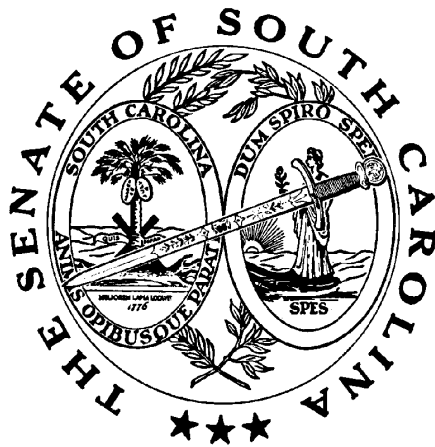


NO. 43

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, MARCH 21, 2024

Thursday, March 21, 2024
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

I Kings 9:4a, 5a

The Lord God declared to Solomon: “ ‘As for you, if you walk before me in integrity of heart and uprightness. . . then I will establish your royal throne. . . .’ ”

Bow with me as we pray, please: Of course, gracious God, we all know full well that in this land we’re not about creating some monarchy. “Royal thrones” are simply not a part of whom we are. Yet You have again and again made it clear that holding fast to integrity and uprightness themselves are key values which every leader is expected to have. And these leaders are to be guided always by those very virtues as they work on behalf of the people they are called to serve. We indeed pray, dear Lord, that You will fill each of these Senators with the noblest and most honorable qualities imaginable. And may they indeed labor together with zeal, making life better for all South Carolinians. In Your holy name we pray, Lord. Amen.

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

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Campsen	Cash
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
Matthews	McLeod	Peeler

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Rankin	Reichenbach	Rice
Sabb	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

Privilege of the Chamber

On motion of Senator SABB, in accordance with the provisions of Rule 35, the Privilege of the Chamber, to that area behind the rail, was extended to Ms. Betty Corley in honor and recognition of her retirement.

Doctor of the Day

Senator CROMER introduced Dr. Claire Birdsong of Lexington, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator FANNING, at 11:53 A.M., Senator JACKSON was granted a leave of absence for today.

Expression of Personal Interest

Senator HUTTO rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 995 Sens. Garrett and Alexander
S. 1074 Sen. Fanning
S. 1132 Sens. Climer and Senn
S. 1133 Sen. Fanning

RECALLED

S. 1099 -- Senator Verdin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-360, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS ARE DELINEATED.

Senator VERDIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

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RECALLED

S. 1161 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF US 276 (LAURENS ROAD) BETWEEN MILLENNIUM BOULEVARD (N) AND FORRESTER DRIVE IN GREENVILLE COUNTY “SCHP PATROLMAN EDWIN D. MILAM MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

RECALLED

S. 1162 -- Senator Corbin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SC-183 FROM S-87 (SULPHUR SPRINGS ROAD) TO S-430 (RIDGE ROAD) IN GREENVILLE COUNTY “SCHP PATROLMAN ALBERT T. SEALY MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

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

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1193 -- Senator Rankin: A SENATE RESOLUTION TO CONGRATULATE THE MOCK TRIAL TEAM FROM PALMETTO ACADEMY FOR LEARNING AND SUCCESS FOR WINNING THE SOUTH CAROLINA BAR'S 2023 STATE MIDDLE SCHOOL MOCK TRIAL COMPETITION.

sj-0046pb-pb24.docx

The Senate Resolution was adopted.

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S. 1194 -- Senators Grooms, Alexander and Setzler: A SENATE RESOLUTION TO CONGRATULATE THE HONORABLE CHRISTY A. HALL, P.E. UPON THE OCCASION OF HER RETIREMENT AS SECRETARY OF TRANSPORTATION FOR THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, TO COMMEND HER FOR HER THIRTY YEARS OF DEDICATED SERVICE TO THE DEPARTMENT, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0629km-hw24.docx

The Senate Resolution was adopted.

S. 1195 -- Senator Gustafson: A SENATE RESOLUTION TO CONGRATULATE THE ANDREW JACKSON HIGH SCHOOL GIRLS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS 2A GIRLS BASKETBALL STATE CHAMPIONSHIP.

sr-0657km-hw24.docx

The Senate Resolution was adopted.

S. 1196 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE DR. AMON MARTIN FOR RECEIVING THE SENECA RIVER BAPTIST BROTHERHOOD 2024 SERVICE AWARD.

sr-0585km-hw24.docx

The Senate Resolution was adopted.

S. 1197 -- Senator Fanning: A SENATE RESOLUTION TO CELEBRATE YORK'S SEVENTH ANNUAL SILVER IN THE CITY RALLY, TO BE HELD FRIDAY, APRIL 12, 2024, THROUGH SUNDAY, APRIL 14, 2024, TO ENCOURAGE ALL SOUTH CAROLINIANS TO ATTEND AND ENJOY THIS FAMILY-FRIENDLY EVENT, AND TO WISH ITS ORGANIZERS EVERY SUCCESS.

lc-0557cm-rm24.docx

The Senate Resolution was adopted.

S. 1198 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 56-3-705 SO AS TO PROVIDE FOR THE LICENSING AND REGISTRATION OF

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UNTITLED UTILITY TRAILERS BY THE DEPARTMENT OF MOTOR VEHICLES.

lc-0555cm24.docx

Senator HUTTO spoke on the Bill.

