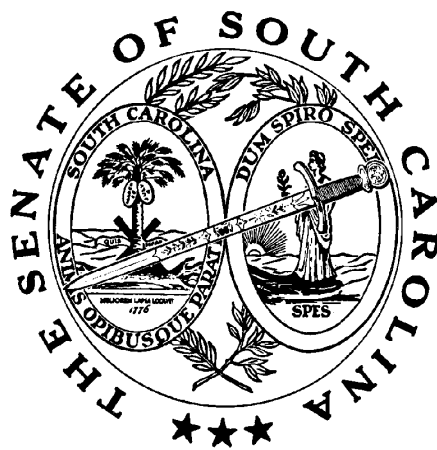


NO. 6

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, JANUARY 17, 2024

Wednesday, January 17, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Matthew 6:28b

In Matthew's Gospel we find this simple statement from our Lord: "Consider the lilies of the field, how they grow." "

Let us pray: South Carolina, O God, is such a richly blessed State. The resources we find virtually everywhere we turn are plentiful, the possibilities for growth and progress are seemingly endless, and our state's wealth of gifted women and men enhances the mix even more so. And so here in this New Year it is quite easy to declare that the basic elements toward a bright future are well within South Carolina's ready grasp. But we are not naive about any of this, of course. What must accompany and surely guide our state's steady development and gains for the future rests largely with these who serve our people here in this State House. To that end in particular, dear Lord, we humbly ask that You continue to inspire these Senators especially to do all they can to make certain that all of these resources are indeed employed wisely and well -- to the benefit of all. We pray this in Your wondrous name, O Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Devine
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Martin

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Massey	Peeler	Rankin
Reichenbach	Rice	Setzler
Shealy	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

Privilege of the Chamber

On behalf of Governor Henry D. McMaster, Senator MARTIN presented Ms. Barbara Rippy the Order of the Palmetto. Ms. Rippy is a great South Carolinian who has done so much for Union County and the State of South Carolina. The Senate wishes Ms. Rippy a happy 90th birthday and continued good health and prosperity.

Doctor of the Day

Senator McLEOD introduced Dr. A. Miles Scott of Columbia, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator REICHENBACH, at 1:05 P.M., Senator FANNING was granted a leave of absence until 1:35 P.M.

Leave of Absence

At 3:04 P.M., Senator MATTHEWS requested a leave of absence for Thursday, January 18, 2024.

CO-SPONSOR REMOVED

The following co-sponsor was removed from the respective Bill:
S. 303 Sen. Cromer

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 964 -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DEPUTY TYLER ATKINS, SERGEANT SARDARIUS HENDERSON, AND DEPUTY JOHN RODGERS OF THE CHEROKEE COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

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

S. 965 -- Senators Massey and Corbin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 83 TO TITLE 44 SO AS TO PROVIDE THAT THE STATE OR ANY POLITICAL SUBDIVISION MAY NOT ENACT A COVID 19 VACCINATION MANDATE; TO PROVIDE FOR CERTAIN UNEMPLOYMENT BENEFITS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT AN EMPLOYER FROM ENCOURAGING OR ADMINISTERING VACCINES; TO PROVIDE RESTRICTIONS FOR A PRIVATE EMPLOYER'S VACCINE MANDATE; TO PROVIDE THAT CERTAIN VACCINE EXEMPTIONS MUST BE HONORED; AND TO PROVIDE THAT NO PERSON MAY BE DISCRIMINATED AGAINST BASED ON VACCINATION STATUS.

sr-0545km24.docx

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

S. 966 -- Senator Grooms: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO INCLUDE A QUALIFIED RETIREMENT PLAN FROM THE UNIFORMED SERVICES IN THE DEFINITION OF "RETIREMENT INCOME".

