~~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 Hebrew 13:20: “Now may the God of peace make you complete.”

Let us pray. Thank You, God, for Your constant presence in our lives. Make us conscious that wherever we are, and whatever we do, You are with us. Your presence gives us strength and courage to carry the burdens of responsibility. Continue to guide each member of this assembly in doing their very best for the people of this State. Bless our Nation, President, State, Governor, Speaker, staff, and all who support our leaders. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear our prayer, O Lord. 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.

**MOTION ADOPTED**

Rep. BARFIELD moved that when the House adjourns, it adjourn in memory of Dr. Edward M. "Dick" Singleton of Conway, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 4282 -- Reps. Henderson and Hamilton: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE EASTSIDE HIGH SCHOOL BOYS SOCCER TEAM ON ITS

EXCELLENT SEASON AND IMPRESSIVE WIN OF THE 2011 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4283 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO COMMEND CAROL FOWLER, FORMER CHAIRMAN OF THE SOUTH CAROLINA DEMOCRATIC PARTY, FOR HER MANY YEARS OF COMMITTED SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 4284 -- Reps. Atwater, J. E. Smith, Owens, Harrell, Harrison and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-5-40 SO AS TO PROVIDE THAT VETERAN'S DAY AND MEMORIAL DAY MUST BE RECOGNIZED AS A HOLIDAY FOR ALL LOCAL SCHOOL DISTRICTS OF THE STATE AND THAT THE SCHOOLS AND OFFICES OF THE DISTRICTS MUST BE CLOSED ON THOSE DATES.

Rep. ATWATER asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. KING objected.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Butler Garrick | Chumley | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Edge |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Knight | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Rutherford |
| Sabb | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Thayer | Toole | Tribble |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 26.

|  |  |
| --- | --- |
| Paul Agnew | Eric Bedingfield |
| Alan D. Clemmons | Chandra Dillard |
| David Mack | William "Bill" Taylor |
| H. B. "Chip" Limehouse | Kevin Ryan |
| Joseph Neal | Richard "Rick" Quinn |
| Grady Brown | Bakari Sellers |

**Total Present--116**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VICK a leave of absence for the day due to attending Military Command and General Staff College in Fort Dix, New Jersey.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MCCOY a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Don Vaughn of Greenville was the Doctor of the Day for the General Assembly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPECIAL PRESENTATION**

Rep. BANNISTER presented to the House the Christ Church Episcopal School "Cavaliers" Boys Tennis Team, the 2011 South Carolina Independent School Association Class AA/A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. HUGGINS, BALLENTINE and MCLEOD presented to the House the Chapin High School "Eagles" Boys Varsity Tennis Team, the 2011 Class AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. BRANHAM presented to the House the Johnsonville High School Varsity Girls Track Team, the 2011 Class A Champions, their coaches and other school officials.

**SPEAKER IN CHAIR**

**STATEMENT BY REP. HARRISON**

Rep. HARRISON made a statement relative to reapportionment.

**H. 4275--DEBATE ADJOURNED**

Rep. CRAWFORD moved to adjourn debate upon the following Bill, which was adopted:

H. 4275 -- Rep. G. A. Brown: A BILL TO AMEND ACT 426 OF 2006, THE "SCHOOL DISTRICT OF LEE COUNTY SCHOOL BOND PROPERTY TAX RELIEF ACT", RELATING TO AUTHORIZATION FOR THE IMPOSITION OF A ONE CENT SALES AND USE TAX IN LEE COUNTY, THE REVENUES OF WHICH MUST BE USED FOR SCHOOL CONSTRUCTION AND RENOVATION, SO AS TO EXTEND FROM FIVE TO EIGHT YEARS THE TIME THE TAX MAY BE IMPOSED.

**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. 588 -- Senators Jackson, Hayes, O'Dell, Rose, Ford and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "STROKE PREVENTION ACT OF 2011" BY ADDING ARTICLE 6 TO CHAPTER 61, TITLE 44 SO AS TO ESTABLISH A STATEWIDE SYSTEM OF STROKE CARE, WHICH REQUIRES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RECOGNIZE AND DESIGNATE HOSPITALS THAT ARE CERTIFIED TO BE PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS, TO DISTRIBUTE A LIST OF PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS TO EACH EMERGENCY MEDICAL SERVICES PROVIDER AND TO POST THIS LIST ON ITS WEBSITE, TO ADOPT AND DISTRIBUTE A NATIONALLY STANDARDIZED STROKE-TRIAGE ASSESSMENT TOOL TO EACH EMERGENCY MEDICAL SERVICES PROVIDER, TO ESTABLISH PRE-HOSPITAL CARE PROTOCOLS FOR THE CARE AND TRANSPORT OF STROKE PATIENTS BY EMERGENCY MEDICAL SERVICE PROVIDERS, TO ESTABLISH A STROKE REGISTRY TASK FORCE TO ANALYZE AND IMPROVE STROKE CARE IN THIS STATE, AND TO ENSURE CONFIDENTIALITY IN SHARING HEALTH CARE INFORMATION; AND TO PROVIDE THAT THE DEPARTMENT'S RESPONSIBILITIES PURSUANT TO THIS ARTICLE ARE CONTINGENT UPON ADEQUATE FUNDING.

S. 30 -- Senators McConnell, Leventis and Ford: A BILL TO AMEND SECTION 22-5-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO MAGISTRATES' POWERS AND DUTIES REGARDING THE ISSUANCE OF ARREST WARRANTS AND COURTESY SUMMONS, SO AS TO PROVIDE THAT NO ARREST WARRANT SHALL BE ISSUED FOR THE ARREST OF A PERSON UNLESS SOUGHT BY A MEMBER OF A LAW ENFORCEMENT AGENCY ACTING IN THEIR OFFICIAL CAPACITY; AND TO PROVIDE THAT IF AN ARREST WARRANT IS SOUGHT BY SOMEONE OTHER THAN A LAW ENFORCEMENT OFFICER, THE COURT MUST ISSUE A COURTESY SUMMONS, EXCEPT WHEN A BUSINESS IS SEEKING AN ARREST WARRANT FOR ANY OFFENSE AGAINST THE BUSINESS OR A PERSON IS SEEKING AN ARREST WARRANT FOR A FRAUDULENT CHECK, IF THE FRAUDULENT CHECK IS PRESENTED TO THE MAGISTRATE AT THE TIME THE WARRANT IS SOUGHT.

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

S. 592 -- Senators Hayes, Leventis, Cromer, Rose, Scott, Knotts, Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-3067 SO AS TO CREATE THE OFFENSE OF FRATERNIZATION; TO AMEND SECTION 25-1-10, RELATING TO THE STATE MILITARY CODE'S DEFINITIONS, SO AS TO DEFINE THE TERM "ORGANIZED MILITIA"; TO AMEND SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO DELETE AN UNNECESSARY REFERENCE TO CAPITAL SENTENCES; TO AMEND SECTION 25-1-60, RELATING TO THE COMPOSITION AND CLASSES OF THE STATE MILITIA, SO AS TO CLARIFY THAT ACTIVE MEMBERS OF THE NATIONAL GUARD ARE NOT PART OF THE ORGANIZED MILITIA; TO AMEND SECTION 25-1-70, RELATING TO THE COMPOSITION OF THE NATIONAL GUARD, SO AS TO CLARIFY THE ADJUTANT GENERAL'S AUTHORITY TO ORGANIZE UNITS FOR STATE RECOGNIZED AND ORGANIZED POSITIONS; TO AMEND SECTION 25-1-120, RELATING TO MILITARY CORPORATIONS, SO AS TO CLARIFY THAT MILITARY CORPORATIONS ARE EXEMPT FROM FILING RETURNS WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO THE SAME EXTENT THEY ARE EXEMPT FROM FILING RETURNS WITH THE INTERNAL REVENUE SERVICE; TO AMEND SECTION 25-1-340, RELATING TO VACANCIES IN THE OFFICE OF THE ADJUTANT GENERAL, SO AS TO PROVIDE THAT AN INTERIM APPOINTEE SHALL HOLD THE RANK OF COLONEL OR HIGHER; TO AMEND SECTION 25-1-635, RELATING TO LEGAL ASSISTANCE SERVICES, SO AS TO CLARIFY THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTION 25-1-830, RELATING TO OFFICER SELECTION BOARDS, SO AS TO INCLUDE REFERENCES TO FEDERAL PERSONNEL ACTS; TO AMEND SECTION 25-1-1370, RELATING TO MAINTENANCE ALLOWANCES, SO AS TO PROVIDE THAT THESE FUNDS MUST BE DEPOSITED IN STATE ACCOUNTS FOR MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE; TO AMEND SECTION 25-1-2420, RELATING TO CODE OF MILITARY JUSTICE DEFINITIONS, SO AS TO PROVIDE THAT THE TERM "STATE JUDGE ADVOCATE" MEANS A FEDERALLY RECOGNIZED NATIONAL GUARD JUDGE ADVOCATE; TO AMEND SECTION 25-1-2450, RELATING TO THE APPOINTMENT OF THE STATE JUDGE ADVOCATE, SO AS TO PROVIDE THAT THE STATE JUDGE ADVOCATE MUST BE FEDERALLY RECOGNIZED AS A JUDGE ADVOCATE; TO AMEND SECTION 25-1-2455, RELATING TO THE APPOINTMENT OF THE STATE MILITARY JUDGE, SO AS TO REQUIRE MEMBERSHIP AND GOOD STANDING IN THE SOUTH CAROLINA BAR; TO AMEND SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO ALLOW THE DELEGATION OF NONJUDICIAL PUNISHMENT AUTHORITY IN CERTAIN SITUATIONS; TO AMEND SECTION 25-1-2550, RELATING TO GENERAL COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2560, RELATING TO SPECIAL COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2570, RELATING TO SUMMARY COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2580, RELATING TO THE APPOINTMENT OF GENERAL COURTS-MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED TO THE ADJUTANT GENERAL UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-1-2600, RELATING TO THE APPOINTMENT OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-1-2630, RELATING TO THE DETAIL OF TRIAL AND DEFENSE COUNSEL, SO AS TO CLARIFY THE STATE JUDGE ADVOCATE'S APPOINTMENT AUTHORITY; TO AMEND SECTION 25-1-2640, RELATING TO THE RECORDING OF PROCEEDINGS, SO AS TO PROVIDE THAT A QUALIFIED COURT REPORTER MAY BE HIRED TO RECORD COURT-MARTIAL PROCEEDINGS; TO AMEND SECTION 25-1-2910, RELATING TO FRAUDULENT ENLISTMENTS, APPOINTMENTS, OR SEPARATIONS, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT WILFUL MISCONDUCT TO INTENTIONALLY CAUSE THEIR SEPARATION; TO AMEND SECTION 25-1-3025, RELATING TO THE OFFENSE OF MALINGERING, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT, PERFORM, OR UNDERTAKE SERVICE DISQUALIFYING ACTIVITIES; TO AMEND SECTION 25-1-3065, RELATING TO THE OFFENSE OF CONDUCT UNBECOMING AN OFFICER, SO AS TO DELETE THE ELEMENT THAT THE ACCUSED BE A COMMISSIONED OFFICER; AND TO AMEND SECTION 25-1-3160, RELATING TO CONSTRUCTION OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO ALLOW THE ADJUTANT GENERAL TO ESTABLISH PROCEDURES TO CONFORM STATE MILITARY JUDICIAL PROCEEDINGS WITH STATE CIRCUIT COURT PROCEEDINGS.