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

S. 1199 -- Senator Matthews: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 33-31-820, RELATING TO REGULAR AND SPECIAL MEETINGS OF NONPROFIT CORPORATIONS, SO AS TO REQUIRE CONFORMITY WITH SECTION 30-4-70; AND BY AMENDING SECTION 33-31-822, RELATING TO CALL AND NOTICE OF MEETINGS, SO AS TO REQUIRE CONFORMITY WITH SECTION 30-4-80.

lc-0399ph24.docx

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

S. 1200 -- Senator Reichenbach: A SENATE RESOLUTION TO RECOGNIZE AND HONOR GENERAL ELECTRIC HEALTHCARE FOR BEING A MANUFACTURING COMPANY THAT BRINGS GREAT PRIDE TO THE STATE OF SOUTH CAROLINA.

sr-0659km-hw24.docx

The Senate Resolution was adopted.

S. 1201 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MIKE BURGESS, A HISTORY TEACHER AT RIVER BLUFF HIGH SCHOOL IN LEXINGTON COUNTY, AND TO CONGRATULATE HIM FOR RECEIVING THE 2022-2023 OUTSTANDING TEACHER OF AMERICAN HISTORY AWARD.

sr-0660km-vc24.docx

The Senate Resolution was adopted.

S. 1202 -- Senators Devine and McLeod: A SENATE RESOLUTION TO CONGRATULATE THE RIDGE VIEW HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE 2024 SOUTH CAROLINA CLASS AAAA BOYS BASKETBALL STATE CHAMPIONSHIP.

sr-0655km-hw24.docx

The Senate Resolution was adopted.

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REPORT OF STANDING COMMITTEE

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

S. 1095 -- Senator M. Johnson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 24-3-980 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE UNDER THE JURISDICTION OF THE DEPARTMENT OF CORRECTIONS TO POSSESS TELECOMMUNICATIONS DEVICES UNLESS AUTHORIZED BY THE DIRECTOR, TO DEFINE THE TERM "TELECOMMUNICATIONS DEVICE", AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Appointments Reported

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

Statewide Appointments

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

4th Congressional District, Registered Nurse:

Sallie Beth Todd, 6 Sparrow Point Court, Simpsonville, SC 29680-6643

Received as information.

Initial Appointment, South Carolina State Board of Pharmacy, with the term to commence May 19, 2023, and to expire May 19, 2029

At-Large, Public:

Beverly L. Black, 3085 Moonlight Drive, Charleston, SC 29414-8048
VICE Leo Richardson

Received as information.

Reappointment, South Carolina Board of Long-Term Health Care Administrators, with the term to commence June 9, 2022, and to expire June 9, 2025

Hospital Administrator:

Elizabeth A. Schaper, 580 Bethesda Road, Spartanburg, SC 29302-5111

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Received as information.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2023, and to expire September 30, 2026

Occupational Therapist:

M. Rebecca T. Coleman, 605 Wando Street, Columbia, SC 29205-3964

Received as information.

Appointment Reported

Senator MARTIN from the Committee on Corrections and Penology submitted a favorable report on:

Statewide Appointment

Initial Appointment, Juvenile Parole Board, with the term to commence June 30, 2022, and to expire June 30, 2026

At-Large, Public:

Michael R. Watkins, 100 Ariel Way, Easley, SC 29642-7781 *VICE*
Anthony Foster

Received as information.

Message from the House

Columbia, S.C., March 21, 2024

Mr. President and Senators:

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

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 FUNERAL CONTRACTS, SO AS TO INCREASE FINE RANGES

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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 40-19-110, RELATING TO CONDUCT CONSTITUTING

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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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

HOUSE CONCURRENCE

S. 1192 -- Senators Alexander, Malloy, Massey, Hutto, Martin and Peeler: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, MAY 9, 2024, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND IN RECESS SUBJECT TO THE CALL OF THE PRESIDENT OF THE SENATE FOR THE SENATE AND THE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE HOUSE OF REPRESENTATIVES AT TIMES THEY CONSIDER APPROPRIATE FOR THEIR RESPECTIVE BODIES TO MEET FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN SUNDAY, NOVEMBER 10, 2024, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME
SENT TO THE HOUSE**

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

S. 1176 -- Senator K. Johnson: A BILL TO AMEND SECTION 4(A) OF ACT 355 OF 2004, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICT PROPERTY RELIEF ACT, SO AS TO ALLOW FOR THE REIMPOSITION OF THE TAX.

On motion of Senator K. JOHNSON.

Expression of Personal Interest

Senator VERDIN rose for an Expression of Personal Interest.

**READ THE THIRD TIME
SENT TO THE HOUSE**

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

S. 954 -- Senators Hembree, Senn and Rankin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-13-142 SO AS TO AUTHORIZE A LAW ENFORCEMENT OFFICER, A CIRCUIT SOLICITOR, OR THE ATTORNEY GENERAL TO REQUIRE THE DISCLOSURE OF ELECTRONIC COMMUNICATIONS AND OTHER RELATED RECORDS BY A PROVIDER OF AN ELECTRONIC COMMUNICATION SERVICE OR REMOTE COMPUTING SERVICE UNDER CERTAIN CIRCUMSTANCES.

The Senate proceeded to a consideration of the Bill.

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The question being the third reading of the Bill.

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

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<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
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

The Bill was read the third time, passed and ordered sent to the House.