lc-0462sa24.docx

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

S. 967 -- Senator Adams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-71-440, RELATING TO HMOS AND HEALTH BENEFIT PLANS OFFERING MEDICAL EYE CARE OR VISION CARE BENEFITS AND PROHIBITED ACTIONS, SO AS TO DEFINE TERMS AND OUTLINE ADDITIONAL PROHIBITED ACTIONS AND ALLOWABLE ACTIONS; BY ADDING SECTIONS 38-71-441 AND 38-71-442 BOTH SO AS TO PROHIBIT CERTAIN ACTIONS BETWEEN A HEALTH BENEFIT PLAN AND AN OPTOMETRIST OR THERAPEUTIC OPTOMETRIST; AND BY ADDING SECTION 38-71-443 SO AS TO PROHIBIT A VISION CARE PLAN FROM USING EXTRAPOLATION TO COMPLETE AN AUDIT.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 968 -- Senator Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-80(A)(6) AND (B), RELATING TO APPLICATIONS FOR DRIVER'S LICENSE OR PERMIT, SO AS TO ALLOW AN APPLICANT TO VOLUNTARILY DISCLOSE HIS BLOOD TYPE.

sr-0543km24.docx

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

S. 969 -- Senators Alexander and Peeler: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-1140, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO INCREASE THE SUBSISTENCE DEDUCTION AMOUNT FOR CERTAIN PAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS, AND TO INCREASE THE VOLUNTEER EXEMPTION AMOUNT FOR CERTAIN UNPAID PUBLIC SERVANTS SUCH AS LAW ENFORCEMENT AND FIREFIGHTERS.

lc-0331dg24.docx

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

S. 970 -- Senator Harpootlian: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 15-85-10 SO AS TO PROVIDE DEFINITIONS FOR THE SOUTH CAROLINA FALSE CLAIMS ACT; BY ADDING SECTION 15-85-20 SO AS TO PROVIDE THAT ANY PERSON WHO COMMITS ANY OF THE FOLLOWING ACTS SHALL BE LIABLE TO THE STATE OR A LOCAL GOVERNMENT, AS APPLICABLE, FOR A CIVIL PENALTY OF NOT LESS THAN SIX THOUSAND DOLLARS AND NOT MORE THAN TWELVE THOUSAND DOLLARS; BY ADDING SECTION 15-85-30 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE THE AUTHORITY TO INVESTIGATE VIOLATIONS AND BRING A CIVIL ACTION AND THAT ANY PERSON MAY BRING A QUI TAM CIVIL ACTION FOR A VIOLATION OF SECTION 15-85-20; BY ADDING SECTION 15-85-40 SO AS TO PROVIDE THAT ALL MONIES RECOVERED OR OBTAINED UNDER THIS CHAPTER BY A STATE AGENCY OR STATE OFFICIAL OR EMPLOYEE ACTING IN THEIR OFFICIAL CAPACITY SHALL BE SUBJECT TO SUBDIVISION

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ELEVEN OF SECTION FOUR OF THIS CHAPTER; BY ADDING SECTION 15-85-50 SO AS TO PROVIDE THAT FOR PURPOSES OF THIS SECTION, A "LAWFUL ACT" SHALL INCLUDE, BUT NOT BE LIMITED TO, OBTAINING OR TRANSMITTING TO THE STATE, A LOCAL GOVERNMENT, A QUI TAM PLAINTIFF, OR PRIVATE COUNSEL SOLELY EMPLOYED TO INVESTIGATE, POTENTIALLY FILE, OR FILE A CAUSE OF ACTION UNDER THIS CHAPTER, DOCUMENTS, DATA, CORRESPONDENCE, ELECTRONIC MAIL, OR ANY OTHER INFORMATION, EVEN THOUGH SUCH ACT MAY VIOLATE A CONTRACT, EMPLOYMENT TERM, OR DUTY OWED TO THE EMPLOYER OR CONTRACTOR, SO LONG AS THE POSSESSION AND TRANSMISSION OF SUCH DOCUMENTS ARE FOR THE SOLE PURPOSE OF FURTHERING EFFORTS TO STOP ONE OR MORE VIOLATIONS OF THIS CHAPTER; BY ADDING SECTION 15-85-60 SO AS TO PROVIDE THAT A CIVIL ACTION UNDER THIS CHAPTER SHALL BE COMMENCED NO LATER THAN TEN YEARS AFTER THE DATE ON WHICH THE VIOLATION OF THIS CHAPTER IS COMMITTED; BY ADDING SECTION 15-85-70 SO AS TO PROVIDE THAT THIS CHAPTER SHALL NOT PREEMPT THE AUTHORITY OF LAW ENFORCEMENT TO INVESTIGATE VIOLATIONS OF LAW OR PREVENT A PERSON FROM DISCLOSING INFORMATION CONCERNING A VIOLATION OF THIS CHAPTER TO LAW ENFORCEMENT; BY ADDING SECTION 15-85-80 SO AS TO AUTHORIZE THE ATTORNEY GENERAL TO ADOPT SUCH RULES AND REGULATIONS AS ARE NECESSARY TO EFFECTUATE THE PURPOSES OF THIS CHAPTER.

