**Thursday, February 2, 2012**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

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

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

With the desert stretching before God’s people…

“By day the Lord went ahead of them in a pillar of cloud to guide them and by night in a pillar of fire....”

(Exodus 13:20)

Join me as we bow and pray:

Loving God, we humbly thank You for continuing to guide us along the way You would have us go. Beyond pillars of cloud or fire, today we have Your Word made known in Scripture, and we thank You for leading us as You do. Grant that all who serve You here in this Senate do so with full confidence and faith, so that all decisions made and actions taken will be pleasing to You and beneficial to all South Carolinians. May we all follow You faithfully and eagerly. In Your loving name we pray, dear Lord.

Amen.

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

**REGULATION RECEIVED**

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

Document No. 4257

Agency: State Board of Financial Institutions - Consumer Finance Division

Chapter: 15

Statutory Authority: 1976 Code Sections 37-22-110 et seq., particularly Section 37-22-260

SUBJECT: Mortgage Lending

Received by Lieutenant Governor February 2, 2012

Referred to Banking and Insurance Committee

Legislative Review Expiration June 1, 2012

**Doctor of the Day**

Senator COURSON introduced Dr. Al Pakalnis of Columbia, S.C., Doctor of the Day.

**Leave of Absence**

At 11:30 A.M., Senator CAMPBELL requested a leave of absence beginning at 2:00 P.M.

**Leave of Absence**

At 12:30 P.M., Senator FAIR requested a leave of absence from 1:00 - 3:00 P.M.

**CO-SPONSOR ADDED**

The following co-sponsor was added to the respective Bill:

S. 1128 Sen. Alexander

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator LEATHERMAN rose for an Expression of Personal Interest.

**RECALLED**

S. 1085 -- Senator Hayes: A BILL TO AMEND SECTION 48‑11‑210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORGANIZATION AND FUNCTIONING OF SPECIFIC WATERSHED CONSERVATION DISTRICTS UNDER THE GENERAL LAW PERTAINING TO SUCH DISTRICTS, SO AS TO PROVIDE THAT FOR PURPOSES OF CHAPTER 11, TITLE 48, INCLUDING THE CONDUCT OF ELECTIONS, THE DIGITAL HYDROLOGIC MAP PREPARED BY THE SERVICE CENTER AGENCIES OF THE UNITED STATES DEPARTMENT OF AGRICULTURE OF THE FISHING CREEK WATERSHED DISTRICT IN YORK COUNTY REPRESENTS AND IS DECLARED TO BE THE BOUNDARIES OF THE DISTRICT.

Senator HAYES asked unanimous consent to make a motion to recall the Bill from the Committee on Agriculture and Natural Resources.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1173 -- Senator S. Martin: A BILL TO AMEND SECTION 59-67-80 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF EDUCATION AND THE TRANSPORTATION OF STUDENTS, TO REQUIRE EVERY SCHOOL BUS TO BE EQUIPPED WITH A FIRST-AID KIT WITH MEDICAL SUPPLIES TO TREAT SEIZURES, DIABETES, AND LIFE-THREATENING ALLERGIC REACTIONS; AND TO AMEND SECTION 59-67-108 TO REQUIRE EACH SCHOOL BUS DRIVER TO SUCCESSFULLY COMPLETE A COURSE IN FIRST-AID PRIOR TO CERTIFICATION.

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

S. 1174 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-1050 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.

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

S. 1175 -- Senator Scott: A SENATE RESOLUTION TO HONOR AND CONGRATULATE MR. AND MRS. H. LANE CROSS OF RICHLAND COUNTY UPON THE OCCASION OF THEIR FIFTIETH WEDDING ANNIVERSARY, AND TO EXTEND BEST WISHES FOR MANY MORE YEARS OF BLESSING AND FULFILLMENT TOGETHER.

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The Senate Resolution was adopted.