S. 694 -- Senator Bryant: A BILL TO AMEND SECTION 41-15-520 OF THE 1976 CODE, RELATING TO REMEDIES FOR EMPLOYEES CHARGING DISCRIMINATION, TO PROVIDE FOR REFERRAL TO THE UNITED STATES DEPARTMENT OF LABOR ALLEGATIONS MADE BY A PRIVATE SECTOR EMPLOYEE OF A VIOLATION OF SECTION 41-15-510 AND TO PROVIDE FOR CIVIL REMEDIES.

S. 172 -- Senators Rose, Fair, Leatherman, Bright, Bryant, Campsen, Knotts, O'Dell, S. Martin, Ford and McGill: A BILL TO AMEND ARTICLE 2, CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING, BY ADDING SECTION 59-101-670 TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, AND TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE; AND TO AMEND ARTICLE 15, CHAPTER 1, TITLE 1, RELATING TO REPORTING OF EXPENDITURES OF STATE APPROPRIATED FUNDS BY STATE AGENCIES, PERSONAL DATA AND THE LIKE, BY ADDING SECTION 1-1-1040 TO PROVIDE THAT ALL STATE AGENCIES MUST HAVE A LINK ON THEIR INTERNET WEBSITE TO THE STATE AGENCY RESPONSIBLE FOR POSTING ON ITS INTERNET WEBSITE THE AGENCY'S, DEPARTMENT'S, OR INSTITUTION'S MONTHLY STATE PROCUREMENT CARD STATEMENTS OR MONTHLY REPORTS CONTAINING ALL OR SUBSTANTIALLY ALL THE SAME INFORMATION CONTAINED IN THE MONTHLY STATE PROCUREMENT CARD STATEMENTS.

**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. 568 -- Senators L. Martin and Ford: A BILL TO AMEND SECTION 16-3-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW-UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

S. 404 -- Senators Campsen, McConnell, Land, Peeler, Alexander, Bryant, Campbell, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Grooms, Hayes, Hutto, Jackson, Knotts, Leventis, Matthews, L. Martin, Massey, McGill, O'Dell, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Thomas, Verdin, Williams, Lourie, Scott, Leatherman, Shoopman, Malloy, Bright and S. Martin: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE "SOUTH CAROLINA UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT"; TO AMEND SECTION 7-15-400, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS AND ISSUANCE OF WRITE-IN ABSENTEE BALLOTS, SO AS TO ALLOW A VOTER TO MAKE A STATEMENT ON A FEDERAL WRITE-IN ABSENTEE BALLOT THAT HE IS UNABLE TO VOTE BY REGULAR ABSENTEE BALLOT OR IN PERSON DUE TO THE REQUIREMENTS OF MILITARY SERVICE, LIVING IN AN ISOLATED AREA, OR AN EXTREMELY REMOTE AREA OF THE WORLD, AND TO ADD THAT A QUALIFIED ABSENTEE ELECTOR MAY ALTERNATIVELY SUBMIT A FEDERAL WRITE-IN ABSENTEE BALLOT FOR ANY FEDERAL, STATE, OR LOCAL OFFICE OR BALLOT INITIATIVE; TO ADD SECTION 7-15-406 TO ARTICLE 5, CHAPTER 13, TITLE 7, SO AS TO REQUIRE ALL ABSENTEE BALLOTS MUST BE MAILED TO THE ELECTOR AT LEAST FORTY-FIVE DAYS PRIOR TO ANY ELECTION; TO AMEND SECTION 7-15-460, RELATING TO ABSENTEE BALLOTS AS PROVIDED BY THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, SO AS TO MAKE THE PROVISIONS APPLICABLE TO FEDERAL, STATE, AND LOCAL OFFICES, AND TO REQUIRE THAT AN ELECTRONIC FREE ACCESS BALLOT TRACKING SYSTEM IS AVAILABLE TO ELECTORS; AND TO AMEND SECTION 7-15-220, RELATING TO THE SIGNING AND WITNESSING OF THE OATH BY THE ABSENTEE BALLOT APPLICANT, SO AS TO PROVIDE AN EXCEPTION FOR WITNESS REQUIREMENTS FOR VOTERS QUALIFIED UNDER THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT.

S. 890 -- Senators L. Martin and Alexander: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE ELECTORS RESIDING IN THE DELLWOOD SUBDIVISION OF ANDERSON COUNTY SHALL BE ELIGIBLE TO VOTE IN THE ELECTION OF, AND HOLD OFFICE FOR, THE MEMBER OF THE BOARD OF TRUSTEES IN THE CLOSEST CONTIGUOUS SCHOOL DISTRICT IN PICKENS COUNTY.

**SENT TO THE SENATE**

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

H. 3308 -- Reps. Forrester, Allison, Parker and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "JAIDON'S LAW" BY AMENDING SECTION 63-7-1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63-7-1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR-STRAND DRUG TESTS OVER A NINE-MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE-MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63-7-1940, RELATING TO COURT-ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT'S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT'S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

H. 3400 -- Rep. Weeks: A BILL TO AMEND SECTION 63-3-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF THE FAMILY COURT IN CERTAIN MATTERS, SO AS TO PROVIDE THAT A CHILD SUPPORT OBLIGATION AUTOMATICALLY TERMINATES WHEN THE CHILD TURNS EIGHTEEN OR GRADUATES FROM HIGH SCHOOL, WHICHEVER IS SOONER.

H. 3676 -- Reps. J. E. Smith, Clemmons, Dillard, Herbkersman, Limehouse, Mitchell and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 23 TO TITLE 31 SO AS TO ENACT THE "SOUTH CAROLINA COMMUNITY LAND TRUST ACT OF 2011", TO DEFINE TERMS, MAKE FINDINGS, TO PROVIDE THAT THE PURPOSE OF A COMMUNITY LAND TRUST IS TO HOLD LEGAL AND EQUITABLE TITLE TO LAND TO THEN LEASE THE LAND TO PROMOTE AFFORDABILITY, TO PROVIDE THE MANNER IN WHICH COMMUNITY LAND TRUSTS ARE FUNDED, AND TO PROVIDE THE PROCESS BY WHICH COMMUNITY LAND TRUSTS OPERATE.

H. 4236 -- Reps. Mitchell, Loftis and Dillard: A JOINT RESOLUTION TO ESTABLISH THE SOUTH CAROLINA EQUITABLE REDEVELOPMENT COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION AND ITS DUTIES AND FUNCTIONS.

H. 3474 -- Rep. Sandifer: A BILL TO AMEND SECTION 6-8-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO SEPARATE THE COUNCIL INTO THE SOUTH CAROLINA COMMERCIAL BUILDING CODES COUNCIL AND THE SOUTH CAROLINA RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-5, AS AMENDED, RELATING TO THE PUBLIC POLICY FOR BUILDING CODES, SO AS TO MAKE SPECIFIC REFERENCE TO BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-20, AS AMENDED, RELATING TO AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES, SO AS TO MAKE SPECIFIC REFERENCE TO BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-40, AS AMENDED, RELATING TO BUILDING CODE ADOPTION PROCEDURE, SO AS TO CLARIFY THE AUTHORITY OF BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-63, RELATING TO THE COMPOSITION AND FUNCTIONS OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO DEFINE THE COMPOSITION OF BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; AND TO AMEND SECTION 6-9-105, RELATING TO CODE VARIATIONS BASED ON PHYSICAL OR CLIMATOLOGICAL CONDITIONS, SO AS TO INCLUDE GEOLOGICAL CONDITIONS AS A CONSIDERATION FOR A VARIANCE, AND TO MAKE SPECIFIC REFERENCE TO THE APPROPRIATE COUNCIL FOR THE SUBMISSION OF PROPOSED VARIANCES.

H. 4258 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ELECTRONIC EQUIPMENT COLLECTION AND RECOVERY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4179, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4005 -- Reps. Corbin, Hardwick, Stringer, Loftis, Ryan, Bannister, Agnew, Barfield, V. S. Moss, Thayer, Murphy, Hearn, Norman, Gambrell, Sottile, Limehouse, Chumley, Bikas, Crawford, Clemmons, Crosby, Daning, Delleney, Hamilton, Hayes, Hixon, Hodges, D. C. Moss, Nanney, Owens, Patrick, Pinson, Pitts, Pope, Simrill, G. R. Smith, J. R. Smith, Tallon, Taylor, White and Young: A BILL TO AMEND SECTION 39-25-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING ADULTERATED OR MISBRANDED FOOD AND COSMETICS, SO AS TO PROVIDE A DEFINITION FOR THE TERM "HONEY" AND TO PROVIDE LABELING REQUIREMENTS FOR HONEY.

