

NO. 68

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

THURSDAY, MAY 9, 2019
(STATEWIDE SESSION)

THURSDAY, MAY 9, 2019

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Exodus 33:14: "My presence will go with you, and I will give you rest."

Let us pray. Almighty God, as we come to the end of another legislative year, may Your presence provide rest for our bodies and food for our soul. Keep us from all harm and help us to know Your presence is always with us. Grant Your blessings upon these Representatives, staff, and their families as they return home from this legislative year. Bless the work they have accomplished and whatever they failed to do, forgive them. Bless all who serve in this House; The Speaker, Speaker *Pro Tempore*, Clerk of the House, Reading Clerk, ladies on the desk and staff members; the medical staff who care for us, security, pages, legislative aids, custodians, those who care for the facilities, those who work behind the scenes who contribute to the success of this Assembly. Continue Your blessings on our Nation, President, State, Governor, Speaker, staff, our defenders of freedom, and first responders. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell

[HJ]

THURSDAY, MAY 9, 2019

Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total Present--118

THURSDAY, MAY 9, 2019

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Tanya Tocharoen Tang of Spartanburg was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3024
Date: ADD:
05/09/19 JONES

THURSDAY, MAY 9, 2019

CO-SPONSORS ADDED

Bill Number: H. 3087
Date: ADD:
05/09/19 DAVIS and SIMMONS

CO-SPONSOR ADDED

Bill Number: H. 3111
Date: ADD:
05/09/19 HILL

CO-SPONSOR ADDED

Bill Number: H. 3130
Date: ADD:
05/09/19 HUGGINS

CO-SPONSOR ADDED

Bill Number: H. 3344
Date: ADD:
05/09/19 HILL

CO-SPONSORS ADDED

Bill Number: H. 3632
Date: ADD:
05/09/19 ELLIOTT and JONES

CO-SPONSOR ADDED

Bill Number: H. 3660
Date: ADD:
05/09/19 JONES

CO-SPONSORS ADDED

Bill Number: H. 4258
Date: ADD:
05/09/19 CALHOON, BRAWLEY, ALEXANDER,
WOOTEN, GOVAN, ROSE, HERBKERSMAN,
ELLIOTT, B. COX, HEWITT, HENEGAN,
S. WILLIAMS and MCDANIEL

THURSDAY, MAY 9, 2019

CO-SPONSORS ADDED

Bill Number: H. 4482
Date: ADD:
05/09/19 KIRBY, MCDANIEL, HILL, HENDERSON-
MYERS, BRAWLEY, COBB-HUNTER, MOORE,
ROBINSON, LIGON, HENEGAN and HEWITT

CO-SPONSOR ADDED

Bill Number: H. 4516
Date: ADD:
05/09/19 HILL

ORDERED ENROLLED FOR RATIFICATION

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

S. 712 -- Senator Gambrell: A BILL TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.

RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT

THURSDAY, MAY 9, 2019

REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

S. 575 -- Senators Campsen, McElveen and Martin: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY;

[HJ]

THURSDAY, MAY 9, 2019

TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12 6 3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4 9 30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5 7 30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5 3 20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

S. 76 -- Senators Cromer and Alexander: A BILL TO AMEND SECTION 48-52-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENERGY EFFICIENT MANUFACTURED HOMES INCENTIVE PROGRAM, SO AS TO EXTEND THE PROGRAM FIVE ADDITIONAL YEARS; AND TO AMEND SECTION 12-36-2110, RELATING TO THE MAXIMUM SALES TAX, SO AS TO MAKE A CONFORMING CHANGE.

SENT TO THE SENATE

The following Bills were taken up, read the third time, and ordered sent to the Senate:

H. 3661 -- Rep. McCoy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-3-320 SO

[HJ]

THURSDAY, MAY 9, 2019

AS TO CLARIFY THE MEANING OF THE TERM "CONTIGUOUS" WHEN A MUNICIPALITY THAT IS LOCATED ENTIRELY WITHIN THE BORDERS OF A SPECIAL PURPOSE DISTRICT ANNEXES UNINCORPORATED PROPERTY THAT IS ALSO LOCATED WITHIN THE SAME SPECIAL PURPOSE DISTRICT AS THE ANNEXING MUNICIPALITY.

H. 3984 -- Reps. Bannister and Elliott: A BILL TO AMEND SECTIONS 9-1-1085 AND 9-11-225, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO EMPLOYER AND EMPLOYEE CONTRIBUTION RATES UNDER THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM RESPECTIVELY, SO AS TO PROVIDE THAT AN EMPLOYER, UP TO CERTAIN LIMITS, MAY ELECT TO PAY ALL OR A PORTION OF REQUIRED EMPLOYEE CONTRIBUTIONS DURING A FISCAL YEAR.

H. 3309 -- Reps. Cobb-Hunter, Thigpen, Henderson-Myers, Collins, Rose, Dillard, Caskey, Bannister, Norrell and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 3, TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL CREATE AND OPERATE A STATEWIDE SEXUAL ASSAULT KIT TRACKING SYSTEM.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 530 -- Senator Leatherman: A BILL TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT

THURSDAY, MAY 9, 2019

CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING

[HJ]

THURSDAY, MAY 9, 2019

ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATIONS, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO

[HJ]

THURSDAY, MAY 9, 2019

AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO

[HJ]

THURSDAY, MAY 9, 2019

SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE

THURSDAY, MAY 9, 2019

DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220, RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT

[HJ]

THURSDAY, MAY 9, 2019

CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF "PUBLIC PROCUREMENT UNIT"; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND

[HJ]

THURSDAY, MAY 9, 2019

TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; BY ADDING SECTION 11-35-4900 SO AS TO PROVIDE FOR APPROVAL OF CERTAIN INTERGOVERNMENTAL ACQUISITIONS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL PUBLISH INTERIM REGULATIONS IT WILL FOLLOW TO IMPLEMENT CERTAIN CHANGES; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS"; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.

S. 439 -- Senators Leatherman, Grooms, Campbell, Williams and Reese: A BILL TO AMEND SECTION 12-6-3375, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS

[HJ]

THURSDAY, MAY 9, 2019

FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

S. 310 -- Senator Alexander: A BILL TO AMEND SECTION 12-21-2870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, SO AS TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

S. 314--DEBATE ADJOURNED

The following Bill was taken up:

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

Rep. G. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

S. 329--DEBATE ADJOURNED

The following Bill was taken up:

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

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

[HJ]

THURSDAY, MAY 9, 2019

S. 408--DEBATE ADJOURNED

The following Bill was taken up:

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

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

S. 323--DEBATE ADJOURNED

The following Bill was taken up:

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

Rep. G. M. SMITH moved to adjourn debate on the Bill, which was agreed to.

S. 440--DEBATE ADJOURNED

The following Bill was taken up:

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY

THURSDAY, MAY 9, 2019

APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

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

S. 621--DEBATE ADJOURNED

The following Bill was taken up:

S. 621 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

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

S. 281--DEBATE ADJOURNED

The following Bill was taken up:

S. 281 -- Senators Talley, Campbell and Martin: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

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

S. 105--DEBATE ADJOURNED

The following Bill was taken up:

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE,

[HJ]

THURSDAY, MAY 9, 2019

RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN

[HJ]

THURSDAY, MAY 9, 2019

ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

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

S. 359--DEBATE ADJOURNED

The following Bill was taken up:

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN

[HJ]

THURSDAY, MAY 9, 2019

ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

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

STATEMENT FOR JOURNAL

I am notifying you that I will not participate in the debate or vote on S. 359. In accordance with Section 8-13-700(B) of the SC Code, I recuse myself from voting on the bill because of a potential conflict of interest due to an economic interest of myself and the business with which I am associated may be affected. I wish to have my recusal noted for the House Journal.

Rep. G. Murrell Smith

H. 4533--DEBATE ADJOURNED

The following Bill was taken up:

H. 4533 -- Reps. Govan, Bannister, Alexander, Anderson, Bamberg, Brawley, Brown, Clyburn, Dillard, Garvin, Gilliard, Hart, Henderson-Myers, Henegan, Hosey, Howard, Jefferson, King, Mack, McDaniel, McKnight, Moore, Parks, Pendarvis, Rivers, Robinson, Rutherford, Simmons, Thigpen, Weeks, R. Williams and S. Williams: A BILL TO AMEND SECTION 1-31-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMMISSION FOR MINORITY AFFAIRS, SO AS TO RENAME THE COMMISSION THE COMMISSION FOR MINORITY AND MULTICULTURAL AFFAIRS.

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

H. 3087--POINT OF ORDER

The following Bill was taken up:

H. 3087 -- Reps. McCoy, Stavrinakis, W. Newton, Rose, W. Cox, Norrell, Cobb-Hunter, Sottile, Clary, Hewitt, Ott, Kirby, Brown, Pendarvis, Erickson, Bradley, R. Williams, Mace, Bennett, Cogswell, Bailey, Hardee, Bernstein, Thigpen, Caskey, Herbkersman, Dillard,

[HJ]

THURSDAY, MAY 9, 2019

Moore, Alexander, Rivers, Henegan, S. Williams, Henderson-Myers, Chellis, Kimmons, B. Cox, Spires, Wheeler, Daning, Simmons, Elliott and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-43-400 SO AS TO PROHIBIT THE APPROVAL OF AN ACTION TO FACILITATE ATLANTIC OCEAN MARINE SEISMIC TESTING TO LOCATE RESERVES OF OIL AND NATURAL GAS OR THE TRANSPORTATION OF OFFSHORE OIL AND NATURAL GAS INTO THE LAND AND WATERS OF THIS STATE BY THE STATE OF SOUTH CAROLINA, A STATE AGENCY, OR A POLITICAL SUBDIVISION OF THIS STATE.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3471--POINT OF ORDER

The following Bill was taken up:

H. 3471 -- Reps. Burns, Loftis, Long, Chumley and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-43-400 SO AS TO PROVIDE THAT STATE AGENCIES OR POLITICAL SUBDIVISIONS MAY NOT APPROVE PLANS OR ORDINANCES THAT WOULD DETER, PROHIBIT, OR IMPEDE THE CONSTRUCTION OR USE OF INFRASTRUCTURE USED TO FACILITATE ATLANTIC OCEAN MARINE SEISMIC TESTING TO LOCATE RESERVES OF OIL AND NATURAL GAS OR FACILITATE THE TRANSPORTATION OR STORAGE OF ATLANTIC OCEAN OFFSHORE OIL OR GAS ONTO THE LAND OR WATERS OF THIS STATE.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

THURSDAY, MAY 9, 2019

S. 525--POINT OF ORDER

The following Bill was taken up:

S. 525 -- Senators Grooms, Reese, Massey, J. Matthews, Gambrell, Goldfinch, Setzler, Gregory, Harpootlian, Sheheen, Alexander, Verdin, Talley, Campsen, Campbell, Hutto, Young, Turner, Cromer, Corbin, Davis, Climer, Johnson, Kimpson, McElveen, McLeod, Sabb, Williams, Leatherman, Malloy, Fanning, Hembree and Rankin: A BILL TO AMEND SECTION 44-2-90 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF ACCRUED INTEREST IN THE SUPERB ACCOUNT AND THE SUPERB FINANCIAL RESPONSIBILITY FUND, TO REPEAL THE ABOLITION OF THE ENVIRONMENTAL IMPACT FEE.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 11--ORDERED TO THIRD READING

The following Bill was taken up:

S. 11 -- Senators Peeler, Bennett, McElveen and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-30 SO AS TO PROVIDE THAT THE SOUTH CAROLINA GENERAL ASSEMBLY INTENDS FOR DAYLIGHT SAVING TIME TO BE THE YEAR-ROUND STANDARD TIME OF THE ENTIRE STATE SHOULD THE UNITED STATES CONGRESS AMEND CERTAIN RELATED FEDERAL LAW TO ALLOW STATES TO OBSERVE DAYLIGHT SAVING TIME YEAR ROUND.

Rep. JOHNSON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 10

THURSDAY, MAY 9, 2019

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brown	Bryant	Burns
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliam	Gilliard	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Mace	Magnuson	Martin
McCoy	McCrary	McDaniel
McKnight	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Parks
Pope	Ridgeway	Robinson
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	West
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

Total--97

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Brawley	Cobb-Hunter	Cogswell
Dillard	Mack	Moore
Pendarvis	Rivers	Weeks
S. Williams		

Total--10

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

S. 194--POINT OF ORDER

The following Bill was taken up:

S. 194 -- Senators Shealy and Senn: A BILL TO AMEND SECTIONS 16-15-90 AND 16-15-100, RELATING TO PROSTITUTION, TO INCREASE THE PENALTIES FOR SOLICITATION OF PROSTITUTION, ESTABLISHING OR KEEPING A BROTHEL OR HOUSE OF PROSTITUTION, OR CAUSING OR INDUCING ANOTHER TO PARTICIPATE IN PROSTITUTION; TO ESTABLISH THE AFFIRMATIVE DEFENSE OF BEING A VICTIM OF HUMAN TRAFFICKING; AND TO INCREASE THE PENALTIES FOR SOLICITING, CAUSING, OR INDUCING ANOTHER FOR OR INTO PROSTITUTION WHEN THE PROSTITUTE HAS A MENTAL DISABILITY.

POINT OF ORDER

Rep. R. WILLIAMS made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 397--POINT OF ORDER

The following Bill was taken up:

S. 397 -- Senators Harpootlian and Senn: A BILL TO AMEND SECTION 61-6-4510 OF THE 1976 CODE, RELATING TO MUNICIPAL POLICE OFFICERS, TO PROVIDE THAT A COUNTY SHERIFF HAS THE SAME POWER AS A MUNICIPAL POLICE OFFICER TO ENFORCE THE PROVISIONS OF ARTICLE 13, CHAPTER 6, TITLE 61.

[HJ]

THURSDAY, MAY 9, 2019

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 156--POINT OF ORDER

The following Bill was taken up:

S. 156 -- Senators Allen, Turner and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-975 SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, IT IS UNLAWFUL TO POSSESS WITHIN OR INTRODUCE UPON THE GROUNDS OF A CORRECTIONAL FACILITY A TELECOMMUNICATION DEVICE, TO DEFINE THE TERM "TELECOMMUNICATION DEVICE", AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 342--POINT OF ORDER

The following Bill was taken up:

S. 342 -- Senators Rankin and Hutto: A BILL TO ENACT THE "RESPONSIBLE ALCOHOL SERVER TRAINING ACT"; TO AMEND TITLE 61 OF THE 1976 CODE, RELATING TO ALCOHOL AND ALCOHOLIC BEVERAGES, BY ADDING CHAPTER 3, TO PROVIDE FOR THE ESTABLISHMENT, IMPLEMENTATION, AND ENFORCEMENT OF A MANDATORY ALCOHOL SERVER TRAINING AND EDUCATION PROGRAM, TO REQUIRE SERVERS OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN LICENSED OR PERMITTED BUSINESSES TO OBTAIN ALCOHOL SERVER CERTIFICATES, TO PROVIDE GUIDANCE FOR THE CURRICULA OF THE TRAINING PROGRAMS, TO PROVIDE FOR THE DEPARTMENT OF

THURSDAY, MAY 9, 2019

REVENUE TO BE RESPONSIBLE FOR APPROVAL OF THE TRAINING PROGRAMS AND IMPLEMENTATION OF THE ALCOHOL SERVER CERTIFICATES, TO REQUIRE FEES FROM PROVIDERS OF TRAINING PROGRAMS AND FROM APPLICANTS FOR ALCOHOL SERVER CERTIFICATES TO COVER THE COSTS OF THE MANDATORY TRAINING AND ENFORCEMENT, TO REQUIRE COORDINATION AMONG THE DEPARTMENT OF REVENUE, THE STATE LAW ENFORCEMENT DIVISION, AND OTHER STATE AND LOCAL AGENCIES FOR THE IMPLEMENTATION AND ENFORCEMENT OF THESE PROVISIONS, AND TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF THESE PROVISIONS; TO AMEND SECTION 61-2-60 OF THE 1976 CODE, RELATING TO THE PROMULGATION OF REGULATIONS, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS GOVERNING THE DEVELOPMENT, IMPLEMENTATION, EDUCATION, AND ENFORCEMENT OF RESPONSIBLE ALCOHOL SERVER TRAINING PROVISIONS; AND TO AMEND SECTION 61-4-50, SECTION 61-4-90(A), SECTION 61-4-580, SECTION 61-6-2220, SECTION 61-6-4070(A), AND SECTION 61-6-4080 OF THE 1976 CODE, ALL RELATING TO THE UNLAWFUL SALE OF ALCOHOL, TO PROVIDE FOR FINES AND PENALTIES FOR VIOLATIONS OF CERTAIN PROVISIONS.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 613--POINT OF ORDER

The following Bill was taken up:

S. 613 -- Senator Malloy: A BILL TO AMEND SECTION 59-48-70 OF THE 1976 CODE, RELATING TO THE SCHOOL OF SCIENCE AND MATHEMATICS' ENDOWMENT FUND, TO PROVIDE THAT THE ENDOWMENT FUND IS SUBJECT TO THE DIRECTION OF THE SCHOOL'S BOARD, TO REQUIRE THAT THE ENDOWMENT FUND BE ORGANIZED AS A NONPROFIT ENTITY, TO PROVIDE THAT THE ENDOWMENT FUND MUST ADOPT AN ANNUAL

THURSDAY, MAY 9, 2019

BUDGET THAT IS UNDER THE OVERSIGHT OF THE SCHOOL, TO PROVIDE THAT THE SCHOOL'S BOARD AND THE ENDOWMENT FUND MUST ENTER INTO AN OPERATING AGREEMENT, AND TO PROVIDE THAT THE ENDOWMENT FUND MAY NOT TAKE ANY ACTION UNLESS AUTHORIZED PURSUANT TO THE OPERATING AGREEMENT APPROVED BY THE SCHOOL'S BOARD.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

S. 362--REQUESTS FOR DEBATE WITHDRAWN

Reps. FORREST, LONG, CHUMLEY, BURNS, HIXON, HIOTT, MCCRAVY and KIRBY withdrew their requests for debate on the following Bill:

S. 362 -- Senators Verdin, Reese, McElveen, Rice and Johnson: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO INCOME TAX CREDITS, BY ADDING SECTION 12-6-3775, TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES CERTAIN SOLAR ENERGY PROPERTY AND THAT PLACES IT IN SERVICE IN THIS STATE, AND TO DEFINE NECESSARY TERMS.

OBJECTION TO RECALL

Rep. MCCOY asked unanimous consent to recall H. 4576 from the Committee on Judiciary.

Rep. HILL objected.

SPEAKER PRO TEMPORE IN CHAIR

THURSDAY, MAY 9, 2019

**H. 4133--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4133 -- Reps. Weeks, G. M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

Rep. WEEKS proposed the following Amendment No. 1A to H. 4133 (COUNCIL\SA\4133C001.RT.SA19), which was adopted:

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

/ SECTION __.A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3775. (A) For the purposes of this section, ‘solar energy property’ means any nonresidential solar energy equipment with

THURSDAY, MAY 9, 2019

a nameplate capacity of at least one thousand nine hundred kilowatts (1,900 kw AC) that uses solar radiation as a substitute for traditional energy for water heating, active space heating and cooling, passive heating, daylighting, generating electricity, distillation, desalination, detoxification, or the production of industrial or commercial process heat. The term also includes related devices necessary for collecting, storing, exchanging, conditioning, or converting solar energy to other useful forms of energy.

(B)(1) A taxpayer is allowed an income tax credit equal to twenty-five percent of the cost, including the cost of installation, of a solar energy property if he constructs, purchases, or leases a solar energy property that is located in the State of South Carolina and if:

(a) the property is located on:

(i) the Environmental Protection Agency's National Priority List;

(ii) the Environmental Protection Agency's National Priority List Equivalent Sites;

(iii) a list of related removal actions, as certified by the Department of Health and Environmental Control;

(iv) land that is subject to a Voluntary Cleanup Contract with the Department of Health and Environmental Control as of December 31, 2017 or to corrective action under the Federal Resource Conservation and Recovery Act of 1976; or

(v) land that is owned by the Pinewood Site Custodial Trust; and

(b) he places it in service in this State during the taxable year.

(2) The credit is earned in the year in which the solar energy property is placed in service but must be taken in five equal annual installments, beginning in the year in which the solar energy property is placed in service. Unused credit may be carried forward for five taxable years from the year that the credit was able to be taken. A lessor shall give a taxpayer who leases solar energy property from him a statement that describes the solar energy property and states the cost of the property upon request. A credit is not allowed pursuant to this section if the cost of the solar energy property is provided by public funds. For the purposes of this section, 'public funds' does not include federal grants or tax credits.

(C) If the solar energy property with respect to which the credit was claimed is disposed of, taken out of service, or moved out of the State in a year in which the installment of a credit accrues, then the credit

THURSDAY, MAY 9, 2019

expires and the taxpayer may not take any remaining installments of the credit.

(D) A credit for each installation of solar energy property placed in service may not exceed two million five hundred thousand dollars. The credit is allowed on a first-come, first-served basis, and the total amount of credits available to be taken, pursuant to the five equal annual installments, for all taxpayers in a taxable year, may not exceed two million five hundred thousand dollars in the aggregate.

(E) A taxpayer who claims any other state credit allowed with respect to solar energy property may not take the credit allowed in this section with respect to the same property. A taxpayer may not take the credit allowed in this section for solar energy property that the taxpayer leases from another unless the taxpayer obtains the lessor's written certification that the lessor will not claim a credit pursuant to this section with respect to the property.

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

B. Upon approval by the Governor, this SECTION takes effect in income tax years beginning after 2018. The provisions of this SECTION are repealed on December 31, 2021, except that if the credit allowed by Section 12-6-3775, as added by this SECTION, is earned before the repeal, then the provisions of Section 12-6-3775 continue to apply until the credits have been fully claimed. /

Amend the bill further, by deleting SECTIONS 3 and 4.

Re-number sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 6

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clyburn	Cobb-Hunter	Cogswell

[HJ]

THURSDAY, MAY 9, 2019

Collins	B. Cox	Crawford
Daning	Dillard	Elliott
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliam	Gilliard
Hayes	Henderson-Myers	Henegan
Hewitt	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jordan
Kirby	Ligon	Long
Lowe	Lucas	Mack
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Yow	

Total--98

Those who voted in the negative are:

Hill	Jones	Kimmons
Mace	G. R. Smith	Trantham

Total--6

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

THURSDAY, MAY 9, 2019

**H. 4010--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

Rep. SOTTILE proposed the following Amendment No. 1A to H. 4010 (COUNCIL\DG\4010C001.NBD.DG19), which was adopted:
Amend the bill, as and if amended, by deleting SECTIONS 2 and 3.
Renumber sections to conform.
Amend title to conform.

Rep. SOTTILE explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 107; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson

[HJ]

THURSDAY, MAY 9, 2019

Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCray
McDaniel	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simmons
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 4239--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH

[HJ]

THURSDAY, MAY 9, 2019

SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

Rep. HIOTT proposed the following Amendment No. 1A to H. 4239 (COUNCIL\DG\4239C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 2 and 3.

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton

[HJ]

THURSDAY, MAY 9, 2019

W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--111

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

H. 4244--DEBATE ADJOURNED

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

H. 4244 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-78-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO SERVICE CONTRACTS, SO AS TO EXPAND THE DEFINITION OF "SERVICE CONTRACT" AND "WARRANTY" AND TO DEFINE THE TERMS "ROAD HAZARD", "THEFT PROTECTION PROGRAM", AND "THEFT PROTECTION PROGRAM WARRANTY"; TO AMEND SECTION 38-78-30, RELATING TO SERVICE CONTRACT REQUIREMENTS, SO AS TO EXCLUDE A SERVICE CONTRACT PROVIDER THAT INSURES THEIR OBLIGATIONS UNDER A REIMBURSEMENT INSURANCE POLICY FROM THE FINANCIAL STATEMENT REQUIREMENT FOR REGISTRATION WITH THE DIRECTOR OF THE DEPARTMENT OF INSURANCE; AND TO AMEND SECTION

THURSDAY, MAY 9, 2019

38-78-50, RELATING TO REQUIRED PROVISIONS IN SERVICE CONTRACTS, SO AS TO REQUIRE A CERTAIN DISCLOSURE.

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

H. 4245--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V.S. Moss, D.C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

Rep. HIOTT proposed the following Amendment No. 1A to H. 4245 (COUNCIL\DG\4245C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 2 and 3.
Re-number sections to conform.
Amend title to conform.

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 103; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Blackwell	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley

[HJ]

THURSDAY, MAY 9, 2019

Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Hyde	Johnson	Jones
Kimmons	Ligon	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McDaniel
McGinnis	McKnight	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Simmons	G. M. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

THURSDAY, MAY 9, 2019

**H. 4013--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

Rep. HIOTT proposed the following Amendment No. 1A to H. 4013 (COUNCIL\DG\4013C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 4 and 5.

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Davis

[HJ]

THURSDAY, MAY 9, 2019

Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliam	Gilliard
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--110

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

THURSDAY, MAY 9, 2019

**H. 4012--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL

[HJ]

THURSDAY, MAY 9, 2019

RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

Rep. HIOTT proposed the following Amendment No. 1A to H. 4012 (COUNCIL\DG\4012C001.NBD.DG19), which was adopted:

- Amend the bill, as and if amended, by deleting SECTIONS 10 and 11.
- Re-number sections to conform.
- Amend title to conform.

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Felder
Finlay	Forrest	Forrester
Fry	Gagnon	Gilliam
Gilliard	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis

[HJ]

THURSDAY, MAY 9, 2019

McKnight	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 4011--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON

THURSDAY, MAY 9, 2019

GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

Rep. HIOTT proposed the following Amendment No. 1A to H. 4011 (COUNCIL\DG\4011C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 3 and 4.