**READ THE THIRD TIME
SENT TO THE HOUSE**

The following Bills were read the third time and ordered sent to the House of Representatives:

S. 107 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

S. 1017 -- Senators M. Johnson, Peeler, Climer, Setzler and Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY

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AMENDING SECTION 12-37-220, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO PROVIDE THAT THE EXEMPTION FOR CERTAIN PROPERTY OF A NONPROFIT HOUSING CORPORATION ONLY APPLIES TO THE PERCENTAGE OF PROPERTY THAT EQUALS THE CORPORATION'S OWNERSHIP INTEREST IN THE PROPERTY, TO PROVIDE AN EXCEPTION, AND TO PROVIDE CERTAIN CERTIFICATION AND NOTICE REQUIREMENTS; AND BY ADDING SECTION 12-37-160 SO AS TO PROVIDE THAT CERTAIN PROPERTY ASSESSED AS AGRICULTURAL OR RELATED THERETO MAY NOT BE ANNEXED BY A MUNICIPALITY.

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. 3295 -- Reprs. Collins, Erickson, Bradley and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-1-210 SO AS TO PROVIDE NECESSARY DEFINITIONS; BY ADDING SECTION 59-39-290 SO AS TO DIRECT THE STATE BOARD OF EDUCATION TO ADOPT, ESTABLISH, AND PROMULGATE NECESSARY RULES AND REGULATIONS; BY ADDING SECTION 59-19-360 SO AS TO PROVIDE A PROCESS FOR THE EXEMPTION OF COMPETENCY-BASED SCHOOLS FROM CERTAIN APPLICABLE LAWS AND REGULATIONS, TO PROVIDE REQUIREMENTS FOR IMPLEMENTING COMPETENCY-BASED EDUCATION IN SCHOOLS, AND TO PROVIDE RELATED REQUIREMENTS FOR THE STATE DEPARTMENT OF EDUCATION AND THE COMMISSION ON HIGHER EDUCATION; BY AMENDING SECTION 59-1-425, RELATING TO THE STATUTORY ANNUAL SCHOOL CALENDAR, SO AS TO MAKE CONFORMING CHANGES; AND BY AMENDING SECTION 59-39-100, RELATING TO REQUIRED UNITS FOR A HIGH SCHOOL DIPLOMA, SO AS TO MAKE CONFORMING CHANGES.

**READ THE THIRD TIME
SENT TO THE HOUSE**

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

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S. 746 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 34-21-10, RELATING TO THE REQUIRED WRITTEN APPROVAL TO CONDUCT TRUST BUSINESS, SO AS TO PROVIDE THAT WRITTEN APPLICATION MUST BE MADE TO THE STATE BOARD OF FINANCIAL INSTITUTIONS AND TO DEFINE "TRUST BUSINESS".

AMENDMENT PROPOSED, CARRIED OVER

S. 208 -- Senators Goldfinch and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO PROVIDE THAT A COUNTY MAY IMPOSE AN ADDITIONAL DRIVER'S LICENSE FEE AND AN ADDITIONAL MOTOR VEHICLE LICENSING AND REGISTRATION FEE FROM RESIDENTS NEW TO THIS STATE UPON A SUCCESSFUL REFERENDUM, AND TO PROVIDE THAT THE FUNDS REALIZED FROM THE ADDITIONAL FEES MUST BE USED ONLY FOR COUNTY INFRASTRUCTURE, PUBLIC EDUCATION RELATED EXPENSES, AND GREENSPACE CONSERVATION OR PRESERVATION; BY AMENDING SECTION 56-1-20, RELATING TO DRIVER'S LICENSE REQUIRED, SURRENDER AND DISPOSITION OF OUT-OF-STATE LICENSES, LOCAL LICENSES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM; AND BY AMENDING SECTION 56-3-210, RELATING TO THE TIME PERIOD FOR PROCURING REGISTRATION AND LICENSE, TEMPORARY LICENSE PLATES, TRANSFER OF LICENSE PLATES, SO AS TO PROVIDE THAT A COUNTY MAY ASSESS AN ADDITIONAL FEE PURSUANT TO A SUCCESSFUL REFERENDUM.

The Senate proceeded to a consideration of the Bill.

Senator GOLDFINCH proposed the following amendment (LC-208.SA0005S):

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

Additional Driver's License Fees

Amend the bill further, SECTION 1, by striking Section 4-10-1110(A) and inserting:

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(A) A county government may impose additional driver's license fees as provided for in Section 56-1-20(C) and 56-3-210(C)(2) on new residents to the State subject to a successful referendum.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(A) and inserting:

(A) Upon receipt of the ordinance or the petition from county council, the county election commission shall conduct a referendum on the question of imposing an additional driver's license fee. A referendum for this purpose must be held at the next general election for representatives. Two weeks before the referendum, the election commission shall publish in a newspaper of general circulation the question that is to appear on the ballot. This notice is in lieu of any other notice otherwise required by law.

Amend the bill further, SECTION 1, by striking Section 4-10-1120(D)(1) before the first undesignated paragraph and inserting:

(D) The referendum question concerning whether to impose an additional fee on drivers' licenses must read substantially as follows:

Amend the bill further, SECTION 1, by deleting Section 4-10-1120(D)(1)(b).

Amend the bill further, SECTION 1, Section 4-10-1120(D)(1)(b), by deleting the undesignated paragraph.

Amend the bill further, by deleting SECTION 3.

Re-number sections to conform.

Amend title to conform.

Senator GOLDFINCH explained the amendment.

The question being the adoption of the amendment.