S. 1176 -- Senators Courson and Land: A BILL TO AMEND SECTION 12-4-520, RELATING TO COUNTY TAX OFFICIALS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE SHALL ANNUALLY EXAMINE RECORDS OF ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS TO A PERMISSIVE AUTHORITY TO ANNUALLY EXAMINE THESE RECORDS; TO AMEND SECTION 12-4-530, RELATING TO INVESTIGATION AND PROSECUTION OF VIOLATIONS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT SHALL INITIATE COMPLAINTS, INVESTIGATIONS, AND PROSECUTIONS OF VIOLATIONS TO A PERMISSIVE AUTHORITY; TO AMEND SECTION 12-37-30, RELATING TO THE ASSESSMENT OF MULTIPLE TAXES TO BE LEVIED ON THE SAME ASSESSMENT, TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 21-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM THE FIRST TEN THOUSAND DOLLARS TO THE FIRST FIFTY THOUSAND DOLLARS OF THE VALUE OF THE PRIMARY RESIDENCE OF A HOMEOWNER WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER TO CONFORM WITH OTHER SECTIONS OF THE CODE, AND TO TRANSFER FROM THE COMPTROLLER GENERAL TO THE DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE STATE AGENCY OF VOCATIONAL REHABILITATION FOR EXPENSES INCURRED IN EVALUATING DISABILITY UNDER THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 12-37-450, RELATING TO THE BUSINESS INVENTORY TAX EXEMPTION, TO REMOVE THE REQUIREMENT THAT THE AMOUNT OF REIMBURSEMENT ATTRIBUTED TO DEBT SERVICE BE REDISTRIBUTED TO OTHER SEPARATE MILLAGES ONCE THE DEBT IS PAID, TO REQUIRE THE REIMBURSEMENT BE REDISTRIBUTED PROPORTIONATELY TO THE SEPARATE MILLAGES LEVIED BY THE POLITICAL SUBDIVISIONS, TO STRIKE THE REQUIREMENT THAT THE REDISTRIBUTION BE ATTRIBUTED TO THE MILLAGE RATES IN THE YEAR 1987, AND TO REQUIRE THE ATTRIBUTION OF THE CURRENT TAX YEAR MILLAGE RATES; TO AMEND SECTION 12-37-710, RELATING TO THE RETURN AND ASSESSMENT OF PERSONAL PROPERTY, TO STRIKE “OF FULL AGE AND OF SOUND MIND” AS A QUALIFIER FOR EVERY PERSON WHO MUST LIST PERSONAL PROPERTY FOR TAXATION; TO AMEND SECTION 12-37-715, RELATING TO THE FREQUENCY OF AD VALOREM TAXATION ON PERSONAL PROPERTY, TO ALLOW NEWLY ACQUIRED VEHICLES TO BE TAXED MORE THAN ONCE IN A TAX YEAR; TO AMEND SECTION 12-37-760, RELATING TO STATEMENTS OF PERSONAL PROPERTY FOR TAXATION WHERE A PERSON REFUSES OR NEGLECTS TO DELIVER A STATEMENT OF PERSONAL PROPERTY, TO ELIMINATE THE OBLIGATION AND TO ALLOW THE PERMISSIVE AUTHORITY FOR THE COUNTY AUDITOR TO ASCERTAIN AND RETURN A LIST OF THAT PERSON'S PERSONAL PROPERTY AND TO ALLOW THAT HE MAY DENOTE REASONS FOR THE REFUSAL; TO REPEAL SECTION 12-37-850, RELATING TO THE REMOVAL OF THE JURISDICTION OF THE COURTS TO HEAR MATTERS ORIGINATED FROM THE TAXPAYER CONCERNING ALLEGATIONS OF FALSE RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, TO STRIKE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH IT IS SITUATED FOR TAXATION PURPOSES, AND TO REMOVE THE REQUIREMENT THAT ALL BANKERS’ CAPITAL OR PERSONAL ASSETS RELATED TO THE BANKING BUSINESS BE RETURNED TO THE COUNTY WHERE THE BANKING HOUSE IS LOCATED FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-900, RELATING TO PERSONAL PROPERTY TAX RETURNS, TO STRIKE THE DESIGNATED DATES OF THE REQUIRED ANNUAL RETURNS OF PERSONAL AND REAL PROPERTY TO THE COUNTY AUDITOR AND TO STRIKE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE THIS STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, TO STRIKE THE REQUIREMENT THAT MONEY AND BANK BILLS BE VALUED AT PAR VALUE AND THAT CREDITS BE VALUED AT THE FACE VALUE OF THE CONTRACT UNLESS THE PRINCIPAL BE PAYABLE AT A FUTURE TIME WITHOUT INTEREST AND CONTRACTS FOR THE DELIVERY OF SPECIFIC ARTICLES BE VALUED AT THE USUAL SELLING PRICE OF SUCH ITEMS; TO AMEND SECTION 12-37-970, RELATING TO THE ASSESSMENT AND RETURN OF MERCHANTS' INVENTORIES, TO REMOVE MERCHANTS' INVENTORIES FROM THE REQUIRED ASSESSMENT OF PERSONAL PROPERTY FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-2420, RELATING TO PROPERTY TAX RETURNS FOR AIRLINE COMPANIES, TO CHANGE THE DATE OF FILING FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO STRIKE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO TAX YEAR OF MOTOR VEHICLES, TO REMOVE REFERENCES TO VEHICLE LICENSE AND REPLACE WITH VEHICLE REGISTRATIONS, TO REMOVE REFERENCES AND PROCEDURES FOR TWO YEAR VEHICLE LICENSES, TO PROVIDE AN EXCEPTION FOR TRANSFER OF THE LICENSE FROM ONE VEHICLE TO ANOTHER, AND TO PROVIDE THAT NOTICES OF SALES BY DEALERS MUST BE MADE TO THE DEPARTMENT OF MOTOR VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, TO REDUCE THE TIME THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A LIST OF LICENSE REGISTRATION APPLICATIONS TO THE COUNTY AUDITOR FROM NINETY TO SIXTY DAYS AND TO UPDATE THE REQUIRED FORM OF THE LISTINGS; TO AMEND SECTION 12-37-2725, RELATING TO THE TRANSFER OF THE TITLE OF A VEHICLE TO ANOTHER STATE, TO CHANGE THE LOCATION OF THE RETURN OF THE LICENSE PLATE AND VEHICLE REGISTRATION FROM THE COUNTY AUDITOR TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO DELINEATE THE PROCESS FOR OBTAINING A TAX REFUND FOR THE PORTION OF THE TAX YEAR REMAINING; TO REPEAL SECTION 12-37-2735, RELATING TO THE ESTABLISHMENT OF THE PERSONAL PROPERTY TAX RELIEF FUND; TO AMEND SECTION 12-39-10, RELATING TO THE APPOINTMENT OF THE COUNTY AUDITOR, TO ELIMINATE THE FOUR YEAR TERM OF THE AUDITOR AND TO REQUIRE HIM TO TAKE THE OATH OF OFFICE BEFORE ENTERING INTO OFFICE; TO AMEND SECTION 12-39-40, RELATING TO APPOINTMENT OF A DEPUTY AUDITOR, TO REQUIRE THE APPOINTMENT TO BE FILED WITH THE STATE TREASURER INSTEAD OF THE COMPTROLLER GENERAL; TO AMEND SECTION 12-39-60, RELATING TO THE COUNTY AUDITOR, TO CHANGE THE DEADLINE FOR RECEIVING TAX RETURNS FROM APRIL FIFTEENTH TO APRIL THIRTIETH AND TO REDUCE THE REQUIREMENT OF PUBLIC NOTICE FOR A LOCATION TO RECEIVE RETURNS TO A PERMISSIVE AUTHORITY FOR THE PROVIDING OF THIS NOTICE; TO AMEND SECTION 12-39-120, RELATING TO THE POWER OF THE COUNTY AUDITOR TO ENTER INTO BUILDINGS THAT ARE NOT DWELLINGS TO DETERMINE VALUE, TO CHANGE THE DETERMINATION FROM THE VALUE OF ANY BUILDING TO THE VALUE OF ANY TAXABLE PERSONAL PROPERTY; TO AMEND SECTION 12-39-160, RELATING TO SPECIAL LEVIES, TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY SUPERINTENDENT, BOARDS OF EDUCATION, AND BOARDS OF TRUSTEES, TO A PERMISSIVE AUTHORITY TO PROVIDE THE INFORMATION; TO AMEND SECTION 12-39-190, RELATING TO THE REPORTING OF REAL AND PERSONAL PROPERTY TAXES, TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS THE DEPARTMENT OF REVENUE MAY PRESCRIBE, TO ALLOW THE DEPARTMENT TO DETERMINE THE TYPES OF ACCEPTABLE FORMAT REQUIRED; TO AMEND SECTION 12-39-220, RELATING TO OMISSION OF NEW PROPERTY FROM THE COUNTY DUPLICATE, TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY NOTIFY THE COUNTY ASSESSOR, TO ELIMINATE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES TO REPLACE WITH ALL APPLICABLE PENALTIES, AND TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR’S RECORDS, TO REDUCE THE REQUIREMENT THAT AUDITORS KEEP RECORDS OF ALL SALES OR CONVEYANCES OF REAL PROPERTY TO A PERMISSIVE AUTHORITY TO KEEP THESE RECORDS; TO AMEND SECTION 12-39-270, RELATING TO THE COUNTY AUDITOR'S ABATEMENT BOOK, TO REMOVE THE PROVISION THAT REQUIRES THE ABATEMENT ALLOWED IN ANNUAL SETTLEMENTS BETWEEN THE AUDITOR AND THE TREASURER TO BE ACCORDING TO THE RECORD IN THE ABATEMENT BOOK; TO AMEND SECTION 12-43-220, RELATING TO COUNTY EQUALIZATION AND REASSESSMENT, TO REQUIRE THAT IN ORDER TO PROVE ELIGIBILITY FOR THE FOUR PERCENT HOME ASSESSMENT RATIO, THE OWNER-OCCUPANT MUST PROVIDE PROOF THAT ALL MOTOR VEHICLES REGISTERED IN HIS NAME WERE REGISTERED AT THAT SAME ADDRESS; TO AMEND SECTION 12-45-10, RELATING TO THE APPOINTMENT OF COUNTY TREASURERS, TO