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Bailey	Bales	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliam
Gilliard	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Jones	Jordan
Kimmons	Kirby	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McDaniel	McGinnis
McKnight	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway

[HJ]

THURSDAY, MAY 9, 2019

Rivers	Robinson	Rose
Rutherford	G. M. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	Willis
Wooten		

Total--97

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

H. 4004--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 4004 -- Reps. Clary, G. M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY

[HJ]

THURSDAY, MAY 9, 2019

FROM CIVIL AND CRIMINAL LIABILITY AND FROM DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

Rep. CLARY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 109

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliam
Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss

[HJ]

THURSDAY, MAY 9, 2019

Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Simmons	G. M. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten		

Total--109

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

H. 3986--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Rep. G. M. SMITH proposed the following Amendment No. 1A to H. 3986 (COUNCIL\SD\3986C001.NL.SD19), which was adopted:

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

/ SECTION 1. Article 3, Chapter 5, Title 11 of the 1976 Code is amended to read:

“Article 3
Palmetto ABLE Savings Program

[HJ]

THURSDAY, MAY 9, 2019

Section 11-5-400. There is established the ‘~~South Carolina~~ Palmetto ABLER Savings Program’. The purpose of the ~~South Carolina~~ Palmetto ABLER Savings Program is to authorize the establishment of savings accounts empowering individuals with a disability and their families to save private funds which can be used to provide for disability related expenses in a way that supplements, but does not supplant, benefits provided through private insurance, the Medicaid program under Title XIX of the Social Security Act, the supplemental security income program under Title XVI of the Social Security Act, the beneficiary’s employment, and other sources; and to provide guidelines for the maintenance of these accounts.

Section 11-5-410. As used in this article:

(1) ‘Palmetto ABLER savings account’ or ‘account’ means an individual savings account established in accordance with the provisions of this article and pursuant to Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) ‘Account owner’ means the person who enters into ~~an~~ a Palmetto ABLER savings account agreement pursuant to the provisions of this article. The account owner also must be the designated beneficiary; however, a trustee, guardian, or conservator may be appointed as an account owner for a designated beneficiary who is a minor or lacks capacity to enter into an agreement. Also, the agent of the designated beneficiary acting under durable power of attorney may open and manage an account on behalf of and in the name of a designated beneficiary who lacks capacity.

(3) ‘Designated beneficiary’ means an eligible individual whose qualified disability expenses may be paid from the account. The designated beneficiary must be an eligible individual at the time the account is established. The account owner may change the designated beneficiary so long as the new beneficiary is an eligible individual who is a qualified member of the family of the designated beneficiary at the time of the change.

(4) ‘Eligible individual’, as defined in Section 529A(e)(1) of the federal Internal Revenue Code of 1986, as amended, means:

(a) an individual who is entitled to benefits based on blindness or disability pursuant to 42 U.S.C. Section 401, et seq. or 42 U.S.C. Section 1381, as amended, and the blindness or disability occurred before the date on which the individual attained age twenty-six; or

(b) an individual with respect to which a disability certification, as defined in Section 529A(e)(2) of the federal Internal

THURSDAY, MAY 9, 2019

Revenue Code of 1986, as amended, to the satisfaction of the Secretary of the United States Treasury is filed with the Secretary for a taxable year and the blindness or disability occurred before the date on which the individual attained age twenty-six.

(5) 'Financial organization' means an organization authorized to do business in this State and is:

- (a) licensed or chartered by the Director of Insurance;
- (b) licensed or chartered by the State Commissioner of Banking;
- (c) chartered by an agency of the federal government; or
- (d) subject to the jurisdiction and regulation of the federal Securities and Exchange Commission.

(6) 'Management contract' means a contract executed by the State Treasurer and a program manager selected to act as a depository or manager of the program, or both.

(7) 'Member of the family' has the meaning defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(8) 'Nonqualified withdrawal' means a withdrawal from an account which is not:

- (a) a qualified withdrawal; or
- (b) a rollover distribution.

(9) 'Program' means the ~~South Carolina~~ Palmetto ABLE Savings Program established pursuant to this article.

(10) 'Program manager' means a financial organization or an agency or department of another state that has been designated to administer a qualified ABLE ~~Savings~~ Program selected by the State Treasurer to act as a depository or manager of the program, or both.

(11) 'Qualified disability expense' means any qualified disability expense included in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(12) 'Qualified withdrawal' means a withdrawal from an account to pay the qualified disability expenses of the designated beneficiary of the account.

(13) 'Rollover distribution' means a rollover distribution as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(14) 'Savings agreement' means an agreement between the program manager or the State Treasurer and the account owner.

(15) 'Secretary' means the Secretary of the United States Treasury.

THURSDAY, MAY 9, 2019

Section 11-5-420. (A) The State Treasurer shall implement and administer the program under the terms and conditions established by this article. The State Treasurer has the authority and responsibility to:

(1) develop and implement the program in a manner consistent with the provisions of this article;

(2) engage the services of consultants on a contract basis for rendering professional and technical assistance and advice;

(3) seek rulings and other guidance from the Secretary and the federal Internal Revenue Service relating to the program;

(4) make changes to the program required for the participants in the program to obtain the federal income tax benefits or treatment provided by Section 529A of the federal Internal Revenue Code of 1986, as amended;

(5) charge, impose, and collect administrative fees and service charges in connection with any agreement, contract, or transaction relating to the program;

(6) develop marketing plans and promotional materials;

(7) establish the methods by which the funds held in accounts must be dispersed;

(8) establish the method by which funds must be allocated to pay for administrative costs;

(9) do all things necessary and proper to carry out the purposes of this article;

(10) adopt rules and promulgate regulations necessary to effectuate the provisions of this article;

(11) prepare an annual report of the Palmetto ABLE Savings Program to the Governor, the Senate, and the House of Representatives; and

(12) notify the Secretary when an account has been opened for a designated beneficiary and submit other reports concerning the program required by the Secretary.

(B) The State Treasurer may contract with other states in developing the program.

Section 11-5-430. (A) The State Treasurer may implement the program through use of program managers as account depositories or managers, or both. The State Treasurer may solicit proposals from program managers to act as depositories or managers of the program, or both. Program managers submitting proposals shall describe the investment instruments to be held in accounts. The State Treasurer may select more than one program manager and investment instrument for the program. The State Treasurer may select as program depositories or

THURSDAY, MAY 9, 2019

managers the program managers, from among the bidding program managers, that demonstrate the most advantageous combination, both to potential program participants and this State, of the following factors:

- (1) financial stability and integrity of the program manager;
- (2) the safety of the investment instrument being offered;
- (3) the ability of the program manager to satisfy recordkeeping and reporting requirements;
- (4) the program manager's plan for promoting the program and the investment the organization is willing to make to promote the program;
- (5) the fees, if any, proposed to be charged to the account owners;
- (6) the minimum initial deposit and minimum contributions that the financial organization requires;
- (7) the ability of the program manager to accept electronic withdrawals, including payroll deduction plans; and
- (8) other benefits to the State or its residents included in the proposal, including fees payable to the State to cover expenses of the operation of the program.

(B) The State Treasurer may enter into contracts with program managers necessary to effectuate the provisions of this article. A management contract must include, at a minimum, terms requiring the program managers to:

- (1) take action required to keep the program in compliance with requirements of this article and take actions not contrary to its contract to manage the program to qualify as a 'qualified ABLE Savings Program' as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended;
- (2) keep adequate records of each account, keep each account segregated, and provide the State Treasurer with the information necessary to prepare the statements required by Section 11-5-440;
- (3) compile and total information contained in statements required to be prepared under Section 11-5-440 and provide compilations to the State Treasurer;
- (4) if there is more than one program manager, provide the State Treasurer with information as is necessary to determine compliance with Section 11-5-440;
- (5) provide the State Treasurer with access to the books and records of the program manager to the extent needed to determine compliance with the contract, this article, and Section 529A of the federal Internal Revenue Code of 1986, as amended;

THURSDAY, MAY 9, 2019

(6) hold all accounts for the benefit of the account owner, owners, or the designated beneficiary;

(7) be audited at least annually by a firm of certified public accountants selected by the program manager, with the approval of the State Treasurer, and provide the results of the audit to the State Treasurer;

(8) provide the State Treasurer with copies of all regulatory filings and reports made by the program manager during the term of the management contract or while the program manager is holding any accounts, other than confidential filings or reports that are not part of the program. The program manager shall make available for review by the State Treasurer the results of the periodic examination of the manager by any state or federal banking, insurance, or securities commission, except to the extent that a report or reports may not be disclosed under law; and

(9) ensure that any description of the program, whether in writing or through the use of any media, is consistent with the marketing plan developed pursuant to the provisions of this article.

(C) The State Treasurer may:

(1) enter into contracts as he considers necessary and proper for the implementation of the program;

(2) require that an audit be conducted of the operations and financial position of the program depository and manager at any time if the State Treasurer has any reason to be concerned about the financial position, the recordkeeping practices, or the status of accounts of the program depository and manager; and

(3) terminate or not renew a management agreement. If the State Treasurer terminates or does not renew a management agreement, the State Treasurer shall take custody of accounts held by the program manager and shall seek to promptly transfer the accounts to another financial organization that is selected as a program manager or depository and into investment instruments as similar to the original instruments as possible.

(D) The State Treasurer, the Department of Social Services, the Department of Health and Human Services, and the Department of Disability and Special Needs are authorized to exchange data regarding eligible individuals to carry out the purposes of this article.

Section 11-5-440. (A) ~~An~~ A Palmetto ABLE ~~savings~~ Account established pursuant to the provisions of this article must be opened by a designated beneficiary, a designated beneficiary's agent under a durable power of attorney, a trustee holding funds for the benefit of a

THURSDAY, MAY 9, 2019

designated beneficiary, or a court appointed guardian or conservator of a designated beneficiary. Each designated beneficiary may have only one account. The State Treasurer may establish a nonrefundable application fee. An application for an account must be in the form prescribed by the State Treasurer and contain the following:

(1) name, address, and social security number of the account owner;

(2) name, address, and social security number of the designated beneficiary, if the account owner is the beneficiary's trustee or guardian;

(3) certification relating to no excess contributions; and

(4) additional information as the State Treasurer may require.

(B) A person may make contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account after the account is opened, subject to the limitations imposed by Section 529A of the federal Internal Revenue Code of 1986, as amended, or any adopted rules and regulations promulgated by the State Treasurer pursuant to this article.

(C) Contributions to ~~an~~ a Palmetto ABLE ~~savings~~ account may be made only in cash. The State Treasurer or program manager shall reject or withdraw contributions promptly:

(1) in excess of the limits established pursuant to subsection (B); or

(2) the total contributions if the:

(a) value of the account is equal to or greater than the account maximum established by the State Treasurer. The account maximum must be equal to the account maximum for post secondary education savings accounts; or

(b) designated beneficiary is not an eligible individual in the current calendar year.

(D)(1) An account owner may:

(a) change the designated beneficiary of an account to an individual who is a qualified member of the family of the prior designated beneficiary in accordance with procedures established by the State Treasurer; and

(b) transfer all or a portion of an account to another ABLE ~~savings~~ account, the designated beneficiary of which is a member of the family as defined in Section 529A of the federal Internal Revenue Code of 1986, as amended.

(2) An account owner may not use an interest in an account as security for a loan. A pledge of an interest in an account is of no effect.

(E)(1) If there is any distribution from an account to an individual or for the benefit of an individual during a calendar year, the distribution

THURSDAY, MAY 9, 2019

must be reported to the federal Internal Revenue Service and each account owner, the designated beneficiary, or the distributee to the extent required by state or federal law.

(2) A statement must be provided to each account owner annually and at other increments established by the State Treasurer in the program guidelines. The statement must contain the information the State Treasurer requires to be reported to the account owner.

(3) A statement and information relating to an account must be prepared and filed to the extent required by this article and other state or federal law.

(F)(1) The program shall provide separate accounting for each designated beneficiary. An annual fee may be imposed upon the account owner for the maintenance of an account.

(2) Funds held in ~~an a Palmetto~~ ABL ~~savings~~ account:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary;

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid; and

(c) following the death of a designated beneficiary, may be subject to recovery by the South Carolina Department of Health and Human Services up to an amount equal to the total of Medicaid benefits, if any, paid on behalf of the designated beneficiary by the state Medicaid program, but only to the extent recovery is required by state or federal law. Recovery by the State is subject to regulations imposed by the Secretary.

(3) The amount distributed from ~~an a Palmetto~~ ABL ~~savings~~ account for the purposes of paying qualified disability expenses:

(a) are exempt from attachment, execution, or garnishment for claims of creditors of the contributor and the designated beneficiary; and

(b) to the fullest extent permissible under state and federal law, will be disregarded for the purposes of determining a designated beneficiary's eligibility to receive, or the amount of, any public assistance available to the designated beneficiary, including Medicaid.

(G) To the extent earnings in an ABL ~~savings~~ account and distributions from an ABL ~~savings~~ account, or a qualified account under Section 529A located in another state, are not subject to federal income tax, they will not be subject to state income tax.

THURSDAY, MAY 9, 2019

Section 11-5-450. (A) Nothing in this article may create or be construed to create any obligation of the State Treasurer, the State, or any agency or instrumentality of the State to guarantee for the benefit of an account owner or designated beneficiary with respect to the:

- (1) return of principal;
- (2) rate of interest or other return on an account; or
- (3) payment of interest or other return on an account.

(B) The State Treasurer may adopt rules and promulgate regulations to provide that each contract, application, or other similar document that may be used in connection with opening an account clearly indicates that the account is not insured by the State and that the principal deposited and the investment return are not guaranteed by the State.

Section 11-5-460. (A) The ~~South Carolina~~ Palmetto ABLE Savings Program Trust Fund is established in the Office of the State Treasurer. The trust fund must be utilized if the State Treasurer elects to accept deposits from contributors rather than have deposits sent directly to the program manager. The trust fund must consist of any monies deposited by account owners and other contributors pursuant to the provisions of this article which are not deposited directly with the program manager. All interest derived from the deposit and investment of monies in the trust fund must be credited to the fund. At the end of each fiscal year, all unexpended and unencumbered monies in the trust fund must remain in the fund and not be credited or transferred to the state general fund or to another fund.

(B)(1) The ~~South Carolina~~ Palmetto ABLE Savings Expense Fund is established in the Office of the State Treasurer. The expense fund must consist of monies received from the Palmetto ABLE Savings Program manager or managers, governmental or private grants, and state general fund appropriations, if any, for the program.

(2) All expenses incurred by the State Treasurer in developing and administering the Palmetto ABLE Savings Program must be payable from the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund.”

SECTION 2. Section 12-6-1140(12)(b) of the 1976 Code is amended to read:

“(b) Any interest, dividends, gains, property, or income accruing on the payments made to an investment trust agreement pursuant to Article 3, Chapter 5, Title 11, or on any account in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or a qualified fund under Section 529A located in another state, must be excluded from the gross income of any such account owner, contributor, or beneficiary for purposes of

THURSDAY, MAY 9, 2019

South Carolina income taxes, to the extent the amounts remain on deposit in the ~~South Carolina~~ Palmetto ABLE Savings Expense Fund or are withdrawn pursuant to a qualified withdrawal.”

SECTION 3. The Code Commissioner is directed to change or correct all references to the “ABLE Savings Program” to the “Palmetto ABLE Savings Program.” References to the ABLE Savings Program in the 1976 Code or other provisions of law are considered to be and must be construed to mean the “Palmetto ABLE Savings Program.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin

[HJ]

THURSDAY, MAY 9, 2019

McCoy	McCray	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	Willis	Wooten

Total--108

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3916--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

THURSDAY, MAY 9, 2019

Rep. MURPHY proposed the following Amendment No. 1A to H. 3916 (COUNCIL\DG\3916C001.NBD.DG19), which was adopted:
Amend the bill, as and if amended, by deleting SECTIONS 2 and 3.
Renumber sections to conform.
Amend title to conform.

Rep. MURPHY explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson

[HJ]

THURSDAY, MAY 9, 2019

Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	Willis	Wooten

Total--108

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

H. 3821--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A

THURSDAY, MAY 9, 2019

PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Rep. CLARY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 1; Nays 105

Those who voted in the affirmative are:

Lowe

Total--1

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter

[HJ]

THURSDAY, MAY 9, 2019

Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Gagnon	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McGinnis	McKnight	Moore
Morgan	D. C. Moss	Murphy
B. Newton	W. Newton	Norrell
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	Willis	Wooten

Total--105

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

H. 3754--DEBATE ADJOURNED

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

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE

THURSDAY, MAY 9, 2019

TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

Rep. FORRESTER moved to adjourn debate on the Senate Amendments, which was agreed to.

H. 3383--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE

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

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

Rep. SOTTILE proposed the following Amendment No. 1A to H. 3383 (COUNCIL\DG\3383C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 2 and 3.

Renumber sections to conform.

Amend title to conform.

Rep. SOTTILE explained the amendment.

THURSDAY, MAY 9, 2019

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lowe	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McGinnis	McKnight	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Trantham	Weeks
West	Wheeler	White

THURSDAY, MAY 9, 2019

Whitmire
Wooten

R. Williams

Willis

Total--109

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3973--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoun, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

Rep. BERNSTEIN proposed the following Amendment No. 1A to H. 3973 (COUNCIL\DG\3973C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 4 and 5.

Renumber sections to conform.

Amend title to conform.

Rep. BERNSTEIN explained the amendment.

[HJ]

THURSDAY, MAY 9, 2019

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
Moore	Morgan	D. C. Moss
V. S. Moss	B. Newton	Norrell
Parks	Pope	Ridgeway
Rivers	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	Wheeler

THURSDAY, MAY 9, 2019

White	Whitmire	R. Williams
Willis	Wooten	Yow

Total--105

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMP* granted Rep. NORRELL a temporary leave of absence.

H. 3789--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A

[HJ]

THURSDAY, MAY 9, 2019

PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

Rep. BENNETT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 115

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Ott

[HJ]

THURSDAY, MAY 9, 2019

Parks	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--115

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3662--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

Rep. MCCOY proposed the following Amendment No. 1A to H. 3662 (COUNCIL\DG\3662C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 3 and 4.
Re-number sections to conform.
Amend title to conform.

Rep. MCCOY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

THURSDAY, MAY 9, 2019

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
B. Newton	W. Newton	Ott
Parks	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3601--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Rep. MURPHY proposed the following Amendment No. 1A to H. 3601 (COUNCIL\DG\3601C001.NBD.DG19), which was adopted:
Amend the bill, as and if amended, by deleting SECTIONS 3 and 4.
Renumber sections to conform.
Amend title to conform.

Rep. PENDARVIS explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford

[HJ]

THURSDAY, MAY 9, 2019

Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Hart
Hayes	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	Ott	Parks
Pendarvis	Pope	Ridgeway
Rivers	Robinson	Rose
Rutherford	Simmons	G. M. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Thigpen
Trantham	Weeks	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

The amendment was then adopted.

Rep. PENDARVIS proposed the following Amendment No. 2A to H. 3601 (COUNCIL\SA\3601C001.RT.SA19), which was adopted:

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

/ SECTION _____. Chapter 22, Title 17 of the 1976 Code is amended by adding:

[HJ]

THURSDAY, MAY 9, 2019

“Article 13

Deferred Prosecution Program

Section 17-22-1310. (A) Each circuit solicitor has prosecutorial discretion as defined in this chapter and may as a matter of prosecutorial discretion establish a deferred prosecution program for summary court offenses in the respective circuits for certain offenders if:

(1) the solicitor, or summary court judge if applicable, and the offender agree in writing to defer the prosecution of the offense with the approval of the court for the purpose of allowing the offender to demonstrate his good conduct;

(2) it is determined that the needs of the offender and the State can better be met outside the traditional criminal justice process;

(3) the victims of the offense are notified of the motion for deferred prosecution by certified mail and are given an opportunity to be heard by the court; and

(4) the offender has no significant history of prior delinquency or criminal activity and is unlikely to commit another offense.

(B) An offender may be considered for a deferred prosecution program if charged with a misdemeanor triable in summary court.

(C) Each circuit solicitor is specifically endowed with and retains all discretionary powers pursuant to the common law.

(D) A deferred prosecution program must be under the direct supervision and control of the circuit solicitor except as provided in Section 17-22-1360.

(E) The South Carolina Commission on Prosecution Coordination shall oversee administrative procedures for a deferred prosecution program established pursuant to this article.

(F) A deferred prosecution program must include a community service component.

Section 17-22-1320. When a person pleads guilty to or is found guilty of an offense eligible for deferred prosecution pursuant to the provisions of this article, the court may, on joint motion of the defendant and the prosecutor, and without entering a judgment of guilt and with the consent of the person, defer further proceedings and require the person to perform community service for the purpose of allowing the defendant to demonstrate the defendant’s good conduct pursuant to the provisions of this article.

Section 17-22-1330. (A) When a person successfully completes a deferred prosecution program, the circuit solicitor shall notify the court and any plea or finding of guilt previously entered must be withdrawn and the court shall discharge the person and dismiss the proceedings

THURSDAY, MAY 9, 2019

against the person. There must be no record maintained of the offense except by the Commission on Prosecution Coordination.

(B) If applicable, upon successful completion of the program, the person may apply to the court for an order to destroy all official records relating to his arrest and any admission or plea of guilt.

(C) If a person violates the conditions of a deferred prosecution program, the person may be terminated from the program and the offense reinstated by the circuit solicitor for sentencing in the discretion of the summary court with jurisdiction over the offense.

Section 17-22-1340. (A) The Pretrial Intervention Coordinator also shall serve as the Deferred Prosecution Program Coordinator whose responsibility is to assist in the establishment and maintenance of the deferred prosecution program in each circuit solicitor's office

(B) The fee provisions established in Article 1 apply to the deferred prosecution program participants.

Section 17-22-1350. Each circuit solicitor shall submit to the Commission on Prosecution Coordination necessary identifying information on each enrollee for the creation and maintenance of a list of enrollees in deferred prosecution programs. This list is to be used by the commission for the sole purpose of complying with this article. The information maintained by the commission may be released only to a circuit solicitor for the purpose of determining eligibility for a deferred prosecution program.

Section 17-22-1360. A circuit solicitor, in his discretion, may designate a summary court judge to oversee a deferred prosecution program subject to the provisions of this article for persons who commit offenses triable in summary court. In such cases, the circuit solicitor, together with the summary court judge, shall enter into a memorandum of understanding to ensure that the provisions of this article and chapter are complied with including, but not limited to, applicable fee and reporting requirements." /

Amend the bill further, by deleting SECTIONS 3 and 4.

Re-number sections to conform.

Amend title to conform.

Rep. PENDARVIS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 79; Nays 28

[HJ]

THURSDAY, MAY 9, 2019

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Brawley
Brown	Caskey	Chellis
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Dillard	Elliott	Finlay
Funderburk	Garvin	Gilliard
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hosey
Hyde	Jefferson	Jones
Jordan	Kimmons	Kirby
Lowe	Mace	Mack
Magnuson	McCoy	McDaniel
McGinnis	McKnight	Moore
Morgan	V. S. Moss	Murphy
W. Newton	Ott	Parks
Pendarvis	Ridgeway	Rivers
Robinson	Rose	Rutherford
Simmons	G. M. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Wooten		

Total--79

Those who voted in the negative are:

Allison	Bradley	Bryant
Burns	Calhoon	Chumley
Clemmons	Davis	Erickson
Felder	Forrester	Fry
Gagnon	Gilliam	Hiott
Huggins	Johnson	Ligon
Long	Martin	McCrary
D. C. Moss	B. Newton	Pope

THURSDAY, MAY 9, 2019

G. R. Smith
Yow

Tallon

Willis

Total--28

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

H. 3357--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

Rep. LONG explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 109

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins

[HJ]

76

THURSDAY, MAY 9, 2019

B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Hart	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Ott	Parks	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simmons	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3703--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF

THURSDAY, MAY 9, 2019

SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

Rep. LOWE proposed the following Amendment No. 1A to H. 3703 (COUNCIL\DG\3703C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting Sections 1-3-210 and 1-3-211 in their entirety.

Re-number sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Hart
Hayes	Henderson-Myers	Henegan
Hewitt	Hill	Hiott

[HJ]

THURSDAY, MAY 9, 2019

Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Lowe
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
McKnight	Morgan	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Ott	Parks	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--108

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3602--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO

THURSDAY, MAY 9, 2019

CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Rep. JOHNSON proposed the following Amendment No. 1A to H. 3602 (COUNCIL\SD\3602C002.NL.SD19), which was tabled:

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

/ SECTION 1. A. Section 44-66-30(A) of the 1976 Code is amended by adding new items at the end to read:

“(10) a person given authority to make health care decisions for the patient by another statutory provision;

(11) if, after good faith efforts, the hospital or other health care facility determines that the persons listed in items (1) through (10) are unavailable to consent on behalf of the patient, a person who has an established relationship with the patient, who is acting in good faith on behalf of the patient, and who can reliably convey the patient’s wishes but who is not a paid caregiver or a provider of health care services to the patient. For the purposes of this item, a person with an established relationship is an adult who has exhibited special care and concern for the patient, who is generally familiar with the patient’s health care views and desires, and who is willing and able to become involved in the patient’s health care decisions and to act in the patient’s best interest. The person with an established relationship shall sign and date a notarized acknowledgement form, provided by the hospital or other health care facility in which the patient is located, for placement in the patient’s records, setting forth the nature and length of the relationship and certifying that he meets such criteria. Along with the notarized acknowledgment form, the hospital or other health care facility shall include in the patient’s medical record documentation of its effort to locate persons with higher priority under this statute as required by Section 44-66-30(B).”

B. Section 44-66-30(A)(3) of the 1976 Code is amended to read:

“(3) a person given priority to make health care decisions for the patient by another statutory provision when an agency has taken custody of the patient;”

SECTION 2. Section 44-26-40 of the 1976 Code is amended to read:

“Section 44-26-40. If a client resides in a facility operated by or contracted to by the department, the determination of that client’s competency to consent to or refuse major medical treatment must be made pursuant to Section 44-66-20~~(6)~~(8) of the Adult Health Care

THURSDAY, MAY 9, 2019

Consent Act. The department shall abide by the decision of a client found competent to consent.”