**S. 336--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 336 -- Senator Grooms: A BILL TO AMEND SECTION 56-7-30 OF THE 1976 CODE, RELATING TO GENERATING UNIFORM TRAFFIC CITATIONS WITH AN ELECTRONIC DEVICE, TO REQUIRE THAT A COPY OF THE CITATION IS HANDED DIRECTLY TO THE OFFENDER BY THE LAW ENFORCEMENT OFFICER ISSUING THE TICKET; TO AMEND CHAPTER 7, TITLE 56, RELATING TO MOTOR VEHICLE TRAFFIC TICKETS, BY ADDING SECTION 56-7-35 TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MUST STOP AN OWNER OR OPERATOR OF A VEHICLE TO ISSUE A TRAFFIC TICKET, TO PROVIDE THAT THE TRAFFIC TICKET MUST BE HANDED DIRECTLY TO THE OWNER OR OPERATOR OF THE VEHICLE, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT MAIL OR OTHERWISE SEND A TRAFFIC TICKET TO AN OFFENDER, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED, AND TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO TOLL COLLECTION; TO AMEND SECTION 56-5-710, RELATING TO THE POWER OF LOCAL AUTHORITIES CONCERNING TRAFFIC LAWS, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED; TO AMEND SECTION 56-5-70, AS AMENDED, RELATING TO CERTAIN VEHICLE REQUIREMENTS BEING SUSPENDED DURING A STATE OF EMERGENCY, TO CLARIFY THAT UNIFORM TRAFFIC CITATIONS MAY NOT BE ISSUED IN WHOLE OR IN PART ON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER ELECTRONIC DEVICE CAPTURING THE PHOTOGRAPHIC EVIDENCE WAS ATTENDED OR UNATTENDED AT THE TIME IT CAPTURED THE PHOTOGRAPHIC EVIDENCE; AND TO DISGORGE ANY FINES COLLECTED IN VIOLATION OF SECTION 56-5-70.

Reps. CRAWFORD, CHUMLEY, LOWE, VIERS, CROSBY, BANNISTER, BRANTLEY, HOSEY, HAYES and ANTHONY requested debate on the Bill.

**S. 594--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 594 -- Senators Grooms and Verdin: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO DRIVING IN A TEMPORARY WORKZONE, TO EXPAND THE SIZE OF TEMPORARY WORKZONES.

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\SWB\6212CM11), which was adopted:

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

/ SECTION 1. Section 56‑5‑1536(A) of the 1976 Code is amended to read:

 “Section 56‑5‑1536. (A) A temporary work zone area is an area on or within approximately fifteen feet of a roadway identified by orange work zone signs or equipment with flashing lights, and the presence of workers on the scene.” /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

Rep. PATRICK proposed the following Amendment No. 2 (COUNCIL\NBD\11748DG11), which was adopted:

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

/SECTION \_\_. Section 5‑37‑40 of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

 “Section 5‑37‑40. (A) If the governing body finds that:

 (1) improvements would be beneficial within a designated improvement district;

 (2) the improvements would preserve or increase property values within the district;

 (3) in the absence of the improvements, property values within the area would be likely to depreciate, or that the proposed improvements would be likely to encourage development in the improvement district;

 (4) the general welfare and tax base of the city would be maintained or likely improved by creation of an improvement district in the city; and

 (5) it would be fair and equitable to finance all or part of the cost of the improvements by an assessment upon the real property within the district, the governing body may establish the area as an improvement district and implement and finance, in whole or in part, an improvement plan in the district in accordance with the provisions of this chapter. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals or waterways, owner‑occupied residential property ~~which~~ that is taxed, or will be taxed pursuant to Section 12‑43‑220(c), must not be included within an improvement district unless the owner, at the time the improvement district is created, gives the governing body written permission to include the property within the improvement district.

 (B) If an improvement district is located in a redevelopment project area created pursuant to Chapter 6, Title 31, the improvement district being created under the provisions of this chapter must be considered to satisfy items (1) through (5) of subsection (A). The ordinance creating an improvement district may be adopted by a majority of council after a public hearing at which the plan is presented, including the proposed basis and amount of assessment, or upon written petition signed by a majority in number of the owners of real property within the district ~~which~~ that is not exempt from ad valorem taxation as provided by law. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals or waterways, owner‑occupied residential property ~~which~~ that is taxed, or will be taxed pursuant to Section 12‑43‑220(c), must not be included within an improvement district unless the owner, at the time the improvement district is created, gives the governing body written permission to include the property within the improvement district.”

SECTION \_\_. Section 5‑37‑50 of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

 “Section 5‑37‑50. The governing body, by resolution adopted, shall describe the improvement district and the improvement plan to be effected, including a property within the improvement district to be acquired and improved, the projected time schedule for the accomplishment of the improvement plan, the estimated cost and the amount of the cost to be derived from assessments, bonds, or other general funds, together with the proposed basis and rates of assessments to be imposed within the improvement district. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals or waterways, owner‑occupied residential property ~~which~~ that is taxed, or will be taxed pursuant to Section 12‑43‑220(c), must not be included within an improvement district unless the owner, at the time the improvement district is created, gives the governing body written permission to include the property within the improvement district. The resolution also shall establish the time and place of a public hearing to be held within the municipality not sooner than twenty days nor more than forty days following the adoption of the resolution, at which an interested person may attend and be heard, either in person or by attorney, on a matter in connection with the improvement district.”

SECTION \_\_. Section 5‑37‑100 of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

 “Section 5‑37‑100. ~~Not~~ No sooner than ten days nor more than one hundred twenty days following the conclusion of the public hearing provided in Section 5‑37‑50, the governing body, by ordinance, may provide for the creation of the improvement district as originally proposed or with the changes and modifications in it as the governing body may determine, and provide for the financing by assessment, bonds, or other revenues as provided in this chapter. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals or waterways, owner‑occupied residential property ~~which~~ that is taxed pursuant to Section 12‑43‑220(c), must not be included within an improvement district unless the owner gives the governing body written permission to include the property within the improvement district. The ordinance may not become effective until at least seven days after it has been published in a newspaper of general circulation in the municipality. The ordinance may incorporate by reference plats and engineering reports and other data on file in the offices of the municipality. The place of filing and reasonable hours for inspection must be made available to all interested persons.” /

Renumber sections to conform.

Amend title to conform.

Rep. PATRICK explained the amendment.

The amendment was then adopted.

Rep. DANING explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 93; Nays 12

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Crawford | Crosby | Daning |
| Dillard | Edge | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Lucas |
| Mack | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Owens |
| Parker | Parks | Patrick |
| Pope | Quinn | Ryan |
| Sabb | Sellers | Simrill |
| Skelton | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Whipper | Whitmire |
| Williams | Willis | Young |

**Total--93**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Corbin | Delleney | Loftis |
| Lowe | McEachern | Merrill |
| Pinson | Pitts | Rutherford |
| G. M. Smith | Tribble | Viers |

**Total--12**

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

**S. 594--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. OWENS, with unanimous consent, it was ordered that S. 594 be read the third time tomorrow.

**H. 3295--AMENDMENT 3A--RECONSIDERED AND TABLED**

Rep. HARRISON moved to reconsider the vote whereby Amendment 3A to the following Bill was adopted, which was agreed to.

H. 3295 -- Rep. Herbkersman: A BILL TO AMEND SECTION 61-6-1820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR A NONPROFIT ORGANIZATION TO OBTAIN A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO PROVIDE THAT UNDER CERTAIN CONDITIONS A HOMEOWNERS ASSOCIATION, CHARTERED AS A NONPROFIT ORGANIZATION BY THE SECRETARY OF STATE, WHOSE MEMBERSHIP IS LIMITED TO INDIVIDUALS WHO OWN PROPERTY IN THE RESIDENTIAL COMMUNITY AND WHOSE AFFAIRS ARE GOVERNED BY A BOARD OF DIRECTORS ELECTED BY THE MEMBERSHIP, IS ALSO ELIGIBLE FOR SUCH A LICENSE.

Rep. MERRILL proposed the following Amendment No. 3A (COUNCIL\NBD\11739AHB11), which was reconsidered and tabled:

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

/ SECTION \_\_\_. Chapter 4, Title 61 of the 1976 Code is amended by adding:

 “Section 61‑4‑630. Notwithstanding any other provision of law, an establishment possessing a beer and wine permit that is located in a county or municipality that has conducted a favorable referendum allowing the sale of consumption of alcoholic liquors by the drink on Sunday under the provisions of Section 61‑6‑2010, during those same hours authorized by permits issued under Section 61‑6‑2010, may sell, possess, and permit the consumption of beer and wine on the premises.” /

Renumber sections to conform.

Amend title to conform.

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

**H. 3295--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3295 -- Rep. Herbkersman: A BILL TO AMEND SECTION 61-6-1820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR A NONPROFIT ORGANIZATION TO OBTAIN A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO PROVIDE THAT UNDER CERTAIN CONDITIONS A HOMEOWNERS ASSOCIATION, CHARTERED AS A NONPROFIT ORGANIZATION BY THE SECRETARY OF STATE, WHOSE MEMBERSHIP IS LIMITED TO INDIVIDUALS WHO OWN PROPERTY IN THE RESIDENTIAL COMMUNITY AND WHOSE AFFAIRS ARE GOVERNED BY A BOARD OF DIRECTORS ELECTED BY THE MEMBERSHIP, IS ALSO ELIGIBLE FOR SUCH A LICENSE.