sr-0116jg24.docx

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

S. 971 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-100, RELATING TO DESIGNATION OF VOTING PRECINCTS IN BARNWELL COUNTY, SO AS TO IDENTIFY THE VOTING PLACE FOR CERTAIN PRECINCTS.

lc-0311hdb24.docx

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

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S. 972 -- Senator Garrett: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF TRUSTEES IN GREENWOOD COUNTY SCHOOL DISTRICT 50, SO AS TO REAPPORTION THE NINE SINGLE-MEMBER DISTRICTS FROM WHICH THE TRUSTEES ARE ELECTED, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THESE REAPPORTIONED DISTRICTS.

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

H. 4837 -- Reps. Howard, Ballentine, Bauer, Bernstein, Garvin, Hart, J. L. Johnson, McDaniel, Rose, Rutherford, Thigpen, Alexander, Anderson, Atkinson, Bailey, Bamberg, Bannister, Beach, 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, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Hyde, Jefferson, J. E. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, 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, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Thayer, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT KENNETH FITZSIMMONS OF THE RICHLAND COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0357vr-rm24.docx

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

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H. 4838 -- Reps. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, 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, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERGEANT JACK CORBETT, JR., AND CORPORAL ANDREW ARLEDGE OF THE LEE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0323dg-gm24.docx

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

H. 4839 -- Reps. Wheeler, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, 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,

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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, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MASTER DEPUTY ALFRED J. DOCTOR OF THE LEE COUNTY SHERIFF'S OFFICE FOR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE HIM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

lc-0462cm-gm24.docx

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

H. 4840 -- Reps. Bamberg, Cobb-Hunter, Hosey, Ott, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoun, 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, 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, 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 HONOR SERGEANT DWAYNE DUCKSON OF THE BAMBERG COUNTY SHERIFF'S OFFICE AND LANCE CORPORAL BENTRICE FRAZIER OF THE SOUTH CAROLINA HIGHWAY PATROL FOR THEIR EXCEPTIONAL COURAGE IN THE FACE OF DANGER WHILE IN THE LINE OF DUTY AND TO CONGRATULATE THEM UPON RECEIVING THE SOUTH CAROLINA SHERIFFS' ASSOCIATION 2023 MEDAL OF VALOR AWARD.

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

HOUSE CONCURRENCE

S. 948 -- Senators Grooms, Stephens, Adams, Senn, Campsen, Goldfinch, Climer and Bennett: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF JANUARY 21-27, 2024, AS NATIONAL CORONER AND MEDICOLEGAL DEATH INVESTIGATOR WEEK IN HONOR OF THE PUBLIC SERVICE OF THE SOUTH CAROLINA CORONERS ASSOCIATION, CORONERS, DEPUTY CORONERS, AND MEDICOLEGAL DEATH INVESTIGATORS.

Returned with concurrence.

Received as information.

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

AMENDED, SECOND READING BILL

S. 916 -- Senator Cromer: A BILL TO AMEND SECTION 1(C) OF ACT 485 OF 1998, RELATED TO THE NEWBERRY COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THAT ALL PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE BOARD OF TRUSTEES MUST FILE A STATEMENT OF INTENTION OF CANDIDACY WITH THE COUNTY ELECTION COMMISSION INSTEAD OF FILING A PETITION.

The Senate proceeded to a consideration of the Bill.