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

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

S. 995 -- Senators Hutto, Shealy, Reichenbach, Devine, Senn, McLeod, Rankin, Garrett and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 16-15-375, RELATING TO DEFINITIONS APPLICABLE TO SECTIONS 16-15-385 THROUGH 16-15-425, SO AS TO DEFINE IDENTIFIABLE MINOR AND MORPHED IMAGE; BY AMENDING SECTION 16-15-395, RELATING TO FIRST DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED

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IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-405, RELATING TO SECOND DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; BY AMENDING SECTION 16-15-410, RELATING TO THIRD DEGREE SEXUAL EXPLOITATION OF A MINOR, SO AS TO INCLUDE MORPHED IMAGES OF IDENTIFIABLE CHILDREN AS AN OFFENSE; AND BY AMENDING SECTION 23-3-430, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO INCLUDE THOSE GUILTY OF CRIMINAL SEXUAL EXPLOITATION OF A MINOR IN THE FIRST, SECOND, OR THIRD DEGREE AS A TIER II OFFENDER.

10 The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (SJ-995.MB0002S), which was adopted:

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

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 3, by adding:

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 4, by adding:

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer

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the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 5, by striking Section 23-3-430(C)(2)(i), (j), and (k) and inserting:

(i) criminal sexual exploitation of a minor, first degree (Section 16-15-395). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(j) criminal sexual exploitation of a minor, second degree (Section 16-15-405). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(k) criminal sexual exploitation of a minor, third degree (Section 16-15-410). If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

Senator HUTTO proposed the following amendment (SJ-995.MB0007S), which was adopted:

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

Section 16-15-395 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A)(4) is a minor and the offense is the minor's first offense related to a morphed image of an

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identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 3, by adding:

Section 16-15-405 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A) is a minor and the offense is the minor's first charge related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, SECTION 4, by adding:

Section 16-15-410(D) of the S.C. Code is amended to read:

(D) This section does not apply to an employee of a law enforcement agency, including the State Law Enforcement Division, a prosecuting agency, including the South Carolina Attorney General's Office, or the South Carolina Department of Corrections who, while acting within the employee's official capacity in the course of an investigation or criminal proceeding, is in possession of material that contains a visual representation of a minor engaging in sexual activity or appearing in a state of sexually explicit nudity when a reasonable person would infer the purpose is sexual stimulation. The employee's official capacity in the course of such investigation or criminal proceeding includes making materials available for inspection to the defendant's counsel in response to discovery requests.

Section 16-15-410 of the S.C. Code is amended by adding:

(E) The offense is a misdemeanor to be heard by the family court if the person charged under the provisions of (A) is a minor and the offense is the minor's first offense related to a morphed image of an identifiable minor. The family court may order behavioral health counseling from an appropriate agency or provider, as a condition of adjudicating a minor.

Amend the bill further, by striking SECTION 5 and inserting:

SECTION X. Section 23-3-430(C)(1) of the S.C. Code is amended to read:

(C)(1) For purposes of this article, a person who has been convicted of, or pled guilty or nolo contendere to any of the following offenses shall be referred to as a Tier I offender:

(a) criminal sexual conduct in the third degree (Section 16-3-654);

(b) kidnapping (Section 16-3-910) of a person eighteen years of age or older except when the court makes a finding on the record that the

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offense did not include a criminal sexual offense or an attempted criminal sexual offense;

(c) incest (Section 16-15-20);

(d) buggery (Section 16-15-120);

(e) peeping, voyeurism, or aggravated voyeurism (Section 16-17-470);

(f) a person, regardless of age, who has been convicted or pled guilty or nolo contendere in this State, or who has been convicted or pled guilty or nolo contendere in a comparable court in the United States, or who has been convicted or pled guilty or nolo contendere in the United States federal courts of indecent exposure or of a similar offense in other jurisdictions is required to register pursuant to the provisions of this article if the court makes a specific finding on the record that, based on the circumstances of the case, the convicted person should register as a sex offender;

(g) sexual intercourse with a patient or trainee (Section 44-23-1150);

(h) administering, distributing, dispensing, delivering, or aiding, abetting, attempting, or conspiring to administer, distribute, dispense, or deliver a controlled substance or gamma hydroxy butyrate to an individual with the intent to commit a crime listed in Section 44-53-370(f), except petit larceny or grand larceny;

(i) any other offense as described in Section 23-3-430(D), ~~or~~

(j) any other offense required by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109-248), the Sex Offender Registration and Notification Act (SORNA);-

(k) criminal sexual exploitation of a minor, first degree (Section 16-15-395), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article;

(l) criminal sexual exploitation of a minor, second degree (Section 16-15-405), provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article; or

(m) criminal sexual exploitation of a minor, third degree (Section 16-15-410); provided the offense is related to a morphed image of an identifiable minor. If the offender is under eighteen years of age and the

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offense is related to a morphed image of an identifiable minor, the adjudicated minor is not an offender and is not required to register pursuant to the provisions of this article.

SECTION X. Section 23-3-462(A) of the S.C. Code is amended to read:

(A) After successful completion of the requirements of this section, an offender may apply to the South Carolina Law Enforcement Division for the termination of the requirements of registration pursuant to this article. If it is determined that the offender has met the requirements of this section, SLED shall remove the offender's name and identifying information from the sex offender registry and shall notify the offender within one hundred twenty days that the offender has been relieved of the registration requirements of this article.

(1) An offender may file a request for termination of the requirement of registration with SLED, in a form and process established by the agency:

(a) after fifteen years of having been registered for at least fifteen years, or after fifteen years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other alternative to incarceration, if the offender was required to register based on an adjudication of delinquency or the offender ~~was required to register as is~~ a Tier I offender;

(b) after twenty-five years of having been registered for at least twenty-five years, or after twenty-five years from the date of discharge from incarceration without supervision or the termination of active supervision of probation, parole, or any other active alternative to incarceration, if the offender was convicted as an adult, and ~~was required to register as is~~ a Tier II offender;

(c) ~~an~~ a Tier I or Tier II offender who was required to register as an offender because of a conviction in another state or because of a federal conviction may apply to be removed from the requirements of the registry if he is eligible to be removed under the laws of the jurisdiction where the conviction occurred.