Rep. MERRILL proposed the following Amendment No. 4A (COUNCIL\MS\7449AHB11), which was adopted:

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

/ SECTION \_\_\_. Chapter 4, Title 61 of the 1976 Code is amended by adding:

 “Section 61‑4‑630. Notwithstanding any other provision of law, an establishment possessing a beer and wine permit that is located in a county or municipality that has conducted a favorable referendum allowing the sale and consumption of alcoholic liquors by the drink on Sunday under the provisions of Section 61‑6‑2010, during those same hours authorized by permits issued under Section 61‑6‑2010, may sell, possess, and permit the consumption of beer and wine on the premises.” /

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

The yeas and nays were taken resulting as follows:

 Yeas 77; Nays 22

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anthony |
| Atwater | Ballentine | Bannister |
| Battle | Bingham | Bowen |
| Brady | Brantley | Butler Garrick |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Edge | Forrester |
| Funderburk | Gambrell | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Johnson |
| King | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Neilson | Norman | Parks |
| Pitts | Pope | Quinn |
| Rutherford | Ryan | Sabb |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tribble | Viers |
| Weeks | White | Whitmire |
| Williams | Young |  |

**Total--77**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Barfield | Bedingfield |
| Bowers | Branham | Chumley |
| Corbin | Govan | Hamilton |
| Hiott | McEachern | Nanney |
| J. H. Neal | J. M. Neal | Owens |
| Parker | Patrick | G. R. Smith |
| J. R. Smith | Stringer | Toole |
| Willis |  |  |

**Total--22**

So, the amendment was adopted.

Reps. J. E. SMITH, BANNISTER, RUTHERFORD, HERBKERSMAN, WEEKS and VIERS proposed the following Amendment No. 5A (COUNCIL\MS\7447AHB11), which was adopted:

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

/ SECTION \_\_. Section 61‑6‑1035 of the 1976 Code is amended to read:

 “Section 61‑6‑1035. Notwithstanding the provisions of Section 61‑6‑1500, the sampling of wines containing over sixteen percent by volume of alcohol, cordials, and other distilled spirits sold in a retail alcoholic liquor store is authorized if the sampling is conducted as follows:

 (1) No sample may be offered from more than four products at ~~any~~ one time.

 (2) The sample is limited to products from no more than one wholesaler at one time.

(3) No more than one bottle of each of the four products to be sampled may be opened.

 ~~(3)~~(4) The sampling must be held in a designated tasting area of the retail liquor store and all open bottles must be visible at all times. All open bottles must be removed at the conclusion of the tasting.

 ~~(4)~~(5) Samples must be less than one‑half ounce for each product sampled.

 ~~(5)~~(6) No person may be served more than one sample of each product.

 ~~(6)~~(7) No sampling may be offered for longer than four hours.

 ~~(7)~~(8) At least ten days before the sampling, a letter detailing the specific date and hours of the sampling must be mailed first class to the South Carolina Law Enforcement Division. The letter must include a copy of a certificate of liability insurance for the manufacturer, the retail establishment, or its agent, conducting the tastings.

 ~~(8)~~(9) No sample may be offered to, or allowed to be consumed by, an intoxicated person or a person under the age of twenty‑one years. This person must not be allowed to loiter on the store premises.

 ~~(9)~~(10) The tastings must be conducted by the manufacturer, retailer, or an agent of the manufacturer or retailer, and must not be conducted by a wholesaler, ~~retailer, or~~ an employee of a wholesaler ~~or retailer~~, or an agent of a wholesaler.

 ~~(10)~~(11) No retail alcoholic liquor store may offer more than one sampling per day.

 (12) All product samples used for tastings must be purchased by the retailer from a South Carolina Licensed Wholesaler as required by 61-6-100 (3).

 (13) All associated costs for the tasting must be paid for by the manufacturer, the retailer, or its agent, conducting the tasting.” /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

The yeas and nays were taken resulting as follows:

 Yeas 83; Nays 20

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Butler Garrick | Clyburn |
| Cobb-Hunter | Cole | Crawford |
| Crosby | Daning | Dillard |
| Edge | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Knight | Limehouse |
| Lowe | Mack | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | J. H. Neal |
| Neilson | Norman | Parks |
| Patrick | Pitts | Quinn |
| Rutherford | Ryan | Sabb |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Tribble | Viers |
| Weeks | Whipper | White |
| Williams | Young |  |

**Total--83**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Barfield | Bedingfield |
| Chumley | Clemmons | Delleney |
| Hamilton | Hiott | Lucas |
| Nanney | J. M. Neal | Owens |
| Parker | Pinson | Pope |
| Simrill | J. R. Smith | Stringer |
| Toole | Willis |  |

**Total--20**

So, the amendment was adopted.

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

**STATEMENT BY REP. COOPER**

Rep. COOPER made a statement relative to H. 3700, the General Appropriations Bill.

**OBJECTION TO RECALL**

Rep. COBB-HUNTER asked unanimous consent to recall H. 3738 from the Committee on Ways and Means.

Rep. CRAWFORD objected.

**H. 4095--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. PITTS, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

H. 4095 -- Reps. Pitts and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-15-45 SO AS TO PROVIDE THAT IF JOINT CUSTODY OF A CHILD IS AWARDED TO THE PARENTS, THERE IS A REBUTTABLE PRESUMPTION THAT BOTH PARENTS HAVE JOINT PHYSICAL CUSTODY OF THE CHILD; TO PROVIDE THAT THE PRESUMPTION MAY BE OVERCOME BY PRESENTING CLEAR AND CONVINCING EVIDENCE THAT JOINT PHYSICAL CUSTODY IS NOT IN THE BEST INTEREST OF THE CHILD; TO REQUIRE THE PARENTS TO SUBMIT A PARENTING PLAN TO THE COURT REFLECTING PARENTAL PREFERENCES AND AGREEMENT ON MATTERS OF SUBSTANCE; AND TO PROVIDE THAT PARENTS SHARE DECISION-MAKING AUTHORITY AND RESPONSIBILITY FOR IMPORTANT DECISIONS AFFECTING THE CHILD'S WELFARE AND THAT WHEN AGREEMENT CANNOT BE REACHED THE PARENTS SHALL SUBMIT TO MEDIATION WITH A PRESELECTED MEDIATOR.

**OBJECTION TO RECALL**

Rep. MCEACHERN asked unanimous consent to recall S. 848 from the Committee on Judiciary.

Rep. CRAWFORD objected.

**S. 435--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. COOPER, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

S. 435 -- Senators Elliott, Bryant, Campbell, Ford and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO REQUIRE LOCAL GOVERNMENTAL ENTITIES, AGENCIES, ORGANIZATIONS, OR INDIVIDUALS THAT RECEIVE, COLLECT, OR SPEND PUBLIC FUNDS DERIVED FROM STATE OR LOCAL TAX REVENUE TO FILE PERIODIC EXPENDITURE REPORTS WITH THE STATE OR LOCAL GOVERNMENTAL ENTITY OR AGENCY THAT PROVIDED, COLLECTED, OR SPENT THE PUBLIC FUNDS.

**R. 50, S. 586--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R50) S. 586 -- Senators Hayes, O'Dell, Verdin, Shoopman, Nicholson, Elliott, L. Martin, Coleman, Ford, Cromer, Alexander and Knotts: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-715 SO AS TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM OF THE BUDGET AND CONTROL BOARD IS DIRECTED TO DEVELOP AND IMPLEMENT, FOR EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THE HEALTH PLANS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM, AN INCENTIVE PLAN TO ENCOURAGE PARTICIPATION IN PROGRAMS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM THAT PROMOTE HEALTH AND THE PREVENTION OF DISEASE, AND TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM IS FURTHER DIRECTED TO IMPLEMENT A PREMIUM REDUCTION OR OTHER FINANCIAL INCENTIVE, BEGINNING ON JANUARY 1, 2012, FOR THOSE EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THESE PROGRAMS; AND TO AMEND SECTION 1-11-720, AS AMENDED, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO REVISE THE ELIGIBILITY PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS BY INCLUDING DISTRICTS WHICH PROVIDE SANITATION SERVICES AND TO EXTEND THIS ELIGIBILITY TO JOINT AGENCIES ESTABLISHED PURSUANT TO CHAPTER 23, TITLE 6.

Rep. G. R. SMITH explained the Veto.

Rep. NORMAN spoke in favor of the Veto.

Rep. MCLEOD spoke against the Veto.

Rep. YOUNG moved to adjourn debate on the veto.

Rep. KING moved to table the motion to adjourn debate on the Veto, which was agreed to.

The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 96; Nays 12

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Edge | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Lowe |
| Mack | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Patrick | Pinson | Pitts |
| Quinn | Rutherford | Ryan |
| Sabb | Skelton | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Thayer | Tribble | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |

**Total--96**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Clemmons | Crawford | Henderson |
| Lucas | Merrill | Norman |
| Pope | Simrill | G. M. Smith |
| Taylor | Toole | Young |

**Total--12**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**H. 4275--RECONSIDERED**

Rep. CRAWFORD moved to reconsider the vote whereby debate was adjourned on the following Bill, which was agreed to:

H. 4275 -- Rep. G. A. Brown: A BILL TO AMEND ACT 426 OF 2006, THE "SCHOOL DISTRICT OF LEE COUNTY SCHOOL BOND PROPERTY TAX RELIEF ACT", RELATING TO AUTHORIZATION FOR THE IMPOSITION OF A ONE CENT SALES AND USE TAX IN LEE COUNTY, THE REVENUES OF WHICH MUST BE USED FOR SCHOOL CONSTRUCTION AND RENOVATION, SO AS TO EXTEND FROM FIVE TO EIGHT YEARS THE TIME THE TAX MAY BE IMPOSED.