CHANGE THE OBLIGATION OF THE GOVERNOR TO APPOINT COUNTY TREASURERS TO MAKE IT A PERMISSIVE AUTHORITY TO DO SO; TO AMEND SECTION 12-45-35, RELATING TO THE APPOINTMENT OF DEPUTY COUNTY TREASURERS, TO CHANGE THE REQUIREMENT OF THE FILING OF THE APPOINTMENT WITH THE DEPARTMENT OF REVENUE TO THE FILING WITH THE STATE TREASURER; TO AMEND SECTION 12-45-40, RELATING TO THE PUBLICATION AND NOTICE OF CERTAIN TAX RATES, TO CHANGE THE OBLIGATION TO PUBLISH IN ONE NEWSPAPER TO REQUIRE PUBLICATION IN EITHER THE PRINT MEDIA OR ELECTRONICALLY, OR BOTH, AND TO REMOVE THE REQUIREMENT THAT THE PUBLICATION STATE THE RATE PERCENT OF THE STATE LEVY; TO AMEND SECTION 12-45-70, RELATING TO COLLECTION OF TAXES, TO CHANGE THE REQUIREMENT THAT THE OFFICIAL CHARGED WITH COLLECTING TAXES SHALL SEND A LIST OF TAXES PAID TO THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PUBLIC SAFETY AND THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ACCEPT THIS CERTIFICATION INSTEAD OF A TAX RECEIPT; TO AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, TO STRIKE FROM THE ACCEPTABLE FORMS OF PAYMENT, JURY CERTIFICATES, CIRCUIT COURT WITNESS PER DIEMS, AND COUNTY CLAIMS; TO AMEND SECTION 12-45-120, RELATING TO DELINQUENT TAXATION, TO REPLACE THE DESIGNATION OF CHATTEL TAX WITH THE TERM PERSONAL TAX; TO AMEND SECTION 12-45-180, RELATING TO THE COLLECTION OF DELINQUENT TAXES, TO ADD THE OFFICE AUTHORIZED TO COLLECT DELINQUENT TAXES AS AN OFFICE AUTHORIZED TO WAIVE PENALTIES IN CASES OF IMPROPER MAILING OR ERROR; TO AMEND SECTION 12-45-185, RELATING TO THE WAIVER OF PENALTIES FOR DELINQUENT TAXES, TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL REPORT OF COUNTY TREASURER TO THE COUNTY SUPERVISOR, TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST REPORT TO THE COUNTY SUPERVISOR ON THE FIFTEENTH OF EACH MONTH AND TO ALLOW THE TREASURER TO REPORT MONTHLY; TO AMEND SECTION 12-45-300, RELATING TO THE AUDITOR'S LIST OF DELINQUENT TAXES, TO STRIKE THE REQUIREMENT THAT THE AUDITOR MUST MAKE MARGINAL NOTATIONS AS TO THE REASONS THE TAXES WERE NOT COLLECTABLE, AND TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST SIGN AND SWEAR TO THE LIST BEFORE THE AUDITOR; TO AMEND SECTION 12-45-420, RELATING TO THE WAIVER OF PENALTIES DUE TO ERRORS BY THE COUNTY BY A COMMITTEE MADE UP OF THE COUNTY AUDITOR, TREASURER, AND ASSESSOR, TO REQUIRE THAT THE WAIVER MUST BE BY MAJORITY VOTE OF THE COMMITTEE; TO AMEND SECTION 12-49-10, RELATING TO LIENS AND SUITS FOR THE COLLECTION OF TAXES, TO CHANGE THE DESIGNATION OF DEBTS PAYABLE TO THE STATE TO DEBTS PAYABLE TO THE COUNTY; TO AMEND SECTION 12-49-20, RELATING TO LIENS IN THE COLLECTION OF DELINQUENT TAXES, TO MOVE THE AUTHORITY OF THE COUNTY SHERIFF TO COLLECT DELINQUENT TAXES TO THE COUNTY TAX COLLECTOR; TO AMEND SECTION 12-49-85, RELATING TO UNCOLLECTABLE PROPERTY TAX FOR DERELICT MOBILE HOMES, TO CHANGE THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME AND TO INCLUDE THE REQUIREMENT THAT THE ASSESSOR REMOVE THE DERELICT HOME FROM HIS RECORDS AND THE AUDITOR TO REMOVE THE DERELICT HOME FROM THE DUPLICATE LIST; TO AMEND SECTION 12-49-910, RELATING TO THE SEIZURE OF PROPERTY SUBJECT TO A TAX LIEN BY THE SHERIFF OR COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO LEVY AND SEIZE PROPERTY OF A DEFAULTING TAXPAYER; TO AMEND SECTION 12-49-920, RELATING TO THE SEIZURE OF PROPERTY FOR TAX DEFAULT BY THE COUNTY SHERIFF OR THE COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO POSSESS THE SEIZED PROPERTY; TO AMEND SECTION 12-49-930, RELATING TO THE REMOVAL OR DESTRUCTION OF PERSONAL PROPERTY SUBJECT TO A TAX LIEN, TO REMOVE THE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-940, RELATING TO THE DISPOSAL OF PERSONAL PROPERTY SEIZED DUE TO A TAX LIEN BY THE COUNTY SHERIFF OR TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO ADVERTIZE FOR THE SALE OF THE PROPERTY; TO AMEND SECTION 12-49-950, RELATING TO BIDDING ON PERSONAL PROPERTY SUBJECT TO A TAX LIEN BY THE FORFEITED LAND COMMISSION, TO ALLOW BIDS TO BE MADE ON BEHALF OF THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-49-960, RELATING TO THE SALE OF PROPERTY SUBJECT TO A TAX SALE, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110, RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, TO CHANGE THE DEFINITION OF “TAX TITLE” FROM “A DEED FOR REAL PROPERTY AND A BILL OF SALE FOR PERSONAL PROPERTY” TO “A DEED FOR REAL PROPERTY OR A BILL OF SALE FOR PERSONAL PROPERTY”; TO AMEND SECTION 12-49-1150, RELATING TO THE NOTICE TO MORTGAGEE OF A TAX SALE, TO INCLUDE IN THE INFORMATION PROVIDED THE TAX MAP NUMBER OF THE PROPERTY; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, TO SPECIFY THE FORMS OF LIENHOLDERS PROVIDED TO TAX COLLECTORS FOR NOTICE TO BE THOSE PROVIDED BY THE DEPARTMENT RESPONSIBLE FOR THE REGISTRATION OF MANUFACTURED HOMES; TO AMEND SECTION 12-49-1270, RELATING TO THE RIGHTS OF THE LIENHOLDER IN A TAX SALE AND THE RIGHTS AND REMEDIES THAT ARE NOT AFFECTED BY COMPLIANCE OF THE INFORMATION PROVISIONS, TO CHANGE THE INFORMATION PROVIDED TO THE AUDITOR TO THE ASSESSOR; TO AMEND SECTION 12-51-40, RELATING TO PROPERTY TAXES AND THE TREATMENT OF MOBILE HOMES AS PERSONAL PROPERTY, TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR TO REQUIRE COMPLIANCE WITH DE-TITLING PROVISIONS OF THE MANUFACTURED HOUSING LAW AND TO ALLOW A COUNTY TO CONTRACT IN THE COLLECTION OF DELINQUENT TAXES; TO AMEND SECTION 12-51-55, RELATING TO THE BID ON PROPERTY SOLD FOR AD VALOREM TAXES, TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS FOR WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, TO INCREASE THE TIME OF SETTLEMENT TO THE POLITICAL SUBDIVISIONS FROM THIRTY DAYS TO FORTY-FIVE DAYS AFTER THE TAX SALE; TO REPEAL SECTION 12-59-30, RELATING TO THE SUFFICIENCY OF DEEDS OF LANDS FORFEITED TO THE STATE COMMISSIONS IN YEAR 1939; TO AMEND SECTION 12-59-40, RELATING TO FORFEITED LAND COMMISSIONS, TO INCLUDE LANDS FORFEITED TO COUNTY TAX COLLECTORS IN LANDS AUTHORIZED FOR SALE AND TO REMOVE THE STATE AS HOLDER OF PROPERTY HELD AND SOLD BY THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-50, RELATING TO THE FORFEITED LAND COMMISSION, TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, TO REMOVE REFERENCE TO THE SHERIFF SUBMITTING TITLE TO THE COMMISSION AND TO REFERENCE THE COUNTY TAX COLLECTOR SUBMITTING TITLE TO THE COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE FORFEITED LAND COMMISSION, TO DESIGNATE THE PROCEDURE FOR ACCEPTING BIDS FOR THE SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO EXECUTE DEEDS AND CONVEYANCES FOR FORFEITED LANDS AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO EXECUTE THE DEEDS AND CONVEYANCES; TO AMEND SECTION 12-59-100, RELATING TO THE TURNING OVER OF PROCEEDS OF A DELINQUENT TAX SALE BY THE FORFEITED LANDS COMMISSION TO THE COUNTY TREASURER AND THE TREASURER TO DEPOSIT THESE FUNDS INTO THE COUNTY GENERAL FUND, TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO STRIKE REFERENCES TO THE STATE INTERESTS IN THESE PROCEEDS; TO REPEAL SECTION 12-59-110, RELATING TO FEES AND COSTS OF THE SHERIFF FOR SERVICES PROVIDED TO THE FORFEITED LANDS COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LANDS COMMISSION, TO REPLACE REFERENCE TO THE COUNTY SHERIFFS WITH THE COUNTY TAX COLLECTOR REGARDING THE ALLOWING OF AGENTS OF THE COMMISSION ACCESS TO EXECUTIONS ISSUED FOR THE COLLECTION OF TAXES; AND TO AMEND SECTION 12-60-1760, RELATING TO PROPERTY TAX PROTESTS, TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN DEFENDING A COURT ACTION, AND TO REPLACE THE COUNTY AUDITOR OR TREASURER WITH THE COUNTY AS TO WHO MAY CAUSE A MUNICIPALITY TO BE MADE A PARTY TO ANY ACTION INVOLVING A MUNICIPAL LEVY.