SECTION 3. Section 44-26-50 of the 1976 Code is amended to read:

“Section 44-26-50. If the client is found incompetent to consent to or refuse major medical treatment, the decisions concerning his health care must be made pursuant to Section 44-66-30 of the Adult Health Care Consent Act. An authorized designee of the department may make a health care decision pursuant to Section 44-66-30~~(8)~~(10) of the Adult Health Care Consent Act. The person making the decision must be informed of the need for major medical treatment, alternative treatments, and the nature and implications of the proposed health care and shall consult the attending physician before making decisions. When feasible, the person making the decision shall observe or consult with the client found to be incompetent.”

SECTION 4. Section 44-26-60(C) of the 1976 Code is amended to read:

“(C) Priority under this section must not be given to a person if a health care provider, responsible for the care of a client who is unable to consent, determines that the person is not reasonably available, is not willing to make health care decisions for the client, or is unable to consent as defined in Section 44-66-20~~(6)~~(8) of the Adult Health Care Consent Act.”

SECTION 5. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Rep. JOHNSON explained the amendment.

Rep. JOHNSON moved to table the amendment, which was agreed to.

Rep. PENDARVIS proposed the following Amendment No. 2A to H. 3601 (COUNCIL\SA\3601C001.RT.SA19), which was adopted:

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

/ SECTION _____. Chapter 22, Title 17 of the 1976 Code is amended by adding:

“Article 13

Deferred Prosecution Program

Section 17-22-1310. (A) Each circuit solicitor has prosecutorial discretion as defined in this chapter and may as a matter of prosecutorial

THURSDAY, MAY 9, 2019

discretion establish a deferred prosecution program for summary court offenses in the respective circuits for certain offenders if:

(1) the solicitor, or summary court judge if applicable, and the offender agree in writing to defer the prosecution of the offense with the approval of the court for the purpose of allowing the offender to demonstrate his good conduct;

(2) it is determined that the needs of the offender and the State can better be met outside the traditional criminal justice process;

(3) the victims of the offense are notified of the motion for deferred prosecution by certified mail and are given an opportunity to be heard by the court; and

(4) the offender has no significant history of prior delinquency or criminal activity and is unlikely to commit another offense.

(B) An offender may be considered for a deferred prosecution program if charged with a misdemeanor triable in summary court.

(C) Each circuit solicitor is specifically endowed with and retains all discretionary powers pursuant to the common law.

(D) A deferred prosecution program must be under the direct supervision and control of the circuit solicitor except as provided in Section 17-22-1360.

(E) The South Carolina Commission on Prosecution Coordination shall oversee administrative procedures for a deferred prosecution program established pursuant to this article.

(F) A deferred prosecution program must include a community service component.

Section 17-22-1320. When a person pleads guilty to or is found guilty of an offense eligible for deferred prosecution pursuant to the provisions of this article, the court may, on joint motion of the defendant and the prosecutor, and without entering a judgment of guilt and with the consent of the person, defer further proceedings and require the person to perform community service for the purpose of allowing the defendant to demonstrate the defendant's good conduct pursuant to the provisions of this article.

Section 17-22-1330. (A) When a person successfully completes a deferred prosecution program, the circuit solicitor shall notify the court and any plea or finding of guilt previously entered must be withdrawn and the court shall discharge the person and dismiss the proceedings against the person. There must be no record maintained of the offense except by the Commission on Prosecution Coordination.

THURSDAY, MAY 9, 2019

(B) If applicable, upon successful completion of the program, the person may apply to the court for an order to destroy all official records relating to his arrest and any admission or plea of guilt.

(C) If a person violates the conditions of a deferred prosecution program, the person may be terminated from the program and the offense reinstated by the circuit solicitor for sentencing in the discretion of the summary court with jurisdiction over the offense.

Section 17-22-1340. (A) The Pretrial Intervention Coordinator also shall serve as the Deferred Prosecution Program Coordinator whose responsibility is to assist in the establishment and maintenance of the deferred prosecution program in each circuit solicitor's office

(B) The fee provisions established in Article 1 apply to the deferred prosecution program participants.

Section 17-22-1350. Each circuit solicitor shall submit to the Commission on Prosecution Coordination necessary identifying information on each enrollee for the creation and maintenance of a list of enrollees in deferred prosecution programs. This list is to be used by the commission for the sole purpose of complying with this article. The information maintained by the commission may be released only to a circuit solicitor for the purpose of determining eligibility for a deferred prosecution program.

Section 17-22-1360. A circuit solicitor, in his discretion, may designate a summary court judge to oversee a deferred prosecution program subject to the provisions of this article for persons who commit offenses triable in summary court. In such cases, the circuit solicitor, together with the summary court judge, shall enter into a memorandum of understanding to ensure that the provisions of this article and chapter are complied with including, but not limited to, applicable fee and reporting requirements." /

Amend the bill further, by deleting SECTIONS 3 and 4.

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine

[HJ]

THURSDAY, MAY 9, 2019

Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Jones	Jordan	Kimmons
Kirby	Ligon	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Ott	Parks
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Total--0

THURSDAY, MAY 9, 2019

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3035--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

Rep. CLARY proposed the following Amendment No. 1A to H. 3035 (COUNCILSD\3035C002.NL.SD19), which was adopted:

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

/ SECTION 1. Section 7-13-72 of the 1976 Code is amended to read:

“Section 7-13-72. For the general election held on the first Tuesday following the first Monday in November in each even-numbered year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for each five hundred electors, or portion of each five hundred electors, registered to vote at the polling place.

For primary elections held on the second Tuesday in June of each general election year, the members of the county board of voter registration and elections must appoint three managers of election for each polling place in the county for which they must respectively be appointed for the first five hundred electors registered to vote in each precinct in the county, and may appoint three additional managers for each five hundred electors registered to vote in the precinct above the first five hundred electors, or portion thereof. The members of the county board of voter registration and elections must also appoint from among the managers a clerk for each polling place in the county, and none of the officers may be removed from office except for incompetence or

THURSDAY, MAY 9, 2019

misconduct. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

For all other primary, special, or municipal elections, the authority charged by law with conducting the primary, special, or municipal elections must appoint three managers of election for the first five hundred electors registered to vote in each precinct in the county, municipality, or other election district and one additional manager for each five hundred electors registered to vote in the precinct above the first five hundred electors. The authority responsible by law for conducting the election must also appoint from among the managers a clerk for each polling place in a primary, special, or municipal election. All clerks appointed from among the managers must be residents and registered electors of the respective counties in which they are appointed to work or in an adjoining county.

Forty-five days prior to any primary, except municipal primaries, each political party holding a primary may submit to the county board of voter registration and elections a list of prospective managers for each precinct. The county board of voter registration and elections must appoint at least one manager for each precinct from the list of names submitted by each political party holding a primary. However, the county board of voter registration and elections may refuse to appoint any prospective manager for good cause.

No person may be appointed as a manager in a primary, general, or special election who has not completed a training program approved by the State Election Commission concerning his duties and responsibilities as a poll manager and who has not received certification of having completed the training program. The training program and the issuance of certification must be carried out by the county board of voter registration and elections. After their appointment, the managers and clerks must take and subscribe, before any officer authorized to administer oaths, the following oath of office prescribed by Section 26 of Article III of the Constitution: 'I do solemnly swear or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been appointed, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States. So help me God'.

The oath must be immediately filed in the office of the clerk of court of common pleas of the county in which the managers and clerks are appointed, or if there is no clerk of court, in the office of the Secretary

THURSDAY, MAY 9, 2019

of State. Before opening the polls, the managers of election must take and subscribe the oath provided for in Section 7-13-100. Upon the completion of the canvassing of votes, this oath must be filed with the members of the county board of voter registration and elections along with the ballots from that election precinct.”

SECTION 2. Section 7-13-80 of the 1976 Code is amended to read:

“Section 7-13-80. The board members, managers, and clerks at their first meeting, respectively, must proceed to organize as a board. The county board of voter registration and elections must appoint the chairman of the board of managers. The chairman must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. The chairman, in each instance, may administer oaths.”

SECTION 3. Section 7-13-110 of the 1976 Code is amended to read:

“Section 7-13-110. Each chairman and clerk appointed from among the managers of election for the various polling places must be a resident and registered elector of the respective county in which he is appointed to work or in an adjoining county. All managers of election who are not appointed to serve as chairmen or clerks for the various polling places in the State must be residents and registered electors of the ~~respective counties in which they are appointed to work or in an adjoining county~~ State of South Carolina. Any person qualified to serve as a manager who requests to work in his resident county or an adjoining county must be given priority over qualified persons from other counties for appointment to work in the resident county or an adjoining county. Any person at least sixteen years of age who has completed the training required by Section 7-13-72 and who is not otherwise disqualified by law may be appointed as a poll manager’s assistant by the appropriate county board of voter registration and elections. ~~Any~~ A sixteen- or seventeen-year-old appointed as a poll manager’s assistant may not serve as chairman of the managers or clerk in the polling place to which he or she is appointed. Sixteen- and seventeen-year-olds must serve under supervision of the chairman of the managers of the polling place, and their specific duties must be prescribed by the county board of voter registration and elections. One sixteen- or seventeen-year-old assistant poll manager may be appointed for every two regular poll managers appointed to work in ~~any~~ a precinct.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

THURSDAY, MAY 9, 2019

Rep. CLARY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Caskey	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Ligon	Long	Lucas
Mace	Magnuson	Martin
McCoy	McCravy	McDaniel
McGinnis	McKnight	Moore
D. C. Moss	V. S. Moss	Murphy
B. Newton	Ott	Parks
Pendarvis	Pope	Rivers
Robinson	Rose	Rutherford
Sandifer	Simmons	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams

THURSDAY, MAY 9, 2019

S. Williams
Yow

Willis

Wooten

Total--103

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote H. 3035. If I had been present, I would have voted in favor of Amendment 1A to the Senate Amendments.

Rep. Wm. Weston Newton

**H. 4380--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford, Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT"; AND TO AMEND SECTION 58-23-1640, RELATING TO THE SAFETY INSPECTION OF TRANSPORTATION NETWORK COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC VEHICLES IN THIS STATE TO POSSESS AND DISPLAY CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE TNC DRIVER IS ACTIVE.

Reps. ROSE and CASKEY proposed the following Amendment No. 1A to H. 4380 (COUNCIL\DG\4380C003.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting the SECTIONS containing Sections 1-3-210 and 1-3-211 in their entirety.

[HJ]

THURSDAY, MAY 9, 2019

Renumber sections to conform.
Amend title to conform.

Rep. CASKEY explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 102; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Kimmons
Ligon	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Ott
Pope	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
West	Wheeler	White

THURSDAY, MAY 9, 2019

Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total--102

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3659--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3659 -- Reps. McCoy, Rose, Ballentine, Wooten, W. Newton, Mack, Sottile, Clary, Erickson, Herbkersman, Pendarvis, Stavrinakis, Ott, Gilliard, Bennett, Caskey, Murphy, Bernstein, Mace, Young, Garvin, Cobb-Hunter, Norrell, Thigpen, Hyde, Jefferson, R. Williams, Funderburk, Huggins, Anderson, Hardee, Cogswell, Tallon, Sandifer, West, Gagnon, Forrester, Blackwell, Spires, Calhoon, B. Cox, Elliott, Morgan, Loftis, Bradley, Willis, Toole, Henderson-Myers, Daning and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA ENERGY FREEDOM ACT" BY ADDING SECTION 58-27-845 SO AS TO ENUMERATE SPECIFIC RIGHTS OWED TO EVERY ELECTRICAL UTILITY CUSTOMER IN SOUTH CAROLINA; BY ADDING SECTION 58-27-2350 SO AS TO PROVIDE FOR JUDICIAL REVIEW OF VIOLATIONS OF AN ELECTRICAL UTILITY CUSTOMER'S RIGHTS; BY ADDING CHAPTER 41 TO TITLE 58 SO AS TO DEFINE RELEVANT TERMS, TO REQUIRE PERIODIC HEARINGS TO REVIEW AND APPROVE ELECTRICAL UTILITIES' AVOIDED COST METHODOLOGIES, STANDARD OFFERS, FORM CONTRACTS, AND COMMITMENT TO SELL FORMS, AND TO ESTABLISH POLICIES AND PROCEDURES FOR THESE HEARINGS, TO REQUIRE EACH ELECTRICAL UTILITY TO FILE A VOLUNTARY RENEWABLE

[HJ]

THURSDAY, MAY 9, 2019

ENERGY PROGRAM FOR THE COMMISSION'S REVIEW AND APPROVAL AND TO ENUMERATE PROGRAM REQUIREMENTS, TO REQUIRE EACH ELECTRICAL UTILITY TO ESTABLISH A NEIGHBORHOOD COMMUNITY SOLAR PROGRAM PLAN WITH A GOAL TO EXPAND ACCESS TO SOLAR ENERGY TO LOW-INCOME COMMUNITIES AND CUSTOMERS, AND TO ENUMERATE PROGRAM REQUIREMENTS; TO AMEND SECTION 58-4-10, AS AMENDED, RELATING TO THE OFFICE OF REGULATORY STAFF, SO AS TO REVISE THE DEFINITION OF "PUBLIC INTEREST"; TO AMEND SECTION 58-27-460, RELATING TO THE PROMULGATION OF STANDARDS FOR INTERCONNECTION OF RENEWABLE ENERGY, SO AS TO, AMONG OTHER THINGS, INCREASE THE MAXIMUM GENERATION CAPACITY OF THOSE RENEWABLE ENERGY FACILITIES FOR WHICH THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE INTERCONNECTION STANDARDS; TO AMEND SECTION 58-27-2610, RELATING TO LEASES OF RENEWABLE ELECTRIC GENERATION FACILITIES, SO AS TO, AMONG OTHER THINGS, REMOVE THE SOLAR LEASING CAP; TO AMEND SECTION 58-33-110, RELATING TO REQUIRED PRECONSTRUCTION CERTIFICATIONS FOR MAJOR UTILITY FACILITIES, SO AS TO PROVIDE THAT A PERSON MAY NOT BEGIN CONSTRUCTION OF A MAJOR UTILITY FACILITY WITHOUT FIRST HAVING MADE A DEMONSTRATION THAT THE FACILITY HAS BEEN SELECTED THROUGH AN INDEPENDENTLY MONITORED, ALL-SOURCE, PROCUREMENT PROCESS OVERSEEN BY AN INDEPENDENT EVALUATOR CHOSEN BY THE OFFICE OF REGULATORY STAFF; TO AMEND SECTION 58-33-140, RELATING TO THE PARTIES TO CERTIFICATION PROCEEDINGS, SO AS TO PROVIDE THAT THE PARTIES SHALL INCLUDE ANY INDEPENDENT POWER PRODUCER THAT IS PROPOSING AN ALTERNATIVE TO THE MAJOR UTILITY FACILITY; TO AMEND SECTION 58-37-40, RELATING TO INTEGRATED RESOURCE PLANS, SO AS TO PROVIDE FOR THE EVALUATION OF THE ADOPTION OF RENEWABLE ENERGY, ENERGY EFFICIENCY, AND DEMAND RESPONSE IN INTEGRATED RESOURCE PLANS AND TO PROVIDE FOR CERTAIN REPORTING REQUIREMENTS; TO AMEND SECTION 58-40-10, RELATING TO DEFINITIONS APPLICABLE TO NET ENERGY METERING, SO AS TO REVISE THE DEFINITION OF

[HJ]

THURSDAY, MAY 9, 2019

"CUSTOMER-GENERATOR"; AND TO AMEND SECTION 58-40-20, RELATING TO NET ENERGY METERING, SO AS TO REQUIRE ELECTRICAL UTILITIES TO MAKE NET ENERGY METERING AVAILABLE TO CUSTOMER-GENERATORS UNTIL THE TOTAL INSTALLED NAMEPLATE GENERATING CAPACITY OF NET ENERGY METERING SYSTEMS EQUALS AT LEAST TWO PERCENT OF THE PREVIOUS FIVE-YEAR AVERAGE OF THE ELECTRICAL UTILITY'S SOUTH CAROLINA RETAIL PEAK DEMAND AND TO PROVIDE FOR A SUCCESSOR NET ENERGY METERING TARIFF.

Rep. FORRESTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Chellis	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lucas	Mace	Mack
Martin	McCoy	McCrary
McDaniel	McGinnis	McKnight
Moore	D. C. Moss	V. S. Moss

[HJ]

THURSDAY, MAY 9, 2019

Murphy	B. Newton	W. Newton
Ott	Parks	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

S. 801--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE

The following Concurrent Resolution was taken up:

S. 801 -- Senators Sabb, Leatherman, Johnson and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE UNITED STATES HIGHWAY 378 BYPASS OVER UNITED STATES HIGHWAY 52 IN LAKE CITY "FARRAH TURNER MEMORIAL BYPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

THURSDAY, MAY 9, 2019

S. 235--ADOPTED AND RETURNED TO SENATE WITH CONCURRENCE

The following Concurrent Resolution was taken up:

S. 235 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF EAST MADISON STREET IN YORK, SOUTH CAROLINA, FROM ITS INTERSECTION WITH NORTH CONGRESS STREET TO ITS INTERSECTION WITH HUNTER STREET "DANIEL LEE LOWRY BOULEVARD" AND TO ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

S. 661--REJECTED

The following Concurrent Resolution was taken up:

S. 661 -- Senator Fanning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WATEREE ROAD WHERE IT CROSSES THE WATEREE CREEK "JERRY NEALY BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

The Concurrent Resolution was rejected.

H. 4509--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 4509 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BERMUDA ROAD IN DILLON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 9 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41 "DAN GRIMSLEY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG BERMUDA ROAD CONTAINING THESE WORDS.

The Concurrent Resolution was adopted and sent to the Senate.

[HJ]

THURSDAY, MAY 9, 2019

**S. 802--AMENDED AND RETURNED TO THE SENATE
WITH AMENDMENTS**

The following Concurrent Resolution was taken up:

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

Rep. McKNIGHT proposed the following Amendment No. 1 to S. 802 (COUNCIL\CM\802C001.GT.CM19), which was adopted:

Amend the concurrent resolution, as and if amended, by striking lines 31 through 36 on page two and inserting:

/That the members of the General Assembly, by this resolution, request the Department of Transportation name the portion of South Carolina Highway 512 from its intersection with County Road S-45-159 in Williamsburg County to a point three miles west of this intersection "Pearl R. Brown Highway" and erect appropriate markers or signs along this portion of highway containing this designation. /

Amend the Concurrent Resolution further, as and if amended, by striking the title as contained on page 1, lines 11 through 17, and inserting:

/TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 512 FROM ITS INTERSECTION WITH COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY TO A POINT THREE MILES WEST OF THIS INTERSECTION "PEARL R. BROWN HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION. /

Re-number sections to conform.

Amend title to conform.

Rep. MCKNIGHT explained the amendment.

The amendment was then adopted.

The Concurrent Resolution was returned to the Senate with amendments.

[HJ]

THURSDAY, MAY 9, 2019

**S. 676--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 676 -- Senator M. B. Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME MITCHELLVILLE ROAD IN JASPER COUNTY "COUNCILMAN LEROY SNEED ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

**S. 799--ADOPTED AND RETURNED TO SENATE WITH
CONCURRENCE**

The following Concurrent Resolution was taken up:

S. 799 -- Senators Alexander, Cash and Gambrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF INTERSTATE-85 IN ANDERSON AND OCONEE COUNTY "CHRISTINA ADAMS HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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

RECURRENCE TO THE MORNING HOUR

Rep. TAYLOR moved that the House recur to the morning hour, which was agreed to.

SPEAKER IN CHAIR

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 8, 2019

Mr. Speaker and Members of the House of Representatives:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

LOCAL APPOINTMENT:

Lee County Master-in-Equity
Term Commencing: January 1, 2019
Term Expiring: December 31, 2025

Mr. Stephen Bryan Doby
321 Barnett Drive
Bishopville, South Carolina 29010

Very respectfully,
President of the Senate

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 8, 2019
Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

LOCAL APPOINTMENT:

Georgetown County Master-in-Equity
Term Commencing: January 1, 2019
Term Expiring: January 1, 2025

Mr. Joe M. Crosby
110 Cedar Grove Lane
Pawleys Island, South Carolina 29585

Very respectfully,
President of the Senate

Received as information.

THURSDAY, MAY 9, 2019

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 8, 2019

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

LOCAL APPOINTMENT:

Aiken County Master-in-Equity

Term Commencing: July 1, 2019

Term Expiring: June 30, 2025

Mr. M. Anderson Griffith

1397 Woodbine Road

Aiken, South Carolina 29803

Very respectfully,
President of the Senate

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 8, 2019

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

LOCAL APPOINTMENT:

Lexington County Master-in-Equity

Term Commencing: January 1, 2019

Term Expiring: January 1, 2025

Mr. James Otto Spence

6521 Edmund Highway

Lexington, South Carolina 29073

[HJ]

THURSDAY, MAY 9, 2019

Very respectfully,
President of the Senate

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Wednesday, May 8, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3700:

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES; AND TO AMEND SECTION 48-39-130, AS AMENDED, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO UNDERTAKE ACTIONS PROTECTING CERTAIN EXISTING EROSION CONTROL DEVICES.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President

Received as information.

H. 4000--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Wednesday, May 8, 2019

Mr. Speaker and Members of the House:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 4000:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,
President

On motion of Rep. G. M. SMITH, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. G. M. SMITH, RUTHERFORD and SIMRILL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 4001--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Wednesday, May 8, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 4001:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,
President

[HJ]

THURSDAY, MAY 9, 2019

On motion of Rep. G. M. SMITH, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. G. M. SMITH, SIMRILL and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

REPORT OF STANDING COMMITTEE

Rep. BALES, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4562 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM MILEPOST 39.229 AT THE NORTHERN BOWMAN TOWN LIMIT TO MILEPOST 40.603 "ARTHUR J. GLOVER MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 4581 -- Rep. Garvin: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF FRANKLIN EDWARD "FRANK" FLUKER OF RICHLAND COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4582 -- Reps. Crawford, Fry, Johnson, Bailey, Clemmons, Hardee and McGinnis: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CHARLES PERRY, EDITOR OF THE CAROLINA FOREST CHRONICLE AND THE NORTH STRAND NEWS AND DIGITAL

THURSDAY, MAY 9, 2019

EDITOR OF MYHORRYNEWS.COM, AND TO CONGRATULATE HIM FOR BEING NAMED THE SOUTH CAROLINA WEEKLY JOURNALIST OF THE YEAR.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4583 -- Reps. R. Williams, Lucas, Alexander, Hayes, Henegan, Jordan, Kirby and Lowe: A HOUSE RESOLUTION TO HONOR DARLINGTON MILL OF NUCOR STEEL-SOUTH CAROLINA AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY, TO CONGRATULATE THE MILL AND ITS MORE THAN FIVE HUNDRED TEAMMATES AND FAMILIES ON A HALF-CENTURY OF MAKING AMERICA'S STEEL, AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS IN THE YEARS TO COME.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4584 -- Rep. R. Williams: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ZION WILLIAMSON FOR AN OUTSTANDING BASKETBALL SEASON AT DUKE UNIVERSITY AND TO WISH HIM ALL THE BEST AS HE ENTERS THE NBA DRAFT IN JUNE 2019.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4585 -- Rep. Funderburk: A HOUSE RESOLUTION TO CONGRATULATE ALICE REED WILLIAMS ON THE OCCASION OF HER RETIREMENT FROM THE CITY OF CAMDEN, TO EXTEND DEEP APPRECIATION FOR HER MANY YEARS OF OUTSTANDING PUBLIC SERVICE TO THE CITY, AND TO

[HJ]

THURSDAY, MAY 9, 2019

OFFER BEST WISHES FOR A SATISFYING AND REWARDING RETIREMENT.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4586 -- Reps. Anderson, Hewitt, Alexander, Allison, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McDaniel, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE GEORGETOWN HIGH SCHOOL NAVY JUNIOR RESERVE OFFICERS TRAINING CORPS AND INSTRUCTORS FOR THEIR EXCEPTIONAL WORK DURING THE 2018-2019 SCHOOL YEAR AND TO CONGRATULATE THEM ON BEING NAMED THE TOP NAVY JUNIOR RESERVE OFFICERS TRAINING CORPS UNIT IN AREA 6.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4587 -- Reps. McDaniel, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell,

[HJ]

THURSDAY, MAY 9, 2019

Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF KEVON MARTELL "KEKE" BELTON OF FAIRFIELD COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4588 -- Reps. McDaniel, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams,

[HJ]

THURSDAY, MAY 9, 2019

Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO CELEBRATE THE LIFE OF MR. LOUIE HICKLON MOORE WHO DEPARTED THIS WORLD TO JOIN GOD ON MAY 5, 2018, AND TO OFFER THE SINCEREST CONDOLENCES TO HIS LOVING FAMILY AND FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4589 -- Reps. McDaniel, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey, Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO MOURN THE LOSS OF RODERICK D'WAYNE ANDERSON OF COLUMBIA, SOUTH CAROLINA, AND TO OFFER THE SINCEREST CONDOLENCES TO HIS LOVING FAMILY AND FRIENDS ON THE OCCASION OF A LIFE LOST TOO SOON.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4590 -- Reps. McDaniel, Alexander, Allison, Anderson, Atkinson, Bailey, Bales, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brown, Bryant, Burns, Calhoon, Caskey,

[HJ]

THURSDAY, MAY 9, 2019

Chellis, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Garvin, Gilliam, Gilliard, Govan, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Mace, Mack, Magnuson, Martin, McCoy, McCravy, McGinnis, McKnight, Moore, Morgan, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norrell, Ott, Parks, Pendarvis, Pope, Ridgeway, Rivers, Robinson, Rose, Rutherford, Sandifer, Simmons, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Trantham, Weeks, West, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten, Young and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF CAROLYN ELAINE MOORE BELTON OF RICHLAND COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4600 -- Rep. Taylor: A HOUSE RESOLUTION TO CELEBRATE THE WAGENER-SALLEY HIGH SCHOOL GOLF TEAM, COACH, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SHOWING AND TO CONGRATULATE THEM ON WINNING THE 2019 CLASS A STATE CHAMPIONSHIP.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 4591 -- Rep. R. Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF HOFFMEYER ROAD IN DARLINGTON COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA

[HJ]

THURSDAY, MAY 9, 2019

HIGHWAY 340 TO ITS INTERSECTION WITH NORTH EBENEZER ROAD "TERRENCE CARRAWAY MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was introduced:

H. 4592 -- Rep. Parks: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 28 IN MCCORMICK COUNTY FROM THE SOUTH CAROLINA-GEORGIA STATE LINE TO ITS INTERSECTION WITH HIGHWAY S-87 (NEW HOPE ROAD) "VETERANS HIGHWAY" IN HONOR OF OUR MEN AND WOMEN WHO HAVE SERVED OR WHO CURRENTLY ARE SERVING IN OUR MILITARY AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

INTRODUCTION OF BILLS

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

H. 4593 -- Reps. McGinnis, Brawley, McCoy and Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-31-695 SO AS TO PROVIDE THAT A MUNICIPALITY THAT PROVIDES WATER SERVICE OR WATER AND SEWER SERVICE TO CUSTOMERS BOTH WITHIN AND WITHOUT ITS CORPORATE BOUNDARIES MAY NOT REQUIRE OR DEMAND A NONMUNICIPAL RESIDENT'S PERMISSION OR CONSENT TO ANNEXATION BY THE MUNICIPALITY AS A CONDITION FOR ESTABLISHING OR MAINTAINING THE SERVICE, AND TO PROVIDE THAT IF A MUNICIPALITY OFFERS TO PROVIDE WATER SERVICE OR WATER AND SEWER SERVICE TO PROPERTY OWNERS IN ANOTHER JURISDICTION, THEN THE SERVICE MUST BE OFFERED AT

THURSDAY, MAY 9, 2019

THE SAME PRICE AS IS OFFERED TO PROPERTY OWNERS LOCATED INSIDE THE MUNICIPALITY.