**H. 4275--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4275 -- Rep. G. A. Brown: A BILL TO AMEND ACT 426 OF 2006, THE "SCHOOL DISTRICT OF LEE COUNTY SCHOOL BOND PROPERTY TAX RELIEF ACT", RELATING TO AUTHORIZATION FOR THE IMPOSITION OF A ONE CENT SALES AND USE TAX IN LEE COUNTY, THE REVENUES OF WHICH MUST BE USED FOR SCHOOL CONSTRUCTION AND RENOVATION, SO AS TO EXTEND FROM FIVE TO EIGHT YEARS THE TIME THE TAX MAY BE IMPOSED.

The yeas and nays were taken resulting as follows:

 Yeas 1; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| G. A. Brown |  |  |

**Total--1**

 Those who voted in the negative are:

**Total--0**

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

**H. 4275--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. G. A. BROWN, with unanimous consent, it was ordered that H. 4275 be read the third time tomorrow.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. G. M. SMITH.

**H. 4088--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4088 -- Reps. Ott, Brantley, Hardwick, Cobb-Hunter, Crawford, Spires, Frye, Gilliard, Battle, Bales, J. H. Neal, Jefferson, Atwater, Brannon, Patrick, Anthony, Bowers, Branham, Clyburn, Hayes, Huggins, Long, Lowe, J. M. Neal and Toole: A BILL TO AMEND SECTION 14-1-207, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADDITIONAL ASSESSMENT FOR OFFENSES TRIED IN MAGISTRATES COURT, SO AS TO ADD VIOLATIONS OF TITLE 50 TO THE OFFENSES EXEMPT FROM THE ADDITIONAL ASSESSMENT.

Rep. RUTHERFORD proposed the following Amendment No. 1 (COUNCIL\MS\7397AHB11), which was adopted:

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

/ SECTION \_\_. Chapter 1, Title 14 of the 1976 Code is amended by adding:

 “Section 14‑1‑240. (A) Notwithstanding a court rule or another provision of law, a magistrate may not commence a trial or another proceeding, or require an attorney to appear or be present in the court, on Saturday, Sunday, or after five o’clock on a weekday except in the case of an emergency.

 (B) If a magistrate determines an emergency exists and court must be held:

 (1) after five o’clock on a weekday, compensation for jurors must be no less than one hundred dollars per day and court personnel must be paid overtime; and

 (2) on the weekend, compensation for jurors must be no less than one hundred fifty dollars per day and court personnel must be paid overtime.

 (C) The provisions of subsection (A) do not apply to bond hearings.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The amendment was then adopted.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowers | Brady |
| Branham | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Forrester | Frye |
| Funderburk | Gambrell | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hearn |
| Henderson | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Knight | Loftis |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pitts |
| Pope | Quinn | Rutherford |
| Ryan | Sabb | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Viers | Weeks | Whipper |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--100**

 Those who voted in the negative are:

**Total--0**

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

**H. 4088--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. OTT, with unanimous consent, it was ordered that H. 4088 be read the third time tomorrow.

**LEAVE OF ABSENCE**

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

**H. 3789--DEBATE ADJOURNED**

Rep. BANNISTER moved to adjourn debate upon the following Bill until Tuesday, May 31, which was adopted:

H. 3789 -- Reps. McLeod, Brantley, Chumley, J. H. Neal, Jefferson, Neilson, Alexander, Gilliard, Bales, R. L. Brown, Clyburn, Cobb-Hunter, Dillard, Hixon, Hodges, Hosey, Mack, Weeks and Whipper: A BILL TO AMEND SECTION 17-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION OF A LAW ENFORCEMENT OFFICER IN PURSUIT OF AN OFFENDER, SO AS TO INCREASE THE LIMIT WHERE THE TOWN OR CITY'S JURISDICTION CEASES FROM THREE MILES TO FIVE MILES OF THE CORPORATE LIMITS.

**H. 3385--DEBATE ADJOURNED**

Rep. D. C. MOSS moved to adjourn debate upon the following Bill until Tuesday, May 31, which was adopted:

H. 3385 -- Reps. D. C. Moss, V. S. Moss, Harrison, Delleney, Gambrell, Harrell, Hiott, Hixon, Lucas and Norman: A BILL TO AMEND SECTION 61-6-4160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL SALE OF ALCOHOLIC LIQUORS ON SUNDAYS AND ELECTION DAYS, SO AS TO INCLUDE CHRISTMAS DAY AND THANKSGIVING DAY IN THE PURVIEW OF THE STATUTE.

**S. 823--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 823 -- Senators Knotts, Ford, Williams, Setzler, Campbell, O'Dell, Bryant, Rankin, Cleary, McConnell, McGill, Land, Campsen and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-681 SO AS TO DESIGNATE COLLARD GREENS AS THE OFFICIAL STATE VEGETABLE.

Rep. TALLON moved to adjourn debate on the Bill until Tuesday, May 31.

Rep. FRYE moved to table the motion, which was agreed to by a division vote of 44 to 17.

Rep. HERBKERSMAN proposed the following Amendment No. 1 (COUNCIL\AGM\19151AB11), which was ruled out of order:

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Article 9, Chapter 1, Title 1 of the 1976 Code is amended by adding:

 “Section 1‑1‑681. (A) Collard greens are the official vegetable of the State.

 (B) The Neighborhood Collard Green Education Center is established.” /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

Rep. BALLENTINE moved cloture on the amendment, which was not agreed to by a division vote of 28 to 45.

**POINT OF ORDER**

Rep. WEEKS raised the Point of Order that under House Rule 9.3, Amendment No. 1 was not germane to the Bill.

REP. HERBKERSMAN spoke to the Point.

SPEAKER HARRELL sustained the Point of Order and ruled the amendment out of order.

Rep. FRYE explained the Bill.

Rep. FRYE spoke in favor of the Bill.

Rep. PARKER spoke in favor of the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 86; Nays 14

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Forrester |
| Frye | Funderburk | Gambrell |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Hixon | Horne | Hosey |
| Howard | Huggins | Johnson |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parker | Parks |
| Patrick | Pinson | Pitts |
| Pope | Quinn | Rutherford |
| Sabb | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--86**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bowers | Clemmons | Edge |
| Gilliard | Hamilton | Henderson |
| Jefferson | Merrill | Nanney |
| Norman | Ryan | Simrill |
| Stringer | Viers |  |

**Total--14**

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

**S. 823--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FRYE, with unanimous consent, it was ordered that S. 823 be read the third time tomorrow.

**S. 336--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 336 -- Senator Grooms: A BILL TO AMEND SECTION 56-7-30 OF THE 1976 CODE, RELATING TO GENERATING UNIFORM TRAFFIC CITATIONS WITH AN ELECTRONIC DEVICE, TO REQUIRE THAT A COPY OF THE CITATION IS HANDED DIRECTLY TO THE OFFENDER BY THE LAW ENFORCEMENT OFFICER ISSUING THE TICKET; TO AMEND CHAPTER 7, TITLE 56, RELATING TO MOTOR VEHICLE TRAFFIC TICKETS, BY ADDING SECTION 56-7-35 TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MUST STOP AN OWNER OR OPERATOR OF A VEHICLE TO ISSUE A TRAFFIC TICKET, TO PROVIDE THAT THE TRAFFIC TICKET MUST BE HANDED DIRECTLY TO THE OWNER OR OPERATOR OF THE VEHICLE, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT MAIL OR OTHERWISE SEND A TRAFFIC TICKET TO AN OFFENDER, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED, AND TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO TOLL COLLECTION; TO AMEND SECTION 56-5-710, RELATING TO THE POWER OF LOCAL AUTHORITIES CONCERNING TRAFFIC LAWS, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED; TO AMEND SECTION 56-5-70, AS AMENDED, RELATING TO CERTAIN VEHICLE REQUIREMENTS BEING SUSPENDED DURING A STATE OF EMERGENCY, TO CLARIFY THAT UNIFORM TRAFFIC CITATIONS MAY NOT BE ISSUED IN WHOLE OR IN PART ON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER ELECTRONIC DEVICE CAPTURING THE PHOTOGRAPHIC EVIDENCE WAS ATTENDED OR UNATTENDED AT THE TIME IT CAPTURED THE PHOTOGRAPHIC EVIDENCE; AND TO DISGORGE ANY FINES COLLECTED IN VIOLATION OF SECTION 56-5-70.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\SWB\6205CM11), which was adopted:

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

/ SECTION 1. Chapter 7, Title 56 of the 1976 Code is amended by adding:

 “Section 56‑7‑35. (A)(1) A uniform traffic ticket may only be issued for violating a local ordinance or the traffic laws relating to speeding by a law enforcement officer incident to and contemporaneous with a traffic stop for the offense.

 (2) A copy of the citation must be given directly to the offender by the law enforcement officer issuing the citation at the time of the traffic stop for the offense.

 (3) A law enforcement agency may not utilize the United States mail, a parcel delivery service, electronic means, or otherwise to send to the operator or owner of a motor vehicle or motorcycle, as defined in Section 56‑3‑20, a uniform traffic citation alleging a violation of a local ordinance or the traffic laws relating to speeding. This subsection does not prohibit the law enforcement agency from sending the operator or owner an additional copy of a uniform citation that was issued to the operator or owner during the traffic stop for the offense upon request of the operator or owner.

 (4) A uniform traffic citation alleging the violation of a local ordinance or the traffic laws relating to speeding may not be issued based in whole or in part upon photographic evidence, whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence. This section does not prohibit the use of photographic or video evidence at any hearing related to the offense to corroborate the testimony of a law enforcement officer who personally observed the offense.

 (B)(1) A uniform traffic ticket may only be issued for violating a local ordinance or the traffic laws relating to disregarding a traffic control device by a law enforcement officer incident to and contemporaneous with a traffic stop for the offense.

 (2) A copy of the citation must be given directly to the offender by the law enforcement officer issuing the citation at the time of the traffic stop for the offense.

 (3) A law enforcement agency may not utilize the United States mail, a parcel delivery service, electronic means, or otherwise to send to the operator or owner of a motor vehicle or motorcycle, as defined in Section 56‑3‑20, a uniform traffic citation alleging a violation of a local ordinance or the traffic laws relating to disregarding traffic control devices. This subsection does not prohibit the law enforcement agency from sending the operator or owner an additional copy of a uniform citation that was issued to the operator or owner during the traffic stop for the offense upon request of the operator or owner.