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

**REPORTS OF STANDING COMMITTEES**

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 1000 -- Senator Peeler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 92 ALONG INTERSTATE HIGHWAY 85 IN CHEROKEE COUNTY “LANCE CORPORAL CHRISTOPHER S. FOWLKES INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “LANCE CORPORAL CHRISTOPHER S. FOWLKES INTERCHANGE”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

S. 1143 -- Senators Verdin and Rose: A JOINT RESOLUTION TO ESTABLISH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS AS THE OFFICIAL CIVIL WAR ERA HISTORIC DRIVING TRAILS OF SOUTH CAROLINA; TO PERMIT SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS TO CONSULT WITH THE SOUTH CAROLINA CIVIL WAR SESQUICENTENNIAL ADVISORY BOARD AND THE DEPARTMENT OF ARCHIVES AND HISTORY CONCERNING THE PLANNING, DEVELOPMENT, ESTABLISHMENT, MAINTENANCE, AND MARKETING OF THE TRAILS; TO ENCOURAGE THE DEPARTMENT OF TRANSPORTATION TO WORK WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING THE PLACEMENT OF SIGNS ADJACENT TO THE STATE HIGHWAY SYSTEM; AND TO ENCOURAGE THE APPROPRIATE GOVERNMENT AGENCIES TO COOPERATE WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING EDUCATIONAL AND MARKETING MATERIALS.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 4003 -- Rep. Agnew: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTIONS OF SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/ANDERSON COUNTY LINE, SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/MCCORMICK COUNTY LINE, AND SOUTH CAROLINA HIGHWAY 72 AND THE ABBEVILLE/GREENWOOD COUNTY LINE THAT CONTAIN THE WORDS “ABBEVILLE HIGH SCHOOL PANTHERS 2010 CLASS A STATE FOOTBALL CHAMPIONS”.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable report on:

H. 4447 -- Reps. Forrester, Allison, Chumley, Tallon and Parker: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE MIDDLE TYGER RIVER ALONG SOUTH CAROLINA HIGHWAY 296 IN SPARTANBURG COUNTY “CAPTAIN JOHN DAVID HORTMAN BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS “CAPTAIN JOHN DAVID HORTMAN BRIDGE”.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 1171 -- Senator Knotts: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE THIRD ANNUAL SOUTH CAROLINA EMERGENCY MEDICAL MEMORIAL BIKE RIDE FOR HONORING THOSE WHO HAVE GIVEN OF THEMSELVES WHILE RENDERING AID TO THE CITIZENS OF THE GREAT STATE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDA**

**THIRD READING BILL**

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

S. 1056 -- Senators Peeler, Cromer, Alexander, L. Martin, Thomas, Setzler, Ryberg, Rose, Grooms, Knotts, Fair and Malloy: A BILL TO AMEND SECTION 44‑53‑160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANNER IN WHICH CHANGES TO SCHEDULES OF CONTROLLED SUBSTANCES MAY BE MADE BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO PROVIDE THAT THE EXISTENCE OF A RECOGNIZED MEDICAL USE OF A SUBSTANCE MUST BE CONSIDERED BY THE DEPARTMENT WHEN MAKING A RECOMMENDATION TO THE GENERAL ASSEMBLY ABOUT ADDING A SUBSTANCE TO A SCHEDULE, TO PROVIDE FOR THE ADDITION, DELETION, OR RESCHEDULING OF A CONTROLLED SUBSTANCE BY THE DEPARTMENT WHEN A CORRESPONDING ADDITION, DELETION, OR RESCHEDULING OF THE DRUG BY FEDERAL LAW OR REGULATION OCCURS, TO PROVIDE FOR THE EMERGENCY DESIGNATION OF A SUBSTANCE AS A SCHEDULE I SUBSTANCE, AND TO PROVIDE AN EXEMPTION FROM ORDINARY PROMULGATION REQUIREMENTS; AND TO AMEND SECTION 44‑53‑190, AS AMENDED, RELATING TO SCHEDULE I CONTROLLED SUBSTANCES, SO AS TO DEFINE AND ADD SYNTHETIC CANNABINOIDS, CATHINONES, AND SUBSTITUTED CATHINONES TO THAT SCHEDULE.

**READ THE SECOND TIME**

S. 1170 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO INFORMATION SUBMITTED WITH AN ELECTRIC UTILITY FINANCING APPLICATION FILED WITH THE COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4189, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

Senator LARRY MARTIN explained the Joint Resolution.

The question then was second reading of the Resolution.

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

**Ayes 37; Nays 2**

**AYES**

Alexander Anderson Bright

Campbell Campsen Coleman

Courson Cromer Davis

Elliott Gregory Grooms

Hayes Hutto Knotts

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bryant Fair

**Total--2**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**READ THE SECOND TIME**

H. 4108 -- Rep. Allen: A BILL TO AMEND SECTIONS 5‑31‑2510, 6‑11‑2510, 33‑49‑1410, 58‑5‑1110, 58‑27‑2510, AND 58‑31‑510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN PROCEDURES GOVERNING THE TERMINATION OF ELECTRIC AND NATURAL GAS SERVICE UNDER CERTAIN CIRCUMSTANCES FURNISHED BY A MUNICIPALITY, SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT, ELECTRIC COOPERATIVE, PUBLIC UTILITY, PUBLIC SERVICE AUTHORITY, OR ELECTRIC UTILITY, SO AS TO CHANGE THE DEFINITION OF “SPECIAL NEEDS ACCOUNT CUSTOMER” TO INCLUDE CUSTOMERS WHO SUFFER FROM ALZHEIMER’S DISEASE OR DEMENTIA.

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

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the Third Reading Calendar.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 1014 -- Senator Knotts: A BILL TO AMEND SECTION 17‑5‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS REQUIRED FOR CANDIDATES FOR CORONER, SO AS TO REQUIRE THAT PERSONS WHO QUALIFY FOR THE BALLOT BY MEANS OF EXPERIENCE QUALIFICATIONS TO HAVE ATTAINED THAT EXPERIENCE IN THE TEN YEARS BEFORE FILING AN AFFIDAVIT OF CANDIDACY, TO ELIMINATE TWO YEARS EXPERIENCE AS A LICENSED PRIVATE DETECTIVE AS A QUALIFICATION FOR THE BALLOT, AND TO PROVIDE THAT THE CORONERS TRAINING ADVISORY COMMITTEE SHALL DETERMINE THOSE FORENSIC SCIENCE DEGREE AND CERTIFICATION PROGRAMS THAT QUALIFY AS “RECOGNIZED” FOR PURPOSES OF THE TRAINING REQUIREMENTS REQUIRED FOR CANDIDATES FOR CORONER.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary.