Senator CROMER proposed the following amendment (SR-916.JG0001S), which was adopted:

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

(C) Each member of the board must be elected by the qualified electors of the single-member district from which he seeks election. All persons desiring to qualify as a candidate shall file a statement of intention of candidacy with the county election commission together with ~~petition with the county election commission on forms furnished by the commission and shall pay~~ a filing fee of one hundred dollars. The filing fee shall ~~to~~ be retained by the county election commission. ~~This petition~~ The statement of intention of candidacy must be a sworn statement stating the candidate's name, age, election district in which he resides

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and from which he seeks election, voting precinct, period of residence in the county and election district, and other information as the county election commission requires. ~~The petition must bear the signatures of not less than two percent of the qualified electors of the election district for which he offers as a candidate. The county election commission shall examine the petition and verify the signatures not less than thirty days before the election. The filing period opens on the first day of August at noon to run no later than September first at noon; however, if September first falls on a Sunday, not later than twelve o'clock noon on the following Monday. The county election commission shall set the filing date and place an advertisement to appear two weeks before the filing period begins in a newspaper in the county at least five by seven inches in size that notifies the public of the dates of the filing periods, the office that may be filed for, the place and street address where filings may be made, and the hours that an authorized person will be present to receive filings.~~

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill.

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

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4120 -- Reps. Pope and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 23-3-80 SO AS TO CREATE THE "ILLEGAL IMMIGRATION ENFORCEMENT UNIT" WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE IT TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT AGENCY; BY REPEALING SECTION 23-6-60 AND CHAPTER 30 OF TITLE 8

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RELATING TO THE CREATION OF THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE DEPARTMENT OF PUBLIC SAFETY AND RECORDING AND REPORTING OF IMMIGRATION LAW VIOLATIONS; AND BY ADDING SECTION 40-1-35 SO AS TO PROVIDE CERTAIN IMMIGRANTS ARE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THIS TITLE.

OBJECTION

H. 3518 -- Reps. Felder and Williams: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-1-395, RELATING TO THE DRIVER'S LICENSE REINSTATEMENT FEE PAYMENT PROGRAM, SO AS TO PROVIDE THE DRIVERS' LICENSES ISSUED UNDER THIS PROGRAM ARE VALID FOR AN ADDITIONAL SIX MONTHS, TO REVISE THE AMOUNT OF REINSTATEMENT FEES OWED BY PERSONS TO BECOME ELIGIBLE TO OBTAIN THESE DRIVERS' LICENSES, TO REVISE THE DISTRIBUTION OF THE ADMINISTRATIVE FEES COLLECTED, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY PROVIDE PERSONS IN THE PROGRAM A FEE SCHEDULE OF THE AMOUNTS OWED AND THE ABILITY TO MAKE ONLINE PAYMENTS, TO REVISE THE TYPES OF DRIVERS' LICENSE SUSPENSIONS THAT ARE COVERED BY THIS SECTION, AND TO REVISE THE FREQUENCY THAT PERSONS MAY PARTICIPATE IN THE PROGRAM AND THE CONDITIONS FOR FUTURE PARTICIPATION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER'S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO LIMIT THE TYPES OF QUALIFYING SUSPENSIONS; BY AMENDING SECTION 56-10-240, RELATING TO THE REQUIREMENT THAT UPON LOSS OF INSURANCE, NEW INSURANCE MUST BE OBTAINED OR PERSONS MUST SURRENDER THEIR REGISTRATION AND PLATES, WRITTEN NOTICE BY INSURERS, APPEAL OF SUSPENSIONS, ENFORCEMENT, AND PENALTIES, SO AS TO REVISE THE PERIOD OF TIME VEHICLE OWNERS MUST SURRENDER MOTOR VEHICLE LICENSE PLATES AND REGISTRATION CERTIFICATES FOR CERTAIN UNINSURED MOTOR VEHICLES, TO DELETE THE PROVISION THAT GIVES THE DEPARTMENT OF MOTOR VEHICLES DISCRETION TO AUTHORIZE INSURERS TO UTILIZE ALTERNATE METHODS OF PROVIDING CERTAIN