(2) An offender who was convicted as an adult, and who is required to register as a Tier III offender may not file a request for termination of registration with SLED nor shall any such request be granted pursuant to this subsection.

(3) The requesting offender must have successfully completed all sex offender treatment programs that have been required.

(4) The requesting offender must not have been convicted of failure to register within the previous ten years.

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(5) The offender must not have been convicted of any additional sexual offense or violent sexual offense after being placed on the registry.

(6) A filing fee, as set by SLED but not to exceed two hundred fifty dollars, shall be paid to file the request for termination of registration requirements. The initial application may be filed with SLED and the administrative review may begin one hundred twenty days prior to the date specified in subsection (A)(1); however, any removal may not occur prior to the date specified.

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

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

There was no objection.

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

CARRIED OVER

H. 4957 -- Reps. Hiott, Erickson, G.M. Smith, Hayes, McGinnis, Rose, Elliott, Alexander, Schuessler, Calhoun, M.M. Smith, Davis, T. Moore, B. Newton, Neese, Oremus, Hixon, Taylor, Guest, Sessions, Guffey, Ballentine, Pope, Willis, Bannister, Kirby, Henegan, Hartnett, Williams, Gilliard and Rivers: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-158-10, RELATING TO DEFINITIONS CONCERNING INTERCOLLEGIATE ATHLETES' COMPENSATION FOR NAME, IMAGE, OR LIKENESS, SO AS TO REVISE SEVERAL DEFINITIONS; BY AMENDING SECTION 59-158-20, RELATING TO THE AUTHORIZATION OF COMPENSATION FOR USE OF AN INTERCOLLEGIATE ATHLETE'S NAME, IMAGE, OR LIKENESS,

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SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE INSTITUTIONS OF HIGHER LEARNING AND CERTAIN AGENTS OF THE INSTITUTIONS MAY ENGAGE IN CERTAIN ACTIONS THAT MAY ENABLE INTERCOLLEGIATE ATHLETES TO EARN COMPENSATION FOR USE OF THE NAME, IMAGE, OR LIKENESS OF THE ATHLETE, AND TO PROVIDE THE INSTITUTIONS ALSO MAY PERMIT INTERCOLLEGIATE ATHLETES TO USE TRADEMARKS AND FACILITIES OF THE INSTITUTION, AMONG OTHER THINGS; BY AMENDING SECTION 59-158-30, RELATING TO THE AFFECTS OF NAME, IMAGE, AND LIKENESS COMPENSATION ON GRANT-IN-AID OR ATHLETIC ELIGIBILITY, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE NAME, IMAGE, OR LIKENESS CONTRACTS MAY NOT EXTEND BEYOND THE INTERCOLLEGIATE ATHLETE'S ELIGIBILITY TO PARTICIPATE IN AN INTERCOLLEGIATE ATHLETICS PROGRAM AT AN INSTITUTION OF HIGHER LEARNING; BY AMENDING SECTION 59-158-40, RELATING TO ALLOWED AND PROHIBITED ACTIONS CONCERNING INTERCOLLEGIATE ATHLETES' NAME, IMAGE, AND LIKENESS-RELATED MATTERS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE LIMITATIONS ON LIABILITY FOR INSTITUTION OF HIGHER LEARNING EMPLOYEES FOR DAMAGES RESULTING FROM CERTAIN ROUTINE DECISIONS MADE IN INTERCOLLEGIATE ATHLETICS, AND TO PROHIBIT CERTAIN CONDUCT BY ATHLETIC ASSOCIATIONS, ATHLETIC CONFERENCES, OR OTHER GROUPS WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETIC PROGRAMS AT PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY AMENDING SECTION 59-158-50, RELATING TO GOOD ACADEMIC STANDING REQUIRED FOR PARTICIPATION IN NAME, IMAGE, AND LIKENESS ACTIVITIES, SO AS TO DELETE EXISTING PROVISIONS AND PROVIDE CERTAIN MATTERS CONCERNING NAME, IMAGE, AND LIKENESS AGREEMENTS MAY NOT BE CONSIDERED PUBLIC RECORDS SUBJECT TO AN EXCEPTION AND MAY NOT BE DISCLOSED TO CERTAIN ENTITIES; BY AMENDING SECTION 59-158-60, RELATING TO DISCLOSURE OF NAME, IMAGE, OR LIKENESS CONTRACTS AND THIRD-PARTY ADMINISTRATORS, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE FOR THE RESOLUTION OF CONFLICTS BETWEEN CERTAIN PROVISIONS OF THIS ACT

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AND PROVISIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, AND TO PROVIDE ATHLETE AGENTS SHALL COMPLY WITH CERTAIN FEDERAL REQUIREMENTS; BY AMENDING SECTION 59-102-20, RELATING TO DEFINITIONS IN THE UNIFORM ATHLETE AGENTS ACT OF 2018, SO AS TO REVISE THE DEFINITION OF “ATHLETE AGENT”; BY AMENDING SECTION 59-102-100, RELATING TO AGENCY CONTRACTS, SO AS TO REMOVE A PROVISION CONCERNING COMPENSATION; BY REPEALING SECTION 59-158-70 RELATING TO DISCLOSURES AND LIMITATIONS IN NAME, IMAGE, OR LIKENESS CONTRACTS AND REVOCATION PERIODS FOR SUCH CONTRACTS; AND BY REPEALING SECTION 59-158-80 RELATING TO GOVERNING LAW AND FEDERAL COMPLIANCE CONTRACTS.