The Judiciary Committee proposed the following amendment (JUD1014.001), which was adopted:

Amend the bill, as and if amended, page 3, by striking lines 4-7, and inserting:

/ SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 38; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Coleman Courson

Cromer Davis Elliott

Fair Gregory Grooms

Hayes Hutto Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

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

**COMMITTEE AMENDMENT ADOPTED**

**AMENDED, READ THE SECOND TIME**

H. 3506 -- Reps. Loftis, Allison, J.R. Smith, White, Bowen, Ott, Cobb‑Hunter, Pitts and Henderson: A BILL TO AMEND SECTION 12‑6‑3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO REVISE THE DEFINITION OF A “TECHNOLOGY INTENSIVE FACILITY”; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO THE TAX CREDIT FOR INFRASTRUCTURE IMPROVEMENTS FOR WATER, WASTEWATER, HYDROGEN FUEL, SEWER, GAS, STEAM, ELECTRIC ENERGY, AND COMMUNICATION SERVICES, SO AS TO INCLUDE CERTAIN SITE PREPARATION COSTS WITHIN THE DEFINITION OF INFRASTRUCTURE IMPROVEMENTS WHICH GIVE RISE TO THE CREDIT; AND TO AMEND SECTION 12‑44‑30, AS AMENDED, RELATING TO FEES IN LIEU OF TAXES, SO AS TO REVISE THE DEFINITION OF “TERMINATION DATE”.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

The Committee on Finance proposed the following amendment (NBD\12001DG12), which was adopted:

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

/ SECTION 1. Section 12‑6‑3360(M)(13) and (14) of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

“(13) "Qualifying service‑related facility" means:

(a) an establishment engaged in an activity or activities listed under the North American Industry Classification System Manual (NAICS) Section 62, subsectors 621, 622, and 623; or

(b) a business, other than a business engaged in legal, accounting, banking, or investment services (including a business identified under NAICS Section 55) or retail sales, which has a net increase of at least:

(i) ~~two~~ one hundred ~~fifty~~ seventy-five jobs at a single location;

(ii) one hundred fifty jobs at a single location comprised of a building or portion of building that has been vacant for at least twelve consecutive months prior to the taxpayer’s investment;

(iii) one hundred ~~twenty‑five~~ jobs at a single location and the jobs have an average cash compensation level of more than one and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located;

~~(iii)~~(iv) ~~seventy‑five~~ fifty jobs at a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

~~(iv)~~(v) ~~thirty~~ twenty-five jobs at a single location and the jobs have an average cash compensation level of more than two and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located.

A taxpayer shall use the most recent per capita income data available as of the end of the taxable year in which the jobs are filled. Determination of the required number of jobs is in accordance with the monthly average described in subsection (F).

(14) ‘Technology intensive facility’ means:

(a) a facility at which a firm engages in the design, development, and introduction of new products or innovative manufacturing processes, or both, through the systematic application of scientific and technical knowledge. Included in this definition are the following North American Industrial Classification Systems, NAICS, Codes published by the Office of the Management and Budget of the federal government:

(i) 5114 database and directory publishers;

(ii) 5112 software publishers;

(iii) 54151 computer systems design and related services;

(iv) 541511 custom computer programming services;

(v) 541512 computer systems design services;

(vi) ~~541710 scientific research and development services~~ 541711 research and development in biotechnology; 2007 NAICS;

(vii) 541712 research and development in physical, engineering, and life sciences; 2007 NAICS;

(viii) 518210 data processing, hosting and related services;

(ix) 9271 space research and technology; or

(b) a facility primarily used for one or more activities listed under the 2002 version of the NAICS Codes 51811 (Internet Service Providers and Web Search Portals).”

SECTION 2. Section 12‑20‑105 of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

“Section 12‑20‑105. (A) Any company subject to a license tax under Section 12‑20‑100 may claim a credit against its license tax liability for amounts paid in cash to provide infrastructure for an eligible project.

(B)(1) To be considered an eligible project for purposes of this section, the project must qualify for income tax credits under Chapter 6, Title 12, withholding tax credit under Chapter 10, Title 12, income tax credits under Chapter 14, Title 12, or fees in lieu of property taxes under either Chapter 12, Title 4, Chapter 29, Title 4, or Chapter 44, Title 12.

(2) If a project is located in an office, business, commercial, or industrial park, or combination of these, is used exclusively for economic development and is owned or constructed by a county, political subdivision, or agency of this State when the qualifying improvements are paid for, the project does not have to meet the qualifications of item (1) to be considered an eligible project. As provided in subsection (C)(4), the county or political subdivision may sell all or a portion of the business or industrial park.

(C) For the purpose of this section, “infrastructure” means improvements for water, wastewater, hydrogen fuel, sewer, gas, steam, electric energy, and communication services made to a building or land that are considered necessary, suitable, or useful to an eligible project. These improvements include, but are not limited to:

(1) improvements to both public or private water and sewer systems;

(2) improvements to both public or private electric, natural gas, and telecommunications systems including, but not limited to, ones owned or leased by an electric cooperative, electric utility, or electric supplier, as defined in Chapter 27, Title 58;

(3) fixed transportation facilities including highway, road, rail, water, and air;

(4) for a qualifying project under subsection (B)(2), infrastructure improvements include shell buildings, incubator buildings whose ownership is retained by the county, political subdivision, or agency of the State and the purchase of land for an office, business, commercial, or industrial park, or combination of these, used exclusively for economic development which is owned or constructed by a county, political subdivision, or agency of this State. The county, political subdivision, or agency may sell the shell building or all or a portion of the park at any time after the company has paid in cash to provide the infrastructure for an eligible project; ~~and~~

(5) for a qualifying project pursuant to subsection (B)(2), infrastructure improvements also include due diligence expenditures relating to environmental conditions made by a county or political subdivision after it has acquired contractual rights to an industrial park. Due diligence expenditures include such items as Phase I and II studies and environmental or archeological studies required by state or federal statutes or guidelines or similar lender requirements. Contractual rights include options to purchase real property or other similar contractual rights acquired before the county or political subdivision files a deed to the property with the Register of Mesne Conveyances; and

(6) for a qualifying project pursuant to subsection (B)(2), site preparation costs include, but are not limited to:

(a) clearing, grubbing, grading, and stormwater retention; and

(b) refurbishment of buildings that are owned or controlled by a county or municipality and are used exclusively for economic development purposes.

(D) A company is not allowed the credit provided by this section for actual expenses it incurs in the construction and operation of any building or infrastructure it owns, leases, manages, or operates.

(E) The maximum aggregate credit that may be claimed in any tax year by a single company is ~~three~~ four hundred thousand dollars.

(F) The credits allowed by this section may not reduce the license tax liability of the company below zero. If the applicable credit originally earned during a taxable year exceeds the liability and is otherwise allowable under subsection (D), the amount of the excess may be carried forward to the next taxable year.

(G) For South Carolina income tax and license purposes, a company that claims the credit allowed by this section is ineligible to claim the credit allowed by Section 12‑6‑3420.

(H) By March first of each year, the Department of Revenue shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Secretary of the Department of Commerce outlining the history of the credit allowed pursuant to this section. The report shall include the amount of credit allowed pursuant to this section and the types of infrastructure provided to eligible projects.”