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NOTICES TO THE DEPARTMENT, TO DELETE THE PROVISION THAT ALLOWS CERTAIN PERSONS TO APPEAL CERTAIN SUSPENSIONS TO THE DEPARTMENT OF INSURANCE FOR FAILURE TO MEET THE STATE'S FINANCIAL RESPONSIBILITY REQUIREMENTS IN ERROR, AND TO ALLOW THESE PERSONS TO PROVIDE CERTAIN DOCUMENTS TO SHOW THE SUSPENSION WAS ISSUED IN ERROR; BY AMENDING SECTION 56-10-245, RELATING TO PER DIEM FINES FOR LAPSE IN REQUIRED COVERAGE, SO AS TO PROVIDE THE FINES CONTAINED IN THE SECTION MAY NOT EXCEED TWO HUNDRED DOLLARS PER VEHICLE FOR A FIRST OFFENSE; BY AMENDING ARTICLE 5 OF CHAPTER 10, TITLE 56, RELATING TO THE ESTABLISHMENT OF THE UNINSURED MOTORIST FUND, SO AS TO REVISE THE PROVISIONS OF THIS ARTICLE TO REGULATE THE OPERATION OF UNINSURED MOTOR VEHICLES, TO DELETE PROVISIONS RELATING TO THE ESTABLISHMENT AND COLLECTION OF UNINSURED MOTOR VEHICLE FEES, TO MAKE TECHNICAL CHANGES, TO REVISE THE AMOUNT OF THE MOTOR VEHICLE REINSTATEMENT FEE AND PROVIDE IT SHALL BE INCREASED ANNUALLY, TO PROVIDE SUSPENDED LICENSES, REGISTRATION CERTIFICATES, LICENSE PLATES, AND DECALS MAY BE RETURNED TO THE DEPARTMENT OF MOTOR VEHICLES BY ELECTRONIC MEANS OR IN PERSON, AND TO DELETE THE PROVISIONS THAT REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO COLLECT STATISTICS REGARDING VARIOUS MOTOR VEHICLE REGISTRATION, INSURANCE, AND UNINSURED MOTORIST FUND ISSUES.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

H. 4116 -- Reps. Sandifer, M.M. Smith and King: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 40-19-295 SO AS TO PROHIBIT THE DIVIDING OF FEES OR OTHER COMPENSATION CHARGED OR RECEIVED BY LICENSEES OF THE BOARD OF FUNERAL SERVICES WITH ANOTHER PERSON, PARTNERSHIP, CORPORATION, ASSOCIATION, OR LEGAL ENTITY FOR THE DELIVERY OR PERFORMANCE OF FUNERAL SERVICES; BY AMENDING SECTION 32-7-100, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS REGULATING PRENEED

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FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES AND PERMANENTLY BAR PERSONS CONVICTED OF A FELONY FROM CONDUCTING PRENEED CONTRACT SALES; BY AMENDING SECTION 32-7-110, RELATING TO THE INVESTIGATION OF COMPLAINTS AGAINST UNLICENSED PRENEED CONTRACT SALES PROVIDERS, SO AS TO PROVIDE COMPLAINTS TO WHICH THE DEPARTMENT SHALL RESPOND MAY BE WRITTEN OR ORAL; BY AMENDING SECTION 32-8-360, RELATING TO PENALTIES FOR VIOLATIONS OF THE SAFE CREMATION ACT, SO AS TO INCREASE MONETARY FINES AND REQUIRE IMMEDIATE REPORTING OF VIOLATIONS TO THE BOARD; BY AMENDING SECTION 32-8-385, RELATING TO REQUIREMENTS THAT CREMATORIES EMPLOY CERTAIN TRAINED STAFF TO PERFORM CREMATIONS, SO AS TO REQUIRE ALL CREMATIONS BE PERFORMED BY THESE TRAINED STAFF MEMBERS; BY AMENDING SECTION 40-19-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF EMBALMERS AND FUNERAL DIRECTORS, SO AS TO REVISE CERTAIN DEFINITIONS; BY AMENDING SECTION 40-19-30, RELATING TO THE REQUIREMENT OF LICENSURE TO PRACTICE FUNERAL SERVICES, SO AS TO PROVIDE CONDUCT CONSTITUTING THE PRACTICE OF FUNERAL SERVICES INCLUDES PARTIES WHO EXERCISE ANY CONTROL OR AUTHORITY OVER A FUNERAL ESTABLISHMENT OR ITS EMPLOYEES, AGENTS, OR REPRESENTATIVES, AND TO PROHIBIT CORPORATIONS, PARTNERSHIPS, OR INDIVIDUALS IN WHOSE NAME APPEARS THE NAME OF A PERSON WITH A REVOKED OR LAPSED LICENSE FROM HAVING A LICENSE TO OPERATE A FUNERAL HOME; BY AMENDING SECTION 40-19-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE BOARD MEMBERS, COMMITTEES, OR EMPLOYEES MAY NOT BE LIABLE FOR ACTS PERFORMED IN THE COURSE OF THEIR OFFICIAL DUTIES IN THE ABSENCE OF MALICE SHOWN AND PROVEN IN A COURT OF COMPETENT JURISDICTION; BY AMENDING SECTION 40-19-80, RELATING TO INSPECTORS EMPLOYED BY THE BOARD, SO AS TO INSTEAD REQUIRE THE BOARD TO EMPLOY AT LEAST TWO INVESTIGATORS WHO MAY BE LICENSED EMBALMERS AND FUNERAL DIRECTORS WITH CERTAIN EXPERIENCE BUT WHO HAVE NOT BEEN DISCIPLINED; BY AMENDING SECTION