Referred to Committee on Labor, Commerce and Industry

H. 4594 -- Reps. Blackwell, Taylor and Hixon: A BILL TO AMEND SECTION 2-19-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST MEMBERS OF THE GENERAL ASSEMBLY RUNNING FOR JUDICIAL OFFICE, SO AS TO EXTEND THE PROHIBITION TO FAMILY MEMBERS OF A MEMBER OF THE GENERAL ASSEMBLY, AND TO DEFINE THE TERM "FAMILY MEMBER".

Referred to Committee on Judiciary

H. 4595 -- Rep. Finlay: A BILL TO AMEND SECTION 8-13-775, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST A PUBLIC OFFICIAL, PUBLIC MEMBER, OR PUBLIC EMPLOYEE HAVING AN ECONOMIC INTEREST IN CERTAIN GOVERNMENTAL CONTRACTS, SO AS TO PROHIBIT THE RECEIPT OF TRAVEL, REIMBURSEMENT FOR TRAVEL, OR ANYTHING OF VALUE FROM A BIDDER ON A GOVERNMENTAL CONTRACT IF THE PUBLIC OFFICIAL, PUBLIC MEMBER, OR PUBLIC EMPLOYEE IS AUTHORIZED TO PERFORM AN OFFICIAL FUNCTION RELATING TO THE CONTRACT.

Referred to Committee on Judiciary

H. 4596 -- Rep. Finlay: A BILL TO AMEND SECTION 2-20-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FILLING VACANCIES ON THE GOVERNING BOARDS OF SOUTH CAROLINA'S STATE-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT A PERSON IS INELIGIBLE TO SERVE ON ONE OF THE BOARDS OR COMMISSIONS ENUMERATED IN SECTION 2-20-320 IF, WITHIN THE PREVIOUS TWELVE MONTHS, THAT PERSON MADE A CAMPAIGN CONTRIBUTION TO A MEMBER OF OR A CANDIDATE FOR THE GENERAL ASSEMBLY.

Referred to Committee on Judiciary

H. 4597 -- Reps. Fry, Clemmons, Crawford, Bailey, Hewitt, Atkinson, Anderson, McGinnis, Johnson, Hardee and Hayes: A BILL TO AMEND SECTION 6-1-740, CODE OF LAWS OF SOUTH CAROLINA, 1976,

[HJ]

THURSDAY, MAY 9, 2019

RELATING TO THE LOCAL HOSPITALITY TAX, SO AS TO PROVIDE THAT IF A COUNTY HOSPITALITY FEE WAS IMPOSED OR ADOPTED AS OF DECEMBER 31, 1996, AND HAS BEEN IMPOSED IN THE COUNTY AREA AT THE SAME RATE WITHOUT INTERRUPTION SINCE ITS ORIGINAL IMPOSITION DATE, THEN THE GOVERNING BODY OF THE COUNTY MAY CONTINUE TO IMPOSE THAT FEE IN THE SAME AMOUNT.

Referred to Committee on Ways and Means

H. 4598 -- Reps. Burns, Long and Chumley: A BILL TO AMEND SECTION 6-29-1110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO LOCAL PLANNING, SO AS TO PROVIDE A DEFINITION FOR THE TERM "PLAT", TO REVISE THE DEFINITION OF "SUBDIVISION", AND TO PROVIDE THAT LAND SURVEYS, WHICH MEET THE EXISTING STATE SURVEYING STANDARDS, MUST BE FILED DIRECTLY WITH THE REGISTER OF DEEDS, REGISTER OF MESNE CONVEYANCES, CLERK OF COURT, OR OTHER OFFICES HOUSING SUCH DOCUMENTS AND ARE EXEMPT FROM ANY REVIEW, COMMENT, OR BEING APPROVED OR DENIED BY ANY POLITICAL SUBDIVISIONS OF THIS STATE INCLUDING ANY COUNTY OR MUNICIPAL GOVERNMENT OR ANY OF ITS DEPARTMENTS, DIVISIONS, BOARDS, OR COMMISSIONS.

Referred to Committee on Judiciary

H. 4599 -- Rep. Funderburk: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO DETERMINE WHETHER THE SOUTH CAROLINA COLLEGE AND CAREER READY ASSESSMENTS (SC READY) AND THE SOUTH CAROLINA PALMETTO ASSESSMENT OF STATE STANDARDS (SCPASS) SHOULD BE SUMMATIVE ASSESSMENTS OR FORMATIVE ASSESSMENTS, TO PROVIDE FOR THE COMPOSITION OF THE COMMITTEE, TO PROVIDE THE STUDY COMMITTEE SHALL MAKE CERTAIN RECOMMENDATIONS TO THE GENERAL ASSEMBLY BEFORE JANUARY 1, 2021, AND TO PROVIDE STAFFING FOR THE COMMITTEE, AMONG OTHER THINGS.

Referred to Committee on Education and Public Works

THURSDAY, MAY 9, 2019

**H. 3036--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G. R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

Rep. McCRAVY proposed the following Amendment No. 1A to H. 3036 (COUNCIL\DG\3036C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting Sections 1-3-210 and 1-3-211 in their entirety.

Re-number sections to conform.

Amend title to conform.

Rep. MCCRAVY explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam

[HJ]

THURSDAY, MAY 9, 2019

Gilliard	Govan	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCravy	McGinnis
McKnight	Moore	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Ott	Pendarvis
Pope	Ridgeway	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--107

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

S. 455--NONCONCURRENCE IN SENATE AMENDMENTS

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

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A

THURSDAY, MAY 9, 2019

BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 108

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chellis
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman

[HJ]

THURSDAY, MAY 9, 2019

Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lucas	Mace	Magnuson
Martin	McCoy	McCrary
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pope	Ridgeway	Robinson
Rose	Rutherford	Sandifer
Simmons	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thigpen	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--108

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3145--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D. C. Moss, G. R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G. M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoon, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF

THURSDAY, MAY 9, 2019

REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

[HJ]

115

THURSDAY, MAY 9, 2019

Rep. OTT proposed the following Amendment No. 1A to H. 3145 (COUNCIL\SD\3145C005.NL.SD19), which was adopted:

Amend the bill, as and if amended, by striking SECTIONS 18 AND 19 in their entirety.

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chellis	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Forrest
Forrester	Fry	Funderburk
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McGinnis	McKnight
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway

[HJ]

THURSDAY, MAY 9, 2019

Robinson	Rose	Rutherford
Sandifer	Simmons	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

SPEAKER *PRO TEMPORE* IN CHAIR

**H. 4020--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

Rep. CLARY proposed the following Amendment No. 1A to H. 4020 (COUNCIL\DG\4020C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 3 and 4.

[HJ]

THURSDAY, MAY 9, 2019

Renumber sections to conform.
Amend title to conform.

Rep. CLARY explained the amendment.

The yeas and nays were taken resulting as follows:
Yeas 96; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Calhoon	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Ligon	Long
Lucas	Mace	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pope
Ridgeway	Robinson	Rose
Rutherford	Sandifer	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Trantham	Weeks
West	Wheeler	White

THURSDAY, MAY 9, 2019

Whitmire
Willis

R. Williams
Wooten

S. Williams
Yow

Total--96

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 3137--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3137 -- Reps. G. M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING

[HJ]

THURSDAY, MAY 9, 2019

AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Rep. G.M. SMITH proposed the following Amendment No. 1A to H. 3137 (COUNCIL\DG\3137C006.NBD.DG19), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, beginning on line 40, by striking the last sentence in Section 6-27-30(B)(1) and inserting:

/ However, the forecast in effect on April tenth of the current fiscal year is the final forecast for which the percentage adjustment is determined, and no subsequent forecast modifications shall have any effect on that determination. /

Amend the bill further, by striking SECTIONS 2 and 3 in their entirety.

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Bailey
Bales	Ballentine	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Calhoon
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hart	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Ligon	Lucas

[HJ]

THURSDAY, MAY 9, 2019

Mace	Magnuson	Martin
McCoy	McCravy	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pope
Ridgeway	Robinson	Rose
Rutherford	Sandifer	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Total--0

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**S. 785--INTRODUCED, AMENDED AND ADOPTED, AND
RETURNED TO THE SENATE WITH AMENDMENTS**

The following was introduced:

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: 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, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE

[HJ]

THURSDAY, MAY 9, 2019

CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, 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 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 TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Rep. LUCAS proposed the following Amendment No. 1A to S. 785 (COUNCIL\AHB\785C008.BH.AHB19), which was adopted:

Amend the Concurrent Resolution, as and if amended, by striking all after the resolving words and inserting:

/ (A) Pursuant to the provisions of Section 9, Article III of the South Carolina Constitution, 1895, and by the two-thirds vote required by that section in order to recede for more than thirty consecutive calendar days, each house agrees, by this resolution, to recede from the other body for a period of either less than thirty days, or more than thirty days, as the case may be.

(B) Further, the General Assembly by this resolution agrees to bind itself subject to the provisions of this resolution. The Sine Die adjournment date for the General Assembly for the 2019 session is recognized and extended to permit the General Assembly to continue in session after Thursday, May 9, 2019 under the terms and conditions stipulated in this resolution. For this purpose, each house agrees that when the Senate and the House of Representatives adjourn on Thursday, May 9, 2019, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session on Monday, May 20, 2019 at 12:00 noon and to continue in statewide session, if necessary, until not later than 5:00 p.m. on Wednesday, May 22, 2019. Each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Resolution, and any Continuing Resolution to fund the ordinary expenses of state government, if

THURSDAY, MAY 9, 2019

necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(2) receipt and consideration of gubernatorial vetoes;

(3) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(4) receipt and consideration of appointments;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of local legislation that has the unanimous consent of the affected delegation;

(7) in addition to disposition and conference on the other matters authorized in this subsection, receipt, consideration, and disposition of conference and free conference reports for which a committee of conference has been appointed prior to 5:00 p.m. on Thursday, May 9, 2019;

(8) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and

(9) introduction, receipt, and consideration of legislation concerning Santee Cooper and related matters, concurrence and nonconcurrence and amendments to these matters returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and further disposition of conference and free conference reports on these matters.

(C) When each house recesses subject to subsection (A) and not later than 5:00 p.m. on Wednesday, May 22, 2019, the General Assembly shall stand in recess subject to the call of the President of the Senate for the Senate and the 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 the following matters and subject to the following conditions, as applicable:

(1) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(2) receipt and consideration of gubernatorial vetoes;

(3) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Resolution, and any Continuing Resolution to fund the ordinary expenses of state government, if

THURSDAY, MAY 9, 2019

necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(4) introduction, receipt, and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11-9-1140;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of appointments;

(7) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and

(8) introduction, receipt, and consideration of legislation concerning Santee Cooper and related matters, concurrence and nonconcurrence and amendments to these matters returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and further disposition of conference and free conference reports on these matters.

(D) The President of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time or times prior to Sine Die adjournment for officers of the Senate and House of Representatives to ratify acts.

(E) Unless the session is otherwise adjourned Sine Die at an earlier date, the 2019 session of the General Assembly shall stand adjourned Sine Die not later than 11:59 a.m., Tuesday, January 14, 2020.

(F) For purposes of the Administrative Procedures Act, in regards to the one hundred twenty day period the General Assembly has to review state agency regulations, this one hundred twenty day period is tolled Friday, May 10, 2019, until January 14, 2020. /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

THURSDAY, MAY 9, 2019

Those who voted in the affirmative are:

Alexander	Allison	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Bryant	Calhoon
Caskey	Chellis	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Daning	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hosey
Huggins	Hyde	Jefferson
Jones	Jordan	Kimmons
Kirby	Ligon	Long
Lucas	Mace	Magnuson
Martin	McCoy	McCray
McDaniel	McGinnis	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pope	Ridgeway	Rivers
Robinson	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Total--0

The amendment was then adopted.

Rep. HILL proposed the following Amendment No. 2A to S. 785 (COUNCIL\AHB\785C006.BH.AHB19), which was rejected:

Amend the concurrent resolution, as and if amended, page 2, subsection (B), by adding an appropriately numbered item at the end to read:

/ () receipt and consideration of legislation concerning Constitutional carry legislation (to include H. 3456, H. 3999, and S. 139). /

Amend the resolution further, as and if amended, page 3, subsection (C), by adding an appropriately numbered item at the end to read:

/ ()receipt and consideration of legislation concerning Constitutional carry legislation (to include H. 3456, H. 3999, and S. 139)./

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 43; Nays 56

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bryant	Caskey
Clemmons	B. Cox	Crawford
Davis	Elliott	Forrest
Forrester	Fry	Gagnon
Gilliam	Hewitt	Hill
Huggins	Johnson	Jones
Jordan	Kimmons	Long
Mace	Magnuson	Martin
McCravy	McGinnis	Morgan
D. C. Moss	Murphy	B. Newton
Pope	G. M. Smith	G. R. Smith
Stringer	Trantham	West

[HJ]

THURSDAY, MAY 9, 2019

White	Willis	Wooten
Yow		

Total--43

Those who voted in the negative are:

Alexander	Bales	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Calhoon	Chellis	Clary
Clyburn	Cobb-Hunter	Cogswell
Collins	W. Cox	Daning
Dillard	Erickson	Finlay
Funderburk	Garvin	Gilliard
Govan	Hart	Henderson-Myers
Henegan	Hosey	Hyde
Jefferson	Kirby	Lucas
McCoy	McDaniel	McKnight
V. S. Moss	W. Newton	Norrell
Ott	Pendarvis	Ridgeway
Rivers	Robinson	Rose
Rutherford	Simmons	Simrill
Sottile	Spires	Stavrinakis
Tallon	Weeks	Wheeler
R. Williams	S. Williams	

Total--56

The amendment was rejected.

STATEMENT FOR JOURNAL

I was out of the Chamber when the Sine Die Amendment (S. 785, Amendment 2A) was offered regarding constitutional carry. I would have voted in favor of the amendment.

Rep. Mike Burns

STATEMENT FOR JOURNAL

I was not in the Chamber to record my vote on Rep. Jonathon Hill's Amendment to add the constitutional carry to the Sine Die Resolution,

THURSDAY, MAY 9, 2019

S. 785. I was taking care of a previous commitment as Agriculture Chairman. I would have voted in favor of Rep. Hill's Amendment.

Rep. David Hiott

STATEMENT FOR JOURNAL

I was out of the Chamber on constituent business during the vote on S. 785, Amendment 2A, to legalize constitutional carry of firearms. If I had been present, I would have voted in favor of the Amendment.

Rep. Bill Hixon

STATEMENT FOR JOURNAL

I was temporarily out of the Chamber on constituent business during the vote on S. 785, Amendment 2A. If I had been present, I would have voted in favor of the Amendment.

Rep. Bill Chumley

STATEMENT FOR JOURNAL

I inadvertently voted in favor of Amendment 2A on S. 785, "Constitutional Carry". I would have voted against the Amendment, had I known at the time the vote was taken that it was "permitless carry".

Rep. Bruce Bryant

The question recurred to the passage of the Concurrent Resolution.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Bryant	Calhoon	Caskey
Chellis	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard

[HJ]

THURSDAY, MAY 9, 2019

Govan	Hart	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hosey
Huggins	Hyde	Jefferson
Jones	Jordan	Kimmons
Kirby	Long	Lucas
Mace	Magnuson	Martin
McCoy	McCrary	McDaniel
McGinnis	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinnakis
Stringer	Tallon	Taylor
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

Those who voted in the negative are:

Total--0

So, the Concurrent Resolution, as amended, was returned to the Senate with amendments.

Rep. FORREST moved that the House recede until 3:00 p.m., which was agreed to.

THE HOUSE RESUMES

At 3:00 p.m. the House resumed, the SPEAKER in the Chair.

POINT OF QUORUM

The question of a quorum was raised.
A quorum was later present.

[HJ]

THURSDAY, MAY 9, 2019

LEAVE OF ABSENCE

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

RETURNED TO THE SENATE WITH AMENDMENTS

The following Bills were taken up, read the third time, and ordered returned to the Senate with amendments:

S. 314 -- Senator Alexander: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO SOUTH CAROLINA INCOME TAX CREDITS, BY ADDING SECTION 12-6-3800, TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

S. 440 -- Senators Talley and Reese: A BILL TO AMEND SECTION 12-65-20(4) AND (8) OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, TO PROVIDE THAT A CERTAIN CAP ON REHABILITATION EXPENSES ONLY APPLIES TO CERTAIN REHABILITATED BUILDINGS ON CONTIGUOUS PARCELS.

S. 105 -- Senators Campbell, Sheheen, Verdin and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-225, TO PROVIDE THAT, EVERY FOUR YEARS, MAGISTRATES AND MUNICIPAL COURT JUDGES MUST RECEIVE AT LEAST TWO HOURS OF INSTRUCTION ON ISSUES CONCERNING ANIMAL CRUELTY; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING ARTICLE 2, TO PROVIDE REQUIREMENTS FOR TETHERING A DOG AND TO PROVIDE PENALTIES FOR CRUELLY TETHERING A DOG; TO AMEND SECTION 47-3-60 OF THE 1976 CODE, RELATING TO THE DISPOSITION OF QUARANTINED OR IMPOUNDED ANIMALS, TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A LITTER OF UNIDENTIFIABLE DOGS OR CATS FOUR MONTHS OF AGE OR YOUNGER MAY BE TURNED OVER TO AN ORGANIZATION, AND TO PROVIDE FOR THE STERILIZATION

THURSDAY, MAY 9, 2019

OF STRAY CATS; TO AMEND CHAPTER 1, TITLE 47 OF THE 1976 CODE, RELATING TO CRUELTY TO ANIMALS, BY ADDING SECTION 47-1-145, TO PROVIDE THAT ANY PERSON, ORGANIZATION, OR OTHER ENTITY THAT IS AWARDED CUSTODY OF AN ANIMAL AND THAT PROVIDES SERVICES TO AN ANIMAL WITHOUT COMPENSATION MAY FILE A PETITION WITH THE COURT REQUESTING THAT THE DEFENDANT, IF FOUND GUILTY, BE ORDERED TO DEPOSIT FUNDS IN AN AMOUNT SUFFICIENT TO SECURE PAYMENT OF ALL THE REASONABLE EXPENSES INCURRED BY THE CUSTODIAN; TO AMEND SECTION 56-3-9600(B) OF THE 1976 CODE, RELATING TO THE SPECIAL FUND TO SUPPORT LOCAL ANIMAL SPAYING AND NEUTERING PROGRAMS, TO PROVIDE THAT AN AGENCY MAY APPLY FOR UP TO TWO THOUSAND DOLLARS PER GRANT APPLICATION AND MAY APPLY FOR MULTIPLE GRANTS DURING A FISCAL YEAR, TO PROVIDE THAT GRANTS MUST BE FULFILLED WITHIN SIX MONTHS OF RECEIVING FUNDS, AND TO PROVIDE THAT THE DEPARTMENT OF AGRICULTURE SHALL ENCOURAGE TIER 3 AND TIER 4 COUNTIES TO PARTICIPATE IN THE GRANT PROGRAM; TO AMEND SECTION 40-69-30 OF THE 1976 CODE, RELATING TO LICENSING REQUIREMENTS TO PRACTICE VETERINARY MEDICINE, TO PROVIDE THAT, DURING AN EMERGENCY OR NATURAL DISASTER, A VETERINARIAN OR VETERINARY TECHNICIAN WHO IS NOT LICENSED IN THIS STATE, BUT IS LICENSED AND IN GOOD STANDING IN ANOTHER JURISDICTION, MAY PRACTICE VETERINARY MEDICINE RELATED TO THE RESPONSE EFFORTS IN LOCATIONS IN THIS STATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 47-3-470(3), SECTION 47-3-480, AND SECTION 47-3-490 OF THE 1976 CODE, ALL RELATING TO THE STERILIZATION OF DOGS AND CATS, TO REPLACE THE TERM "ANIMAL REFUGE" WITH "RESCUE ORGANIZATION"; TO AMEND CHAPTER 3, TITLE 47 OF THE 1976 CODE, RELATING TO DOGS AND OTHER DOMESTIC PETS, BY ADDING ARTICLE 16, TO PROVIDE FOR SHELTER STANDARDS AND TO PROVIDE THAT ANIMAL CONTROL OFFICERS SHALL HAVE THE DUTY TO ENFORCE SHELTER STANDARDS, INCLUDING THE INVESTIGATION OF COMPLAINTS AGAINST, AND THE INSPECTION OF, ANIMAL

[HJ]

THURSDAY, MAY 9, 2019

SHELTERING FACILITIES; AND TO DEFINE NECESSARY TERMS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 329 -- Senators Cromer, Scott, Verdin, Reese and Nicholson: A BILL TO PROVIDE THAT TAX CREDITS FOR THE PURCHASE OF GEOTHERMAL MACHINERY AND EQUIPMENT SHALL BE REPEALED ON JANUARY 1, 2022.

S. 408 -- Senators Reese, Turner and Campbell: A BILL TO AMEND SECTION 12-6-2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS "SALES" AND "GROSS RECEIPTS", SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.

S. 323 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-54-265 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO SUBMIT CERTAIN INFORMATION TO A FINANCIAL INSTITUTION REGARDING A DEBTOR THAT HAS BEEN NAMED ON A WARRANT FOR DISTRAINT, AND TO REQUIRE THE FINANCIAL INSTITUTION PROVIDE CERTAIN INFORMATION TO THE DEPARTMENT.

S. 621 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 41-43-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF BONDS FOR INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO PROVIDE FOR CERTAIN NOTICE REQUIREMENTS BEFORE THE BONDS MAY BE ISSUED.

S. 281 -- Senators Talley, Campbell and Martin: A BILL TO AMEND ARTICLE 15, CHAPTER 3, TITLE 47 OF THE 1976 CODE,

THURSDAY, MAY 9, 2019

RELATING TO THE PROTECTION OF GUIDE DOGS, BY ADDING SECTION 47-3-980, TO PROVIDE THAT INTENTIONAL MISREPRESENTATION OF A SERVICE ANIMAL IS A MISDEMEANOR AND TO ESTABLISH PENALTIES; AND TO AMEND SECTIONS 47-3-920(4) AND 47-3-970, RELATING TO TERMS DEFINED IN LAYLA'S LAW AND RESTITUTION REQUIREMENTS RESPECTIVELY, TO MAKE CONFORMING CHANGES.

S. 359--AMENDED AND SENT TO THE SENATE

The following Bill was taken up:

S. 359 -- Senators Gambrell, Johnson, Senn, Grooms, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO ESTABLISH A LICENSE REQUIREMENT FOR PHARMACY BENEFITS MANAGERS, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM RESTRICTING OR PENALIZING A PHARMACY FROM DISCLOSING CERTAIN INFORMATION, TO PROHIBIT A PHARMACY BENEFITS MANAGER FROM UNDERTAKING CERTAIN ACTIONS, TO SET CERTAIN REQUIREMENTS FOR A MAXIMUM ALLOWABLE COST LIST, AND TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS ARTICLE; TO AMEND SECTION 38-2-10, AS AMENDED, RELATING TO ADMINISTRATIVE PENALTIES, SO AS TO APPLY CERTAIN ADMINISTRATIVE PENALTIES TO PHARMACY BENEFITS MANAGERS; TO AMEND SECTION 38-71-1810, RELATING TO PHARMACY AUDIT RIGHTS, SO AS TO ALLOW A PHARMACY TO SUBMIT RECORDS IN AN ELECTRONIC FORMAT OR BY CERTIFIED MAIL AND TO PROHIBIT CERTAIN ERRORS FROM SERVING AS THE SOLE BASIS OF THE REJECTION OF A CLAIM; AND TO REPEAL ARTICLE 20 OF CHAPTER 71, TITLE 38 RELATING TO PHARMACY BENEFIT MANAGERS.

Rep. SANDIFER proposed the following Amendment No. 1A to S. 359 (COUNCIL\DG\359C003.NBD.DG19), which was adopted:

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

[HJ]

THURSDAY, MAY 9, 2019

/ SECTION 1. Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Article 21

Pharmacy Benefits Managers

Section 38-71-2200. As used in this article:

(1) ‘Claim’ means a request from a pharmacy or pharmacist to be reimbursed for the cost of administering, filling, or refilling a prescription for a drug or for providing a medical supply or device.