SECTION 3. Section 12‑44‑30(21) of the 1976 Code, as last amended by Act 290 of 2010, is further amended to read:

“(21) ‘Termination date’ means the date that is the last day of a property tax year that is no later than the twenty‑ninth year following the first property tax year in which an applicable piece of economic development property is placed in service. A sponsor may apply to the county prior to the termination date for an extension of the termination date beyond the twenty‑ninth year up to ten years. The county council of the county shall approve an extension by resolution upon a finding of substantial public benefit. A copy of the resolution must be delivered to the department within thirty days of the date the resolution was adopted. With respect to a fee agreement involving an enhanced investment, the termination date is the last day of a property tax year that is no later than the thirty‑ninth year following the first property tax year in which an applicable piece of economic development property is placed in service. A sponsor may apply to the county before the termination date for an extension of the termination date beyond the thirty‑ninth year up to ten years. If the fee agreement is terminated in accordance with Section 12‑44‑140, the termination date is the date the agreement is terminated.”

SECTION 4. Section 4‑12‑30(O) of the 1976 Code, as last amended by Act 69 of 2003, is amended by adding an appropriately numbered subitem at the end to read:

“( ) Upon the direction of the governing body of the county, a county official may request and obtain such financial books and records from a sponsor that support the sponsor’s fee in lieu of taxes return as may be reasonably necessary to verify the calculations of the sponsor’s fee in lieu of taxes payment or the calculations of the sponsor’s special source revenue credit.”

SECTION 5. Section 4‑29‑67(S) of the 1976 Code, as last amended by Act 290 of 2010, is further amended by adding an appropriately numbered subitem at the end to read:

“( ) Upon the direction of the governing body of the county, a county official may request and obtain such financial books and records from a sponsor that support the sponsor’s fee in lieu of taxes return as may be reasonably necessary to verify the calculations of the sponsor’s fee in lieu of taxes payment or the calculations of the sponsor’s special source revenue credit.”

SECTION 6. Section 12‑44‑90 of the 1976 Code, as last amended by Act 69 of 2003, is further amended by adding an appropriately numbered subsection at the end to read:

“( ) Upon the direction of the governing body of the county, a county official may request and obtain such financial books and records from a sponsor that support the sponsor’s fee in lieu of taxes return as may be reasonably necessary to verify the calculations of the sponsor’s fee in lieu of taxes payment or the calculations of the sponsor’s special source revenue credit.”

SECTION 7. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Senator O’DELL explained the committee amendment.

The committee amendment was adopted.

Senator LEVENTIS proposed the following amendment (NBD\12089DG12), which was adopted:

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

/ SECTION \_\_\_. A. Chapter 10, Title 12 of the 1976 Code is amended by adding:

“Section 12‑10‑108. (A) As used in this section:

(1) ‘Assigned employee’ means an employee providing services for a client company as affected by a contract between a licensee and a client company in which employment responsibilities are shared.

(2) ‘Client company’ means a person that contracts with a licensee and that is assigned employees under that contract.

(3) ‘Licensee’ means a person licensed under Chapter 68, Title 40 as a professional employer organization to provide professional employer services as that term is defined in Section 40‑68‑10. The term includes a professional employer services group licensed under Section 40‑68‑80.

(B) A client company that is a qualifying business and otherwise meets the requirements of this chapter except that it uses a single licensee to provide assigned employees which perform services at the project, will be eligible for an overpayment of withholding resulting from a job development credit for new jobs filled by assigned employees provided the provisions of this section are met, including the following:

(1) The benefits package, including health care, for employees described in Sections 12‑10‑50(A)(2) and (B)(2) is sponsored by either the licensee or the client company.

(2) A revitalization agreement is executed between the qualifying business that is a client company and the council, and an addendum to the revitalization agreement is executed among the qualifying business that is a client company, the council and the licensee that sets forth the applicable responsibilities of each party and is in a form acceptable to the council.

(3) The licensee makes all books and records concerning a client company available to the department and the council concerning withholding and the claiming of a job development credit in the manner provided by this title and applicable regulations; and

(4) The licensee submits the required income tax withholding payments and returns for all assigned employees working at the project and claims any applicable job development credit attributable to the assigned employees.

(C) On a quarterly basis, the client company shall file with the department and the council information concerning:

(1) the number of assigned employees at the project attributable to the licensee;

(2) the amount of South Carolina income tax withholding for assigned employees for the licensee;

(3) the total amount of job development credits associated with the assigned employees attributable to the licensee; and

(4) such other information the department or council may require.

If the client company also has employees subject to South Carolina withholding taxes payable by the client company, the client company is eligible to claim a job development credit for any such employee. The client company shall also provide the information set forth in this subsection concerning such employees.

(D)(1) In lieu of refunding any applicable overpayment of withholding attributable to a job development credit to a licensee, the department shall pay to the client company any applicable overpayment of withholding attributable to the job development credit for assigned employees. Once payment is made to the client company, the licensee has no further claim to any overpayment of withholding attributable to the job development credit and paid to the client company and shall hold the department and the council harmless for any overpayment of withholding paid to the client company pursuant to this item.

(2) To the extent that any overpayment of withholding results from an improper claiming of a job development credit, it must be treated as misappropriated withholding with the client company being liable for such amount and the licensee only liable if the licensee commits fraud attributable to the claiming of a job development credit.

(3) Qualifications and calculations of job development credits pursuant to this chapter must be made on a client company basis and not on a licensee basis.

(4) The department and the council may specify the form and manner of any information to be submitted under this section.

(5) All notices pertaining to the claiming of the job development credit must be sent to both the licensee and the client company.

(E) If a contract entered into pursuant to Section 48‑68‑60 between a client company and a licensee si terminated, the client company shall send notice of termination to the department and the council within thirty business days of the date of termination. If and until a new licensee becomes a party to the addendum, the client company shall be responsible for all of the licensee’s responsibilities under the addendum to the revitalization agreement.

(F) The client company shall be responsible for submitting any reports or fees to the council or the department required by this chapter including itemized sources and uses of funds and paying any penalty imposed for failure to submit a report or fee without an extension.

(G) Notwithstanding Sections 12‑10‑80(A)(1) and (A)(2), a client company must be considered current with respect to withholding tax if the licensee is current with respect to withholding taxes. If the client company has its own employees that are subject to a job development credit, in addition to assigned employees, the client company must also be current with respect to all withholding taxes.

(H) The licensee and the client company agree to waive the taxpayer confidentiality provisions of Section 12‑54‑240 and allow the exchange of information concerning withholding tax and the claiming of job development credit among the licensee, client company, department and the council.

(I) Any claim for a retraining credit pursuant to Section 12‑10‑95 must be treated the same as a job development credit under this section.

(J) The client company must pay an additional three hundred dollar administrative fee to be split equally between the department and the council to cover the cost of administering the provisions of this section.

(K) The department and the council may establish such rules and regulations as are necessary to administer this section.

(L) All the provisions of this chapter remain applicable to a client company and the claiming of the job development credit.”

B. Chapter 68, Title 40 of the 1976 Code is amended by adding:

“Section 40‑68‑145. (A) Except as otherwise provided by law, for purposes of determining an incentive or business preference program based on employment, an assigned employee is considered an employee solely of the client company, not the licensee. Notwithstanding that the licensee is the W‑2 reporting employer, the client company is entitled to the benefit of or to continue to qualify for an incentive, business preference program, or other benefit arising from the employment of assigned employees.

(B) Except as otherwise provided by law, for the purposes of an incentive or business preference program based on the number of employees, assigned employees, and direct employees of the client company are considered employees solely of the client company, but not the licensee.

(C) On request by the client company, the state, or any governmental entity, a licensee shall provide employment information and applicable books and records required by the state or governmental entity responsible for the administration of the incentive or business preference program and necessary to support a request, claim, application, or other action by a client company seeking an incentive or participation in a business preference program or an audit of the client company’s claiming of the incentive or business preference if based in whole, or in part, on the assigned employees.

(D) In providing information required pursuant to subsection (C), a licensee may not be required to:

(1) complete forms on behalf of a client;

(2) attest, certify, and verify the accuracy of information originally provided by or based on information provided by the client company to the licensee, however, any information submitted to the licensee by the client company must be signed by a person authorized to sign a return under Section 12‑2‑75 and shall be treated as though such information were submitted in connection with a return submitted to the Department of Revenue.