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40-19-110, RELATING TO CONDUCT CONSTITUTING UNPROFESSIONAL CONDUCT BY A LICENSEE OF THE BOARD, SO AS TO MAKE GRAMMATICAL CHANGES; BY AMENDING SECTION 40-19-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO INCLUDE UNLICENSED PERSONS WITH THIS JURISDICTION; BY AMENDING SECTION 40-19-200, RELATING TO PENALTIES FOR VIOLATIONS OF PROVISIONS PROHIBITING THE PRACTICE OF FUNERAL SERVICES WITHOUT A LICENSE OR USING FALSE INFORMATION TO OBTAIN SUCH LICENSURE, SO AS TO INCREASE MONETARY FINES, AND TO SUBJECT PERSONS WHO AID AND ABET UNLICENSED PERSONS OR ENTITIES IN ENGAGING IN THE PRACTICE OF FUNERAL SERVICE WITHOUT LICENSURE TO THESE PENALTIES; BY AMENDING SECTION 40-19-250, RELATING TO CONTINUING EDUCATION PROGRAMS, SO AS TO REQUIRE CERTAIN COURSEWORK IN ETHICS, TO REQUIRE FOUR HOURS OF TOTAL ANNUAL COURSEWORK, TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK TO BE IN ETHICS, AND TO REQUIRE A CERTAIN PORTION OF THIS COURSEWORK BE COMPLETED IN PERSON; AND BY AMENDING SECTION 40-19-290, RELATING TO THE FIDUCIARY RESPONSIBILITIES OF FUNERAL ESTABLISHMENTS WITH RESPECT TO PAYMENTS RECEIVED FOR FUNERAL MERCHANDISE BEING PURCHASED, SO AS TO PROVIDE THESE PAYMENTS MUST BE KEPT IN A TRUST ACCOUNT UNTIL THE MERCHANDISE IS DELIVERED FOR ITS INTENDED USE OR IS DELIVERED INTO THE PHYSICAL POSSESSION OF THE PURCHASER.

Senator MALLOY objected to consideration of the Bill.

READ THE SECOND TIME

H. 3782 -- Reps. West, Yow, Jefferson, Ligon, Nutt, Anderson, Hardee, Bannister, Thayer, Blackwell and Oremus: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 58-12-300, RELATING TO DEFINITIONS, SO AS TO AMEND THE DEFINITION OF "VIDEO SERVICE".

The Senate proceeded to a consideration of the Bill.

Senator HUTTO explained the Bill.

The question being the second reading of the Bill.

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

Ayes 43; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Malloy
Martin	Massey	Matthews
McLeod	Peeler	Rankin
Reichenbach	Rice	Sabb
Senn	Setzler	Shealy
Stephens	Talley	Tedder
Turner	Verdin	Williams
Young		

Total--43

NAYS

Total--0

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

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

MOTION ADOPTED

At 1:40 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

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RECOMMITTED

S. 418 -- Senators Hembree, Turner, Gustafson and Loftis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-155-180, RELATING TO PRE-SERVICE AND IN-SERVICE TEACHER EDUCATION PROGRAMS, SO AS TO UPDATE THE ENDORSEMENT REQUIREMENTS OF READ TO SUCCEED.