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 1031 -- Senator Cromer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING CHAPTER 11 OF TITLE 35, RELATING TO ANTI-MONEY LAUNDERING, SO AS TO INCORPORATE THE UNIFORM MONEY SERVICES ACT, TO PROTECT THE PUBLIC FROM FINANCIAL CRIME, STANDARDIZE THE TYPES OF ACTIVITIES THAT ARE SUBJECT TO LICENSING, AND MODERNIZE SAFETY AND SOUNDNESS REQUIREMENTS TO ENSURE FUNDS ARE PROTECTED IN AN ENVIRONMENT THAT SUPPORTS INNOVATIVE AND COMPETITIVE BUSINESS PRACTICES.

The Senate proceeded to a consideration of the Bill.

The Committee on Banking and Insurance proposed the following amendment (LC-1031.SA0004S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 35-11-105(22)(b) and inserting:

(b) The term does not include the provision solely of delivery, online or telecommunications services, or network access.

Amend the bill further, SECTION 1, by striking Section 35-11-105(29) and inserting:

(29) “Payroll processing services” means delivering wages or salaries on behalf of employers to employees or facilitating the payment of payroll taxes to state and federal agencies, making payments relating to

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employee benefit plans, making distributions of other authorized deductions from wages or salaries, transmitting other funds on behalf of an employer in connection with transactions related to employees, an employer performing payroll processing services on its own behalf or on behalf of its affiliate, or a professional employment organization subject to regulation under other applicable state law.

—Amend the bill further, SECTION 1, Section 35-11-110(A), by adding an item to read:

(15) payroll processing services.

Amend the bill further, SECTION 1, by deleting Section 35-11-555.

Renumber sections to conform.

Amend title to conform.

Senator MALLOY explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	<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
Tedder	Turner	Verdin
Williams	Young	

Total--44

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NAYS

Total--0

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 1074 -- Senators Davis and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-47-20, RELATING TO DEFINITIONS OF A CMA, SO AS TO CHANGE THE REQUIREMENTS FOR A QUALIFIED CMA; AND BY AMENDING SECTION 40-47-196, RELATING TO DELEGATION OF TASKS, SO AS TO PROVIDE THAT A PHYSICIAN OR PHYSICIAN ASSISTANT, PURSUANT TO THE PHYSICIAN ASSISTANT'S SCOPE OF PRACTICE GUIDELINES, MAY DELEGATE NURSING TASKS TO UAP UNDER THE SUPERVISION OF THE PHYSICIAN OR PHYSICIAN ASSISTANT.

The Senate proceeded to a consideration of the Bill.

The Committee on Medical Affairs proposed the following amendment (SR-1074.KM0002S), which was adopted:

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

SECTION 1. Section 40-47-20(57) of the S.C. Code is amended to read:

(57) "Certified medical assistant" or "CMA" means a person who is a ~~graduate of a post secondary medical assisting education program accredited by the National Healthcare Association, or its successor; by the Committee on Allied Health Education and Accreditation of the American Medical Association, or its successor; by the Accrediting Bureau of Health Education Schools, or its successor; or by any accrediting agency recognized by the United States Department of Education. The accredited post secondary medical assisting education program must include courses in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience. A certified medical assistant must maintain current certification from the certifying board of the American Association of Medical Assistants, the National Center for Competency Testing, the National Certification Medical Association, American Medical~~

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Technologists, or any other recognized certifying body approved by the Board of Medical Examiners.

(1) has completed:

(a) a medical assisting education program accredited by the Commission on Accreditation of Allied Health Education Programs or its successor, by the Accrediting Bureau of Health Education Schools or its successor, or by any accrediting agency recognized by the United States Department of Education, and which must include courses or components in anatomy and physiology, medical terminology, pharmacology, medical laboratory techniques, and clinical experience, provided the clinical experience component may be satisfied through an individual's work experience with a health care employer;

(b) a Career and Technical Education Health Sciences Program approved by the South Carolina Department of Education;

(c) a medical assisting program provided by a branch of the United States military;

(d) a medical assisting United States Department of Labor-approved Registered Apprenticeship program; or

(e) a training program that is delivered, in whole or in part, by a healthcare employer that aligns to a nationally accredited certification exam; and

(2) maintains current certification from a certifying body offering a certification program that is:

(a) approved by the Board of Medical Examiners and the Board of Nursing; and

(b) is accredited by the National Commission for Certifying Agencies or other accreditation body recognized by the Board of Medical Examiners and the Board of Nursing.

The term "Certified medical assistant" or "CMA" also includes medical assistants who have maintained certification from one of the certifying entities in item (2) of this section since January 1, 2020 and individuals employed as certified medical assistants as of the effective date of this act who do not meet the education or training requirements required in this item, but who meet those requirements no later than July 15, 2026.

