Herbkersman	Hewitt	Hosey
Howard	Hyde	J. E. Johnson
W. Jones	Jordan	King
Kirby	Landing	Lawson
Leber	Ligon	Long
Lowe	McCravy	McDaniel
McGinnis	Mitchell	J. Moore
T. Moore	Moss	Murphy
Neese	B. Newton	W. Newton
Nutt	Oremus	Ott
Pace	Pedalino	Pendarvis
Pope	Robbins	Rose
Rutherford	Sandifer	Schuessler
Sessions	G. M. Smith	M. M. Smith
Stavrinakis	Taylor	Thayer
Thigpen	Vaughan	Weeks
Wetmore	Wheeler	Whitmire
Williams	Willis	Wooten
Yow		

Total--100

Those who voted in the negative are:

Beach	Harris	Kilmartin
McCabe	A. M. Morgan	T. A. Morgan
White		

Total--7

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4841 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF FRIENDSHIP ROAD IN DILLON COUNTY FROM STATE ROAD 308 (LESTER ROAD) TO STATE ROAD 71 (JUDGE ROAD) "JACKSON RYAN WINKELER MEMORIAL ROAD" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS DESIGNATION CONTAINING THESE WORDS.

H. 4878 -- Rep. Ott: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH TICKLE WEED ROAD "STANLEY MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

ADJOURNMENT

At 1:30 p.m. the House, in accordance with the motion of Rep. LIGON, adjourned in memory of Thomas "Tom" Brice Hall, to meet at 10:00 a.m. tomorrow.

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H. 3161	14	H. 4971	17
H. 3278	25, 26	H. 4972	17
H. 3430	14	H. 4973	17
H. 3618	14	H. 5008	50
H. 3895	14	H. 5012	17
H. 3951	54	H. 5013	17
H. 3989	18	H. 5015	52
H. 3992	20	H. 5022	18
H. 4218	15	H. 5023	18
H. 4292	15	H. 5033	2
H. 4300	54	H. 5034	3
H. 4376	47	H. 5035	4
H. 4436	15	H. 5036	5
H. 4538	15	H. 5037	4
H. 4549	15	H. 5038	5
H. 4557	15	H. 5039	7
H. 4636	15	H. 5040	7
H. 4641	16	H. 5041	7
H. 4642	16	H. 5042	7
H. 4710	16	H. 5043	8
H. 4832	19	H. 5044	8
H. 4841	56	H. 5045	8
H. 4843	16	H. 5046	10
H. 4866	16		
H. 4869	22, 23	S. 245	19
H. 4873	16	S. 621	11
H. 4876	2	S. 700	11
H. 4878	56	S. 806	11
H. 4928	16, 49	S. 1012	6
H. 4954	17	S. 1013	6
H. 4958	17		