On motion of Senator MASSEY, the Bill was recommitted to Committee on Education.

CARRIED OVER

S. 557 -- Senators M. Johnson, Peeler, Kimbrell, Adams, Rice, Rankin, Reichenbach, Young, Loftis, Climer, Garrett, Alexander and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-3477, RELATING TO THE APPRENTICE INCOME TAX CREDIT, SO AS TO INCREASE THE AMOUNT OF THE CREDIT AND THE NUMBER OF YEARS IN WHICH IT MAY BE CLAIMED.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

ORDERED ENROLLED FOR RATIFICATION

The following Bill was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3690 -- Reps. Taylor, G.M. Smith, Thayer, Bradley, Hiott, Bannister, W. Newton, Sandifer, West, Davis, Erickson, J.E. Johnson, Jordan, Whitmire, Hixon, Elliott, Forrest, Wooten, Bustos, Willis, Yow, Carter, Hartnett, Moss, McCravy, B.J. Cox, Haddon, Burns, Chumley, Oremus, Hardee, Ligon, Long, Gilliam, Magnuson, Lawson, Nutt, Brewer, Guffey, Hager, Mitchell, Neese, Sessions, Vaughan, Robbins, Kilmartin, M.M. Smith, B. Newton, Hewitt, Leber, Pope, Blackwell, Caskey and Landing: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO ENACT THE “ESG PENSION PROTECTION ACT”; BY AMENDING SECTION 9-16-10, RELATING TO RETIREMENT SYSTEM FUNDS DEFINITIONS SO AS TO ADD A DEFINITION OF “PECUNIARY FACTOR”; BY AMENDING SECTION 9-16-30, RELATING TO DELEGATION OF FUNCTIONS BY THE COMMISSION, SO AS TO PROVIDE THAT PROXY VOTING DECISIONS MUST BE BASED ON PECUNIARY

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FACTORS; BY AMENDING SECTION 9-16-50, RELATING TO INVESTMENT AND MANAGEMENT CONSIDERATIONS BY TRUSTEES, SO AS TO PROVIDE THAT THE COMMISSION MAY ONLY CONSIDER PECUNIARY FACTORS IN MAKING CERTAIN INVESTMENT DECISIONS; BY AMENDING SECTION 9-16-320, RELATING TO ANNUAL INVESTMENT PLANS SO AS TO REQUIRE CERTAIN MEETINGS; BY AMENDING SECTION 9-16-330, RELATING TO STATEMENT OF ACTUARIAL ASSUMPTIONS AND INVESTMENT OBJECTIVES, SO AS TO REQUIRE CERTAIN CERTIFICATIONS; AND BY ADDING SECTION 9-16-110 SO AS TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE CERTAIN PROVISIONS.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

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

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Loftis	Malloy	Martin
Massey	Matthews	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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The Bill was read the third time, passed and ordered returned to the House of Representatives.

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

S. 882 -- Senators M. Johnson, Kimbrell, Gustafson, Climer, Garrett, Loftis, Adams and Cash: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 63-5-380 SO AS TO PROVIDE THAT A PARENT OR THE LEGAL GUARDIAN OF A MINOR MUST BE NOTIFIED WHEN A HEALTHCARE PROFESSIONAL PRESCRIBES MEDICATION TO THE MINOR, TO PROVIDE THAT A PHARMACIST CANNOT FILL A PRESCRIPTION FOR A MINOR WITHOUT THE MINOR'S PARENT OR LEGAL GUARDIAN CONSENTING, TO PROVIDE THAT A PARENT OR LEGAL GUARDIAN CANNOT BE PROHIBITED FROM VIEWING HIS MINOR'S PRESCRIPTION HISTORY, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO AN EMANCIPATED MINOR OR A MARRIED MINOR.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

The Committee on Family and Veterans' Services proposed the following amendment (SR-882.KM0001S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(A), (B), (C), (D), and (E) and inserting:

(A) A person responsible for the welfare of a minor who has not reached the age of sixteen years must provide prior consent to a medical professional for the medical professional to prescribe medication to the minor.