 (4) A uniform traffic citation alleging the violation of a local ordinance or the traffic laws relating to disregarding traffic control devices may not be issued based in whole upon photographic evidence, whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence. This section does not prohibit the use of photographic or video evidence at any hearing related to the offense to corroborate the testimony of a law enforcement officer who personally observed the offense.

 (C) The provisions of this section do not apply to toll collection.”

SECTION 2. Section 56‑5‑710 of the 1976 Code is amended to read:

 “Section 56‑5‑710. (A) Subject to the limitations prescribed in Section 56‑5‑930, the provisions of this chapter shall not be deemed to prevent local authorities with respect to streets and highways under their jurisdiction and within the reasonable exercise of the police power from:

 (1) ~~Regulating~~ regulating the standing or parking of vehicles;

 (2) ~~Regulating~~ regulating traffic by means of police officers or traffic‑control signals;

 (3) ~~Regulating~~ regulating or prohibiting processions or assemblages on the highways;

 (4) ~~Designating~~ designating particular highways as one‑way highways and requiring that all vehicles thereon be moved in one specific direction;

 (5) ~~Regulating~~ regulating the speed of vehicles in public parks;

 (6) ~~Designating~~ designating any highway as a through highway and requiring that all vehicles stop before entering or crossing it or designating any intersection as a stop intersection and requiring all vehicles to stop at one or more entrances at such intersection;

 (7) ~~Restricting~~ restricting the use of highways as authorized in Sections 56‑5‑4210 and 56‑5‑4220;

 (8) ~~Regulating~~ regulating the operation of bicycles and requiring the registration and licensing of them, including the requirement of a registration fee;

 (9) ~~Regulating~~ regulating or prohibiting the turning of vehicles or specified types of vehicles at intersections;

 (10) ~~Altering~~ altering the prima facie speed limits as authorized herein; or

 (11) ~~Adopting~~ adopting such other traffic regulations as are specifically authorized by this chapter.

 (B) Nothing in subsection (A) may be construed to permit a local authority to issue a uniform traffic citation for violating a local ordinance or the traffic laws relating to speeding or disregarding traffic control devices based in whole or in part upon photographic evidence whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence.”

SECTION 3. Section 56‑5‑70(E) of the 1976 Code, as last amended by Act 250 of 2010, is further amended to read:

 “(E)(1) Citations for violating a local ordinance or the ~~for violating~~ traffic laws relating to speeding or disregarding traffic control devices based ~~solely~~ in whole or in part on photographic evidence, whether gathered in conjunction with radar speed detection devices and whether the camera or other electronic device capturing the photographic evidence was attended or unattended at the time it captured the photographic evidence, only may be issued for violations that occur while relief from regulations pursuant to 49 C.F.R. 390.23 has been granted due to an emergency. A person who receives a citation for violating traffic laws relating to speeding or disregarding traffic control devices based ~~solely~~ in whole or in part on photographic evidence must be served in person with notice of the violation within one hour of the occurrence of the violation unless a collision occurred and fault cannot be determined immediately or the party who caused the collision is not immediately accessible due to medical treatment. The provisions of this subsection do not apply to toll collection enforcement.”

SECTION 4. (A) There is established a commission to be known as the South Carolina Traffic Camera Enforcement Commission which must exercise the powers and fulfill the duties contained in this section. The commission is comprised of the following thirteen members:

 (1) the Governor, ex officio, or her designee;

 (2) the Chief Justice of the South Carolina Supreme Court, or her designee;

 (3) the Speaker of the House of Representatives, ex officio, or his designee;

 (4) the President *Pro Tempore* of the Senate, ex officio, or his designee;

 (5) the Attorney General of South Carolina, ex officio, or his designee;

 (6) the Director of the Department of Public Safety, ex officio, or his designee;

 (7) the Director of the Department of Parks, Recreation and Tourism, ex officio, or his designee;

 (8) the Chairman of the Senate Transportation Committee, ex officio, or his designee;

 (9) the Chairman of the House Education and Public Works Committee, ex officio, or his designee;

 (10) the President of South Carolina Law Enforcement Officers Association, or his designee;

 (11) the President of the South Carolina Sheriff’s Association, or his designee;

 (12) the President of the South Carolina Bar Association, or his designee; and

 (13) the President of the South Carolina Association of Criminal Defense Lawyers, or his designee.

 (B) The Governor, or her designee, shall serve as chairman of the commission.

 (C) Designees serving on the commission must have substantial academic or professional experience or specialization in one or more areas of law enforcement, public safety, or civil or criminal justice. Designees serving on the commission must have been a resident of South Carolina since January 1, 2001.

 (D) The commission must meet as soon as practicable after appointment to organize itself and elect officers that it considers necessary. Thereafter, the commission must meet as necessary to exercise the powers and fulfill the duties required by this section at the call of the chairman or by a majority of the members. A quorum consists of six members.

 (E) The duties of the commission shall be to:

 (1) conduct a comprehensive study concerning the use of traffic enforcement camera systems to detect violations of and enforce the state’s uniform traffic laws, including, but not limited to, violating speed limits and the failure to obey traffic control signals and stop signs;

 (2) develop criteria for assessing the use of traffic enforcement camera systems to detect violations of and enforce the state’s uniform traffic laws, including, but not limited to, violating speed limits and the failure to obey traffic control signals and stop signs;

 (3) issue a report of its findings concerning utilizing traffic enforcement camera systems to detect violations of and enforce the state’s uniform traffic laws. The report must consider and address at least the following issues:

 (a) the positives and negatives of a private company’s involvement in enforcing traffic laws;

 (b) assuming private companies are authorized to participate in enforcing traffic laws, the appropriate distribution of authority between law enforcement and a private company;

 (c) whether there is a conflict of interest when a private company is paid a commission based on the number of traffic tickets issued through the use of its traffic enforcement camera systems and, if so, how the conflict of interest may be resolved;

 (d) the public policy implications, if any, of a private company reimbursing a state or local government for the use of their law enforcement personnel in connection with the operation of the company’s traffic enforcement camera system;

 (e) assuming that traffic enforcement camera systems are used to enforce uniform traffic laws*,* whether a statewide agency such as the Department of Public Safety should be solely authorized to operate the system, whether a statewide agency should operate the system in conjunction with local law enforcement authorities, or whether local law enforcement authorities be solely authorized to operate systems within their jurisdiction;

 (f) the accuracy of current traffic enforcement camera systems, specifically whether vehicles violating the speed limit or failing to obey traffic control signals or stop signs, other than the vehicle photographed, trigger the photograph being taken and, if so, whether the technology can be improved to prevent that from occurring;

 (g) whether it is important to have a law enforcement officer actually view the vehicle violating a speed limit in order to confirm, with his visual estimation of speed, what the radar indicates, whether an officer viewing a picture being taken of the vehicle is sufficient confirmation, or whether officer confirmation is necessary;

 (h) whether traffic enforcement camera systems present a possible visual disturbance for the driver resulting from a flash when the system takes a picture;

 (i) whether the use of traffic enforcement camera systems diminish the dangers to and increase the safety of law enforcement personnel;

 (j) whether the use of traffic enforcement camera systems decrease the number of speed limit violations and, thereby, increase public safety;

 (k) whether the use of traffic enforcement camera systems in connection with law enforcement raise any personal privacy issues;

 (l) identify the criminal laws, if any, that should not be enforced by cameras;

 (m) whether the information contained in photographs taken by traffic enforcement camera systems should be limited to the enforcement of traffic laws, or whether the information, including, but not limited to, license plate numbers, should also be generally available for use by law enforcement for official law enforcement purposes;

 (n) whether there is a difference between using a traffic enforcement camera system to enforce traffic laws related to speed limits and traffic laws requiring obedience to traffic control signals and stop signs;

 (o) assuming that traffic enforcement camera systems are used to enforce uniform traffic laws, whether they should be used on all public roads, only on certain roads, or only in certain areas, including, but not limited to, school zones, temporary work zones, and construction zones;

 (p) assuming that traffic enforcement camera systems are used to enforce uniform traffic laws, whether there is a way to ensure that traffic enforcement camera systems are being used to improve road safety, and assuming that their use improves road safety, rather than maximizing government revenues resulting from violations of uniform traffic laws;

 (q) the constitutionality of utilizing traffic enforcement camera systems to enforce uniform traffic laws and mailing citations to alleged violators, and, if unconstitutional, the manner in which a system may be constitutionally operated;

 (r) the public policy implications, if any, raised by citations for uniform traffic law violations being mailed to the alleged violator after the event as opposed to being personally delivered contemporaneous with or within one hour of the alleged violation;

 (s) whether the state’s criminal justice system currently has a sufficient number of judges and magistrates to handle the increased number of citations that would result from statewide use of traffic enforcement camera systems; and

 (t) assuming that traffic enforcement camera systems are used to enforce uniform traffic laws, the manner in which the revenue raised should be allocated and the purposes for which it should be used;

 (4) make recommendations, if any, for changes to existing law concerning the use of traffic enforcement camera systems to detect and enforce the state’s uniform traffic laws, including, but not limited to, violating speed limits and the failure to obey traffic control signals and stop signs. Rather than making recommendations for changes to existing law, the commission may also recommend that no changes are necessary to the existing law that prohibits the use of traffic enforcement cameras to detect traffic regulation violations. Recommendations made pursuant to this item must be contained in the report issued pursuant to item (3).

 (F) On or before November 1, 2011, the commission must conclude its business and report its findings to the General Assembly, at which time the commission is dissolved. The General Assembly may extend the dates by which the commission shall submit reports required by this act.

 (G) The members of the commission shall serve without compensation and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of state boards, committees, and commissions.