SECTION 2. Section 40-47-196(C) of the S.C. Code is amended to read:

(C)(1) A physician or physician assistant, pursuant to the physician assistant's scope of practice guidelines, may delegate nursing tasks to UAP under the supervision of the physician or physician assistant. Such nursing tasks include, but are not limited to, the following:

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- (a) meeting patients' needs for personal hygiene;
- (b) meeting patients' needs relating to nutrition;
- (c) meeting patients' needs relating to ambulation;
- (d) meeting patients' needs relating to elimination;
- (e) taking vital signs;
- (f) maintaining asepsis; ~~and~~
- (g) collecting specimens (urine, stool, sputum);
- (h) point of care testing and screening tests;
- (i) recording information;
- (j) performing non-clinical tasks via telemedicine; and
- ~~(g)~~(k) observing, recording, or reporting any of the nursing tasks enumerated in this subsection.

(2) Pursuant to the APRN's practice agreement, APRNs he may delegate any of the above nursing tasks to UAP pursuant to Section 40-33-42.

SECTION 3. This act takes effect upon approval by the Governor.
Renumber sections to conform.
Amend title to conform.

Senator DAVIS explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

Motion Adopted

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

There was no objection.

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE

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DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-728.CM0003S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 23-9-197(3) and inserting:

(3) "Firefighter" means any person, paid or unpaid, who ~~is a resident of this State and~~ engages in rescue, fire suppression, or related activities, under the supervision of a fire chief or fire department in this State or who is employed by the State Commission of Forestry, South Carolina State Fire, or a forestry district for the purpose of fire protection.

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

SECTION X. Section 23-9-197(B) of the S.C. Code is amended to read:

(B) There is established the "Firefighter Cancer Health Care Benefit Plan" to provide a supplemental insurance policy upon a firefighter being diagnosed with cancer on or after July 1, 2021. The plan shall provide benefits to a firefighter only if the firefighter has served in a South Carolina fire department for at least five continuous years and been in active service within ten years of the diagnosis.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

Ayes 44; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Devine	Fanning
Gambrell	Garrett	Goldfinch

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Grooms	Gustafson	Harpootlian
Hembree	Hutto	<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
Tedder	Turner	Verdin
Williams	Young	

Total--44

NAYS

Total--0

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

OBJECTION

S. 857 -- Senators Davis and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGY AND COSMETOLOGISTS SO AS TO PROVIDE A DEFINITION FOR “MOBILE SALON” AND “PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATION”; AND BY ADDING SECTION 40-13-365 SO AS TO PROVIDE FOR PERMITTING AND REGULATION OF MOBILE SALONS AND PORTABLE COSMETOLOGIST, ESTHETICIAN, OR NAIL TECHNICIAN OPERATIONS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-857.WAB0002S):

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

SECTION X. Section 40-13-110(A)(6) of the S.C. Code is amended to read:

(6) practiced or attempted to practice cosmetology in any place other than a licensed salon, ~~except~~ unless otherwise prescribed by law or

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in case of an emergency including, but not limited to, illness, invalidism, or death when a licensed operator may perform services for a person in another place by appointment only;

SECTION X. Section 40-13-230(B)(2) of the S.C. Code is amended to read:

(2) has completed at least ~~four hundred fifty~~ six hundred hours in classes in skin care in a reliable school approved by the board or comparable training approved by the board; and

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The question being the adoption of the amendment.

Senator CASH objected to further consideration of the Bill.

CARRIED OVER

S. 1132 -- Senators Davis, Senn and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-7-20, RELATING TO DEFINITIONS CONCERNING BARBERS AND BARBERING, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-7-390, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; BY AMENDING SECTION 40-13-20, RELATING TO DEFINITIONS CONCERNING COSMETOLOGISTS AND COSMETOLOGY, SO AS TO REVISE AND ADD DEFINITIONS; BY AMENDING SECTION 40-13-360, RELATING TO CERTAIN PERSONS EXEMPT FROM REGULATION BY THE STATE BOARD OF BARBER EXAMINERS, SO AS TO EXEMPT PERSONS PROVIDING BLOW-DRYING OR HAIR-BRAIDING SERVICES BUT NO OTHER SERVICES REGULATED BY THE BOARD; AND BY REPEALING SECTION 40-7-255 RELATING TO THE REGULATION OF HAIR-BRAIDING PRACTITIONERS.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-1132.WAB0001S):

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Amend the bill, as and if amended, SECTION 2, by striking Section 40-7-390(6) and inserting:

(6) unless otherwise prescribed by law, persons authorized by state law to practice cosmetology only when they are practicing in salons or schools of cosmetology and persons providing blow-dry styling but no other services requiring a license under this chapter; and

Amend the bill further, SECTION 3, by striking Section 40-13-20(3)(a) and (b) and inserting:

(a) arranging, styling, thermal curling, chemical waving, pressing, shampooing, cutting, shaping, chemical bleaching, chemical coloring, chemical relaxing, or similar work, upon the hair, wig, or hairpiece of any person, by any means, with hands or mechanical or electrical apparatus or appliances;

(b) using cosmetic preparations, make-up, antiseptics, lotions, creams, chemical preparations on, or otherwise, or waxing, tweezing, cleansing, stimulating, manipulating, beautifying, or similar work on the scalp, legs, feet, face, neck, arms, hands; or

Amend the bill further, SECTION 3, by striking Section 40-13-20(6) and inserting:

~~(5)(6)~~ “Esthetician” means a person including, but not limited to, an independent contractor, who is licensed to practice skin care, make-up, or similar work. Skin care is for the sole purpose of beautifying the skin.

~~Amend~~ the bill further, SECTION 3, Section 40-13-20, by adding a subsection to read:

(9) “Make-up artistry” means the application of a cosmetic to enhance the appearance of the face or skin, including powder, foundation, rouge, eyeshadow, eyeliner, mascara, and lipstick. It includes the application of makeup applied using an airbrush. It excludes the application of permanent makeup or tattooing. It is distinct from the practice of cosmetology.