(B) The person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor's prescription records regardless of whether those records are maintained with the parent or legal guardian's prescription records or are maintained separately in the minor's name.

(C) The provisions of this section do not apply:

(1) to an emancipated minor or to a married minor;

(2) to a minor who has not reached the age of sixteen, is homeless pursuant to federal or state law, and who does not have a person responsible for the welfare of the minor;

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(3) when the prescribing medical professional reports suspected child abuse or neglect pursuant to Section 63-7-310, the prescription is necessary to treat a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor; or

(4) when the prescribing medical professional refills a prior prescription for a minor who has not reached the age of sixteen years and the previous prescription complied with or was exempt from the provisions of this section.

(D) For the purposes of this section, “person responsible for the welfare of the minor” or “person responsible for the welfare of a minor” means a parent, the legal guardian, or a person identified on the authorization for release of health information pursuant to HIPAA maintained by the medical professional of a minor who has not reached the age of sixteen years.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the committee amendment.

The amendment was adopted.

Amendment No. 1

Senator M. JOHNSON proposed the following amendment (SR-882.JG0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(B) and inserting:

(B) Unless otherwise prohibited by law, the person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor’s prescription records regardless of whether those records are maintained with the parent or legal guardian’s prescription records or are maintained separately in the minor’s name.

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(3) and inserting:

(3) to a minor who has been or may be abused or neglected as defined in Section 63-7-20 and such abuse or neglect has been or will be reported pursuant to Section 63-7-310, the prescription is necessary to treat or prevent a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or

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omissions committed by the person responsible for the welfare of the minor; or

Amend the bill further, SECTION 1, by striking Section 63-5-380(D) and inserting:

(D) For the purposes of this section, “person responsible for the welfare of the minor” or “person responsible for the welfare of a minor” means a parent, the legal guardian, or a person identified on the authorization to consent to treat maintained by the medical professional of a minor who has not reached the age of sixteen years.

Re-number sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

Amendment No. 2

Senator SHEALY proposed the following amendment (SR-882.JG0007S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 63-5-380(B) and inserting:

(B) The person responsible for the welfare of a minor to whom medication is prescribed may not be prohibited from reviewing the minor’s prescription records regardless of whether those records are maintained with the parent or legal guardian’s prescription records or are maintained separately in the minor’s name.

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(1) and inserting:

(1) to an emancipated minor, a married minor, or a minor who has borne a child;

Amend the bill further, SECTION 1, by striking Section 63-5-380(C)(3) and (4) and inserting:

(3) when the prescribing medical professional reports suspected child abuse or neglect pursuant to Section 63-7-310, the prescription is necessary to treat a condition arising from the suspected child abuse or neglect, and the suspected child abuse or neglect results from acts or omissions committed by the person responsible for the welfare of the minor;

(4) when the prescribing medical professional refills a prior prescription for a minor who has not reached the age of sixteen years and

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the previous prescription complied with or was exempt from the provisions of this section; or

(5) when they conflict with federal law.

Renumber sections to conform.

Amend title to conform.

Senator SHEALY explained the amendment.

The amendment was adopted.

Senator CROMER spoke on the Bill.

The question then was second reading of the Bill.

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

Ayes 45; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Devine	Fanning	Gambrell
Garrett	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Tedder	Turner
Verdin	Williams	Young

Total--45

NAYS

Total--0

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

RECESS

At 2:11 P.M., on motion of Senator MASSEY, the Senate recessed from business.

At 3:03 P.M., the Senate resumed.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator PEELER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. James L. Moss of Blacksburg, S.C. James was a graduate of Blacksburg High School and Limestone College. He founded Moss Insurance Group in 1976. James was inducted into the Chamber of Commerce Hall of Fame in 2017 and the Blacksburg Athletic Hall of Fame in 2012. James lived a life of servanthood. He served forty-three years on the Cherokee County Development Board and served on various boards including the Chamber of Commerce, Red Cross, Spartanburg Community College and several banks to mention a few. James was a loving father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator BENNETT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Kyle Sasha Hungerford of Summerville, S.C. Kyle was a real estate agent with Caldwell Banker. Kyle was a loving husband and devoted brother who will be dearly missed.

ADJOURNMENT

At 3:05 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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