(2) ‘Claims processing services’ means the administrative services performed in connection with the processing and adjudicating of claims relating to pharmacist services that include:

- (a) receiving payments for pharmacist services;
- (b) making payments to pharmacists or pharmacies for pharmacist services; or
- (c) both receiving and making payments.

(3) ‘Health benefit plan’ means any individual, blanket, or group plan, policy, or contract for health care services issued or delivered by a health care insurer in this State as defined in Section 38-71-670(6) and 38-71-840(14), including the state health plan as defined in Section 1-11-710. Notwithstanding this section, the state health plan is not subject to the provisions of this title unless specifically referenced.

(4) ‘Health care insurer’ means an entity that provides health insurance coverage in this State as defined in Section 38-71-670(7) and Section 38-71-840(16).

(5) ‘Maximum Allowable Cost List’ means a listing of generic drugs used by a pharmacy benefits manager to set the maximum allowable cost at which reimbursement to a pharmacy or pharmacist may be made.

(6) ‘Other prescription drug or device services’ means services other than claims processing services, provided directly or indirectly by a pharmacy benefits manager, whether in connection with or separate from claims processing services, including without limitation:

- (a) negotiating rebates, discounts, or other financial incentives and arrangements with drug companies;
- (b) disbursing or distributing rebates;
- (c) managing or participating in incentive programs or arrangements for pharmacist services;
- (d) negotiating or entering into contractual arrangements with pharmacists or pharmacies, or both;
- (e) developing formularies;
- (f) designing prescription benefit programs; or

THURSDAY, MAY 9, 2019

(g) advertising or promoting services.

(7) 'Pharmacist' has the same meaning as provided in Section 40-43-30(65).

(8) 'Pharmacist services' means products, goods, and services, or any combination of products, goods, and services, provided as a part of the practice of pharmacy.

(9) 'Pharmacy' has the same meaning as provided in Section 40-43-30(67).

(10) 'Pharmacy benefits manager' means an entity that contracts with pharmacists or pharmacies on behalf of an insurer, third party administrator, or the South Carolina Public Employee Benefit Authority to:

(a) process claims for prescription drugs or medical supplies or provide retail network management for pharmacies or pharmacists;

(b) pay pharmacies or pharmacists for prescription drugs or medical supplies; or

(c) negotiate rebates with manufacturers for drugs paid for or procured as described in this article.

(11) 'Pharmacy benefits manager affiliate' means a pharmacy or pharmacist that directly or indirectly, through one or more intermediaries, owns or controls, is owned or controlled by, or is under common ownership or control with a pharmacy benefits manager.

Section 38-71-2210. (A)(1) A person or organization may not establish or operate as a pharmacy benefits manager in this State for health benefit plans without obtaining a license from the Director of the Department of Insurance.

(2) The director shall prescribe the application for a license to operate in this State as a pharmacy benefits manager and may charge an initial application fee of one thousand dollars and an annual renewal fee of five hundred dollars, provided the pharmacy benefits manager application form must collect the following information:

(a) the name, address, and telephone contact number of the pharmacy benefits manager;

(b) the name and address of the pharmacy benefits manager's agent for service of process in the State;

(c) the name and address of each person with management or control over the pharmacy benefits manager;

(d) the name and address of each person with a beneficial ownership interest in the pharmacy benefits manager;

THURSDAY, MAY 9, 2019

(e) a signed statement indicating that, to the best of their knowledge, no officer with management or control of the pharmacy benefit manager has been convicted of a felony or has violated any of the requirements of state law applicable to pharmacy benefits managers, or, if the applicant cannot provide such a statement, a signed statement describing the relevant conviction or violation; and

(f) in the case of a pharmacy benefits manager applicant that is a partnership or other unincorporated association, limited liability company, or corporation, and has five or more partners, members, or stockholders:

(i) the applicant shall specify its legal structure and the total number of its partners, members, or stockholders who, directly or indirectly, own, control, hold with the power to vote, or hold proxies representing ten percent or more of the voting securities of any other person; and

(ii) the applicant shall agree that, upon request by the department, it shall furnish the department with information regarding the name, address, usual occupation, and professional qualifications of any other partners, members, or stockholders who, directly or indirectly, own, control, hold with the power to vote, or hold proxies representing ten percent or more of the voting securities of any other person.

(3) An applicant or a pharmacy benefits manager that is licensed to conduct business in the State shall, unless otherwise provided for in this chapter, file a notice describing any material modification of this information.

(B) The director may promulgate regulations establishing the licensing and reporting requirements of pharmacy benefits managers consistent with the provisions of this article.

(C) The fees and penalties assessed pursuant to this article must be retained by the department for the administration of this chapter.

Section 38-71-2220. (A) In any participation contracts between pharmacy benefits managers and pharmacists or pharmacies providing prescription drug coverage for health benefit plans, no pharmacy or pharmacist may be prohibited, restricted, or penalized in any way from disclosing to any covered person any health care information that the pharmacy or pharmacist deems appropriate within their scope of practice.

(B) A pharmacy or pharmacist must not be proscribed by a pharmacy benefits manager from discussing information regarding the total cost for pharmacist services for a prescription drug or from selling a more affordable alternative to the insured if a more affordable

THURSDAY, MAY 9, 2019

alternative is available, but a pharmacy benefits manager may proscribe a pharmacy or pharmacist from sharing proprietary or confidential information.

(C) A pharmacy benefits manager contract with a participating pharmacist or pharmacy may not prohibit, restrict, or limit disclosure of information to the director investigating or examining a complaint or conducting a review of a pharmacy benefits manager's compliance with the requirements pursuant to this act. The information or data acquired during an examination or review pursuant to this section is considered proprietary and confidential and is not subject to the South Carolina Freedom of Information Act.

Section 38-71-2230. (A) A pharmacy benefits manager or representative of a pharmacy benefits manager shall not:

(1) cause or knowingly permit the use of any advertisement, promotion, solicitation, representation, proposal, or offer that is untrue, deceptive, or misleading;

(2) charge a pharmacist or pharmacy a fee related to the adjudication of a claim other than a reasonable fee for the receipt and processing of a pharmacy claim;

(3) engage, with the express intent or purpose of driving out competition or financially injuring competitors, in a pattern or practice of reimbursing independent pharmacies or pharmacists in this State consistently less than the amount that the pharmacy benefits manager reimburses a pharmacy benefits manager affiliate for providing the same pharmacist services;

(4) collect or require a pharmacy or pharmacist to collect from an insured a copayment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(a) the contracted copayment amount;

(b) the amount an individual would pay for a prescription drug if that individual was paying cash; or

(c) the contracted amount for the drug.

(5) require the use of mail order for filling prescriptions unless required to do so by the health benefit plan or the health benefit plan design;

(6) charge a fee related to the adjudication of a claim without providing the cause for each adjustment or fee;

(7) penalize or retaliate against a pharmacist or pharmacy for exercising rights provided pursuant to the provisions of this chapter;

(8) prohibit a pharmacist or pharmacy from offering and providing direct and limited delivery services including incidental

THURSDAY, MAY 9, 2019

mailing services, to an insured as an ancillary service of the pharmacy;
or

(9) any combination thereof.

(B) A claim for pharmacist services may not be retroactively denied or reduced after adjudication of the claim unless the:

(1) original claim was submitted fraudulently;

(2) original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the pharmacist services;

(3) pharmacist services were not properly rendered by the pharmacy or pharmacist; or

(4) adjustment was agreed upon by the pharmacy prior to the denial or reduction.

(C) This subsection may not be construed to limit overpayment recovery efforts as set forth in Section 38-59-250.

A pharmacy may not be subject to a charge-back or recoupment for a clerical or recordkeeping error in a required document or record, including a typographical or computer error, unless the error resulted in overpayment to the pharmacy.

(D) Termination of a pharmacy or pharmacist from a pharmacy benefits manager network does not release the pharmacy benefits manager from the obligation to make any payment due to the pharmacy or pharmacist for pharmacist services properly rendered according to the contract.

(E) A pharmacy benefits manager may maintain more than one network for different pharmacy services. Each individual network may require different pharmacy accreditation standards or certification requirements for participating in the network provided that the pharmacy accreditation standards or certification requirements are applied without regard to a pharmacy's or pharmacist's status as an independent pharmacy or pharmacy benefits manager affiliate. Each individual pharmacy location as identified by its National Council for Prescription Drug Program identification number may have access to more than one network so long as the pharmacy location meets the pharmacy accreditation standards or certification requirements of each network.

(F) Nothing in this article abridges the right of a pharmacist to refuse to fill or refill a prescription as referenced in Section 40-43-86(E)(6) of the South Carolina Pharmacy Practice Act.

(G) Nothing in this article may be construed to require a pharmacy benefits manager to allow participation in a network that would not be required by Section 38-71-147.

THURSDAY, MAY 9, 2019

Section 38-71-2240. (A) Before a pharmacy benefits manager places or continues to place a particular drug on a Maximum Allowable Cost List, the drug must:

(1) be listed as 'A' or 'B' rated in the most recent version of the Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations, also known as the Orange Book, or has an 'NR' or 'NA' rating, or a similar rating, by a nationally recognized reference;

(2) be available for purchase in the state from national or regional wholesalers operating in this State; and

(3) not be obsolete.

(B) A pharmacy benefits manager shall:

(1) provide a process for network pharmacy providers to readily access the maximum allowable cost specific to that provider;

(2) update its Maximum Allowable Cost List at least once every seven calendar days;

(3) provide a process for each pharmacy subject to the Maximum Allowable Cost List to access any updates to the Maximum Allowable Cost List;

(4) ensure that dispensing fees are not included in the calculation of maximum allowable cost; and

(5) establish a reasonable administrative appeal procedure by which a contracted pharmacy can appeal the provider's reimbursement for a drug subject to maximum allowable cost pricing if the reimbursement for the drug is less than the net amount that the network provider paid to the suppliers of the drug. The reasonable administrative appeal procedure must include:

(a) a dedicated telephone number and email address or website for the purpose of submitting administrative appeals;

(b) the ability to submit an administrative appeal directly to the pharmacy benefits manager regarding the pharmacy benefits plan or program or through a pharmacy service administrative organization if the pharmacy service administrative organization has a contract with the pharmacy benefits manager that allows for the submission of such appeals.

(C) A pharmacy must be allowed no less than ten calendar days after the applicable fill date to file an administrative appeal.

(D) If an appeal is initiated, the pharmacy benefits manager shall within ten calendar days after receipt of notice of the appeal either:

(1) if the appeal is upheld:

THURSDAY, MAY 9, 2019

(a) notify the pharmacy or pharmacist or his designee of the decision;

(b) make the change in the maximum allowable cost effective as of the date the appeal is resolved;

(c) permit the appealing pharmacy or pharmacist to reverse and rebill the claim in question; and

(d) make the change effective for each similarly situated pharmacy as defined by the payor subject to the Maximum Allowable Cost List effective as of the date the appeal is resolved; or

(2) if the appeal is denied, provide the appealing pharmacy or pharmacist the reason for the denial, the National Drug Code number, and the name of the national or regional pharmaceutical wholesalers operating in this State.

(E) The provisions of this section:

(1) do not apply to the Maximum Allowable Cost List maintained by the State Medicaid Program, the Medicaid managed care organizations under contract with the South Carolina Department of Health and Human Services or the South Carolina Public Employee Benefit Authority; and

(2) apply to the pharmacy benefits manager employed by the South Carolina Public Employee Benefit Authority if, at any time, the South Carolina Public Employee Benefit Authority engages the services of a pharmacy benefits manager to maintain the Maximum Allowable Cost List.

Section 38-71-2250. (A) The director shall enforce this article.

(B)(1) The director may examine or audit the books and records of a pharmacy benefits manager providing claims processing services or other prescription drug or device services for a health benefit plan that are relevant to determining if the pharmacy benefits manager is in compliance with this act. The pharmacy benefits manager shall pay the charges incurred in the examination, including the expenses of the director or his designee and the expenses and compensation of his examiners and assistants. The director or his designee promptly shall institute a civil action to recover the expenses of examination against a pharmacy benefits manager which refuses or fails to pay.

(2) The information or data acquired during an examination pursuant to this section is considered proprietary and confidential and is not subject to the South Carolina Freedom of Information Act.

(C) Violations of this article are subject to the penalties provided in Sections 38-2-10 through 38-2-30.

THURSDAY, MAY 9, 2019

(D) The director may promulgate regulations regarding pharmacy benefits managers that are not inconsistent with this article.

Section 38-71-2260. (A) Nothing in this act is intended or may be construed to be in conflict with existing relevant federal law.

(B) This article does not apply to the South Carolina Department of Health and Human Services in the performance of its duties in administering Medicaid under Titles XIX and XXI of the Social Security Act or to the Medicaid managed care organizations under contract with the South Carolina Department of Health and Human Services.”

SECTION 2. Section 38-2-10 of the 1976 Code, as last amended by Act 219 of 2018, is further amended to read:

“Section 38-2-10. (A) Unless otherwise specifically provided by law, the following administrative penalties apply for each violation of the insurance laws of this State or federal insurance laws subject to enforcement by the Department of Insurance:

(1) If the violator is an insurer, pharmacy benefits manager, or a health maintenance organization licensed in this State, the director or his designee shall fine the violator in an amount not to exceed fifteen thousand dollars, suspend or revoke the violator’s authority to do business in this State, or both. If the violation is wilful, the director or his designee shall fine the violator in an amount not to exceed thirty thousand dollars, suspend or revoke the violator’s authority to do business in this State, or both.

(2) If the violator is a person, other than an insurer, pharmacy benefits manager, or a health maintenance organization, licensed by the director or his designee in this State, the director or his designee shall fine the person in an amount not to exceed two thousand five hundred dollars, suspend or revoke the license of the person, or both. If the violation is wilful, the director or his designee shall fine the person in an amount not to exceed five thousand dollars, suspend or revoke the license of the person, or both.

(B) The penalties in subsection (A) are in addition to any criminal penalties provided by law or any other remedies provided by law. The administrative proceedings in subsection (A) do not preclude civil or criminal proceedings from taking place before, during, or after the administrative proceeding.”

SECTION 3. A. Section 38-71-1810(B) of the 1976 is amended to read:

“(B) If a managed care organization, insurer, third-party payor, or any entity that represents a responsible party conducts an audit of the

THURSDAY, MAY 9, 2019

records of a pharmacy, then, with respect to this audit, the pharmacy has a right to:

(1) have at least fourteen days' advance notice of the initial audit for each audit cycle with no audit to be initiated or scheduled during the first five days of any month without the express consent of the pharmacy, which shall cooperate with the auditor to establish an alternate date if the audit would fall within the excluded days;

(2) have an audit that involves clinical judgment be conducted with a pharmacist who is licensed and employed by or working under contract with the auditing entity;

(3) not have clerical or record-keeping errors, including typographical errors, scrivener's errors and computer errors, on a required document or record considered fraudulent in the absence of any other evidence or serve as the sole basis of rejection of a claim; however, the provisions of this item do not prohibit recoupment of fraudulent payments;

~~(4) have, if required under the terms of the contract with the auditing entity,~~ the auditing entity to provide the pharmacy, upon request, all records related to the audit in an electronic format or contained in digital media;

(5) submit records related to the audit in electronic format or by certified mail;

(6) have the properly documented records of a hospital or of a person authorized to prescribe controlled substances for the purpose of providing medical or pharmaceutical care for their patients transmitted by any means of communication approved by the auditing entity in order to validate a pharmacy record with respect to a prescription or refill for a controlled substance or narcotic drug pursuant to federal and state regulations;

~~(6)~~(7) have a projection of an overpayment or underpayment based on either the number of patients served with a similar diagnosis or the number of similar prescription orders or refills for similar drugs; however, the provisions of this item do not prohibit recoupments of actual overpayments unless the projection for overpayment or underpayment is part of a settlement by the pharmacy;

~~(7)~~(8) be free of recoupments based on either of the following subitems unless defined within the billing, submission, or audit requirements set forth in the pharmacy provider manual not inconsistent with current State Board of Pharmacy Regulations, except for cases of Food and Drug Administration regulation or drug manufacturer safety programs in accordance with federal or state regulations:

THURSDAY, MAY 9, 2019

(a) documentation requirements in addition to, or exceeding requirements for, creating or maintaining documentation prescribed by the State Board of Pharmacy;

(b) a requirement that a pharmacy or pharmacist perform a professional duty in addition to, or exceeding, professional duties prescribed by the State Board of Pharmacy unless otherwise agreed to by contract with the auditing entity;

~~(8)~~(9) be subject, so long as a claim is made within the contractual claim submission time period, to recoupment only following the correction of a claim and to have recoupment limited to amounts paid in excess of amounts payable under the corrected claim unless a prescription error occurs. For purposes of this subsection, a prescription error includes, but is not limited to, wrong drug, wrong strength, wrong dose, or wrong patient;

~~(9)~~(10) be subject to reversals of approval, except for Medicare claims, for drug, prescriber, or patient eligibility upon adjudication of a claim only in cases in which the pharmacy obtained the adjudication by fraud or misrepresentation of claim elements;

~~(10)~~(11) be audited under the same standards and parameters as other similarly situated pharmacies audited by the same entity;

~~(11)~~(12) have at least thirty days following receipt of the preliminary audit report to produce documentation to address any discrepancy found during an audit;

(13) have the option of providing documentation in electronic format or by certified mail;

~~(12)~~(14) have the period covered by an audit limited to twenty-four months from the date a claim was submitted to, or adjudicated by, a managed care organization, an insurer, a third-party payor, or an entity that represents responsible parties, unless a longer period is permitted by or under federal law;

~~(13)~~(15) have the preliminary audit report delivered to the pharmacy within one hundred twenty days after conclusion of the audit;

~~(14)~~(16) have a final audit report delivered to the pharmacy within ninety days after the end of the appeals period; and

~~(15)~~(17) not have the accounting practice of extrapolation used in calculating recoupments or penalties for audits, unless otherwise required by federal requirements or federal plans.”

B. The provisions of this section are effective upon approval by the Governor.

SECTION 4. Article 20 of Chapter 71, Title 38 is repealed.

THURSDAY, MAY 9, 2019

SECTION 5. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this Act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. Except for Section 38-71-2220 in SECTION 1 and SECTION 3, this act takes effect on January 1, 2021. The provisions of Section 38-71-2220 in SECTION 1 and SECTION 3 take effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Forrest
Forrester	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde

[HJ]

THURSDAY, MAY 9, 2019

Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCray
McDaniel	McGinnis	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway
Rivers	Rose	Rutherford
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Stavrinnakis
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--99

Those who voted in the negative are:

Total--0

The Bill, as amended, was read the third time, and ordered sent to the Senate.

STATEMENT FOR JOURNAL

After recusing myself from voting on H. 359, I inadvertently voted on the Bill. I wish the record to reflect that I meant to abstain from voting on S. 359.

Rep. G. M. Smith

SPEAKER *PRO TEMPORE* IN CHAIR

S. 785--RECONSIDERED, AMENDED AND ADOPTED, AND RETURNED TO THE SENATE WITH AMENDMENTS

Rep. LUCAS moved to reconsider the vote whereby the following Concurrent Resolution was adopted, which was agreed to:

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: A CONCURRENT RESOLUTION TO PROVIDE THAT, PURSUANT

[HJ]

THURSDAY, MAY 9, 2019

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, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, 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 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 TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Rep. LUCAS proposed the following Amendment No. 3A to S. 785 (COUNCIL\AHB\785C010.BH.AHB19), which was adopted:

Amend the Concurrent Resolution, as and if amended, by striking all after the resolving words and inserting:

/ (A) Pursuant to the provisions of Section 9, Article III of the South Carolina Constitution, 1895, and by the two-thirds vote required by that section in order to recede for more than thirty consecutive calendar days, each house agrees, by this resolution, to recede from the other body for a period of either less than thirty days, or more than thirty days, as the case may be.

(B) Further, the General Assembly by this resolution agrees to bind itself subject to the provisions of this resolution. The Sine Die adjournment date for the General Assembly for the 2019 session is recognized and extended to permit the General Assembly to continue in session after Thursday, May 9, 2019 under the terms and conditions stipulated in this resolution. For this purpose, each house agrees that when the Senate and the House of Representatives adjourn on Thursday, May 9, 2019, not later than 5:00 p.m. or at any time prior, each house

THURSDAY, MAY 9, 2019

shall stand adjourned to meet in statewide session on Monday, May 20, 2019 at 12:00 noon and to continue in statewide session, if necessary, until not later than 5:00 p.m. on Wednesday, May 22, 2019. Each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Resolution, and any Continuing Resolution to fund the ordinary expenses of state government, if necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(2) receipt and consideration of gubernatorial vetoes;

(3) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(4) receipt and consideration of appointments;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of local legislation that has the unanimous consent of the affected delegation;

(7) in addition to disposition and conference on the other matters authorized in this subsection, receipt, consideration, and disposition of conference and free conference reports for which a committee of conference has been appointed prior to 5:00 p.m. on Thursday, May 9, 2019;

(8) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly;

(9) introduction, receipt, and consideration of legislation concerning Santee Cooper and related matters, concurrence and nonconcurrence and amendments to these matters returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and further disposition of conference and free conference reports on these matters; and

(10) introduction, receipt, and consideration of S. 1.

(C) When each house recesses subject to subsection (A) and not later than 5:00 p.m. on Wednesday, May 22, 2019, the General Assembly shall stand in recess subject to the call of the President of the

THURSDAY, MAY 9, 2019

Senate for the Senate and the 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 the following matters and subject to the following conditions, as applicable:

(1) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

(2) receipt and consideration of gubernatorial vetoes;

(3) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Resolution, and any Continuing Resolution to fund the ordinary expenses of state government, if necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

(4) introduction, receipt, and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11-9-1140;

(5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of appointments;

(7) convening of a joint assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly;

(8) introduction, receipt, and consideration of legislation concerning Santee Cooper and related matters, concurrence and nonconcurrence and amendments to these matters returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and further disposition of conference and free conference reports on these matters; and

(9) introduction, receipt, and consideration of S. 1.

(D) The President of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time or times prior to Sine Die adjournment for officers of the Senate and House of Representatives to ratify acts.

(E) Unless the session is otherwise adjourned Sine Die at an earlier date, the 2019 session of the General Assembly shall stand adjourned Sine Die not later than 11:59 a.m., Tuesday, January 14, 2020.

THURSDAY, MAY 9, 2019

(F) For purposes of the Administrative Procedures Act, in regards to the one hundred twenty day period the General Assembly has to review state agency regulations, this one hundred twenty day period is tolled Friday, May 10, 2019, until January 14, 2020. /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Ligon	Long
Lucas	Mace	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
Moore	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway

[HJ]

THURSDAY, MAY 9, 2019

Rivers	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten		

Total--109

Those who voted in the negative are:

Total--0

The amendment was then adopted.

Rep. HILL proposed the following Amendment No. 4A to S. 785 (COUNCIL\AHB\785C001.BH.AHB19), which was rejected:

Amend the concurrent resolution, as and if amended, page 2, subsection (B), by adding an appropriately numbered item at the end to read:

/ (10) receipt and consideration of legislation concerning Constitutional carry legislation (to include H. 3456, H. 3999, and S. 139). /

Amend the resolution further, as and if amended, page 3, subsection (C), by adding an appropriately numbered item at the end to read:

/ (9) receipt and consideration of legislation concerning Constitutional carry legislation (to include H. 3456, H. 3999, and S. 139). /

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 47; Nays 54

THURSDAY, MAY 9, 2019

Those who voted in the affirmative are:

Allison	Atkinson	Bailey
Ballentine	Bennett	Burns
Caskey	Chumley	Clemmons
B. Cox	Crawford	Davis
Elliott	Forrest	Forrester
Fry	Gagnon	Gilliam
Hayes	Hewitt	Hill
Hiott	Hixon	Huggins
Johnson	Jones	Kimmons
Ligon	Long	Mace
Magnuson	Martin	McCravy
McGinnis	Morgan	D. C. Moss
Murphy	B. Newton	Pope
G. M. Smith	G. R. Smith	Stringer
Trantham	West	White
Willis	Wooten	

Total--47

Those who voted in the negative are:

Anderson	Bales	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brown
Calhoon	Clary	Clyburn
Cobb-Hunter	Cogswell	Collins
W. Cox	Daning	Dillard
Erickson	Felder	Finlay
Funderburk	Garvin	Gilliard
Henderson-Myers	Henegan	Hosey
Howard	Hyde	Jefferson
Kirby	Lucas	Mack
McCoy	McDaniel	Moore
V. S. Moss	W. Newton	Norrell
Pendarvis	Ridgeway	Rose
Rutherford	Simmons	Simrill
Sottile	Spires	Stavrinakis
Tallon	Thigpen	Weeks
Wheeler	R. Williams	S. Williams

Total--54

THURSDAY, MAY 9, 2019

So, the amendment was rejected.

The question recurred to the adoption of the Concurrent Resolution.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Pendarvis
Pope	Ridgeway	Rivers
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon

THURSDAY, MAY 9, 2019

Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--109

Those who voted in the negative are:

Total--0

The Concurrent Resolution, as amended, was adopted and returned to the Senate with amendments.

SPEAKER IN CHAIR

RECURRENCE TO THE MORNING HOUR

Rep. SIMRILL moved that the House recur to the morning hour, which was agreed to.