(3) create new information or records; or

(4) provide employment information beyond the applicable statute of limitations for assessing taxes provided in section 12‑54‑85.

(E) The licensee and the client company agree to waive the taxpayer confidentiality provisions of 12‑54‑240 and allow the exchange of information concerning the applicable incentive or business program among the client company, the licensee and any public entity administering the applicable incentive or business preference program.

(F) A licensee may charge a client company a fee for information provided pursuant to subsection (C) above.”

C. Notwithstanding the general effective date of this act, this SECTION takes effect upon approval by the Governor and applies to tax years beginning after December 31, 2012, and is only applicable to any client company approved for job development credits by the council or qualifying for an incentive or business preference program after December 31, 2012.

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

Renumber sections to conform.

Amend title to conform.

Senator LEVENTIS explained the amendment.

The amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 34; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Courson Cromer

Davis Elliott Fair

Gregory Grooms Hayes

Hutto Knotts Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Rankin Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--34**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

H. 4636 -- Reps. Tallon, J.R. Smith, Hixon, Pope, Delleney, Corbin, Bedingfield, G.R. Smith, Lucas, Hamilton, Stringer, Ryan, Owens, Horne, Pinson, Thayer, Putnam, Murphy, Pitts, Spires, Brannon, Chumley, Lowe, Allison, Anthony, Quinn, Bingham, Ballentine, Bannister, Hearn, D.C. Moss, Hardwick, Parker, Cole, Forrester, Limehouse, Gilliard, Sottile, McEachern and Frye: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE BLUE ALERT PROGRAM THAT IS DESIGNED TO APPREHEND A SUSPECT THAT ALLEGEDLY KILLS, SERIOUSLY INJURES, OR ABDUCTS A LAW ENFORCEMENT OFFICER BY RAPIDLY DISSEMINATING INFORMATION REGARDING THE SUSPECT.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Judiciary .

The Judiciary Committee proposed the following amendment (JUD4636.001), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1, page 1, lines 23-42, and page 2, lines 1-25, in its entirety, and inserting:

/ SECTION 1. Chapter 3, Title 23 of the 1976 Code is amended by adding:

“Article 16

Blue Alert Program

Section 23‑3‑1400. (A) The ‘Blue Alert Program’ is established within the South Carolina Law Enforcement Division (SLED). The purpose of the program is to assist law enforcement in the apprehension of a suspect who allegedly kills, seriously injures, or abducts a law enforcement officers by rapidly disseminating information regarding the suspects, and to reduce the suspect’s ability to flee thereby posing a serious threat to the safety of others.

(B) SLED shall adopt guidelines and establish procedures for issuing a blue alert, including the rapid dissemination of information regarding suspects through the use of the South Carolina Department of Transportation’s electronic traffic signage system and other law enforcement mechanisms. The Chief of SLED shall act as the program’s statewide coordinator.

(C) To aid in hindering a suspect’s ability to flee and threaten citizens, communities, and other law enforcement personnel, SLED shall encourage and recruit television and radio broadcasters and other organizations to assist in the program by quickly disseminating information regarding the suspect.

(D) A blue alert may be issued if:

(1) a local, state, or federal law enforcement officer is killed, seriously injured, or abducted; and

(2) the law enforcement agency of jurisdiction:

(a) determines that a suspect poses a serious risk or threat to the public and other law enforcement personnel;

(b) possesses sufficient information that could assist in locating the suspect, including information regarding the suspect’s vehicle; and

(c) recommends the issuance of a blue alert to SLED.

(E) SLED may issue a blue alert upon confirmation of the requirements of Subsection (D). Upon issuance of a blue alert, information that could assist in locating a suspect may be displayed across the State via the South Carolina Department of Transportation’s electronic traffic signage system and other law enforcement mechanisms. Also, the information may be disseminated to organizations assisting with the program.

(F) A blue alert may be canceled at the request of the law enforcement agency of jurisdiction or by the Chief of SLED when appropriate.” /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Hutto Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

**Total--0**

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

**ADOPTED**

S. 1128 -- Senators L. Martin and Alexander: A SENATE RESOLUTION TO COMMEND THE SPONSORS OF THE NOTHIN’ BUT THE BLUESFEST FOR THEIR EFFORTS TO PROMOTE THE PALMETTO STATE’S RICH MUSICAL HERITAGE, TO ENCOURAGE THE CITIZENS OF SOUTH CAROLINA TO ATTEND THE CELEBRATION, SCHEDULED FOR APRIL 19‑22, 2012, IN THE CLEMSON AREA, AND TO DECLARE APRIL 2012 AS BLUES MONTH IN SOUTH CAROLINA.

The Senate Resolution was adopted.

**OBJECTION**

S. 1025 -- Senator Campsen: A BILL TO AMEND SECTION 7‑17‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COUNTY BOARD OF CANVASSERS, SO AS TO CHANGE THE MEETING DATE FROM FRIDAY TO MONDAY; TO AMEND SECTION 7‑17‑20, RELATING TO THE CANVASS OF VOTES, SO AS TO CHANGE THE DEADLINE FROM SATURDAY TO TUESDAY; AND TO ADD SECTION 7‑17‑25, SO AS TO REQUIRE POST‑ELECTION AUDITS TO BE CONDUCTED BY COUNTY ELECTION COMMISSIONS PURSUANT TO REGULATIONS PROMULGATED BY THE STATE ELECTION COMMISSION.

Senator SCOTT objected to the Bill.

S. 1069 -- Senator Bryant: A BILL TO AMEND SECTION 41‑35‑10 OF THE 1976 CODE, RELATING TO THE PAYMENT OF UNEMPLOYMENT BENEFITS, TO PROVIDE FOR AN EXCEPTION FOR BENEFITS BASED ON SEASONAL WAGES; TO AMEND CHAPTER 35, TITLE 41, RELATING TO UNEMPLOYMENT BENEFITS AND CLAIMS, TO SET THE TOTAL AMOUNT OF BENEFITS PAID ON SEASONAL WAGES; TO AMEND CHAPTER 27, TITLE 41, RELATING TO GENERAL PROVISIONS CONCERNING THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE DEFINITIONS RELATING TO SEASONAL AND NON‑SEASONAL EMPLOYERS, EMPLOYEES, AND INDUSTRIES; TO AMEND CHAPTER 31, TITLE 41, RELATING TO CONTRIBUTIONS AND PAYMENTS TO THE UNEMPLOYMENT TRUST FUND, BY ADDING SECTION 41‑31‑52, TO PROVIDE FOR AN APPLICATION PROCESS TO DETERMINE AN EMPLOYER’S STATUS AS A SEASONAL EMPLOYER, TO PROVIDE FOR THE CONTENTS OF THE APPLICATION, TO PROVIDE FOR DETERMINATIONS BY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO PROVIDE FOR DUTIES OF A SEASONAL EMPLOYER, TO PROVIDE FOR REVOCATION OF SEASONAL EMPLOYER STATUS, AND TO PROVIDE FOR AN APPEALS PROCESS; AND TO AMEND SECTION 41‑35‑66, TO PROVIDE FOR THE DETERMINATION OF SEASONAL WORKER BENEFITS.

Senator BRYANT explained the Bill.

Senator PINCKNEY objected to further consideration of the Bill.