SECTION 5. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Rep. TALLON proposed the following Amendment No. 2 (COUNCIL\MS\7426AHB11), which was adopted:

Amend the bill, as and if amended, by deleting Section 56-7-35(A)(1), as contained in SECTION 1, page 336-1, lines 28-31, and inserting:

/ “Section 56‑7‑35. (A)(1) A law enforcement officer who issues a uniform traffic ticket for a violation of a local ordinance or traffic laws relating to speeding must do so incident to and contemporaneous with a traffic stop. /

Amend the bill further, by deleting Section 56-7-35(B)(1), as contained in SECTION 1, page 336-2, lines 13-16, and inserting:

/ (B)(1) A law enforcement officer who issues a uniform traffic ticket for a violation of a local ordinance or the traffic laws relating to disregarding a traffic control device must do so incident to and contemporaneous with a traffic stop. /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 3 (COUNCIL\NBD\11686AC11), which was adopted:

Amend the bill, as and if amended, Section 56-7-35, page 336-2, after line 40 by inserting:

/(D) The provisions of this section prohibiting the use of photographic evidence, in whole or in part, whether the camera or other electronic device capturing the photographic evidence was attended or unattended, do not apply to a violation of a local ordinance or the traffic laws relating to driving under the influence of alcohol or any other drug or a combination of other drugs or substances or driving with an unlawful alcohol concentration. /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

Rep. HERBKERSMAN proposed the following Amendment No. 4 (COUNCIL\NBD\11687AC11), which was tabled:

Amend the bill, as and if amended, Section 56-7-35, page 336-2, after line 40 by inserting:

/(D) The provisions of this section prohibiting the use of photographic evidence, in whole or in part, whether the camera or other electronic device capturing the photographic evidence was attended or unattended, do not apply to a violation of a local ordinance or a traffic law occurring in the proximity of a school cross walk or other cross walk, or a high pedestrian traffic area whether the high pedestrian traffic is permanent or temporary. /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

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

Rep. VIERS proposed the following Amendment No. 5 (COUNCIL\NBD\11753DG11), which was rejected:

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

/SECTION \_\_\_. Chapter 5, Title 56 of the 1976 Code is amended by adding:

 “Section 56-5-95. In any year in which a local government intentionally violates the provisions of Sections 56-5-70, 56-5-710, or 56-7-35, the local government is not entitled to receive a distribution from the Local Government Fund or any aid to subdivision appropriation.” /

Renumber sections to conform.

Amend title to conform.

Rep. VIERS explained the amendment.

Rep. VIERS spoke in favor of the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

Rep. SKELTON moved to table the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken, resulting as follows:

Yeas 39; Nays 62

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Battle | Bowers |
| G. A. Brown | Butler Garrick | Clyburn |
| Cobb-Hunter | Crosby | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Harrell | Henderson |
| Hiott | Hosey | Jefferson |
| Johnson | Knight | McLeod |
| Munnerlyn | Neilson | Ott |
| Parks | Sabb | Skelton |
| Sottile | Stavrinakis | Tallon |
| Tribble | Whipper | Whitmire |

**Total--39**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | R. L. Brown |
| Chumley | Clemmons | Cole |
| Corbin | Crawford | Delleney |
| Edge | Forrester | Frye |
| Hamilton | Hardwick | Harrison |
| Hart | Hearn | Herbkersman |
| Hixon | Horne | Howard |
| Huggins | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McEachern | Merrill | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| Norman | Parker | Patrick |
| Pinson | Pitts | Quinn |
| Rutherford | Ryan | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Spires | Stringer | Taylor |
| Thayer | Toole | Viers |
| Weeks | White | Williams |
| Willis | Young |  |

**Total--62**

So, the House refused to table the amendment.

Rep. STAVRINAKIS spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken, resulting as follows:

Yeas 39; Nays 63

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Barfield | Bedingfield |
| Bingham | Chumley | Clemmons |
| Cole | Corbin | Crawford |
| Delleney | Edge | Frye |
| Hamilton | Hart | Herbkersman |
| Hixon | Howard | Limehouse |
| Loftis | Lowe | Lucas |
| Merrill | Nanney | Norman |
| Patrick | Pitts | Quinn |
| Rutherford | Ryan | Simrill |
| G. M. Smith | G. R. Smith | Spires |
| Stringer | Taylor | Toole |
| Viers | Willis | Young |

**Total--39**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Battle |
| Bowen | Bowers | Brady |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Cooper |
| Crosby | Daning | Dillard |
| Forrester | Funderburk | Gambrell |
| Gilliard | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Hiott | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Knight | Mack | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | J. H. Neal |
| Neilson | Ott | Parker |
| Parks | Pinson | Sabb |
| Skelton | J. R. Smith | Sottile |
| Stavrinakis | Tallon | Thayer |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |

**Total--63**

So, the amendment was rejected.

The question then recurred to the passage of the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 99; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | G. A. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Delleney |
| Dillard | Edge | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrison | Hart | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Knight | Loftis |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| Neilson | Norman | Ott |
| Parker | Parks | Patrick |
| Pinson | Pitts | Quinn |
| Rutherford | Ryan | Sabb |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--99**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Daning |  |  |

**Total--1**

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

**OBJECTION TO MOTION**

Rep. CRAWFORD asked unanimous consent that S. 336 be read a third time tomorrow.

Rep. HERBKERSMAN objected.

**S. 336--MOTION TO RECONSIDER TABLED**

Rep. CRAWFORD moved to reconsider the vote whereby the following Bill was read second time:

S. 336 -- Senator Grooms: A BILL TO AMEND SECTION 56-7-30 OF THE 1976 CODE, RELATING TO GENERATING UNIFORM TRAFFIC CITATIONS WITH AN ELECTRONIC DEVICE, TO REQUIRE THAT A COPY OF THE CITATION IS HANDED DIRECTLY TO THE OFFENDER BY THE LAW ENFORCEMENT OFFICER ISSUING THE TICKET; TO AMEND CHAPTER 7, TITLE 56, RELATING TO MOTOR VEHICLE TRAFFIC TICKETS, BY ADDING SECTION 56-7-35 TO PROVIDE THAT A LAW ENFORCEMENT OFFICER MUST STOP AN OWNER OR OPERATOR OF A VEHICLE TO ISSUE A TRAFFIC TICKET, TO PROVIDE THAT THE TRAFFIC TICKET MUST BE HANDED DIRECTLY TO THE OWNER OR OPERATOR OF THE VEHICLE, TO PROVIDE THAT A LAW ENFORCEMENT AGENCY MAY NOT MAIL OR OTHERWISE SEND A TRAFFIC TICKET TO AN OFFENDER, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED, AND TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO TOLL COLLECTION; TO AMEND SECTION 56-5-710, RELATING TO THE POWER OF LOCAL AUTHORITIES CONCERNING TRAFFIC LAWS, TO PROVIDE THAT A TRAFFIC TICKET CANNOT BE ISSUED BASED IN WHOLE OR IN PART UPON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER DEVICE CAPTURING THE IMAGE WAS ATTENDED OR UNATTENDED; TO AMEND SECTION 56-5-70, AS AMENDED, RELATING TO CERTAIN VEHICLE REQUIREMENTS BEING SUSPENDED DURING A STATE OF EMERGENCY, TO CLARIFY THAT UNIFORM TRAFFIC CITATIONS MAY NOT BE ISSUED IN WHOLE OR IN PART ON PHOTOGRAPHIC EVIDENCE REGARDLESS OF WHETHER THE CAMERA OR OTHER ELECTRONIC DEVICE CAPTURING THE PHOTOGRAPHIC EVIDENCE WAS ATTENDED OR UNATTENDED AT THE TIME IT CAPTURED THE PHOTOGRAPHIC EVIDENCE; AND TO DISGORGE ANY FINES COLLECTED IN VIOLATION OF SECTION 56-5-70.

Rep. CRAWFORD moved to table the motion to reconsider, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

Rep. PINSON moved that the House recur to the morning hour.

**REPORT OF STANDING COMMITTEE**

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

S. 919 -- Senators Scott, Lourie, Courson and Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 20 AND SOUTH CAROLINA HIGHWAY 555 IN RICHLAND COUNTY "ADELL T. ADAMS INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "ADELL T. ADAMS INTERCHANGE".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4285 -- Reps. Hart, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CELEBRATE THE WEDDING OF KATHRYN MICHELE JONES AND SHELDON "TY" ERVING, AND TO WISH THEM A WONDERFUL LIFE TOGETHER.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4286 -- Rep. Brady: A HOUSE RESOLUTION TO CONGRATULATE MICHAEL FIELDS, OF FOREST ACRES, UPON BEING CHOSEN THE 2011 ASSOCIATION EXECUTIVE OF THE YEAR BY THE SOUTH CAROLINA SOCIETY OF ASSOCIATION EXECUTIVES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4287 -- Reps. Huggins, Frye, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CONGRATULATE DANA J. BELL OF LEXINGTON COUNTY UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER THIRTY-SEVEN YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4288 -- Reps. Young, Clyburn, Hixon, J. R. Smith, Spires, Taylor, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Stavrinakis, Stringer, Tallon, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams and Willis: A HOUSE RESOLUTION TO CELEBRATE THE OCCASION OF THE FIFTIETH ANNIVERSARY OF THE INCEPTION OF THE UNIVERSITY OF SOUTH CAROLINA AIKEN, TO CONGRATULATE AND COMMEND THE FACULTY, STAFF, AND STUDENT BODY FOR A HALF CENTURY OF PRODUCING QUALITY GRADUATES, AND TO WISH THE UNIVERSITY ALL THE BEST IN THE COMING YEARS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4289 -- Reps. Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE ABBEVILLE HIGH SCHOOL SOFTBALL TEAM FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THE TEAM AND COACHES FOR GARNERING THE 2011 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4290 -- Reps. G. M. Smith, Weeks, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE SUMTER HIGH SCHOOL BASEBALL TEAM ON ITS OUTSTANDING SEASON, AND TO CONGRATULATE THE TEAM MEMBERS AND COACHES FOR CAPTURING THE 2011 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4291 -- Reps. G. M. Smith, Weeks, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WILLIAM VAN RICHARDSON, JR., OF SUMTER COUNTY FOR ACHIEVING THE ELITE RANK OF EAGLE SCOUT, AND TO COMMEND HIM FOR HIS HARD WORK AND DETERMINATION IN REACHING THIS SIGNIFICANT GOAL.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4292 -- Rep. Battle: A CONCURRENT RESOLUTION TO COMMEND SALLEY B. DAVIDSON, DIRECTOR OF THE MARION COUNTY LIBRARY, UPON HER RETIREMENT AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4293 -- Rep. Daning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 17A AND THE SANGAREE PARKWAY IN BERKELEY COUNTY "LANCE CORPORAL TODD ALVIN BENJAMIN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION

THAT CONTAIN THE WORDS "LANCE CORPORAL TODD ALVIN BENJAMIN INTERSECTION".