Renumber sections to conform.

Amend title to conform.

Senator BENNETT explained the amendment.

The question being the adoption of the amendment.

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

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COMMITTEE AMENDMENT ADOPTED
CARRIED OVER

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 Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (LC-3992.WAB0003S), 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 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 the annual rate as determined pursuant to Section 41-31-50. 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.

Senator BENNETT explained the amendment.

The amendment was adopted.

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The question being the second reading of the Bill.

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

POINT OF ORDER

S. 955 -- Senator Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 50-5-400 SO AS TO ESTABLISH THE LIMITED COMMERCIAL BLUE CRAB LICENSE AND THE REQUIREMENTS FOR OBTAINING THE LICENSE; BY AMENDING SECTION 50-5-325, RELATING TO COMMERCIAL EQUIPMENT LICENSES AND FEES, SO AS TO REVISE THE FEE STRUCTURE FOR THE COMMERCIAL TRAP LICENSE; BY AMENDING SECTION 50-5-350, RELATING TO THE TRANSFERABILITY OF LICENSES, SO AS TO EXEMPT THE LIMITED COMMERCIAL BLUE CRAB LICENSE FROM THE GENERAL TRANSFER PROHIBITION; BY AMENDING SECTION 50-5-360, RELATING TO LICENSES TO ENGAGE IN SHEDDING PEELER CRABS, SO AS TO REQUIRE THAT AN APPLICANT'S OR LICENSEE'S BUSINESS PREMISES BE CAPABLE OF PEELER SHEDDING OPERATIONS; BY AMENDING SECTION 50-5-545, RELATING TO TRAPS FOR TAKING BLUE CRAB, SO AS TO PROVIDE FOR THE MATERIAL, DIMENSIONS, AND ESCAPE VENT REQUIREMENTS OF THE TRAPS; BY ADDING SECTION 50-5-1302 SO AS TO ESTABLISH A RECREATIONAL LIMIT OF ONE-HALF BUSHEL OF BLUE CRABS PER PERSON PER DAY NOT TO EXCEED ONE BUSHEL PER BOAT; BY ADDING SECTION 50-5-1345 SO AS TO PROHIBIT THE USE OF CRAB TRAPS IN THE WATERS OF THIS STATE FROM JANUARY 16 THROUGH JANUARY 29 OF EACH YEAR; BY AMENDING SECTION 50-5-330, RELATING TO RECREATIONAL EQUIPMENT LIMITS, SO AS TO INCREASE THE NUMBER OF TRAPS THAT MAY BE USED FOR RECREATIONAL PURPOSES FROM TWO TO TEN WITH A RECREATIONAL CRAB TRAP ENDORSEMENT; AND BY AMENDING SECTION 50-9-540, RELATING TO RECREATIONAL SALTWATER FISHING LICENSES SO AS TO PROVIDE FOR THE COST OF THE RECREATIONAL CRAB TRAP ENDORSEMENT.

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Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1051 -- Senators Kimbrell and Talley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 50-25-1330, RELATING TO WATERCRAFT RESTRICTIONS ON LAKE H. TAYLOR BLALOCK, SO AS TO EXTEND THE HUNTING OF WATERFOWL FOR FIVE YEARS.

Point of Order

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

The PRESIDENT sustained the Point of Order.

ADOPTED

S. 1123 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 321 BYPASS IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 213 TO 392 UNITED STATES HIGHWAY 321 BYPASS "DR. J. R. GREEN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

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

MOTION ADOPTED

At 12:53 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

Expression of Personal Interest

Senator RANKIN rose for an Expression of Personal Interest.

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Remarks to be Printed

On motion of Senator TEDDER, with unanimous consent, the remarks of Senator RANKIN, when reduced to writing and made available to the Desk, would be printed in the Journal.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis and Garrett: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

Amendment No. 1

Senator CAMPSEN proposed the following amendment (SJ-95.PB0013S):

Amend the joint resolution, as and if amended, SECTION 1.A., by striking the added second undesignated paragraph in Section 7, Article VI and inserting:

Beginning sixty days after the ratification of the provisions of this paragraph, the state constitutional office of the Comptroller General is abolished. The General Assembly shall provide by law for the duties and responsibilities held by the Comptroller General.

Amend the joint resolution further, by striking the undesignated paragraph containing the question to be submitted to the voters and inserting:

“Must Section 7, Article VI of the Constitution of this State relating to state constitutional officers be amended so as to delete the Comptroller General from the list of state officers that the Constitution requires to be elected, provide that sixty days after the ratification of this provision the office is abolished, and authorize the General Assembly to provide by

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law for the duties and responsibilities held by the Comptroller General; and must Section 12, Article IV be amended so as to delete the Comptroller General's name from the list of elected state constitutional officers a majority of which may submit a written declaration that the Governor is unable to discharge his duties; and must Section 13, Article X be amended so as to provide if the principal of or interest on any general obligation debt is not paid when due, that instead of the Comptroller General, the Governor shall levy an ad valorem tax to meet the payment?

Renumber sections to conform.

Amend title to conform.

Debate was interrupted by adjournment.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator SABB, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. W. B. Wilson of Hemingway, S.C. W.B. was a retired Williamsburg County Councilman who was affectionately known as a work horse for his community. W.B. was a loving husband and devoted father who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Reverend Thomas Edison McClary of Hardeeville, S.C. Reverend McClary was a mentor and friend who was greatly loved and will be dearly missed.

ADJOURNMENT

At 1:06 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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