**CARRIED OVER**

H. 3583 -- Rep. Cooper: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

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

H. 3750 -- Reps. Viers and Vick: A BILL TO AMEND SECTION 17‑5‑530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CORONER’S DUTIES WHEN A PERSON DIES, INCLUDING WHERE AN AUTOPSY MUST BE PERFORMED IF A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY‑FOUR HOURS OF ENTERING THE FACILITY OR WITHIN TWENTY‑FOUR HOURS OF UNDERGOING AN INVASIVE SURGICAL PROCEDURE, SO AS TO PROVIDE THAT UNLESS THE CORONER CERTIFIES THAT THERE IS NO REASONABLE ALTERNATIVE, THE AUTOPSY MUST NOT BE PERFORMED AT THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED OR BY A PHYSICIAN WHO TREATED THE PATIENT OR WHO WAS EMPLOYED BY THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED.

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

S. 1026 -- Senators Bryant and Elliott: A BILL TO REPEAL SECTION 41‑27‑525 OF THE 1976 CODE, RELATING TO THE AVAILABILITY OF UNEMPLOYMENT BENEFITS FOR PERSONS SEEKING ONLY PART‑TIME WORK.

Senator BRYANT explained the Bill.

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

S. 1031 -- Senators Lourie, L. Martin, Elliott, Setzler and Alexander: A BILL TO AMEND SECTION 56‑5‑5660(E)(1) OF THE 1976 CODE, RELATING TO THE APPLICATION FOR AND ISSUANCE OF DISPOSAL AUTHORITY CERTIFICATES, TO INCREASE THE AGE OF A VEHICLE THAT MAY BE DISPOSED OF BY A DEMOLISHER WITHOUT A CERTIFICATE OF TITLE OR OTHER NOTICE REQUIREMENTS FROM EIGHT TO FIFTEEN YEARS; TO AMEND SECTION 56‑5‑5670(A), RELATING TO DUTIES OF DEMOLISHERS PRIOR TO DEMOLISHING A VEHICLE ABANDONED ON A HIGHWAY, TO ESTABLISH A FIFTEEN DAY WAITING PERIOD BEFORE A DEMOLISHER MAY WRECK, DISMANTLE, OR DEMOLISH A VEHICLE UNLESS THE DEMOLISHER IS PROVIDED WITH A CERTIFICATE OF TITLE, AN AUCTION SALES RECEIPT, A DISPOSAL AUTHORITY CERTIFICATE, OR AN AFFIDAVIT OF PROOF OF LAWFUL POSSESSION; TO AMEND SECTION 56‑5‑5670(D), RELATING TO PENALTIES FOR DEMOLISHERS THAT BREACH DUTIES ESTABLISHING IN THIS SECTION, TO INCREASE PENALTIES FOR VIOLATIONS OF SECTION 56‑5‑5670; TO AMEND ARTICLE 39, CHAPTER 5, TITLE 56, RELATING TO THE DISPOSITION OF ABANDONED MOTOR VEHICLES ON HIGHWAYS, BY ADDING SECTION 56‑5‑5680 TO PROVIDE FOR AN AFFIDAVIT OF LAWFUL POSSESSION THAT A DEMOLISHER MAY ACCEPT IN LIEU OF A CERTIFICATE OF TITLE, AN AUCTION SALES RECEIPT, OR A DISPOSAL AUTHORITY CERTIFICATE, TO PROVIDE FOR THE CONTENTS OF THE AFFIDAVIT, TO PROVIDE THAT IT IS FELONY TO KNOWINGLY PROVIDE FALSE INFORMATION IN THE AFFIDAVIT, TO REQUIRE A DEMOLISHER ACCEPTING AN AFFIDAVIT TO TRANSMIT THE INFORMATION CONTAINED IN THE AFFIDAVIT TO THE DEPARTMENT OF MOTOR VEHICLES, TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO REPORT THE INFORMATION TRANSMITTED BY THE DEMOLISHER TO THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM, AND TO PROVIDE PRESCRIBE THE APPROPRIATE USES OF THE INFORMATION; TO AMEND SECTION 56‑5‑5945, RELATING TO DUTIES OF DEMOLISHERS PRIOR TO DEMOLISHING AN ABANDONED OR DERELICT MOTOR VEHICLE FOUND ON PRIVATE PROPERTY, TO ESTABLISH A FIFTEEN DAY WAITING PERIOD BEFORE A DEMOLISHER MAY WRECK, DISMANTLE, OR DEMOLISH AN ABANDONED VEHICLE UNLESS THE DEMOLISHER IS PROVIDED WITH A CERTIFICATE OF TITLE, A SALES RECEIPT ISSUED PURSUANT TO SECTION 56‑5‑5850, OR AN AFFIDAVIT OF PROOF OF LAWFUL POSSESSION, AND TO INCREASE PENALTIES FOR VIOLATIONS OF SECTION 56‑5‑5945; AND TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO ESTABLISH A MECHANISM FOR THE ELECTRONIC TRANSMISSION OF THE INFORMATION REQUIRED UNDER THIS ACT AT NO CHARGE TO THE DEMOLISHER SUBMITTING THE INFORMATION.

Senator LARRY MARTIN explained the Bill.

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

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

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, the Senate agreed to dispense with the Motion Period.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**DEBATE INTERRUPTED**

H. 3066 -- Reps. G.R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G.M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D.C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE “SOUTH CAROLINA RESTRUCTURING ACT OF 2011” INCLUDING PROVISIONS TO AMEND SECTION 1‑30‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1‑30‑125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1‑11‑20, AS AMENDED, 1‑11‑22, 1‑11‑55, 1‑11‑56, 1‑11‑58, 1‑11‑65, 1‑11‑67, 1‑11‑70, 1‑11‑80, 1‑11‑90, 1‑11‑100, 1‑11‑110, 1‑11‑180, 1‑11‑220, 1‑11‑225, 1‑11‑250, 1‑11‑260, 1‑11‑270, 1‑11‑280, 1‑11‑290, 1‑11‑300, 1‑11‑310, AS AMENDED, 1‑11‑315, 1‑11‑320, 1‑11‑335, 1‑11‑340, 1‑11‑435, 2‑13‑240, CHAPTER 9, TITLE 3; 10‑1‑10, 10‑1‑30, AS AMENDED, 10‑1‑40, 10‑1‑130, 10‑1‑190, CHAPTER 9, TITLE 10, 10‑11‑50, AS AMENDED, 10‑11‑90, 10‑11‑110, 10‑11‑140, 10‑11‑330; 11‑9‑610, 11‑9‑620, 11‑9‑630, 11‑35‑3810, AS AMENDED, 11‑35‑3820, AS AMENDED, 11‑35‑3830, AS AMENDED, 11‑35‑3840, AS AMENDED, 13‑7‑30, AS AMENDED, 13‑7‑830, AS AMENDED, 44‑53‑530, AS AMENDED, AND 44‑96‑140; 48‑46‑30, 48‑46‑40, 48‑46‑50, 48‑46‑60, 48‑46‑90, 48‑52‑410, 48‑52‑440, AND 48‑52‑460; AND BY ADDING SECTION 1‑11‑185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of Amendment No. 77 (3066R055.VAS) proposed by Senators SHEHEEN, DAVIS, MASSEY, SETZLER, CAMPSEN and THOMAS and published in the Journal of Tuesday, January 31, 2012.

Senator LEVENTIS argued contra to the adoption of the amendment.

On motion of Senator PEELER, with unanimous consent, debate was interrupted by adjournment, with Senator LEVENTIS retaining the floor.

**MOTION ADOPTED**

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Flora Garvin Wertz, 64, of St. George, S.C.

and

**MOTION ADOPTED**

On motion of Senator COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Karl Smith Bowers of Columbia, S.C. Mr. Bowers was the youngest magistrate elected in South Carolina and served as president of the S.C. Magistrates Association. He served as chairman of the S.C. Highway Commission and was named Chairman Emeritus. He was the beloved husband of Susan, devoted father and doting grandfather.

**ADJOURNMENT**

At 1:04 P.M., on motion of Senator PEELER, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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