H. 4243--NONCONCURRENCE IN SENATE AMENDMENTS

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

H. 4243 -- Reps. Simrill, Lucas, Pope, G. M. Smith, Rutherford, King, Felder, Bryant, D. C. Moss, B. Newton, Ligon, V. S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoon, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL

THURSDAY, MAY 9, 2019

SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Rep. SIMRILL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 102

Those who voted in the affirmative are:

Total--0

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Collins	B. Cox	W. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Felder	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Huggins
Hyde	Jefferson	Johnson
Jones	Jordan	Kimmons
Kirby	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pope	Ridgeway	Rivers

[HJ]

THURSDAY, MAY 9, 2019

Sandifer	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--102

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

S. 309--NONCONCURRENCE IN SENATE AMENDMENTS

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

S. 309 -- Senators Setzler, Campbell and Williams: TO AMEND SECTION 12 6 3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4 9 30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5 7 30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5 3 20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

Rep. SIMRILL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:
Yeas 0; Nays 107

Those who voted in the affirmative are:

Total--0

[HJ]

155

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Allison	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Garvin
Gilliam	Gilliard	Govan
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McDaniel
McGinnis	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pope
Ridgeway	Rivers	Rose
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--107

THURSDAY, MAY 9, 2019

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3760--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3760 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-79-500 SO AS TO MERGE THE PATIENTS' COMPENSATION FUND WITH THE SOUTH CAROLINA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-15-390 SO AS TO ESTABLISH A SURCHARGE FEE FOR A DENTIST'S LICENSE TO REDUCE THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; BY ADDING SECTION 40-47-55 SO AS TO ESTABLISH A SURCHARGE FEE FOR A PHYSICIAN'S LICENSE FOR THE PURPOSE OF REDUCING THE OPERATING DEFICIT OF THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION; AND TO AMEND ARTICLE 3, CHAPTER 79, TITLE 38, RELATING TO THE SOUTH CAROLINA MEDICAL MALPRACTICE LIABILITY JOINT UNDERWRITING ASSOCIATION, SO AS TO DEFINE THE TERM "DEFICIT", TO ALTER THE MEMBERSHIP OF THE ASSOCIATION, TO ESTABLISH CERTAIN REQUIREMENTS FOR THE INITIAL FILING OF POLICY FORMS, TO PROVIDE CERTAIN ACTIONS THAT MUST BE DONE WHEN THE ASSOCIATION ACCUMULATES OR SUSTAINS A DEFICIT, TO ESTABLISH CERTAIN OBLIGATIONS FOR TERMINATED MEMBERS OF THE ASSOCIATION, TO ALTER THE COMPOSITION OF THE BOARD OF THE ASSOCIATION, TO ESTABLISH CERTAIN CONDITIONS REGARDING THE ASSOCIATION'S ANNUAL FINANCIAL STATEMENT AND THE EXAMINATION OF THE ASSOCIATION BY THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, AND TO PROVIDE FOR THE MERGER OF THE ASSOCIATION WITH THE PATIENTS' COMPENSATION FUND.

Rep. SANDIFER explained the Senate Amendments.

[HJ]

THURSDAY, MAY 9, 2019

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 3

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	Long	Lucas
Mace	Mack	Martin
McCoy	McCrary	McDaniel
McGinnis	Morgan	D. C. Moss
V. S. Moss	Murphy	B. Newton
W. Newton	Norrell	Ott
Pendarvis	Pope	Ridgeway
Rivers	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	Whitmire	R. Williams
Willis	Wooten	Yow

Total--99

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Hill

Jones

Magnuson

Total--3

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

**H. 3728--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3728 -- Reprs. Fry, Alexander, Dillard, Erickson, Hewitt, Huggins, Norrell, Pendarvis, Ridgeway, Rutherford, Spires, Trantham, Weeks, West, Wooten, Yow, Henegan, Cogswell, Mack, R. Williams, Gilliard, Govan and B. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-130-80 SO AS TO REQUIRE HOSPITAL EMERGENCY DEPARTMENT PHYSICIANS AND PHARMACISTS TO SUBMIT CERTAIN INFORMATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM WHEN A PERSON IS ADMINISTERED AN OPIOID ANTIDOTE; TO AMEND SECTION 44-130-60, RELATING TO THE AUTHORITY OF FIRST RESPONDERS TO ADMINISTER OPIOID ANTIDOTES, SO AS TO REQUIRE FIRST RESPONDERS TO SUBMIT CERTAIN INFORMATION TO DHEC FOR INCLUSION IN THE PRESCRIPTION MONITORING PROGRAM; TO AMEND SECTION 44-53-1640, RELATING TO THE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE THE PROGRAM TO MONITOR THE ADMINISTERING OF OPIOID ANTIDOTES BY FIRST RESPONDERS AND IN EMERGENCY HEALTH CARE SETTINGS; AND TO AMEND SECTION 44-53-1645, RELATING TO THE REQUIREMENT OF PRACTITIONERS TO REVIEW A PATIENT'S CONTROLLED SUBSTANCE PRESCRIPTION HISTORY BEFORE PRESCRIBING A SCHEDULE II CONTROLLED SUBSTANCE, SO AS TO ALSO REQUIRE A REVIEW OF ANY INCIDENTS IN WHICH THE PATIENT HAS

THURSDAY, MAY 9, 2019

BEEN ADMINISTERED AN OPIOID ANTIDOTE BY A FIRST RESPONDER OR IN AN EMERGENCY HEALTH CARE SETTING.

Rep. FRY explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bamberg
Bannister	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
Crawford	Daning	Davis
Dillard	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lucas
Mace	Magnuson	Martin
McCoy	McCravy	McDaniel
McGinnis	Moore	Morgan
D. C. Moss	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pope	Ridgeway
Rivers	Rose	Rutherford
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Trantham
Weeks	West	Wheeler

[HJ]

THURSDAY, MAY 9, 2019

White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

S. 21--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

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

S. 21 -- Senators Hutto, Shealy and Jackson: A BILL TO AMEND SECTION 63-17-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT ORDERS DETERMINING THAT A PUTATIVE FATHER IS THE LEGAL FATHER, SO AS TO REQUIRE THAT THE CHILD'S BIRTH CERTIFICATE BE AMENDED; AND TO AMEND SECTION 44-63-163, RELATING TO BIRTH CERTIFICATES PREPARED AFTER A PATERNITY DETERMINATION, SO AS TO MAKE CONFORMING CHANGES.

Rep. BERNSTEIN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Bryant
Burns	Calhoon	Chumley
Clary	Clemmons	Clyburn

[HJ]

161

THURSDAY, MAY 9, 2019

Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Forrest
Forrester	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCravy	McDaniel
McGinnis	Morgan	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Pendarvis	Pope
Ridgeway	Rivers	Rose
Rutherford	Sandifer	Simmons
Simrill	G. M. Smith	G. R. Smith
Sottile	Spires	Stavrinakis
Taylor	Thigpen	Trantham
Weeks	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Yow

Total--99

Those who voted in the negative are:

Total--0

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

THURSDAY, MAY 9, 2019

**H. 3243--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3243 -- Reps. Bernstein, W. Cox, Fry, Clemmons and Hixon: A BILL TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE OF TWENTY-FIVE DOLLARS FOR CERTAIN DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AND A FLAT FEE OF TEN DOLLARS FOR CERTAIN OTHER DOCUMENTS FILED OR RECORDED WITH THE REGISTER OF DEEDS OR CLERKS OF COURT, AS APPROPRIATE, AND TO PROVIDE EXCEPTIONS.

Rep. JOHNSON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bamberg	Bannister	Bennett
Bernstein	Blackwell	Bradley
Brawley	Brown	Burns
Calhoon	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Elliott
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan

[HJ]

THURSDAY, MAY 9, 2019

Kimmons	Kirby	Ligon
Long	Lucas	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	Norrell
Ott	Pendarvis	Pope
Ridgeway	Rivers	Rose
Sandifer	Simmons	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thigpen
Trantham	Weeks	West
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--101

Those who voted in the negative are:

Total--0

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

**H. 3586--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3586 -- Reps. Sandifer and Forrester: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 23-47-20, RELATING TO REQUIREMENTS THAT PERTAIN TO A 911 SYSTEM, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE IS RESPONSIBLE FOR

THURSDAY, MAY 9, 2019

CREATING AND UPDATING A COMPREHENSIVE STRATEGIC 911 AND NEXTGEN 9-1-1 (NG9-1-1) SYSTEM, AND TO REVISE THE STANDARDS THAT GOVERN THE OPERATION OF 911 AND NG9-1-1 SYSTEMS; TO AMEND SECTION 23-47-40, RELATING TO 911 CHARGES THAT MAY BE IMPOSED UPON EACH LOCAL EXCHANGE ACCESS FACILITY SUBSCRIBED TO BY TELEPHONE SUBSCRIBERS WHOSE LOCAL EXCHANGE ACCESS LINES ARE IN THE AREA SERVED OR WHICH WOULD BE SERVED BY THE 911 SERVICE, SO AS TO REVISE THE LIST OF ITEMS THAT MAY BE FUNDED WITH THESE CHARGES; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING FOR THE PROVISION OF 911 SERVICE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE "EMERGENCY TELEPHONE SYSTEM" FUND MUST BE INCLUDED IN THE ANNUAL AUDIT OF THE LOCAL GOVERNMENT, TO PROVIDE THAT UPON THE FINDING OF INAPPROPRIATE USE OF 911 FUNDS PURSUANT TO AN AUDIT, THE LOCAL GOVERNMENT MUST RESTORE THOSE FUNDS WITHIN NINETY DAYS, TO PROVIDE THAT THE LOCAL GOVERNMENT MUST PROVIDE THE REVENUE AND FISCAL AFFAIRS OFFICE A COPY OF THE AUDITED REPORT, TO PROVIDE THAT FUNDS MAY BE WITHHELD FROM A LOCAL GOVERNMENT THAT FAILS TO COMPLY WITH THE AUDIT PROVISIONS, AND TO REVISE THE PURPOSE FOR LEVYING A CMRS 911 CHARGE; TO AMEND SECTION 23-47-60, RELATING TO A LOCAL GOVERNMENT PROVIDING STANDARD ADDRESSES FOR THEIR RESIDENTS BEFORE ENHANCED 911 IS PLACED IN SERVICE, SO AS TO PROVIDE THAT THE REVENUE AND FISCAL AFFAIRS OFFICE SHALL DESIGNATE ONE OFFICE WITHIN EACH COUNTY AS THE ADDRESSING OFFICIAL; TO AMEND SECTION 23-47-65, AS AMENDED, RELATING TO THE CREATION AND RESPONSIBILITIES OF THE SOUTH CAROLINA 911 ADVISORY COMMITTEE, SO AS TO INCREASE ITS RESPONSIBILITIES, TO INCREASE THE SIZE OF ITS MEMBERSHIP, TO REVISE THE PROCESS OF APPOINTING MEMBERS, TO PROVIDE ITS MEMBERS COMPENSATION FOR CERTAIN EXPENSES, TO INCREASE AND REVISE THE RESPONSIBILITIES OF THE REVENUE AND FISCAL AFFAIRS OFFICE AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-75, RELATING TO CERTAIN 911 INFORMATION THAT IS NOT SUBJECT TO THE FREEDOM OF INFORMATION

[HJ]

THURSDAY, MAY 9, 2019

ACT OR DISCLOSURE, SO AS TO MAKE A TECHNICAL CHANGE, TO PROVIDE THAT CERTAIN LOCATION INFORMATION IS NOT CONSIDERED A RECORD OF THE LOCAL 911 SYSTEM, AND TO PROVIDE RESTRICTIONS ON THE RELEASE OF CERTAIN DATA AND TELEPHONE CALLS TO CERTAIN AGENCIES AND THE PUBLIC; AND TO AMEND SECTION 23-47-80, RELATING TO PENALTIES ASSOCIATED WITH UNLAWFULLY PLACING A 911 CALL, SO AS MAKE TECHNICAL CHANGES.

Rep. FORREST explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

Alexander	Anderson	Atkinson
Bailey	Bales	Ballentine
Bannister	Bennett	Bernstein
Blackwell	Bradley	Brawley
Brown	Bryant	Burns
Calhoon	Caskey	Chumley
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Crawford	Daning
Davis	Dillard	Elliott
Erickson	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hayes	Henderson-Myers
Henegan	Hewitt	Hill
Hiott	Hixon	Hosey
Huggins	Hyde	Jefferson
Johnson	Jones	Jordan
Kimmons	Kirby	Ligon
Long	Lucas	Mack
Magnuson	Martin	McCoy
McCravy	McDaniel	McGinnis
Morgan	V. S. Moss	Murphy
B. Newton	W. Newton	Norrell
Ott	Pendarvis	Pope

[HJ]

THURSDAY, MAY 9, 2019

Ridgeway	Rivers	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Thigpen	Trantham	Weeks
Wheeler	White	Whitmire
R. Williams	S. Williams	Willis
Wooten	Yow	

Total--98

Those who voted in the negative are:

Total--0

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

H. 3174--DEBATE ADJOURNED

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

H. 3174 -- Reps. Elliott, Tallon, G. R. Smith, Taylor, Cogswell, Dillard, Norrell, Felder, Daning and Hixon: A BILL TO AMEND SECTION 56-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS ASSOCIATED WITH THE POWERS AND DUTIES OF THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "ELECTRIC-ASSIST BICYCLES" AND "BICYCLES WITH HELPER MOTORS"; AND BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLISTS OPERATING ELECTRIC-ASSIST BICYCLES SHALL BE SUBJECT TO ALL STATUTORY PROVISIONS APPLICABLE TO BICYCLISTS.

Rep. BENNETT moved to adjourn debate on the Senate Amendments, which was agreed to.

THURSDAY, MAY 9, 2019

**H. 3785--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

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

H. 3785 -- Reps. Sandifer, Howard, Thayer, West and Weeks: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF THE BOARD OF ACCOUNTANCY, SO AS TO REMOVE AN OBSOLETE REFERENCE AND TO PROVIDE MEETINGS MAY BE CLOSED IN CERTAIN INSTANCES PURSUANT TO FEDERAL LAW OR AT THE DISCRETION OF THE BOARD; TO AMEND SECTION 40-2-20, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS, SO AS TO REVISE A DEFINITION; TO AMEND SECTION 40-2-35, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EXAMINATIONS BE COMPUTER BASED; TO AMEND SECTION 40-2-80, RELATING TO THE CONFIDENTIAL TREATMENT OF CERTAIN EVIDENCE OBTAINED DURING INVESTIGATIONS BY THE BOARD, SO AS TO PROVIDE ALL PROCEEDINGS AND INQUIRIES RELATED TO THE INVESTIGATIONS ARE CONFIDENTIAL EXCEPT AS OTHERWISE PROVIDED; TO AMEND SECTION 40-2-90, RELATING TO INVESTIGATIONS BY THE BOARD, SO AS TO REMOVE A DUPLICATIVE REFERENCE AND TO PROVIDE DISCIPLINARY HEARINGS BY THE BOARD MUST BE OPEN TO THE PUBLIC EXCEPT IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-2-240, RELATING TO LICENSURE OF OUT-OF-STATE PERSONS BY THE BOARD, SO AS TO REVISE CRITERIA FOR SUCH LICENSURE; AND TO AMEND SECTION 40-2-340, RELATING TO DISCLAIMERS THAT ACCOUNTING PRACTITIONERS AND ACCOUNTING PRACTITIONER FIRMS MUST USE WHEN ASSOCIATING THEIR NAMES WITH CERTAIN COMPILED FINANCIAL STATEMENTS, SO AS TO REMOVE THE EXISTING BOILERPLATE LANGUAGE AND INSTEAD PROVIDE SUCH DISCLAIMERS MUST COMPLY WITH CERTAIN NATIONAL STANDARDS.

Rep. SANDIFER explained the Senate Amendments.

[HJ]

THURSDAY, MAY 9, 2019

The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

Anderson	Atkinson	Bailey
Bales	Ballentine	Bannister
Bernstein	Blackwell	Bradley
Brawley	Brown	Burns
Calhoon	Caskey	Chumley
Clary	Clyburn	Cobb-Hunter
Cogswell	Collins	B. Cox
W. Cox	Daning	Davis
Elliott	Finlay	Forrest
Forrester	Fry	Funderburk
Gagnon	Garvin	Gilliam
Gilliard	Govan	Hayes
Henderson-Myers	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Huggins	Hyde
Jefferson	Johnson	Jones
Jordan	Kimmons	Kirby
Ligon	Long	Lucas
Mace	Mack	Magnuson
Martin	McCoy	McCrary
McDaniel	McGinnis	Morgan
V. S. Moss	Murphy	B. Newton
Norrell	Pendarvis	Pope
Ridgeway	Rivers	Sandifer
Simmons	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thigpen	Trantham
Weeks	West	Wheeler
White	Whitmire	R. Williams
S. Williams	Willis	Wooten
Yow		

Total--91

THURSDAY, MAY 9, 2019

Those who voted in the negative are:

Total--0

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

**H. 3754--SENATE AMENDMENTS AMENDED AND
RETURNED TO THE SENATE**

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

H. 3754 -- Reps. Sandifer, Thayer, Clemmons and Rutherford: A BILL TO AMEND SECTION 27-32-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO VACATION TIME-SHARING PLANS, SO AS TO DEFINE THE TERM "TIMESHARE INSTRUMENT"; TO AMEND SECTION 27-32-410 RELATING TO TIMESHARE CLOSINGS, PROCEDURES, AND RELATED PROVISIONS, SO AS TO FURTHER PROVIDE FOR WHEN A TIMESHARE CLOSING IS CONSIDERED TO HAVE OCCURRED, AND OTHER REQUIREMENTS IN REGARD TO THE CLOSING; AND BY ADDING ARTICLE 5 TO CHAPTER 32, TITLE 27, SO AS TO ENACT THE "VACATION TIME-SHARING PLAN EXTENSIONS AND TERMINATION ACT", INCLUDING PROVISIONS TO CLARIFY AND SUPPLEMENT THE PROCEDURES AND REQUIREMENTS AS TO HOW OWNERS OF VACATION TIME-SHARING INTERESTS MAY TERMINATE VACATION TIME-SHARING PLANS OR EXTEND THE TERMS OF THESE PLANS, WITH THE PROVISIONS OF ARTICLE 5 TO APPLY BOTH PROSPECTIVELY AND RETROACTIVELY.

Rep. CLEMMONS proposed the following Amendment No. 1A to H. 3754 (COUNCIL\DG\3754C001.NBD.DG19), which was adopted:

Amend the bill, as and if amended, by deleting SECTIONS 5 and 6 in their entirety.

Re-number sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

[HJ]

THURSDAY, MAY 9, 2019

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3703:

H. 3703 -- Reps. Lowe, Moore, Rose, Rutherford, Willis, Sottile and Hill: A BILL TO AMEND SECTION 40-45-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXAMINATION REQUIREMENTS FOR LICENSURE BY THE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE THE MAXIMUM NUMBER OF TIMES A PERSON MAY ATTEMPT TO PASS LICENSURE BY THE BOARD FROM TWO TO SIX; AND TO AMEND SECTION 40-45-260, RELATING TO LIMITS ON ATTEMPTS TO PASS LICENSURE EXAMINATION FOR PHYSICAL THERAPISTS AND PHYSICAL THERAPY ASSISTANTS, SO AS TO INCREASE THE MAXIMUM NUMBER OF SUCH ATTEMPTS FROM TWO TO SIX.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3145:

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D. C. Moss, G. R. Smith, Elliott, Sandifer, Lucas,

[HJ]

THURSDAY, MAY 9, 2019

Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G. M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoun, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE

[HJ]

THURSDAY, MAY 9, 2019

SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3383:

H. 3383 -- Reps. Ott, Hosey, Ridgeway and Cogswell: A BILL TO AMEND SECTION 48-23-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SHARING STATE FOREST LAND REVENUES WITH COUNTIES, SO AS TO EXCLUDE THE PROCEEDS FROM LAND RENTALS AND WILDLIFE MANAGEMENT AREA PAYMENTS FROM THE PROCEEDS TO BE SHARED WITH THE COUNTIES.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3700:

H. 3700 -- Reps. Bailey, Hewitt, Hardee and Clemmons: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES; AND TO AMEND SECTION 48-39-130, AS AMENDED, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO UNDERTAKE ACTIONS PROTECTING CERTAIN EXISTING EROSION CONTROL DEVICES. - ratified title

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3916:

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

[HJ]

THURSDAY, MAY 9, 2019

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3951:

H. 3951 -- Reps. Clary, McCoy, Tallon, Bryant, Elliott, Martin, Gagnon, Thayer, McCravy, B. Newton, Jefferson and R. Williams: A BILL TO AMEND SECTION 23-11-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS THAT A SHERIFF MUST POSSESS, SO AS TO PROVIDE THAT THESE QUALIFICATIONS ALSO APPLY TO CANDIDATES WHO WISH TO SERVE AS SHERIFFS, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE ADDITIONAL QUALIFICATIONS.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 575:

S. 575 -- Senators Campsen, McElveen and Martin: A BILL TO AMEND SECTION 50-11-544 OF THE 1976 CODE, RELATING TO WILD TURKEY HUNTING AND TRANSPORTATION TAGS, TO PROVIDE COSTS FOR WILD TURKEY TRANSPORTATION

[HJ]

THURSDAY, MAY 9, 2019

TAGS; TO AMEND SECTION 50-11-580 OF THE 1976 CODE, RELATING TO THE SEASON FOR THE HUNTING AND TAKING OF MALE WILD TURKEY, THE ESTABLISHMENT OF YOUTH TURKEY HUNTING WEEKEND, BAG LIMITS, AND AN ANNUAL REPORT, TO PROVIDE THE SEASON FOR HUNTING AND TAKING A MALE WILD TURKEY, TO PROVIDE BAG LIMITS, TO DELETE THE PROVISION ESTABLISHING YOUTH TURKEY HUNTING WEEKEND, AND TO DELETE A REPORTING REQUIREMENT; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO BIG GAME, BY ADDING SECTION 50-11-590, TO PROVIDE FOR YOUTH TURKEY DAY; TO AMEND SECTION 50-9-920(B) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO PROVIDE THAT REVENUE GENERATED FROM RESIDENT AND NONRESIDENT WILD TURKEY TRANSPORTATION TAG SETS SHALL BE USED FOR CERTAIN PURPOSES; TO REPEAL SECTION 50-11-520 OF THE 1976 CODE, RELATING TO WILD TURKEY SEASON AND THE DECLARATION OF OPEN OR CLOSED SEASONS; AND TO REPEAL SECTION 7 OF ACT 41 OF 2015, RELATING TO THE HUNTING AND TAKING OF WILD TURKEY.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 802:

S. 802 -- Senator Sabb: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 512 AND COUNTY ROAD S-45-159 IN WILLIAMSBURG COUNTY "PEARL R. BROWN INTERSECTION" AND ERECT

[HJ]

THURSDAY, MAY 9, 2019

APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION
CONTAINING THE DESIGNATION.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs
in the amendments proposed by the House to H. 4380:

H. 4380 -- Reps. Rose, Caskey, Huggins, Bales, Anderson, Crawford,
Moore, Hewitt and Bailey: A BILL TO AMEND THE CODE OF
LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE
"SAMANTHA L. JOSEPHSON RIDESHARING SAFETY ACT";
AND TO AMEND SECTION 58-23-1640, RELATING TO THE
SAFETY INSPECTION OF TRANSPORTATION NETWORK
COMPANY (TNC) VEHICLES, SO AS TO REQUIRE TNC
VEHICLES IN THIS STATE TO POSSESS AND DISPLAY
CERTAIN ILLUMINATED SIGNAGE AT ALL TIMES WHEN THE
TNC DRIVER IS ACTIVE.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs
in the amendments proposed by the House to H. 4245:

[HJ]

THURSDAY, MAY 9, 2019

H. 4245 -- Reps. Ligon, Kirby, Ott, Hewitt, Atkinson, Hiott, Hixon, Pope, Felder, V. S. Moss, D. C. Moss, B. Cox, Forrest, Simrill, Martin, B. Newton, Magnuson, Moore, Hyde, Simmons, Trantham, R. Williams, Jefferson, King, W. Cox and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 17, TITLE 47 SO AS TO PROVIDE IT IS UNLAWFUL TO ADVERTISE, SELL, LABEL, OR MISREPRESENT AS "MEAT" OR "CLEAN MEAT" ALL OR PART OF A CARCASS THAT IS CELL-CULTURED MEAT/PROTEIN, OR IS NOT DERIVED FROM HARVESTED PRODUCTION LIVESTOCK OR POULTRY, AND TO PROVIDE A PENALTY.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4239:

H. 4239 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-5-715, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAWLING RESTRICTION AREAS WITHIN THE GENERAL TRAWLING ZONE, SO AS TO PROVIDE THAT A CERTAIN AREA IS CLOSED TO TRAWLING FROM MAY FIRST THROUGH SEPTEMBER FIFTEENTH AND TO REMOVE LANGUAGE CONCERNING THIS AREA.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

[HJ]

THURSDAY, MAY 9, 2019

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4020:

H. 4020 -- Reps. Clary, W. Newton, R. Williams, Funderburk, Erickson and Bradley: A BILL TO AMEND SECTION 51-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO PROVIDE NEW DUTIES FOR THE DEPARTMENT; AND TO REPEAL ARTICLE 3 OF CHAPTER 1, TITLE 51, RELATING TO THE DIVISION OF COMMUNITY DEVELOPMENT.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4013:

H. 4013 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 48-22-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE STATE GEOLOGICAL SURVEY UNIT, SO AS TO CHANGE CERTAIN REQUIREMENTS FOR THE STATE GEOLOGIST; TO AMEND SECTION 48-22-30, RELATING TO THE POWERS AND DUTIES OF THE STATE GEOLOGIST, SO AS TO REQUIRE THAT THE STATE GEOLOGIST BECOME FAMILIAR WITH GEOLOGIC HAZARDS THROUGHOUT THE STATE; AND TO AMEND SECTION 48-22-40, RELATING TO THE DUTIES OF THE STATE

[HJ]

THURSDAY, MAY 9, 2019

GEOLOGICAL SURVEY UNIT, SO AS TO ESTABLISH NEW DUTIES FOR THE UNIT AND REMOVE CERTAIN MAPPING DUTIES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4012:

H. 4012 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTIONS 48-9-15 AND 48-9-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 48, SO AS TO REDEFINE THE TERM "DIVISION", DEFINE THE TERM "BOARD", AND EXPAND THE DEFINITION OF "THE UNITED STATES"; TO AMEND SECTION 48-9-45, RELATING TO THE LAND, RESOURCES, AND CONSERVATION DISTRICTS DIVISION, SO AS TO UPDATE THE NAME OF THE DIVISION; TO AMEND SECTION 48-9-50, RELATING TO AGENCIES OPERATING PUBLIC LANDS, SO AS TO DELETE A REFERENCE TO CERTAIN LAND USE REGULATIONS; TO AMEND SECTION 48-9-220, RELATING TO GEOGRAPHIC AREAS FOR THE STATE LAND RESOURCES CONSERVATION COMMISSION, SO AS TO REFORMAT THE STATE LAND RESOURCES CONSERVATION COMMISSION INTO THE LAND, WATER, AND CONSERVATION DIVISION ADVISORY COMMITTEE; TO AMEND SECTION 48-9-310, RELATING TO ESTIMATES OF FINANCIAL NEEDS FOR SOIL AND WATER CONSERVATION DISTRICTS, SO AS TO REMOVE UNNECESSARY STATUTORY REQUIREMENTS THAT ARE NOW ACCOMPLISHED THROUGH THE BUDGETING PROCESS; TO AMEND SECTION 48-9-1220, RELATING TO THE NOMINATION AND ELECTION OF COMMISSIONERS, SO AS TO

[HJ]

THURSDAY, MAY 9, 2019

UPDATE AN EXISTING REFERENCE TO REFLECT THE ROLE OF THE STATE ELECTION COMMISSION TO DETERMINE ELECTORS; TO AMEND SECTION 48-9-1250, RELATING TO THE USE OF COUNTY AGRICULTURAL AGENTS, SO AS TO REMOVE REFERENCES TO DISCONTINUED PRACTICES; TO AMEND SECTION 48-11-10, RELATING TO DEFINITIONS APPLICABLE TO WATERSHED CONSERVATION DISTRICTS, SO AS TO ALTER THE DEFINITION OF THE TERM "DIVISION"; TO REPEAL SECTION 48-9-40 RELATING TO THE RENAMING OF THE STATE LAND RESOURCES CONSERVATION COMMISSION; TO REPEAL SECTION 48-9-230 RELATING TO ADVISORS TO THE LAND RESOURCES AND CONSERVATION DISTRICTS DIVISION OF THE DEPARTMENT OF NATURAL RESOURCES; TO REPEAL ARTICLE 13 OF CHAPTER 9, TITLE 48 RELATING TO LAND USE REGULATIONS; AND TO REPEAL ARTICLE 15 OF CHAPTER 9, TITLE 48 RELATING TO THE BOARD OF ADJUSTMENT FOR A NEWLY ORGANIZED SOIL AND WATER CONSERVATION DISTRICT.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4011:

H. 4011 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 49-3-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' DUTIES IN REGARDS TO WATER RESOURCE PLANNING AND COORDINATION, SO AS TO MAKE STATUTORY CHANGES TO REFLECT THE DUTIES OF THE DEPARTMENT; AND TO AMEND SECTION 49-3-50, RELATING TO MATTERS TO BE CONSIDERED BY THE DEPARTMENT IN

[HJ]

THURSDAY, MAY 9, 2019

EXERCISING ITS AUTHORITY UNDER THE WATER RESOURCES PLANNING AND COORDINATION ACT, SO AS TO REQUIRE THE DEPARTMENT TO CONSIDER THE NEED FOR MEASURES TO PREVENT SALTWATER INTRUSION ON GROUNDWATER AND SURFACE WATER AND PROTECT THE STATE'S AQUATIC RESOURCES.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4010:

H. 4010 -- Reps. Hixon, Tallon, Johnson and R. Williams: A BILL TO AMEND SECTION 51-17-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM ACREAGE THAT MAY BE ACQUIRED UNDER THE HERITAGE TRUST PROGRAM, SO AS TO REMOVE THE MAXIMUM ACREAGE LIMITATION.

and has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3973:

[HJ]

THURSDAY, MAY 9, 2019

H. 3973 -- Reps. Crawford, Mace, Erickson, Thayer, Davis, Magnuson, Bennett, Allison, Bernstein, Cobb-Hunter, Henegan, McDaniel, Norrell, Funderburk, Brawley, Simmons, Henderson-Myers, Robinson, Collins, Calhoun, Dillard, Kimmons, Trantham, Caskey, Weeks and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 3, TITLE 16 SO AS TO PROHIBIT GENITAL MUTILATION OF A FEMALE UNDER THE AGE OF EIGHTEEN YEARS AND TO CREATE THE OFFENSE OF FEMALE GENITAL MUTILATION OF A MINOR; AND TO AMEND SECTION 63-7-20, AS AMENDED, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, SO AS TO ADD FEMALE GENITAL MUTILATION OF A MINOR TO THE DEFINITION OF "CHILD ABUSE OR NEGLECT" OR "HARM".

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3662:

H. 3662 -- Rep. McCoy: A BILL TO ADOPT REVISED CODE VOLUMES 3 AND 4 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2019.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

[HJ]

THURSDAY, MAY 9, 2019

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3036:

H. 3036 -- Reps. McCravy, Parks, West, Gagnon, Martin, Hiott, Burns, Huggins, G. R. Smith, Trantham, Ridgeway, Thayer, W. Cox, Toole, Johnson, Jefferson, Clary, Gilliard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "DYLAN'S LAW"; AND BY ADDING SECTION 44-37-35 SO AS TO REQUIRE NEONATAL TESTING FOR CERTAIN GENETIC DISORDERS AND DISEASES AND FOR OTHER PURPOSES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3035:

H. 3035 -- Reps. Funderburk, Thigpen, W. Newton, R. Williams and Wheeler: A BILL TO AMEND SECTION 7-13-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO POLL MANAGERS AND THEIR ASSISTANTS, SO AS TO PROVIDE THAT POLL WORKERS MUST BE RESIDENTS AND REGISTERED ELECTORS OF THE STATE OF SOUTH CAROLINA.

and has ordered the Bill enrolled for ratification.

[HJ]

THURSDAY, MAY 9, 2019

Very respectfully,
President
Received as information.

H. 4287--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 4287:

H. 4287 -- Reps. Lucas, G. M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Very respectfully,
President

On motion of Rep. COBB-HUNTER, the House insisted upon its amendments.

[HJ]

THURSDAY, MAY 9, 2019

Whereupon, the Chair appointed Reps. OTT, G. M. SMITH and LUCAS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Leatherman, Jackson and Bennett to the Committee of Conference on the part of the Senate to H. 4000:

H. 4000 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Leatherman, Jackson and Bennett to the Committee of Conference on the part of the Senate to H. 4001:

H. 4001 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2018-2019, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

[HJ]

THURSDAY, MAY 9, 2019

Very respectfully,
President
Received as information.

H. 3137--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3137:

H. 3137 -- Reprs. G. M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Very respectfully,
President

[HJ]

THURSDAY, MAY 9, 2019

On motion of Rep. BANNISTER, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. BANNISTER, FINLAY and COBB-HUNTER to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3145:

H. 3145 -- Reps. Ott, Clary, Cobb-Hunter, Collins, Jefferson, Kirby, Willis, Cogswell, D. C. Moss, G. R. Smith, Elliott, Sandifer, Lucas, Ballentine, Caskey, Simrill, West, Murphy, McKnight, Mace, Kimmons, Davis, Magnuson, Sottile, Hewitt, Hiott, B. Newton, Pope, Forrest, Bales, Rutherford, R. Williams, Gilliam, Norrell, Funderburk, G. M. Smith, Weeks, Ridgeway, Yow, W. Newton, Bamberg, Stavrinakis, McCoy, Erickson, Blackwell, Wheeler, Fry, Bannister, Calhoun, Huggins, Gilliard and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-49-150 SO AS TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF IS VESTED WITH THE AUTHORITY AND JURISDICTION TO CONDUCT AUDITS OF ELECTRIC COOPERATIVES IN THE SAME MANNER, TERMS, AND CONDITIONS IT IS AUTHORIZED TO CONDUCT AUDITS OF REGULATED PUBLIC UTILITIES AS PROVIDED BY LAW; TO AMEND SECTION 33-49-420, RELATING TO ANNUAL MEETINGS OF MEMBERS OF AN ELECTRIC COOPERATIVE, SO AS TO REVISE THE NOTICE REQUIREMENTS FOR CERTAIN MEETINGS; TO AMEND SECTION 33-49-430, RELATING TO A QUORUM AT MEETINGS OF ELECTRIC COOPERATIVES, SO AS TO ALLOW PERSONS CASTING EARLY VOTING BALLOTS FOR THE ELECTION OF TRUSTEES TO BE COUNTED FOR PURPOSES OF DETERMINING A QUORUM AT THE MEETING FOR THE ELECTION, AND TO PROHIBIT VOTING BY PROXY; TO AMEND SECTION 33-49-440, RELATING TO VOTING BY MEMBERS AND SECTION 33-49-620, RELATING TO VOTING

[HJ]

THURSDAY, MAY 9, 2019

DISTRICTS FROM WHICH SOME MEMBERS OF THE BOARD OF TRUSTEES MAY BE ELECTED, SO AS TO PERMIT EARLY VOTING FOR MEETINGS AT WHICH TRUSTEES ARE TO BE ELECTED AND THE PROCEDURES FOR EARLY VOTING; TO AMEND SECTION 33-49-610, RELATING TO THE BOARD OF TRUSTEES OF A COOPERATIVE, SO AS TO REVISE THE MANNER IN WHICH VACANCIES OCCURRING FOR ANY REASON OTHER THAN EXPIRATION OF A TERM ARE FILLED WHICH MUST BE FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY; BY ADDING SECTION 33-49-615 SO AS TO REQUIRE ANNUAL PUBLIC DISCLOSURE OF COMPENSATION AND BENEFITS PAID TO OR PROVIDED FOR MEMBERS OF THE BOARD OF TRUSTEES; BY ADDING SECTION 33-49-625 SO AS TO REQUIRE SPECIFIED NOTICE OF MEETINGS TO THE COOPERATIVE MEMBERSHIP, TO REQUIRE VOTES OF TRUSTEES TO BE TAKEN IN OPEN SESSION WITH CERTAIN EXCEPTIONS, TO REQUIRE VOTES TAKEN IN EXECUTIVE SESSION TO BE RATIFIED IN OPEN SESSION, AND TO REQUIRE MINUTES OF ALL MEETINGS TO BE PROVIDED TO COOPERATIVE MEMBERS; AND BY ADDING SECTION 33-49-645 SO AS TO PROVIDE THAT IN THE CONDUCT OF ELECTIONS BY A COOPERATIVE, IT MUST PROHIBIT ADVOCACY OR CAMPAIGNING WITHIN A CERTAIN DISTANCE OF THE POLLING PLACE.

And has ordered the Bill enrolled for ratification.

Very respectfully,
President
Received as information.

H. 3601--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 3601:

[HJ]

THURSDAY, MAY 9, 2019

H. 3601 -- Reps. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Very respectfully,
President

On motion of Rep. ROSE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. ROSE, MCCOY and PENDARVIS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 3602--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3602:

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Very respectfully,
President

On motion of Rep. ROSE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. ROSE, G. M. SMITH and JOHNSON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

[HJ]

THURSDAY, MAY 9, 2019

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3916:

H. 3916 -- Reps. Murphy, Chellis, Kimmons, Simrill and Pope: A BILL TO AMEND SECTION 12-37-2615, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR FAILURE TO REGISTER A MOTOR VEHICLE, SO AS TO PROVIDE THAT A PERSON WHO FAILS TO REGISTER A MOTOR VEHICLE IS GUILTY OF A MISDEMEANOR AND, UPON CONVICTION, MUST BE FINED FIVE HUNDRED DOLLARS OR IMPRISONED FOR A PERIOD NOT TO EXCEED THIRTY DAYS, OR BOTH.

Very respectfully,

President

Received as information.

H. 3986--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurrs in the amendments proposed by the House to H. 3986:

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE

[HJ]

THURSDAY, MAY 9, 2019

COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Very respectfully,
President

On motion of Rep. G. M. SMITH, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. WILLIS, ROSE and CASKEY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 4004--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4004:

H. 4004 -- Reps. Clary, G. M. Smith, Lucas, Ridgeway, Gilliard and Moore: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ACT" BY ADDING CHAPTER 80 TO TITLE 44 SO AS TO ENABLE CERTAIN PERSONS TO EXECUTE A POST FORM SIGNED BY A PHYSICIAN THAT SETS FORTH THE PATIENT'S WISHES AS TO LIFE-SUSTAINING CARE; TO REQUIRE HEALTH CARE PROVIDERS AND HEALTH CARE FACILITIES TO ACCEPT A POST FORM AS A VALID MEDICAL ORDER WHICH TAKES PRECEDENCE OVER AN ADVANCE DIRECTIVE AND TO COMPLY WITH THE ORDER, WITH EXCEPTIONS; TO ESTABLISH A PHYSICIAN ORDERS FOR SCOPE OF TREATMENT (POST) ADVISORY COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP AND DUTIES; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM CERTAIN DUTIES WITH RESPECT TO OVERSEEING POST FORMS AND TO PROMULGATE REGULATIONS; TO PROVIDE IMMUNITY FROM CIVIL AND CRIMINAL LIABILITY AND FROM

[HJ]

THURSDAY, MAY 9, 2019

DISCIPLINARY ACTION FOR CERTAIN PERSONS ACTING IN ACCORDANCE WITH PROVISIONS OF THE CHAPTER; AND FOR OTHER PURPOSES.

and asks for a Committee of Conference and has appointed 4000, Gambrell and Kimpson to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. RIDGEWAY, HERBKERSMAN and CLARY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 3821--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3821:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT

[HJ]

THURSDAY, MAY 9, 2019

RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

and asks for a Committee of Conference and has appointed Senators Davis, Bright-Matthews and Gambrell to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. HERBKERSMAN, CLARY and RIDGEWAY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

H. 3789--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019
Mr. Speaker and Members of the House:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3789:

H. 3789 -- Reps. Willis, Allison, Bennett, Elliott, Brown, Erickson, Bradley, Huggins, Forrest, Taylor and R. Williams: A BILL TO AMEND SECTIONS 56-1-35, 56-1-40, 56-1-140, 56-1-210, 56-1-2100, AND 56-1-3350, RELATING TO THE ISSUANCE, RENEWAL, AND EXPIRATION OF A DRIVER'S LICENSE, BEGINNER'S PERMIT, COMMERCIAL DRIVER LICENSE, AND SPECIAL IDENTIFICATION CARD, AND THE PLACEMENT OF A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD, SO AS TO REVISE THE PERIOD IN WHICH A DRIVER'S LICENSE AND CERTAIN COMMERCIAL DRIVER LICENSES ARE VALID, TO REVISE THE FEE TO OBTAIN A DRIVER'S LICENSE, CERTAIN COMMERCIAL DRIVER LICENSES, AND SPECIAL IDENTIFICATION CARDS, TO REVISE THE DOCUMENTS THAT MUST BE PROVIDED TO THE DEPARTMENT OF MOTOR VEHICLES TO OBTAIN A VETERAN DESIGNATION ON A DRIVER'S LICENSE OR A SPECIAL IDENTIFICATION CARD, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT A PERSON IS PERMITTED TO ONLY HAVE ONE DRIVER'S LICENSE OR IDENTIFICATION CARD.

and asks for a Committee of Conference and has appointed Senators Grooms, Johnson and Climer to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. THIGPEN, YOW and BENNETT to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019
Mr. Speaker and Members of the House:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it has appointed Senators Cromer, Scott and Corbin to the Committee of Conference on the part of the Senate on H. 3137:

H. 3137 -- Reprs. G. M. Smith, Lucas, Ott, Stavrinakis, Simrill, Rutherford, Pope, Clyburn, S. Williams, Cobb-Hunter, Bailey, Erickson, Bradley, Yow, Forrest, Kirby, Sottile, Murphy, Chellis, Kimmons, Rose, Wheeler, Young, Clemmons, Cogswell, Gilliard, B. Newton, Anderson, Jefferson, Bales, Blackwell, McDaniel, Moore, R. Williams and Henderson-Myers: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NO LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE APPROPRIATION TO THE FUND MUST BE INCREASED BY THE SAME PERCENTAGE THAT GENERAL FUND REVENUES ARE PROJECTED TO INCREASE, IF APPLICABLE, BUT NOT TO EXCEED FIVE PERCENT, TO REQUIRE THAT THE PERCENTAGE INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE DISTRIBUTION PERCENTAGE OF THE FUND, AND TO DELETE A PROVISION REQUIRING AMENDMENTS TO THE STATE AID TO SUBDIVISIONS ACT BE INCLUDED IN SEPARATE LEGISLATION.

Very Respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 4133:

[HJ]

THURSDAY, MAY 9, 2019

H. 4133 -- Reps. Weeks, G.M. Smith, Clyburn, Stavrinakis, Gilliard, Bales, Hosey, Henderson-Myers, R. Williams, Rutherford, Alexander and Forrest: A BILL TO AMEND SECTION 12-6-3530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMUNITY DEVELOPMENT TAX CREDITS, SO AS TO ALLOW A TAX CREDIT OF FIFTY PERCENT OF ANY CASH DONATION TO A COMMUNITY DEVELOPMENT CORPORATION OR COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS, TO DELETE AN AGGREGATE CREDIT PROVISION AND SET AN ANNUAL LIMIT, TO ESTABLISH TAX CREDIT RESERVE ACCOUNTS FOR THE FIRST THREE QUARTERS OF EACH TAX YEAR SO AS TO AVOID THE DEPLETION OF CREDITS BY AN INDIVIDUAL TAXPAYER, TO DELETE THE PRO-RATA DISTRIBUTION OF TAX CREDITS, TO ALLOW FINANCIAL INSTITUTIONS WITH TAX LIABILITIES IN THIS STATE TO INVEST IN COMMUNITY DEVELOPMENT CORPORATIONS FOR THE PURPOSE OF RECEIVING A TAX CREDIT, AND TO PROVIDE THAT RETURNS ON INVESTMENTS IN CERTIFIED COMMUNITY DEVELOPMENT CORPORATIONS AND CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS MAY NOT EXCEED THE TOTAL AMOUNT OF THE INITIAL INVESTMENT; AND TO AMEND SECTION 4 OF ACT 314 OF 2000, AS AMENDED, RELATING TO COMMUNITY DEVELOPMENT CORPORATIONS AND FINANCIAL INSTITUTIONS, SO AS TO EXTEND THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT UNTIL JUNE 30, 2023.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Davis, Gambrell and Johnson to the Committee of Conference on the part of the Senate on H. 3602:

[HJ]

THURSDAY, MAY 9, 2019

H. 3602 -- Reps. Rose, Caskey and Weeks: A BILL TO AMEND SECTION 44-66-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY MAKE HEALTH CARE DECISIONS FOR A PATIENT WHO IS UNABLE TO CONSENT, SO AS TO ADD AN ADDITIONAL CATEGORY OF PERSONS.

Very Respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Cromer, McElveen and Corbin to the Committee of Conference on the part of the Senate on H. 3986:

H. 3986 -- Reps. G. M. Smith, Willis, Rose and Caskey: A BILL TO AMEND ARTICLE 3 OF CHAPTER 5, TITLE 11, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ABLE SAVINGS PROGRAM" SO AS TO RENAME THE PROGRAM THE "SOUTH CAROLINA STABLE ACCOUNT PROGRAM" AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 12-6-1140, RELATING TO INCOME TAX DEDUCTIONS, SO AS TO MAKE CONFORMING CHANGES; AND TO DIRECT THE CODE COMMISSIONER TO MAKE CERTAIN CONFORMING CHANGES.

Very Respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019

Mr. Speaker and Members of the House:

[HJ]

THURSDAY, MAY 9, 2019

The Senate respectfully informs your Honorable Body that it has appointed Senators Davis, M. B. Matthews and Gambrell to the Committee of Conference on the part of the Senate on H. 3821:

H. 3821 -- Rep. Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "ADVANCED PRACTICE REGISTERED NURSE ACT"; TO AMEND SECTION 32-8-325, RELATING TO THE USE OF DEATH CERTIFICATES TO AUTHORIZE CREMATORIES TO CREMATE HUMAN REMAINS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN SUCH DEATH CERTIFICATES; TO AMEND SECTION 32-8-340, RELATING TO CONDITIONS FOR CREMATATIONS, SO AS TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES AMONG THE PERSONS AUTHORIZED TO SIGN DEATH CERTIFICATES AND WAIVE CERTAIN TIME REQUIREMENTS; TO AMEND SECTION 40-33-34, AS AMENDED, RELATING TO MEDICAL ACTS THAT ADVANCED PRACTICE REGISTERED NURSES MAY PERFORM, SO AS TO INCLUDE CERTIFYING THE MANNER OF DEATH AND EXECUTING DO NOT RESUSCITATE ORDERS AMONG THE MEDICAL ACTS THAT MAY BE PERFORMED UNLESS OTHERWISE PROVIDED IN A PRACTICE AGREEMENT, AND TO PERMIT THE PRESCRIPTION OF SCHEDULE II NARCOTIC SUBSTANCES FOR PATIENTS RESIDING IN LONG-TERM CARE SETTINGS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-63-74, RELATING TO THE MANDATORY ELECTRONIC FILING OF DEATH CERTIFICATES WITH THE BUREAU OF VITAL STATISTICS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE AUTHORITY OF ADVANCED PRACTICE REGISTERED NURSES TO SIGN DEATH CERTIFICATES AND CERTIFY CAUSES OF DEATH, AND TO PROVIDE ADVANCED PRACTICE REGISTERED NURSES WHO FAIL TO COMPLY WITH CERTAIN TIME LIMITS FOR CERTIFYING A CAUSE OF DEATH MAY BE SUBJECT TO CERTAIN PENALTIES; TO AMEND SECTION 44-78-15, RELATING TO DEFINITIONS IN THE DO NOT RESUSCITATE ORDER ACT, SO AS TO REVISE THE DEFINITION OF A "HEALTH CARE PROVIDER" TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES; AND TO AMEND SECTION 44-78-30, RELATING TO THE FORM OF DO

[HJ]

THURSDAY, MAY 9, 2019

NOT RESUSCITATE ORDERS, SO AS TO MAKE CONFORMING CHANGES.

Very Respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Massey, Setzler and Rankin to the Committee of Conference on the part of the Senate on H. 4287:

H. 4287 -- Reprs. Lucas, G.M. Smith, Simrill, Rutherford, McCoy, Ott, Stavrinakis, Gilliard and Caskey: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY EVALUATION AND RECOMMENDATION COMMITTEE MAY UTILIZE STATE APPROPRIATED OR AUTHORIZED FUNDS, INCLUDING THE USE OF THOSE FUNDS TO RETAIN NECESSARY EXPERTS, LEGAL COUNSEL, BANKING INSTITUTION, OR ANY OTHER FINANCIAL ENTITY, TO EVALUATE AND REVIEW A POTENTIAL, COMPLEX FINANCIAL TRANSACTION FOR THE POTENTIAL SALE OF SANTEE COOPER AND ANY OR ALL OTHER RELATED FINANCIAL TRANSACTIONS NECESSARY FOR USE IN THIS FINANCIAL EVALUATION, WHICH THE COMMITTEE CONSIDERS TO BE IN THE BEST INTERESTS OF THIS STATE AND ITS TAXPAYERS AND RATEPAYERS, TO PROVIDE THAT THE ACTIONS OF THE COMMITTEE ARE SUBJECT TO FINAL APPROVAL BY THE GENERAL ASSEMBLY, AND TO PROVIDE FOR THE MANNER IN WHICH THIS OFFER IS TRANSMITTED TO AND APPROVED OR DISAPPROVED BY THE GENERAL ASSEMBLY, INCLUDING A TIMELINE REQUIREMENT.

Very Respectfully,
President
Received as information.

[HJ]

THURSDAY, MAY 9, 2019

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C. Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Hembree, Talley and M. B. Matthews to the Committee of Conference on the part of the Senate on H. 3601:

H. 3601 -- Reprs. Rose, McCoy and Caskey: A BILL TO AMEND SECTION 16-17-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PUBLIC DISORDERLY CONDUCT, SO AS TO ALLOW AND PROVIDE PROCEDURES FOR CONDITIONAL DISCHARGE FOR FIRST TIME OFFENDERS.

Very Respectfully,
President
Received as information.

H. 4243--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4243:

H. 4243 -- Reprs. Simrill, Lucas, Pope, G. M. Smith, Rutherford, King, Felder, Bryant, D. C. Moss, B. Newton, Ligon, V. S. Moss, Brown, W. Cox, Jefferson, R. Williams, Calhoun, McKnight, Spires, Elliott, Gilliam, West, Atkinson, Bales, Gilliard, Blackwell, B. Cox and Anderson: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO

[HJ]

THURSDAY, MAY 9, 2019

POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

and asks for a Committee of Conference and has appointed Senators Climer, Harpootlian and Gregory to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. SIMRILL, POPE and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

S. 309--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

MESSAGE FROM THE SENATE

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 309:

S. 309 -- Senators Setzler, Campbell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 4-9-30, RELATING TO THE DESIGNATION OF POWERS UNDER THE ALTERNATE FORMS OF GOVERNMENT, SO AS TO PROHIBIT THE LEVY OF COUNTY LICENSE FEES AND TAXES ON A PROFESSIONAL SPORTS TEAM; TO AMEND SECTION 5-7-30, RELATING TO POWERS OF A MUNICIPALITY, SO AS TO PROHIBIT THE LEVY OF A BUSINESS LICENSE TAX ON A PROFESSIONAL SPORTS TEAM; AND BY ADDING SECTION 5-3-20 SO AS TO PROVIDE THAT THE REAL PROPERTY OWNED BY A PROFESSIONAL SPORTS TEAM MAY

[HJ]

THURSDAY, MAY 9, 2019

NOT BE ANNEXED BY A MUNICIPALITY WITHOUT PRIOR WRITTEN CONSENT OF THE PROFESSIONAL SPORTS TEAM.

and asks for a Committee of Conference and has appointed Senators Climer, Harpootlian and Gregory to the Committee of Conference on the part of the Senate.