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

**INTRODUCTION OF BILLS**

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

H. 4294 -- Rep. Harrison: A BILL TO AMEND SECTION 56-1-286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A DRIVER'S LICENSE TO A PERSON UNDER THE AGE OF TWENTY-ONE FOR HAVING AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO REVISE THE PENALTIES TO INCLUDE REQUIRING AN OFFENDER WHO OPERATES A VEHICLE TO HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON THE VEHICLE; TO AMEND SECTION 56-1-400, AS AMENDED, RELATING TO THE SUSPENSION OF A LICENSE, A LICENSE RENEWAL OR ITS RETURN, AND ISSUANCE OF A LICENSE THAT RESTRICTS THE DRIVER TO ONLY OPERATING A VEHICLE WITH AN IGNITION INTERLOCK DEVICE INSTALLED, SO AS TO REVISE THE DRIVER'S LICENSE SUSPENSION PERIOD FOR A PERSON WHO CHOOSES TO OR NOT TO HAVE AN INTERLOCK DEVICE INSTALLED ON HIS VEHICLE, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN INDIVIDUALS WHO CHOOSE NOT TO HAVE AN INTERLOCK DEVISE INSTALLED ON THEIR VEHICLES AFTER BEING CONVICTED OF CERTAIN DRIVING OFFENSES, AND TO REVISE THE PROCEDURE FOR A PERSON TO OBTAIN A LICENSE WHO DOES NOT OWN A VEHICLE; TO AMEND SECTION 56-1-1320, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER'S LICENSE, SO AS TO PROVIDE THAT THE PROVISIONAL LICENSE MAY BE ISSUED AS LONG AS THE VEHICLE AUTHORIZED TO BE OPERATED HAS HAD AN IGNITION INTERLOCK DEVISE INSTALLED; TO AMEND SECTION 56-5-2941, AS AMENDED, RELATING TO PENALTIES THAT MAY BE IMPOSED FOR DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO PROVIDE THE LENGTH OF TIME AN INTERLOCK DEVICE MUST BE AFFIXED TO A VEHICLE FOR A FIRST OFFENSE, TO REVISE THE PENALTY FOR AN OFFENDER WHO HAS ACCUMULATED FOUR POINTS UNDER THE INTERLOCK DEVICE POINT SYSTEM, TO PROVIDE FOR THE USE OF FUNDS REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FEES THAT MUST BE COLLECTED AND REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FREQUENCY OF TIME IN WHICH AN OFFENDER MUST HAVE AN INTERLOCK DEVICE INSPECTED, AND TO PROVIDE THAT AN INTERLOCK DEVICE MUST CAPTURE A PHOTOGRAPHIC IMAGE OF A DRIVER AS HE OPERATES THE DEVICE; TO AMEND SECTION 56-5-2942, AS AMENDED, RELATING TO THE IMMOBILIZATION OF A PERSON'S VEHICLE UPON HIS CONVICTION OF AN ALCOHOL-RELATED DRIVING OFFENSE, SO AS TO PROVIDE THAT AS LONG AS A PERSON HOLDS A VALID IGNITION INTERLOCK LICENSE, HE IS NOT REQUIRED TO SURRENDER HIS LICENSE PLATES AND VEHICLE REGISTRATIONS; TO AMEND SECTION 56-5-2947, AS AMENDED, RELATING TO THE OFFENSE OF CHILD ENDANGERMENT, SO AS TO REVISE THE DATE WHEN A PERSON MAY ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM AND BE ISSUED A PROVISIONAL DRIVER'S LICENSE; TO AMEND SECTION 56-5-2950, AS AMENDED, RELATING TO A PERSON WHO OPERATES A MOTOR VEHICLE GIVING IMPLIED CONSENT TO CHEMICAL TESTS TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS, SO AS TO REVISE THE PENALTY IMPOSED UPON A PERSON WHO REFUSES TO BE SUBJECTED TO A CHEMICAL TEST; TO AMEND SECTION 56-5-2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE WHO REFUSES TO SUBMIT TO BE TESTED TO DETERMINE HIS ALCOHOL CONCENTRATION, SO AS TO LOWER THE ALCOHOL CONCENTRATION LEVEL THAT RESULTS IN A PERSON HAVING HIS LICENSE SUSPENDED, TO REVISE THE PERIOD OF TIME THAT A TEMPORARY ALCOHOL LICENSE REMAINS IN EFFECT, TO REVISE THE PERIOD OF TIME THAT A SUSPENSION OF A PERSON'S PRIVILEGE TO OPERATE A VEHICLE MUST REMAIN IN EFFECT WHEN AN ADMINISTRATIVE JUDGE UPHOLDS A SUSPENSION, TO PROVIDE THAT A HOLDER OF A RESTRICTED DRIVER'S LICENSE MAY OPERATE ONLY A VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE, AND TO REVISE THE PENALTY FOR VIOLATIONS OF VARIOUS DRIVING OFFENSES; AND TO AMEND SECTION 56-5-2990, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR A VIOLATION OF CERTAIN ALCOHOL AND DRUG RELATED DRIVING OFFENSES, SO AS TO REVISE THE PENALTIES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO CERTAIN PERSONS WHO HAVE BEEN ISSUED AN IGNITION INTERLOCK RESTRICTED LICENSE.

Referred to Committee on Judiciary

H. 4295 -- Reps. Bowers and Brantley: A BILL TO AMEND SECTION 7-7-300, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HAMPTON COUNTY, SO AS TO DELETE POLLING PLACE LOCATIONS IN THE VOTING PRECINCTS OF HAMPTON COUNTY, TO DESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO AUTHORIZE THE HAMPTON COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, WITH THE APPROVAL OF A MAJORITY OF THE HAMPTON COUNTY LEGISLATIVE DELEGATION, TO DETERMINE THE POLLING PLACES FOR THE PRECINCTS IN HAMPTON COUNTY.

On motion of Rep. BOWERS, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

**OBJECTION TO RECALL**

Rep. QUINN asked unanimous consent to recall S. 295 from the Committee on Medical, Military, Public and Municipal Affairs.

Rep. HENDERSON objected.

**OBJECTION TO RECALL**

Rep. COBB-HUNTER asked unanimous consent to recall H. 3738 from the Committee on Ways and Means.

Rep. FORRESTER objected.

**H. 3863--RECALLED FROM COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. BARFIELD, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

H. 3863 -- Reps. Barfield, Brantley, Brannon, Pinson, Crawford, Patrick, Knight, Parker, J. R. Smith, G. A. Brown, Gilliard, G. R. Smith, Bowers, Corbin, Hamilton, Hodges, Long, D. C. Moss, G. M. Smith and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 53, TITLE 44 TO ENACT THE "UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT" SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONSULTATION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A VOLUNTARY PROGRAM WHEREBY HEALTH CARE FACILITIES CAN DONATE UNUSED PRESCRIPTION DRUGS OF PATIENTS WHO NO LONGER NEED THEM AND WHO HAVE VOLUNTARILY AGREED TO DONATE THEIR PRESCRIPTION DRUGS TO CHARITABLE CLINICS PROVIDING SERVICES TO MEDICALLY INDIGENT PERSONS; TO PROVIDE THAT CERTAIN PROGRAM PROCEDURES AND REQUIREMENTS MUST BE PROMULGATED IN REGULATION BY THE DEPARTMENT AND BY THE BOARD OF PHARMACY, INDIVIDUALLY, TO CARRY OUT THE PROVISIONS OF THIS ARTICLE; AND TO CREATE AN ADVISORY COUNCIL TO OVERSEE AND ADVISE THE DEPARTMENT IN ESTABLISHING THIS PROGRAM AND IN CARRYING OUT THE RESPONSIBILITIES UNDER THIS ARTICLE.

**OBJECTION TO RECALL**

Rep. MERRILL asked unanimous consent to recall H. 3058 from the Committee on Ways and Means.

Rep. COBB-HUNTER objected.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3962 from the Committee on Labor, Commerce and Industry.

Rep. TALLON objected.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4209 -- Reps. Clemmons, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE COUNTRY MUSIC LEGEND DOLLY PARTON FOR HER CONTRIBUTIONS TO THE MUSIC INDUSTRY, TO THE ECONOMIC HEALTH OF THE PALMETTO STATE, AND TO CHARITABLE CAUSES WORLDWIDE, AND WELCOME HER BACK TO SOUTH CAROLINA FOR THE GRAND OPENING OF PIRATES VOYAGE IN MYRTLE BEACH ON JUNE 3, 2011, AND TO DECLARE THIS DAY "DOLLY PARTON DAY" IN SOUTH CAROLINA.

**ADJOURNMENT**

At 1:10 p.m. the House, in accordance with the motion of Rep. BARFIELD, adjourned in memory of Dr. Edward M. "Dick" Singleton of Conway, to meet at 10:00 a.m. tomorrow.

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