Very respectfully,
President

Whereupon, the Chair appointed Reps. SIMRILL, POPE and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 595:

S. 595 -- Senators Shealy and Hutto: A BILL TO AMEND SECTION 63-13-40 OF THE 1976 CODE, RELATING TO BACKGROUND CHECKS FOR EMPLOYMENT, TO PROVIDE THAT A CHILDCARE FACILITY MAY NOT EMPLOY A CAREGIVER OR OTHER STAFF IF THAT PERSON IS REGISTERED OR REQUIRED TO REGISTER ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, OR CENTRAL REGISTRY OF CHILD ABUSE AND NEGLECT OR FOR OTHER CONVICTIONS, TO REQUIRE EMPLOYEES TO UNDERGO BACKGROUND CHECKS, INCLUDING A SEARCH ON THE NATIONAL SEX OFFENDER REGISTRY, STATE SEX OFFENDER REGISTRY, AND STATE CHILD ABUSE AND NEGLECT REGISTRY AND A DATABASE CHECK IN EACH STATE WHERE THE PERSON HAS LIVED FOR THE PREVIOUS FIVE YEARS, TO GIVE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION AND THE FEDERAL BUREAU OF INVESTIGATION THE AUTHORITY TO RETAIN, STORE, AND SHARE RECORDS, AND TO PROVIDE A FEE FOR BACKGROUND CHECKS; TO AMEND SECTION 63-13-50 OF THE 1976 CODE, RELATING TO

[HJ]

THURSDAY, MAY 9, 2019

FINGERPRINT EXEMPTIONS, TO PROVIDE THAT FINGERPRINT REVIEWS CONDUCTED WITHIN THE PREVIOUS SIX MONTHS ARE EXEMPT; AND TO AMEND SECTION 63-13-420 OF THE 1976 CODE, RELATING TO LICENSURE REQUIREMENTS, SECTION 63-13-430 OF THE 1976 CODE, RELATING TO LICENSE RENEWAL, SECTION 63-13-620 OF THE 1976 CODE, RELATING TO A STATEMENT OF APPROVAL REQUIREMENTS, SECTION 63-13-630(D), (E), (F), AND (G) OF THE 1976 CODE, RELATING TO APPROVAL RENEWAL, SECTION 63-13-810(C) OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR FAMILY CHILDCARE HOMES, SECTION 63-13-820 OF THE 1976 CODE, RELATING TO REGISTRATION REQUIREMENTS, SECTION 63-13-830(C) AND (D) OF THE 1976 CODE, RELATING TO PERSONS APPLYING FOR REGISTRATION RENEWALS, AND SECTION 63-13-1010 OF THE 1976 CODE, RELATING TO THE REGISTRATION REQUIRED FOR CHURCHES AND RELIGIOUS CENTERS, TO MAKE CONFORMING CHANGES.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 785:

S. 785 -- Senators Peeler, Leatherman, Setzler and Massey: 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, 2019, NOT LATER THAN 5:00 P.M., EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON MONDAY, MAY 20, 2019, AND CONTINUE IN

[HJ]

THURSDAY, MAY 9, 2019

STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON WEDNESDAY, MAY 22, 2019, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS; TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY RECEDE ON WEDNESDAY, MAY 22, 2019, 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 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 TUESDAY, JANUARY 14, 2020, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019
Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3357:

H. 3357 -- Reps. Wooten, Collins, Brawley, Huggins, Taylor, Hixon and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER MAY BE DEAF OR HARD OF HEARING.

and asks for a Committee of Conference and has appointed Senators Campbell, Johnson and Climer to the Committee of Conference on the part of the Senate.

[HJ]

THURSDAY, MAY 9, 2019

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received from the Senate:

Columbia, S.C., Thursday, May 9, 2019

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 455:

S. 455 -- Senators Alexander, Climer and Davis: A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

and asks for a Committee of Conference and has appointed Senators Gambrell, Scott and Davis to the Committee of Conference on the part of the Senate.

Very respectfully,
President
Received as information.

THURSDAY, MAY 9, 2019

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 9, 2019 at 5:00 p.m. and the following Acts and Joint Resolutions were ratified:

(R. 43, S. 12) -- Senator Reese: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-225 SO AS TO DESIGNATE THE THIRD WEDNESDAY IN FEBRUARY OF EACH YEAR AS “BARBERS’ DAY” IN SOUTH CAROLINA.

(R. 44, S. 109) -- Senator Massey: AN ACT TO AMEND SECTION 40-79-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA ALARM SYSTEM BUSINESS ACT, SO AS TO ADD A DEFINITION FOR “ELECTRIC FENCE”, TO ADD AND REVISE OTHER DEFINITIONS, AND TO MAKE TECHNICAL CORRECTIONS.

(R. 45, S. 132) -- Senators Davis, Nicholson, Hutto, M.B. Matthews, Kimpson, Alexander and Scott: AN ACT TO AMEND SECTION 40-47-195, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PHYSICIAN SUPERVISION OF CERTAIN PRACTITIONERS, SO AS TO MAKE VARIOUS CHANGES CONCERNING SCOPE OF PRACTICE GUIDELINES; AND TO AMEND ARTICLE 7, CHAPTER 47, TITLE 40, RELATING TO THE SOUTH CAROLINA PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO REVISE THE ARTICLE IN ITS ENTIRETY.

(R. 46, S. 196) -- Senators Shealy, Hutto, Jackson and Senn: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 20-1-300 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO MINORS WHEN THE FEMALE IS PREGNANT OR HAS GIVEN BIRTH TO A CHILD.

(R. 47, S. 277) -- Senator Senn: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-67-75 SO AS TO PROVIDE SPEECH-LANGUAGE PATHOLOGISTS AND SPEECH-LANGUAGE PATHOLOGY ASSISTANTS UNDER THEIR SUPERVISION SHALL ADHERE TO CERTAIN GUIDELINES; TO AMEND SECTION 40-67-30, RELATING TO THE SUPERVISION OF SPEECH-LANGUAGE

THURSDAY, MAY 9, 2019

PATHOLOGY INTERNS AND ASSISTANTS, SO AS TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 40-67-260, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR LICENSE RENEWAL, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-280, RELATING TO THE COMPLETION OF CERTAIN CONTINUING EDUCATION HOURS FOR INACTIVE LICENSE REACTIVATIONS, SO AS TO ALLOW FOR THE COMPLETION OF CONTINUING EDUCATION UNITS AS AN ALTERNATIVE; TO AMEND SECTION 40-67-300, RELATING TO THE APPLICABILITY OF THE CHAPTER, SO AS TO REVISE CERTAIN EXEMPTIONS; TO REDESIGNATE CHAPTER 67, TITLE 40 AS "SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS"; AND TO REPEAL ACT 124 OF 2015 RELATING TO THE TEMPORARY EXEMPTION OF CERTAIN APPLICANTS FOR LICENSURE AS SPEECH-LANGUAGE PATHOLOGY ASSISTANTS FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION.

(R. 48, S. 310) -- Senator Alexander: AN ACT TO AMEND SECTION 12-21-2870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNSTAMPED OR UNTAXED CIGARETTES, SO AS TO PROVIDE THAT CIGARETTES FOUND AT ANY POINT THAT DO NOT HAVE STAMPS AFFIXED TO THEIR PACKAGE ARE CONSIDERED CONTRABAND IN CERTAIN CIRCUMSTANCES.

(R. 49, S. 401) -- Senators Campbell and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO DEFINE CERTAIN TERMS, PROVIDE AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO PROVIDE A SUNSET PROVISION.

(R. 50, S. 439) -- Senators Leatherman, Grooms, Campbell, Williams and Reese: AN ACT TO AMEND SECTION 12-6-3375, CODE OF

THURSDAY, MAY 9, 2019

LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR A PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM AMOUNT OF THE AVAILABLE TAX CREDITS FOR PORT CARGO VOLUME INCREASES, AND TO PROVIDE FOR A PORT TRANSPORTATION CREDIT FOR THE COSTS OF TRANSPORTING FREIGHT, GOODS, AND MATERIALS FROM QUALIFYING FACILITIES IN SOUTH CAROLINA TO A SOUTH CAROLINA PORT FACILITY; AND BY ADDING SECTION 12-36-2140 SO AS TO PROVIDE THAT A PORT FACILITY IS A DISTRIBUTION FACILITY FOR PURPOSES OF CERTAIN SALES TAX EXEMPTIONS.

(R. 51, S. 463) -- Senator Martin: AN ACT TO AMEND SECTION 40-43-86, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FACILITY REQUIREMENTS FOR PHARMACIES, THE PRESENCE OF PHARMACISTS-IN-CHARGE, CONSULTANT PHARMACISTS, PRESCRIPTION DRUG ORDERS, THE TRANSFERRING OF PRESCRIPTIONS, THE SUBSTITUTION OF AN EQUIVALENT DRUG OR INTERCHANGEABLE BIOLOGICAL PRODUCT, LABEL REQUIREMENTS, PATIENT RECORDS AND COUNSELING, POLICIES AND REQUIREMENTS FOR AUTOMATED SYSTEMS, UNLAWFUL PRACTICES, SALES TO OPTOMETRISTS AND HOME MEDICAL EQUIPMENT PROVIDERS, THE CODE OF ETHICS, THE SALE OF POISONS AND RETURNED MEDICATIONS, PERMIT FEES, AND COMPOUNDING REGULATIONS AND RESTRICTIONS, SO AS TO PROVIDE PHARMACISTS MAY EXERCISE THEIR PROFESSIONAL JUDGMENT TO DISPENSE UP TO A NINETY-DAY SUPPLY OF MEDICATION FOR EACH REFILL UP TO THE TOTAL NUMBER OF DOSAGE UNITS AS AUTHORIZED BY THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION, TO PROVIDE CERTAIN RELATED REQUIREMENTS, AND TO PROVIDE EXCEPTIONS.

(R. 52, S. 530) -- Senator Leatherman: AN ACT TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY

THURSDAY, MAY 9, 2019

ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF “BUSINESS DAY”, “PERSON”, AND “PUBLIC FUNDS”; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE

[HJ]

THURSDAY, MAY 9, 2019

DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATIONS, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR “COMMERCIAL PRODUCT” AND “COMMERCIALY AVAILABLE OFF-THE-SHELF PRODUCT”; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO

[HJ]

THURSDAY, MAY 9, 2019

NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION

[HJ]

THURSDAY, MAY 9, 2019

11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACTS, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY NOT NEGOTIATE WITH A FIRM UNLESS ANY UNSUCCESSFUL NEGOTIATIONS WITH A

[HJ]

THURSDAY, MAY 9, 2019

DIFFERENT FIRM HAVE BEEN CONCLUDED IN WRITING; BY ADDING SECTION 11-35-3305 SO AS TO PROVIDE THAT A PROCUREMENT OFFICER MAY ESTABLISH CONTRACTS PROVIDING FOR AN INDEFINITE QUANTITY OF CERTAIN SUPPLIES, SERVICES, OR INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-3310, RELATING TO INDEFINITE DELIVERY CONTRACTS, SO AS TO REMOVE PROVISIONS RELATING TO CONSTRUCTION SERVICES; BY ADDING SECTION 11-35-3320 SO AS TO DEFINE "TASK ORDER CONTRACT" AND TO PROVIDE WHEN A GOVERNMENTAL BODY MAY ENTER INTO A TASK ORDER CONTRACT; TO AMEND SECTION 11-35-3410, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3820, RELATING TO THE ALLOCATION OF PROCEEDS FOR SALE OR DISPOSAL OF SURPLUS SUPPLIES, SO AS TO CHANGE REFERENCES TO THE DIVISION OF GENERAL SERVICES TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3830, RELATING TO TRADE-IN SALES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-3840, RELATING TO LICENSING FOR PUBLIC SALE OF CERTAIN PUBLICATIONS AND MATERIALS, SO AS TO CHANGE A REFERENCE TO THE DIVISION OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-3850, RELATING TO THE SALE OF UNSERVICEABLE SUPPLIES, SO AS TO CHANGE REFERENCES TO THE BOARD TO THE DEPARTMENT OF ADMINISTRATION; TO AMEND SECTION 11-35-4210, RELATING TO CERTAIN PROTESTS AND PROCEDURES, SO AS TO PROVIDE THAT AN ACTUAL BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR WHO IS AGGRIEVED SHALL NOTIFY THE APPROPRIATE OFFICER IN WRITING; TO AMEND SECTION 11-35-4215, RELATING TO THE POSTING OF BOND OR IRREVOCABLE LETTER OF CREDIT, SO AS TO PROVIDE THAT THE AMOUNT RECOVERED MAY NOT EXCEED FIFTEEN THOUSAND DOLLARS; TO AMEND SECTION 11-35-4220,

[HJ]

THURSDAY, MAY 9, 2019

RELATING TO THE AUTHORITY TO DEBAR OR SUSPEND, SO AS TO PROVIDE THAT A VIOLATION OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991 IS A CAUSE FOR DEBARMENT; TO AMEND SECTION 11-35-4230, RELATING TO THE AUTHORITY TO RESOLVE CONTRACT AND BREACH OF CONTRACT CONTROVERSIES, SO AS TO PROVIDE THAT THE DIVISION OF PROCUREMENT SERVICES MAY INITIATE AND PURSUE RESOLUTION OF CERTAIN CONTRACT CONTROVERSIES; TO AMEND SECTION 11-35-4310, RELATING TO SOLICITATIONS OR AWARDS IN VIOLATION OF THE LAW, SO AS TO PROVIDE THAT CERTAIN REMEDIES MAY BE GRANTED ONLY AFTER REVIEW; BY ADDING SECTION 11-35-4315 SO AS TO PROVIDE THAT THE BOARD MAY PROVIDE BY REGULATION APPROPRIATE ACTION WHERE A CONTRACT AWARD OR MODIFICATION IS IN VIOLATION OF THE PROCUREMENT CODE; BY ADDING SECTION 11-35-4340 SO AS TO PROVIDE THAT THERE IS NO REMEDY AGAINST THE STATE OTHER THAN THOSE PROVIDED IN THIS CHAPTER; TO AMEND SECTION 11-35-4410, RELATING TO THE PROCUREMENT REVIEW PANEL, SO AS TO PROVIDE THAT AN APPEAL ONLY MAY BE MADE TO THE COURT OF APPEALS; BY ADDING SECTION 11-35-4425 SO AS TO PROVIDE THAT IF A FINAL ORDER IS NOT APPEALED THE CHIEF PROCUREMENT OFFICER MAY FILE A CERTIFIED COPY OF THE FINAL RULING; BY ADDING SECTION 11-35-4430 SO AS TO PROVIDE THAT PANEL MEMBERS MAY NOT COMMUNICATE IN CONNECTION WITH ANY ISSUE OF FACT OR ISSUE OF LAW; TO AMEND SECTION 11-35-4610, RELATING TO DEFINITIONS, SO AS TO EXPAND ON THE DEFINITION OF "PUBLIC PROCUREMENT UNIT"; TO AMEND SECTION 11-35-4810, RELATING TO COOPERATIVE PURCHASING AUTHORIZED, SO AS TO PROVIDE THAT CERTAIN COOPERATIVE PURCHASING WITH OTHER STATES MUST BE THROUGH CONTRACTS AWARDED THROUGH FULL AND OPEN COMPETITION; TO AMEND SECTION 11-35-4830, RELATING TO THE SALE, ACQUISITION, OR USE OF SUPPLIES BY A PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT A PUBLIC PROCUREMENT UNIT MAY SELL TO, ACQUIRE FROM, OR USE ANY SUPPLIES BELONGING TO ANOTHER PUBLIC PROCUREMENT UNIT INDEPENDENT OF CERTAIN

[HJ]

THURSDAY, MAY 9, 2019

REQUIREMENTS; TO AMEND SECTION 11-35-4840, RELATING TO THE COOPERATIVE USE OF SUPPLIES OR SERVICES, SO AS TO PROVIDE THAT ANY PUBLIC PROCUREMENT UNIT MAY ENTER INTO AN AGREEMENT INDEPENDENT OF CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-4860, RELATING TO THE SUPPLY OF PERSONNEL, INFORMATION, AND TECHNICAL SERVICES, SO AS TO PROVIDE THAT THE PROCEEDS FROM CERTAIN SALES MUST BE PLACED IN A REVENUE ACCOUNT; TO AMEND SECTION 11-35-4870, RELATING TO THE USE OF PAYMENTS RECEIVED BY A SUPPLYING PUBLIC PROCUREMENT UNIT, SO AS TO PROVIDE THAT CERTAIN PAYMENTS MUST BE DEPOSITED IN A SPECIAL REVENUE ACCOUNT; TO AMEND SECTION 11-35-4880, RELATING TO PUBLIC PROCUREMENT UNITS IN COMPLIANCE WITH CODE REQUIREMENTS, SO AS TO REMOVE A REFERENCE TO EXTERNAL PROCUREMENT ACTIVITY; BY ADDING SECTION 11-35-4900 SO AS TO PROVIDE FOR APPROVAL OF CERTAIN INTERGOVERNMENTAL ACQUISITIONS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT AN APPEAL FROM THE PROCUREMENT REVIEW PANEL IS TO THE COURT OF APPEALS; TO AMEND SECTION 57-1-490, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S ANNUAL AUDITS, SO AS TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT'S INTERNAL PROCUREMENT OPERATION MUST BE AUDITED ANNUALLY; BY ADDING SECTION 1-11-190 SO AS TO PROVIDE RESPONSIBILITIES FOR THE DEPARTMENT OF ADMINISTRATION; TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY SHALL PUBLISH INTERIM REGULATIONS IT WILL FOLLOW TO IMPLEMENT CERTAIN CHANGES; TO REPEAL SECTION 11-35-1580 RELATING TO INFORMATION TECHNOLOGY PROCUREMENTS; TO REDESIGNATE ARTICLE 10, CHAPTER 35, TITLE 11 AS "INDEFINITE QUANTITY CONTRACTS"; AND TO RECODIFY SECTIONS 11-35-35, RELATING TO SURETY BONDS, 11-35-55, RELATING TO THE PURCHASE OF GOODS OR SERVICES FROM AN ENTITY EMPLOYING PRISON INMATES, AND 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE.

[HJ]

216

THURSDAY, MAY 9, 2019

(R. 53, S. 546) -- Senator Alexander: AN ACT TO AMEND SECTION 7-7-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 54, S. 607) -- Senators Grooms and Campbell: AN ACT TO AMEND SECTION 7-7-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD SIXTEEN PRECINCTS, TO ELIMINATE TWO PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 55, S. 675) -- Senators Turner and Allen: AN ACT TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, TO ADD THE "SOUTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE TERRITORY, TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED, TO PROVIDE THAT NO RESIDENTIAL OR COMMERCIAL ENTITY LOCATED WITHIN THE SOUTHERN GREENVILLE EXTENDED TERRITORY IS REQUIRED TO TAP INTO THE SERVICES PROVIDED BY REWA UNLESS THE ENTITY DOES SO VOLUNTARILY OR HAS NO OTHER DHEC-APPROVED METHOD FOR DISPOSAL, AND TO REVISE THE CONDITIONS UNDER WHICH A RESIDENTIAL OR COMMERCIAL ENTITY LOCATED IN THE NORTHERN GREENVILLE AREA OF REWA MAY TAP INTO THE SERVICES PROVIDED BY REWA.

(R. 56, S. 712) -- Senator Gambrell: AN ACT TO AMEND ACT 549 OF 1973, AS AMENDED, RELATING TO THE BROADWAY WATER AND SEWERAGE DISTRICT IN ANDERSON COUNTY, SO AS TO RATIFY A 2001 EXPANSION OF THE DISTRICT'S

THURSDAY, MAY 9, 2019

SERVICE AREA PURSUANT TO A TRANSFER OF TERRITORY FROM THE BELTON-HONEA PATH WATER AUTHORITY.

(R. 57, H. 3346) -- Reps. Yow, Lucas and Henegan: AN ACT TO AMEND ACT 205 OF 1993, AS AMENDED, RELATING TO THE DISTRICT BOARD OF EDUCATION OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE FILING PERIOD FOR DECLARATIONS OF CANDIDACY.

(R. 58, H. 3698) -- Reps. Bailey, Hewitt, Hardee and Clemmons: AN ACT TO AMEND SECTION 48-39-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEVELOPMENT OF THE COASTAL MANAGEMENT PROGRAM, SO AS TO DEEM CERTAIN COASTAL ZONE CONSISTENCY CERTIFICATIONS APPROVED WITHIN THIRTY DAYS OF AN ADMINISTRATIVELY COMPLETE APPLICATION.

(R. 59, H. 3699) -- Reps. Bailey, Hewitt and Hardee: AN ACT TO AMEND SECTION 48-39-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATION FEES FOR PERMITS TO ALTER CRITICAL AREAS, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DEFER TO THE UNITED STATES ARMY CORPS OF ENGINEERS IN DETERMINING THE SIZE OF A PRIVATE RECREATIONAL DOCK CONSTRUCTED ON THE ATLANTIC INTRACOASTAL WATERWAY FEDERAL NAVIGATION PROJECT.

(R. 60, H. 3700) -- Reps. Bailey, Hewitt, Hardee and Clemmons: AN ACT TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON EROSION CONTROL STRUCTURES OR DEVICES SEAWARD OF THE SETBACK LINE, SO AS TO ALLOW FOR THE PLACEMENT OF SHORELINE PERPENDICULAR WINGWALLS THAT EXTEND LANDWARD FROM THE ENDS OF EXISTING EROSION CONTROL STRUCTURES OR DEVICES; AND TO AMEND SECTION 48-39-130, AS AMENDED, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO UNDERTAKE ACTIONS PROTECTING CERTAIN EXISTING EROSION CONTROL DEVICES.

THURSDAY, MAY 9, 2019

(R. 61, H. 4413) -- Reps. G.M. Smith, Lucas, Simrill, Rutherford and Stavrinakis: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2019-2020 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT, AND TO PROVIDE EXCEPTIONS.

Rep. BALES raised the Point of Order that under Article III, Section 9 of the Constitution of South Carolina, 1895, and the *Sine Die* Resolution, S. 785, the clock had struck 5:00 p.m. and the House must adjourn.

The SPEAKER sustained the Point of Order and pursuant to the provisions of the Constituion and the *Sine Die* Resolution, declared the House to be adjourned.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3011 -- Rep. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES STORE CREEK ALONG SOUTH CAROLINA HIGHWAY 174 IN CHARLESTON COUNTY THE "REVEREND TONY L. DAISE BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

H. 3791 -- Reps. Brown, Bamberg, Kimmons and Rivers: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE CSX RAIL LINE ALONG THE ACE BASIN PARKWAY IN COLLETON COUNTY "MOLLY GRAHAM MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE CONTAINING THIS DESIGNATION.

THURSDAY, MAY 9, 2019

ADJOURNMENT

At 5:00 p.m. the House, in accordance with the motion of Rep. BALES, and in accordance with S. 785, the Sine Die Adjournment Resolution , adjourned to meet at 12:00 noon on Monday, May 20.tomorrow.

THURSDAY, MAY 9, 2019

H. 3011	218	H. 4000	99, 100, 185
H. 3024	3	H. 4001	100, 185
H. 3035	84, 88, 183	H. 4004	45, 191
H. 3036	110, 183	H. 4010	33, 181
H. 3087	4, 21	H. 4011	43, 44, 180
H. 3111	4	H. 4012	41, 42, 179
H. 3130	4	H. 4013	39, 178
H. 3137 ..	118, 119, 186, 195	H. 4020	116, 178
H. 3145 ..	113, 115, 170, 187	H. 4133	29, 195, 196
H. 3174	166	H. 4239	34, 35, 177
H. 3243	162	H. 4243	152, 200
H. 3309	8	H. 4244	36
H. 3344	4	H. 4245	37, 176, 177
H. 3346	217	H. 4258	4
H. 3357	75, 204	H. 4287	184, 199
H. 3383	62, 172	H. 4380	88, 176
H. 3456	125, 149	H. 4413	218
H. 3471	22	H. 4482	5
H. 3586	163	H. 4509	94
H. 3601	70, 71, 80, 188	H. 4516	5
H. 3601	189, 200	H. 4533	21
H. 3602	78, 79, 189, 196	H. 4562	101
H. 3602	197	H. 4576	28
H. 3632	4	H. 4581	101
H. 3659	90	H. 4582	101
H. 3660	4	H. 4583	102
H. 3661	7	H. 4584	102
H. 3662	68, 182	H. 4585	102
H. 3698	217	H. 4586	103
H. 3699	217	H. 4587	103
H. 3700	99, 173, 217	H. 4588	104
H. 3703	76, 77, 170	H. 4589	105
H. 3728	158	H. 4590	105
H. 3754	61, 169	H. 4591	106
H. 3760	156	H. 4592	107
H. 3785	167	H. 4593	107
H. 3789	66, 193, 194	H. 4594	108
H. 3791	218	H. 4595	108
H. 3821	59, 192, 198	H. 4596	108
H. 3916	57, 58, 173, 190	H. 4597	108
H. 3951	174	H. 4598	109
H. 3973	64, 181, 182	H. 4599	109
H. 3984	8	H. 4600	106
H. 3986	47, 190, 197		
H. 3999	125, 149	S. 11	23

THURSDAY, MAY 9, 2019

S. 1123
S. 21 160
S. 21 160
S. 767
S. 105..... 18, 129
S. 156.....26
S. 194.....25
S. 235.....94
S. 281..... 18, 131
S. 309..... 7, 154, 201
S. 310..... 16
S. 314..... 16, 129
S. 323..... 17, 131
S. 329..... 16, 131
S. 342.....26
S. 359.....20, 132
S. 362.....28
S. 397.....25
S. 408..... 17, 131
S. 439..... 15
S. 440..... 17, 129
S. 455..... 111, 205
S. 525.....23
S. 530..... 8
S. 575..... 6, 174
S. 595..... 5, 202
S. 613.....27
S. 621..... 18, 131
S. 661.....94
S. 676.....96
S. 712..... 5
S. 785..... 120, 127, 144, 203
S. 799.....96
S. 801.....93
S. 802.....95, 175